

**INDEPENDENT
POLICE AUDITOR**

**YEAR END REPORT
2022**

**Civilian Oversight of Investigations
into Police Misconduct**

FORCE
ARREST/DETENTION
SEARCH/SEIZURE
COURTESY
PROCEDURE
NEGLECT OF DUTY

deadline ahead

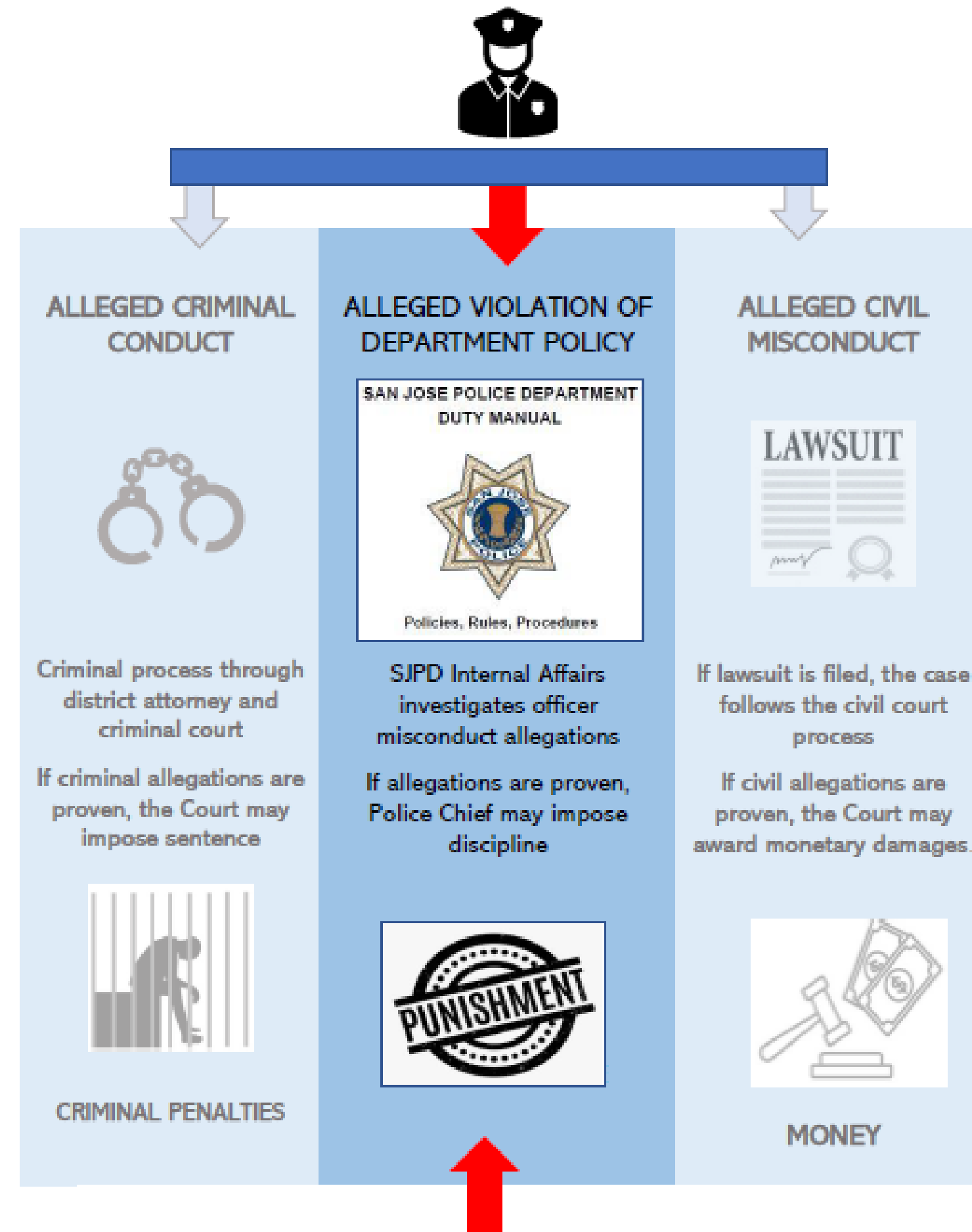
Justice

SUSTAINED
NOT SUSTAINED
EXONERATED
UNFOUNDED



Oversight of Investigations
