

# Racial and Identity Profiling Advisory Board Annual Report 2020

## Appendices

APPENDIX A: AB 953 TEMPLATE BASED ON THE FINAL REGULATIONS	1
APPENDIX B: 2018 STOP DATA AGENCY TOTALS	6
APPENDIX C: WAVE 1 AGENCIES' BIAS FREE POLICING POLICIES	23

### SAN FRANCISCO POLICE DEPARTMENT

POLICY PROHIBITING BIASED POLICING	25
SAN FRANCISCO ADMINISTRATION CODE, SECTION 96 A.3. QUARTERLY ANALYSIS AND REPORTING	28

### CALIFORNIA HIGHWAY PATROL

GENERAL ENFORCEMENT POLICY	31
GENERAL ORDER 0.8 PROFESSIONAL VALUES	32
GENERAL ORDER 0.1 DEPARTMENTAL MISSION STATEMENT AND ORGANIZATIONAL VALUES	34
HPM 10.2 CULTURAL AWARENESS	36
GENERAL ORDER 100.21 ENFORCEMENT/PUBLIC CONTACT DEMOGRAPHIC DATA COLLECTION	38
GENERAL ORDER 0.7 CITIZENS' ADVISORY BOARD	39
GENERAL ORDER 6.11 COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC, ACCREDITATION	41

### LOS ANGELES POLICE DEPARTMENT

POLICY PROHIBITING BIASED POLICING	44
AUTOMATED FIELD DATA REPORTS/COMPLETION AND TRACKING PROCEDURES	45
POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY	47
EFFORTS TO REDUCE THE NUMBER OF BIASED POLICING COMPLAINTS REPORT	57
LETTER TO THE CALIFORNIA DEPARTMENT OF JUSTICE	65

### RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

BIAS-BASED POLICING POLICY	71
----------------------------	----

**SAN BERNARDINO COUNTY SHERIFF’S DEPARTMENT**

POLICIES	75
RACIAL AND IDENTIFICATION [sic] PROFILING ACT (RIPA) POLICY	82

**SAN DIEGO POLICE DEPARTMENT**

NON-BIAS BASED POLICING POLICY	84
--------------------------------	----

**SAN DIEGO COUNTY SHERIFF’S DEPARTMENT**

NON-BIASED POLICING POLICY	86
NON-BIASED POLICING PROCEDURE	87

**LOS ANGELES COUNTY SHERIFF’S DEPARTMENT**

POLICY OF EQUALITY	90
CONSTITUTIONAL POLICING AND STOPS POLICY	106

APPENDIX D: WAVE 1 AGENCIES’ CIVILIAN COMPLAINT FORMS AND PROCEDURES	110
----------------------------------------------------------------------	-----

**CALIFORNIA HIGHWAY PATROL**

OFFICE OF INTERNAL AFFAIRS’ COMMEND OR COMPLAIN WEBPAGE	112
CIVILIANS’ COMPLAINT FORM CHP 240B - ENGLISH	113
CIVILIANS’ COMPLAINT FORM CHP 240B - SPANISH	115
CIVILIANS’ COMPLAINT FORM (NON-UNIFORMED) CHP 240D - ENGLISH	117

**LOS ANGELES POLICE DEPARTMENT**

ONLINE PERSONNEL COMPLAINT FORM	120
PERSONNEL COMPLAINT INFORMATION BROCHURE	125
COMPLAINT OF EMPLOYEE MISCONDUCT FORM - ENGLISH	126
COMPLAINT OF EMPLOYEE MISCONDUCT FORM - SPANISH	127
COMPLAINT OF EMPLOYEE MISCONDUCT FORM - TAGALOG	129
COMPLAINT OF EMPLOYEE MISCONDUCT FORM - KOREAN	130
COMPLAINT OF EMPLOYEE MISCONDUCT FORM - CHINESE	132
COMPLAINT OF EMPLOYEE MISCONDUCT FORM – JAPANESE	134

## LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

PROCEDURES FOR PUBLIC COMPLAINTS WEBSITE	136
PUBLIC COMPLAINTS FORM - ENGLISH	138
PUBLIC COMPLAINTS FORM - SPANISH	140

## SAN DIEGO POLICE DEPARTMENT

SAN DIEGO POLICE DEPARTMENT & COMMUNITY REVIEW BOARD COMPLAINT FORM	143
COMMUNITY REVIEW BOARD ONLINE COMPLAINT FORM	145
COMMUNITY REVIEW BOARD COMPLAINT FORM – ENGLISH	147
COMMUNITY REVIEW BOARD COMPLAINT FORM – SPANISH	150

## SAN FRANCISCO POLICE DEPARTMENT

DGO 2.04 POLICIES REGARDING COMPLAINTS AGAINST OFFICERS	154
SAN FRANCISCO POLICE DEPARTMENT POLICE COMPLAINT WEBPAGE	163
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT WEBPAGE	164
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT FORM 293 – ENGLISH	165
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT FORM 293 – SPANISH	169
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT FORM 293 – CHINESE	173
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT FORM 293 – RUSSIAN	177
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT FORM 293 – TAGALOG	181
DEPARTMENT OF POLICE ACCOUNTABILITY COMPLAINT FORM 293 – VIETNAMESE	185

## SAN DIEGO COUNTY SHERIFF'S DEPARTMENT

CITIZENS' LAW ENFORCEMENT REVIEW BOARD BROCHURE	190
CITIZENS' LAW ENFORCEMENT REVIEW BOARD ONLINE COMPLAINT FORM	192
SAN DIEGO SHERIFF'S DEPARTMENT COMPLAINT FORM – ENGLISH	199
SAN DIEGO SHERIFF'S DEPARTMENT COMPLAINT FORM – SPANISH	201

## RIVERSIDE COUNTY SHERIFF'S DEPARTMENT

COMPLAINT WEBPAGE	204
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CIVILIAN COMPLAINT FORM	206
<b><u>SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT</u></b>	
CIVILIAN COMPLAINT WEBPAGE	209
CIVILIAN COMPLAINT FORM - ENGLISH	211
CIVILIAN COMPLAINT FORM - SPANISH	213
APPENDIX E: RIPA BOARD 2020 REPORT BEST PRACTICES	217

# Appendix A

## AB 953 TEMPLATE BASED ON THE FINAL REGULATIONS

Additional data values for the stop of a student in a K-12 public school are listed in red.

### 1. Originating Agency Identifier (prepopulated field)

### 2. Date, Time, and Duration of Stop

Date: (e.g., 01/01/19)

Start Time (approx.): (e.g. 1530)

Duration of Stop (approx.): (e.g. 30 min.)

### 3. Location

- Report one (listed in order of preference): block number and street name; closest intersection; highway and closest highway exit. If none of these are available, the officer may report a road marker, landmark, or other description, except cannot report street address if location is a residence.
- City: \_\_\_\_\_
- Check here to indicate stop is of a student at K-12 public school: \_\_\_\_\_
  - o Name of K-12 Public School \_\_\_\_\_

### 4. Perceived Race or Ethnicity of Person Stopped (select all that apply)

- Asian
- Black/African American
- Hispanic/Latino(a)
- Middle Eastern or South Asian
- Native American
- Pacific Islander
- White

### 5. Perceived Gender of Person Stopped (may select one from options 1-4 AND option 5, if applicable, or just option 5)

1. Male
2. Female
3. Transgender man/boy
4. Transgender woman/girl
5. Gender nonconforming

### 6. Person Stopped Perceived to be LGBT (Yes/No) (“Yes” must be selected if “Transgender” was selected for “Perceived Gender”)

### 7. Perceived Age of Person Stopped (input the perceived, approximate age)

### 8. Person Stopped Has Limited or No English Fluency (check here if Yes\_\_)

### 9. Perceived or Known Disability of Person Stopped (select all that apply)

- o Deafness or difficulty hearing
- o Speech impairment or limited use of language

- o Blind or limited vision
- o Mental health condition
- o Intellectual or developmental disability, including dementia
- o Disability related to hyperactivity or impulsive behavior
- o Other disability
- o None

