

**IPA
YEAR
END
REPORT
2021**

**Independent Police Auditor
Shivaun Nurre
and IPA Staff**

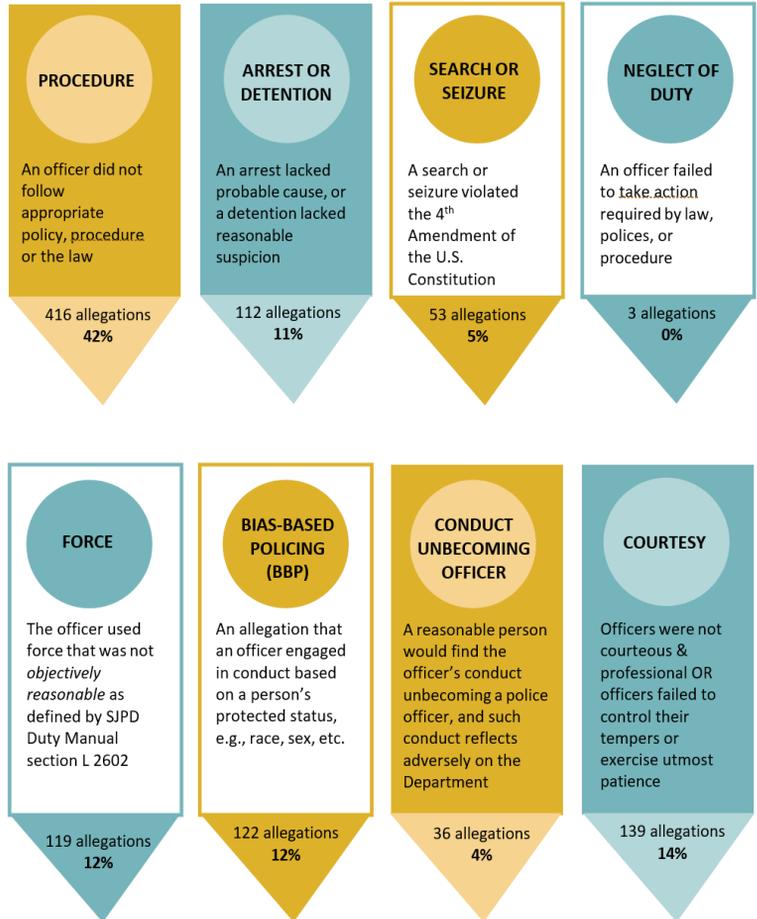
Independent Police Auditor Statistics

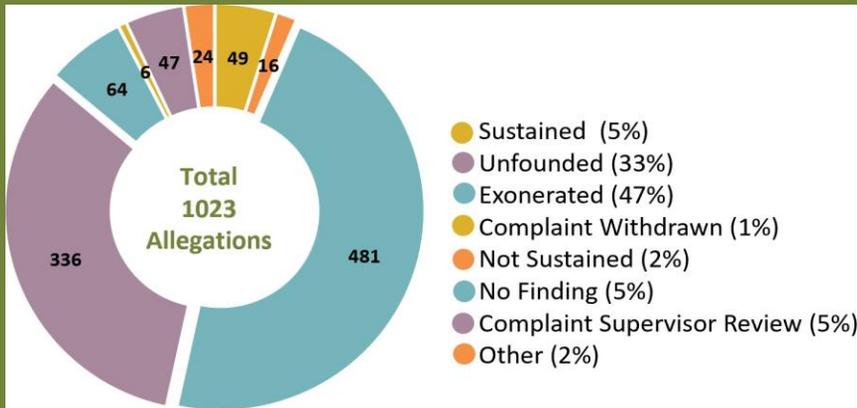
► INCREASE IN COMPLAINTS FILED

In 2021, a total of 333 complaints and concerns were received. This is a twenty-four percent (24%) increase in the number of complaints and concerns received compared to 2020.