 Police Misconduct
 ★
 YEAR END REPORT
 2022

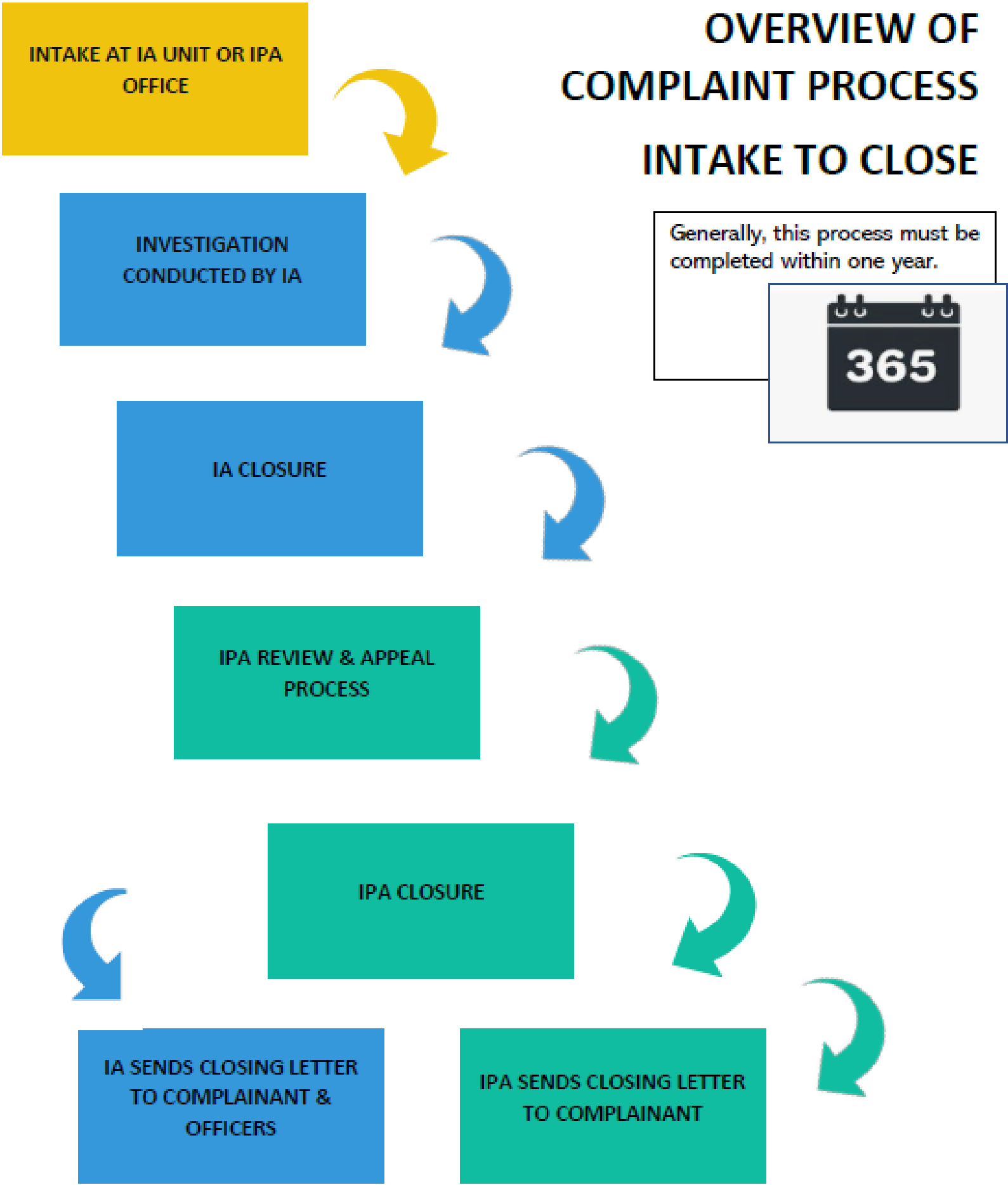
THREE AVENUES OF POLICE ACCOUNTABILITY



ONLY ONE PATH LEADS TO OFFICER DISCIPLINE

OVERVIEW OF COMPLAINT PROCESS

INTAKE TO CLOSE

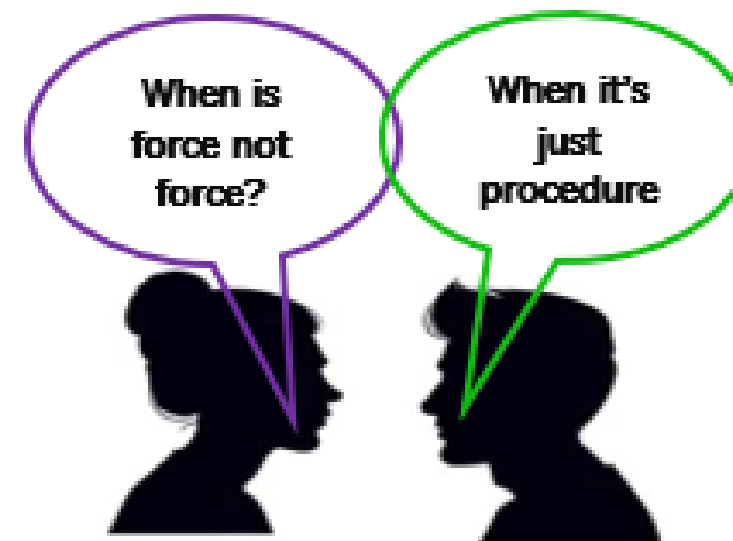




The Department Exerts Significant Power Over The Complaint Process By Assigning Allegations