**10. Reason for Stop** (select one - the primary reason for the stop only)

- o Traffic violation
  - Specific code (CJIS offense table; select drop down) and
  - Type of violation (select one)
    - Moving violation
    - Equipment violation
    - Non-moving violation, including registration violation
- o Reasonable suspicion that person was engaged in criminal activity
  - Specific Code (drop down; select primary if known) and
  - Basis (select all applicable)
    - Officer witnessed commission of a crime
    - Matched suspect description
    - Witness or victim identification of suspect at the scene
    - Carrying suspicious object
    - Actions indicative of casing a victim or location
    - Suspected of acting as a lookout
    - Actions indicative of a drug transaction
    - Actions indicative of engaging in a violent crime
    - Other reasonable suspicion of a crime
- o Known to be on parole/probation/PRCS/mandatory supervision
- o Knowledge of outstanding arrest warrant/wanted person
- o Investigation to determine whether person is truant
- o Consensual encounter resulting in a search
- o Possible conduct warranting discipline under Education Code §§ 48900, 48900.2, 48900.3, 48900.4, and 48900.7 (select specific Educ. Code section & subdivision)
- o Determine whether student violated school policy

A brief explanation is required regarding the reason for the stop and officer must provide additional detail beyond the general data values selected (250-character maximum).

**11. Stop Made in Response to a Call for Service** (Yes/No) (Select “Yes” only if stop was made in response to call for service, radio call, or dispatch)

**12A. Actions Taken by Officer(s) During Stop** (select all that apply)

- o Person removed from vehicle by order
- o Person removed from vehicle by physical contact
- o Field sobriety test conducted
- o Curbside detention
- o Handcuffed or flex cuffed
- o Patrol car detention
- o Canine removed from vehicle or used to search

- Firearm pointed at person
- Firearm discharged or used
- Electronic control device used
- Impact projectile discharged or used (e.g. blunt impact projectile, rubber bullets, or bean bags)
- Canine bit or held person
- Baton or other impact weapon used
- Chemical spray used (e.g. pepper spray, mace, tear gas, or other chemical irritants)
- Other physical or vehicle contact
- Person photographed
- Asked for consent to search person
  - Consent given
  - Consent not given
- Search of person was conducted
- Asked for consent to search property
  - Consent given
  - Consent not given
- Search of property was conducted
- Property was seized
- Vehicle impounded
- Admission or written statement obtained from student
- None

**12B. Basis for Search** (if search of person/property/both was conducted; select all that apply)

- Consent given
- Officer safety/safety of others
- Search warrant
- Condition of parole/probation/PRCS/mandatory supervision
- Suspected weapons
- Visible contraband
- Odor of contraband
- Canine detection
- Evidence of crime
- Incident to arrest
- Exigent circumstances/emergency
- Vehicle inventory (for search of property only)
- Suspected violation of school policy

A brief explanation is required regarding the basis for the search and officer must provide additional detail beyond the general data values selected (250-character maximum). This field is not required if basis for search is “condition of parole/probation/PRCS/mandatory supervision.”

**12C. Contraband or Evidence Discovered, if any** (during search/in plain view; select all that apply)

- None
- Firearm(s)
- Ammunition
- Weapon(s) other than a firearm
- Drugs/narcotics

- o Alcohol
- o Money
- o Drug paraphernalia
- o Suspected stolen property
- o Cell phone(s) or electronic device(s)
- o Other contraband or evidence

**12D(1). Basis for Property Seizure** (if property was seized; select all that apply)

- o Safekeeping as allowed by law/statute
- o Contraband
- o Evidence
- o Impound of vehicle
- o Abandoned property
- o Suspected violation of school policy

**12D(2). Type of Property Seized** (select all that apply)

- o Firearm(s)
- o Ammunition
- o Weapon(s) other than a firearm
- o Drugs/narcotics
- o Alcohol
- o Money
- o Drug paraphernalia
- o Suspected stolen property
- o Cell phone(s) or electronic device(s)
- o Vehicle
- o Other contraband or evidence