► INCREASE IN ALLEGATIONS FILED

Complaints filed in 2021 contained 1,000 distinct allegations. Members of the public filed more allegations in 2021 than in any of the last five years.





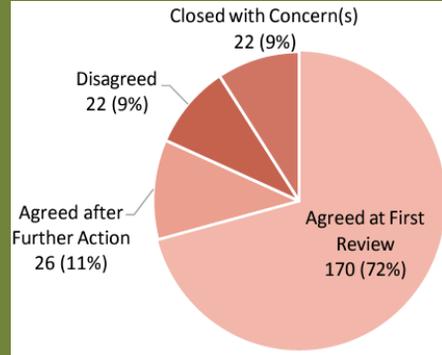
1023 allegations closed in 2021.

Dispositions of Allegations Closed in Conduct Complaints*

Type of Dispositions	Dispositions of Allegations									
	AD	BBP	C	CUBO	F	ND	P	SS	Total	%
Sustained	1	0	7	0	3	0	37	1	49	5%
Not Sustained	0	0	9	3	0	1	3	0	16	2%
Exonerated	103	0	24	1	92	0	205	56	481	47%
Unfounded	4	102	77	22	21	0	99	11	336	33%
No Finding	3	16	9	10	5	1	20	0	64	6%
Complaint Withdrawn	0	1	1	0	0	0	4	0	6	1%
Complaint/Sup Review	0	0	4	0	0	0	43	0	47	5%
Other	2	4	0	1	0	0	17	0	24	2%
Total Allegations	113	123	131	37	121	2	428	68	1023	100%

* Excluding Department-Initiated Investigations

WHAT WE LOOK FOR



AGREE AT FIRST REVIEW

AGREE AFTER FURTHER ACTION

Parking violation
SJPD officer badge XXX
Date: Thursday
Time: 4 pm

CLOSE WITH CONCERNS

DISAGREE

UPDATE ON SOCIAL PROTEST COMPLAINTS



STATUS ON SOCIAL PROTEST COMPLAINTS



Cases Closed and Described in 2020 Year End Report



Cases are Tolled due to Litigation



Cases Closed since 2020 Year End Report and Described in this Year End Report



IPA Agreed



Agreed after Further Action



IPA Disagreed



IPA PARTICIPATION IN POLICE REFORM EFFORTS

▶ INDEPENDENT AFTER-ACTION REPORT



▶ USE OF FORCE ASSESSMENT

▶ 21ST CENTURY POLICING ASSESSMENT REPORT



▶ REIMAGINING PUBLIC SAFETY IN SAN JOSE

▶ CHARTER REVIEW COMMISSION



CALIFORNIA STATE AUDITOR REPORT ON OFFICER BIAS



Law Enforcement Departments Have Not Adequately Guarded Against Biased Conduct

Report by the California State Auditor released April 2022

The Auditor examined five law enforcement departments throughout the State

- ▶ San José Police
- ▶ Stockton Police
- ▶ San Bernardino Police
- ▶ Los Angeles Sheriff
- ▶ California Department of Corrections & Rehabilitation

Over the past 14 years, 753 bias-based policing allegations have been filed against San Jose Police officers. Only one allegation has been sustained based on racial bias. See page 21 of the Report for more information on this encounter.

CONCLUSION

The audit concluded that each of the five departments has not adequately guarded against biased conduct among their officers.

OFFICERS THEN:

- » Denied a request for a translator.
- » Insisted that the landlord must return the deposit in cash, not a check.

The officers spoke while the landlord looked for money.

"Maybe she doesn't have the money, who knows? I think she has a problem gambling."



OFFICERS THEN:

- » Detained the landlord in their patrol car until a neighbor provided money to pay the deposit.
- » Told the landlord she did not need a translator after she complained about not receiving one.

San José Police determined that bias related to the landlord's race had influenced how this officer treated the landlord.