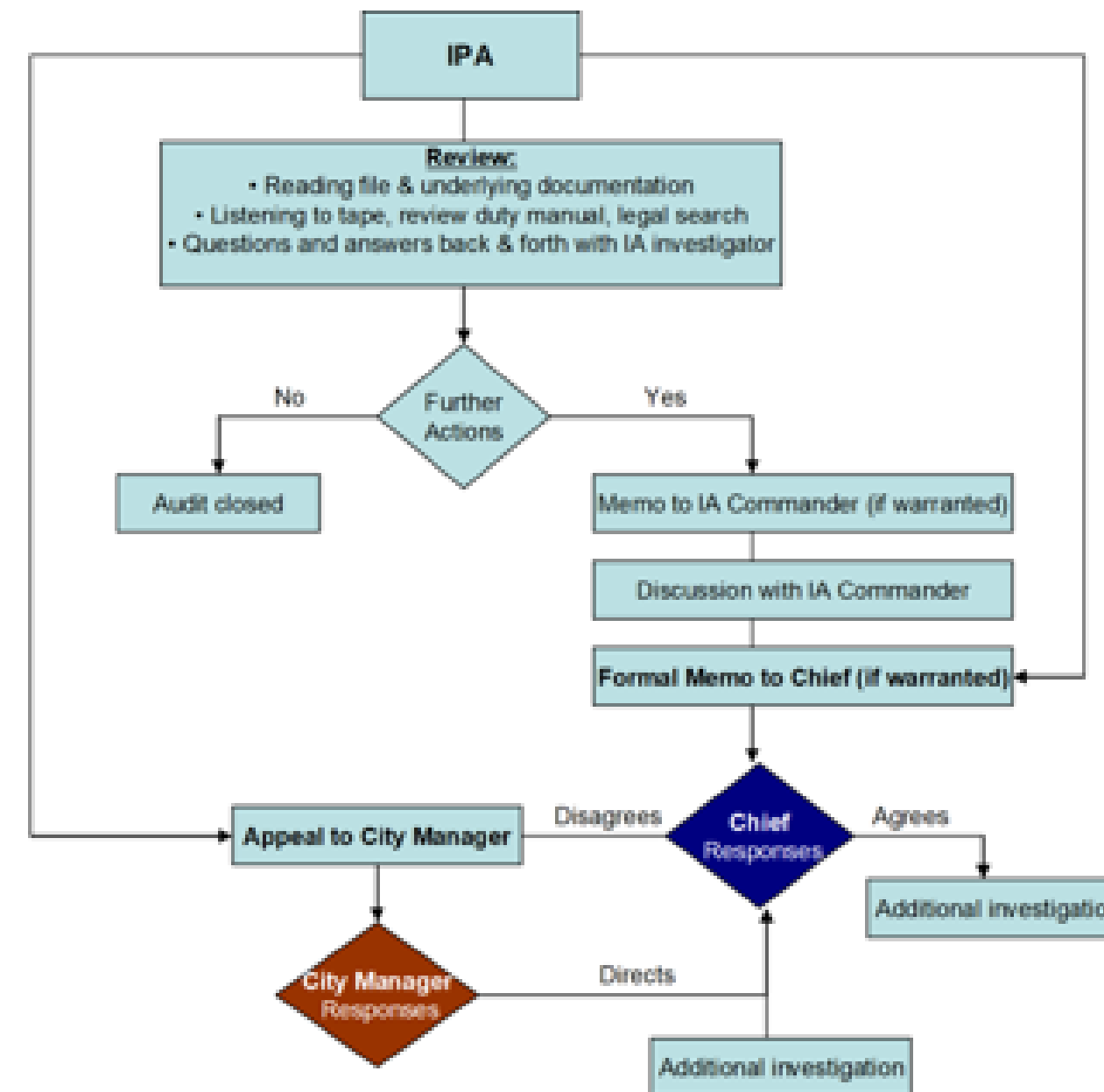
COMPLAINT ALLEGATIONS DETERMINE

- ▶ Who will be named as a subject officer ?
 - ▶ What evidence will be gathered?
 - ▶ What rules apply?
 - ▶ What questions can be asked of the officer ?
 - ▶ The level of discipline (if any)?
 - ▶ public disclosure (if any)?



The Department Exerts Significant Power Over The Complaint Process By Controlling Deadlines

California Government Code
section 3304

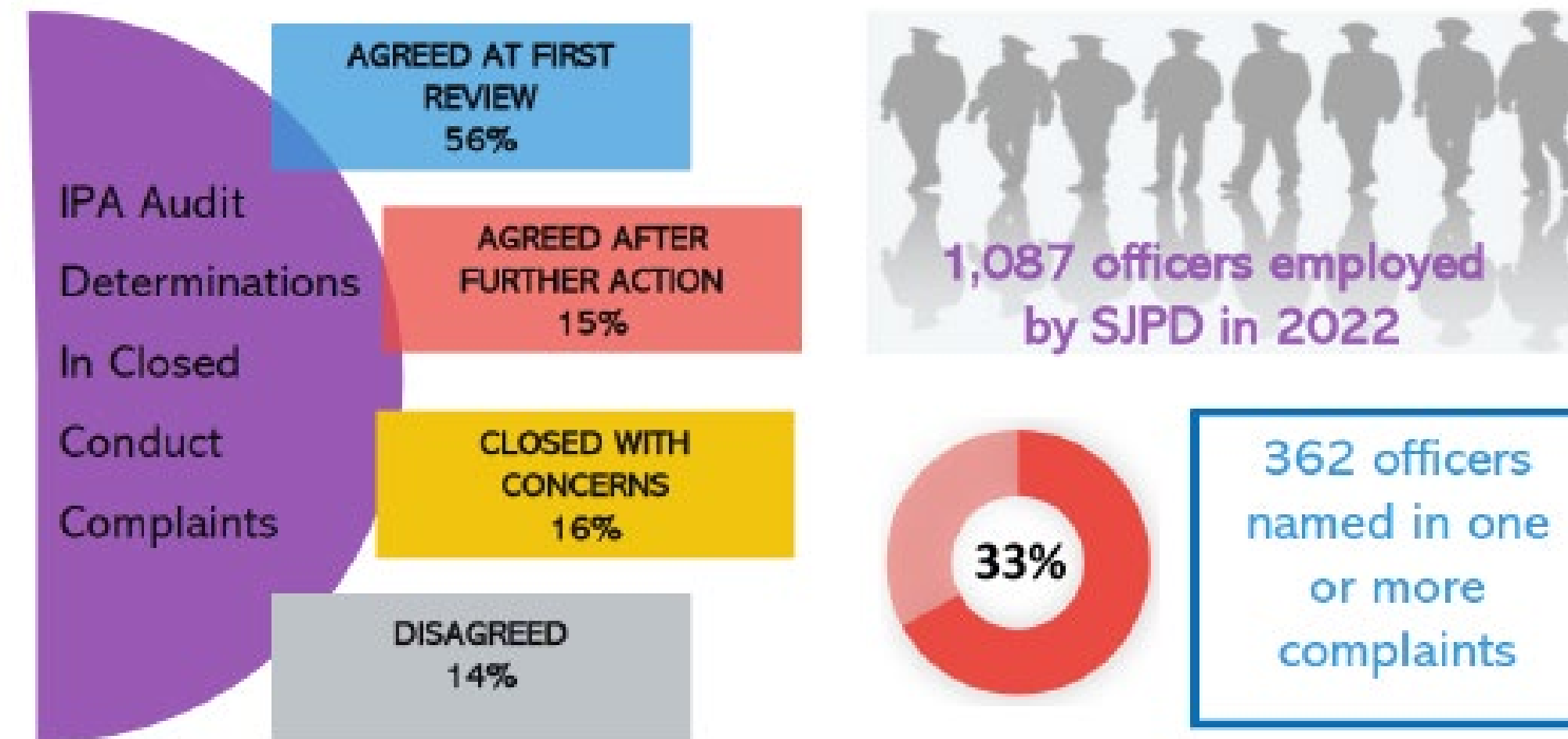


IF DEADLINE
EXPIRES, THERE CAN
BE NO OFFICER
DISCIPLINE

IF DEADLINE
EXPIRES, ISSUES
ARISE AS TO HOW TO
MAKE AN ACCURATE
RECORD

IF DEADLINE
EXPIRES,
INVESTIGATION CAN
AVOID IPA SCRUTINY

STATISTICS FOR CALENDAR YEAR 2022

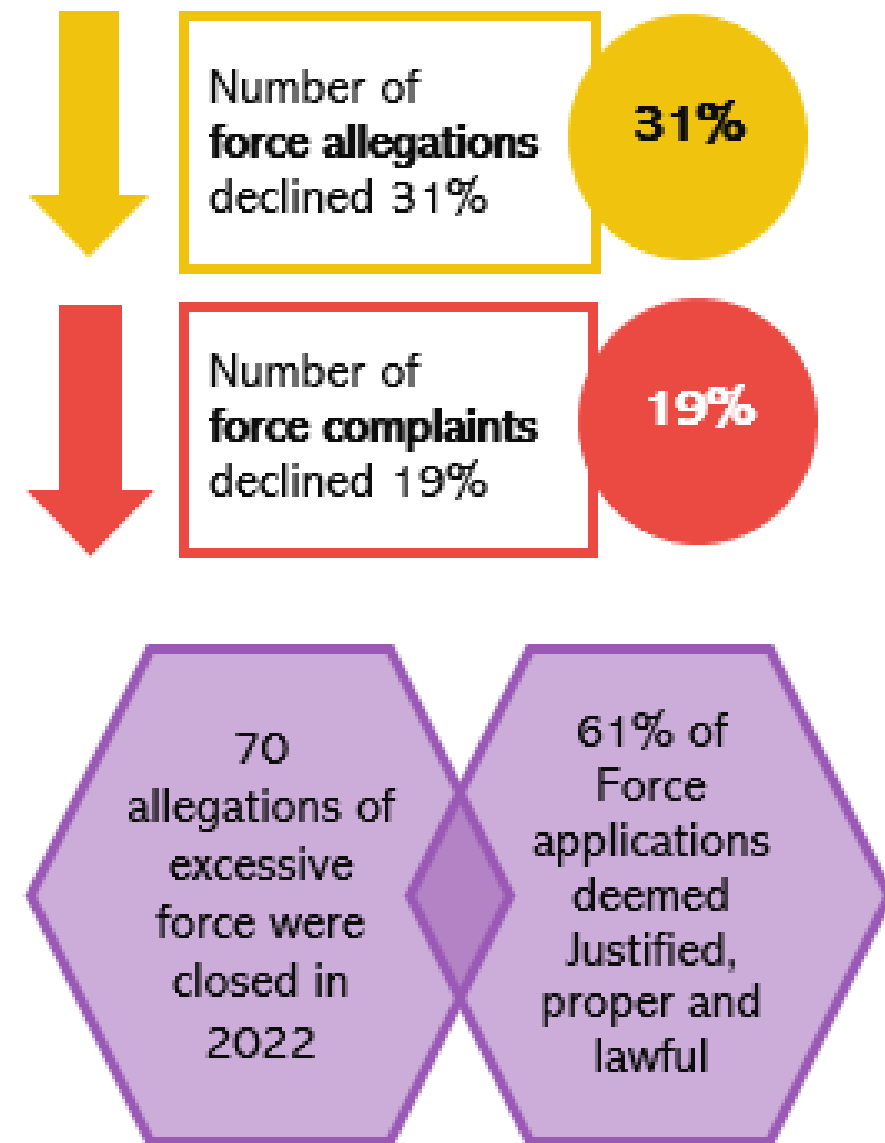


SUSTAINED RATE