ONE YEAR PILOT PROJECT



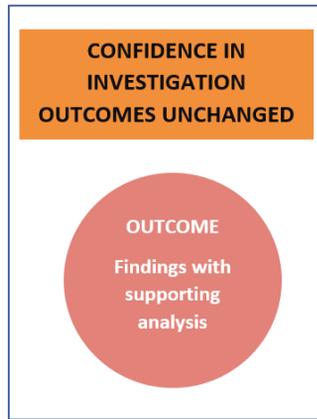
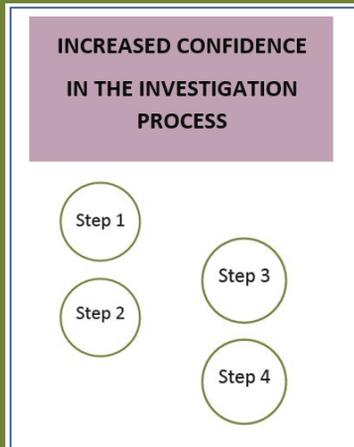
Ask a Question



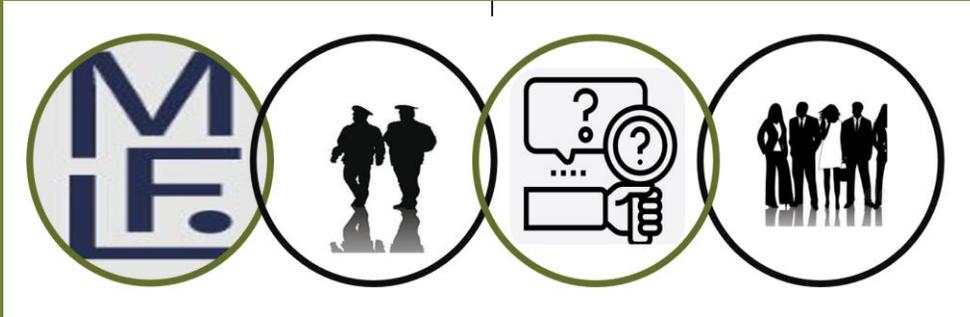
Complete Requested Tasks



Nine-Month Turnaround



MOVING POLICE MISCONDUCT INVESTIGATIONS OUT OF INTERNAL AFFAIR



With
transition
plan, move
investigations
out of IA

IF MLF recommends **moving** some or all investigations out of IA, it will provide a written report to that effect, including an **implementation roadmap** that identifies the actions, timelines, and resources necessary to accomplish the recommendations. That transition plan must ensure that investigations conducted by an alternative entity will be thorough and in accordance with the Public Safety Officers Procedural Bill of Rights (POBR) should a decision be made to do so.

With
improvement
plan, keep
investigations
in IA

IF MLF recommends **keeping** some or all investigations within the IA, it will provide a written report outlining **options to improve IA's** current policies and procedures and ensure they conform to the oversight industry's best practices.

IPA POLICY RECOMMENDATIONS

1 The Department Should Examine and Provide Guidance on Police-Community Communications.

2 The Department Should Provide Clear Direction to Address Retaliation.

3 Police Officers Should Provide Important Information During a Traffic Stop.

4 The Department Should Expand Avoiding Vehicle Tows by Placing an Affirmative Duty on Officers to Provide Options to Drivers.

5 The Department Should Provide More Thorough Guidance and Training on Vehicle Searches.

6 The Duty Manual Should Provide Guidance on When Officers May Enter Cars to Search for Recreational Marijuana.

7 The Duty Manual Should Provide Guidance on When Officers Engage in Foot Pursuits.

8 The Duty Manual Should Provide Guidance on Handcuffing Detainees.

9 The Duty Manual and the IA Unit Guidelines Should Document the Tolling Process.

10 Changes Should Be Made to the IA-IPA Process.

Judge Teresa Guerrero-Daley, San Jose's first Independent Police Auditor, designed the IPA's original logo in 1995.



In 2022, IPA Shivaun Nurre and IPA staff developed a new logo. Our goal was to create a more modern design while retaining the key elements in our original 1995 logo.