The percentage of closed conduct complaints that have at least one sustained finding

- 2018 10% sustained rate - 212 complaints closed
- 2019 7% sustained rate - 197 complaints closed
- 2020 13% sustained rate - 200 complaints closed
- 2021 12% sustained rate - 262 complaints closed
- 2022 18% sustained rate - 203 complaints closed

Chapter 4 Use of Force



SB 1421 and SB 16 FORCE RECORDS AVAILABLE FOR PUBLIC REVIEW

- Use of Firearms
- Use of Force Resulting in death of great bodily injury:
- Great Bodily Injury (GBI): GBI means significant or substantial physical injury.
- Sustained Finding of Excessive Force.
- Sustained Finding on Failure to Intervene

See chapter two – recommendation #2

PERCEPTION

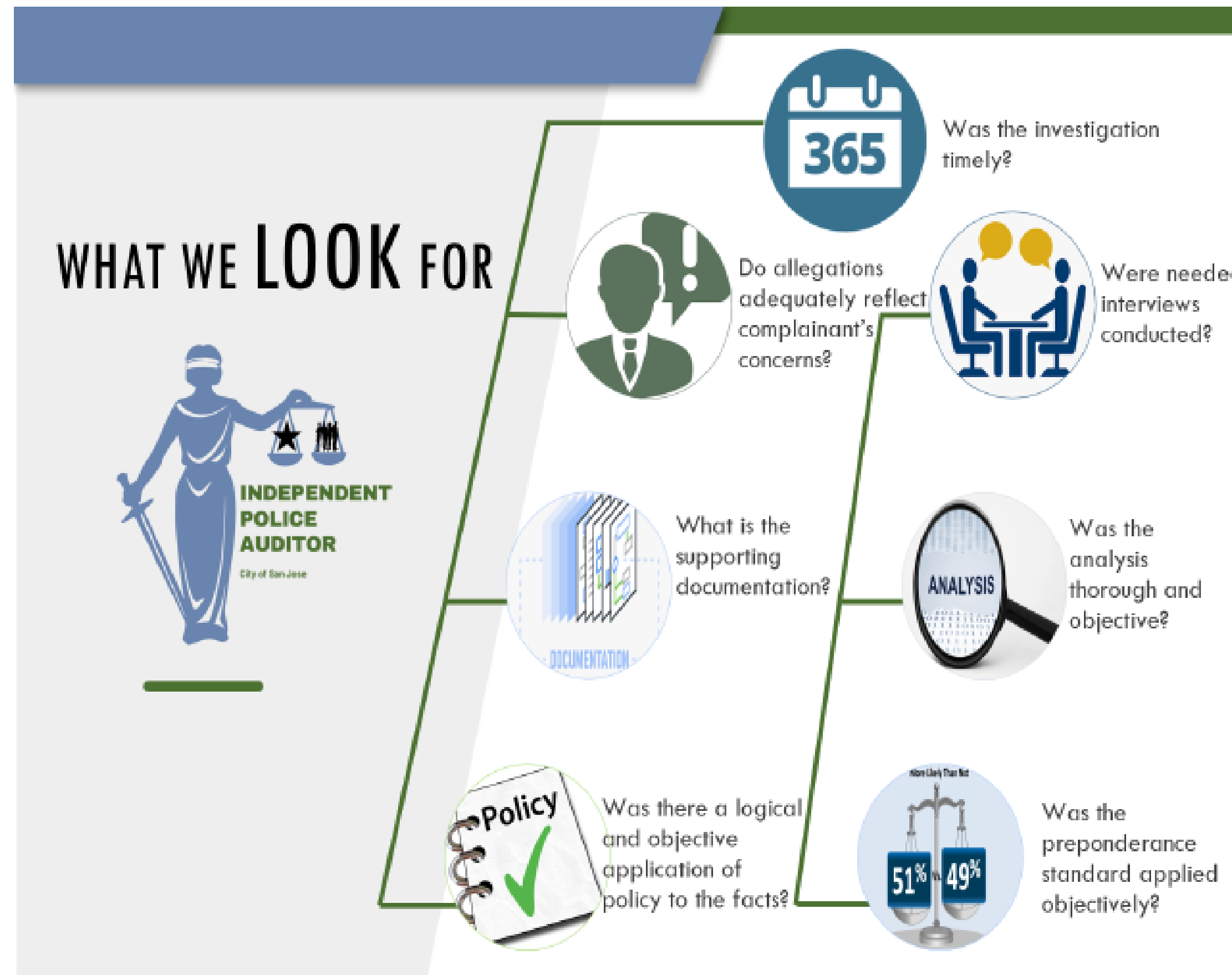
Did the officer perceive that the suspect had a weapon?

CONFIRMATION

Did the officer confirm that the suspect was, in fact, armed?

WHAT WE LOOK FOR

Our officer reviews IA investigations to ensure they are fair, objective, thorough and complete. We do this by considering a number of factors some of which are included in this chart.



FOUR CATEGORIES OF IPA ASSESSMENT OF COMPLAINT INVESTIGATIONS

— Agreed at First Review —

The IPA agreed that IA's investigation was fair, thorough, complete, and objective upon initial review.

— Agreed After Further Action —

IPA requested that IA complete additional investigation and/or analysis and IA provided a satisfactory response to that request.

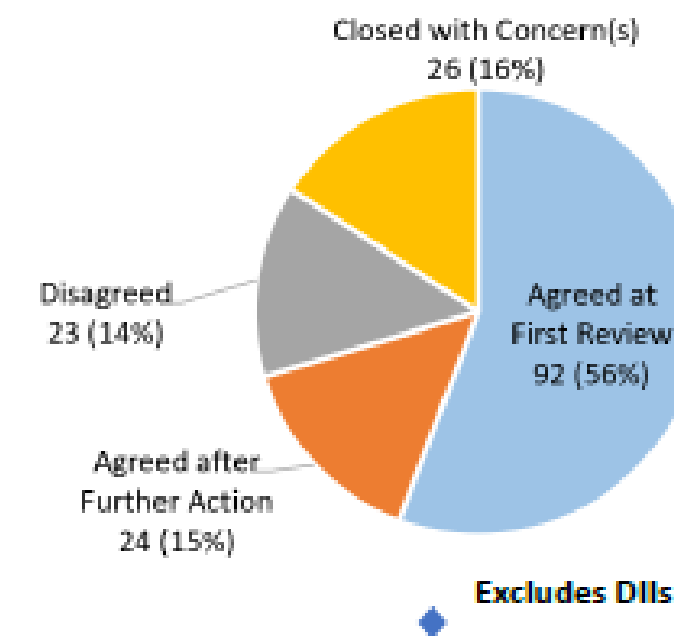
— Closed with Concerns —

The IPA had issues with IA's investigation and/or analysis, but the concerns did not warrant a formal disagreement.

— Disagreed —

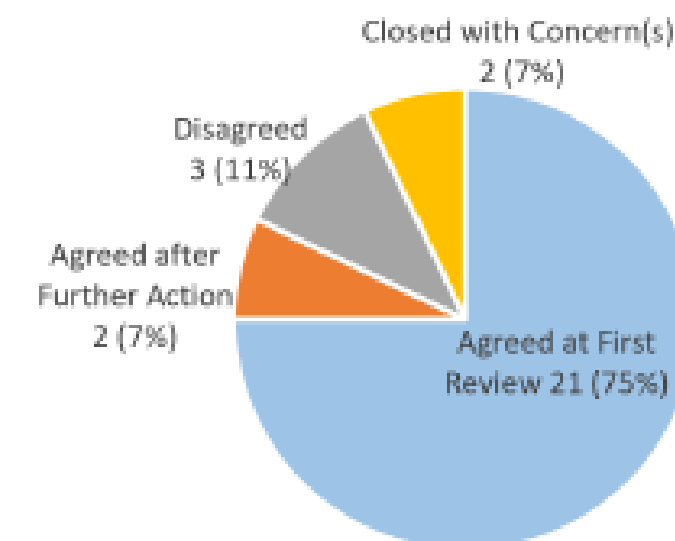
The IPA determined that IA's investigation and/or analysis were not thorough, complete, objective, and fair.

IPA Determinations in Conduct Complaints in 2022



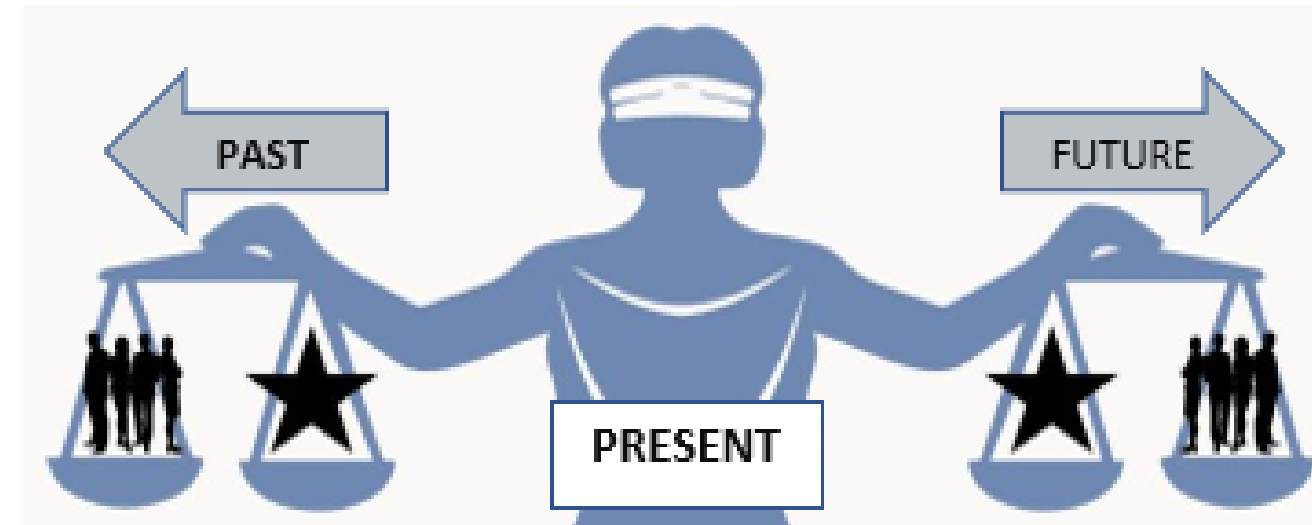
Upon first review, the IPA agreed that the IA investigation was fair, thorough and complete in 56% of conduct complaints closed in 2022. This is a significant decline from prior years (72% in 2021, 71% in 2020, and 84% in 2019).

IPA Determinations in Closed DII Investigations



The IPA agreed that the IA investigation of DII complaints was fair, thorough and complete in 77% of the cases closed in 2022.

LOOKING BACK AND LOOKING FORWARD UPDATES, ISSUES AND CONCERNS



STATUS ON SOCIAL PROTEST COMPLAINTS	
6	Cases Closed and Described in 2020 Year End Report
6	Cases Closed since 2020 Year End Report and Described in the 2021 Year End Report
12	Cases are Tolloed due to Litigation

MOVING POLICE MISCONDUCT INVESTIGATIONS OUT OF INTERNAL AFFAIRS



IPA POLICY RECOMMENDATIONS

1

Track When an Officer Points a Firearm at a Persons As a Use of Force.

2

The Department Should Use Best Efforts to Track Data on Suspects Perceived Armed and Weapons Found.

3

The Duty Manual Should Provide Guidance That a Search of a Person Incident To Arrest Applies Only and Solely to Full Custodial Arrests.

4

The Department Should Provide Guidance About Officer Discretion When Compelling Citizens to Exit Cars to Sign Citations.

5

The Department Should Obtain Devices to Verify Window Tint Prior to Issuing a Citation.