**13. Result of Stop** (select all that apply)

- o No action
- o Warning (verbal or written): Code/ordinance cited (drop down)
- o Citation for infraction: Code/ordinance cited (drop down)
- o In-field cite and release: Code/ordinance cited (drop down)
- o Custodial arrest pursuant to outstanding warrant
- o Custodial arrest without warrant: Code/ordinance cited (drop down)
- o Field Interview Card completed
- o Noncriminal transport or caretaking transport (including transport by officer, transport by ambulance, or transport by another agency)
- o Contacted parent/legal guardian or other person responsible for the minor
- o Psychiatric hold (Welfare & Inst. Code, §§ 5150, 5585.20.)
- o Contacted U.S. Department of Homeland Security (e.g., ICE, CBP)
- o Referral to school administrator
- o Referral to school counselor or other support staff

**14. Officer's Identification (I.D.) Number** (prepopulated field)

**15. Officer's Years of Experience** (total number of years worked as a peace officer)

**16. Type of Assignment of Officer** (select one)

- o Patrol, traffic enforcement, field operations



- o Gang enforcement
- o Compliance check (e.g. parole/PRCS/probation/mandatory supervision)
- o Special events (e.g. sports, concerts, protests)
- o Roadblock or DUI sobriety checkpoint
- o Narcotics/vice
- o Task force
- o K-12 public school, including school resource officer or school police officer
- o Investigative/detective
- o Other (manually specify type of assignment)

## Appendix B

### 2018 STOP DATA AGENCY TOTALS

**Table 1. Number of Stopped Individuals, by Hour of the Day, by Agency**

TIME OF STOP	AGENCY								Total
	CHP	LAPD	LASD	RCSA	SBSD	SDPD	SDSD	SFPD	
0000 to 0059 hrs	39015 3.8 %	12850 3.8 %	4830 3.5 %	981 2.2 %	3369 5.4 %	3415 3.8 %	1626 4 %	2155 3.8 %	68241 3.8 %
0100 to 0159 hrs	35225 3.4 %	8282 2.5 %	4333 3.2 %	898 2 %	3151 5 %	2859 3.2 %	1366 3.4 %	1650 2.9 %	57764 3.2 %
0200 to 0259 hrs	34349 3.3 %	5607 1.7 %	3681 2.7 %	773 1.7 %	2734 4.4 %	2432 2.7 %	1008 2.5 %	1115 2 %	51699 2.9 %
0300 to 0359 hrs	24771 2.4 %	4031 1.2 %	2724 2 %	520 1.2 %	1959 3.1 %	1770 2 %	733 1.8 %	887 1.6 %	37395 2.1 %
0400 to 0459 hrs	17334 1.7 %	2997 0.9 %	1623 1.2 %	335 0.8 %	1547 2.5 %	1326 1.5 %	519 1.3 %	703 1.2 %	26384 1.5 %
0500 to 0559 hrs	10122 1 %	2328 0.7 %	1198 0.9 %	641 1.4 %	1222 2 %	1130 1.3 %	409 1 %	653 1.2 %	17703 1 %
0600 to 0659 hrs	13126 1.3 %	2944 0.9 %	2973 2.2 %	1561 3.5 %	923 1.5 %	1651 1.8 %	596 1.5 %	477 0.8 %	24251 1.3 %
0700 to 0759 hrs	42110 4.1 %	8181 2.4 %	6822 5 %	2699 6.1 %	1121 1.8 %	3348 3.7 %	1197 3 %	1541 2.7 %	67019 3.7 %
0800 to 0859 hrs	71944 7 %	16649 4.9 %	10107 7.4 %	3131 7 %	1610 2.6 %	5105 5.7 %	2987 7.4 %	2287 4.1 %	113820 6.3 %
0900 to 0959 hrs	74325 7.2 %	18648 5.5 %	10587 7.7 %	3436 7.7 %	2383 3.8 %	5397 6 %	2973 7.3 %	2356 4.2 %	120105 6.7 %
1000 to 1059 hrs	65926 6.4 %	16564 4.9 %	9484 6.9 %	3773 8.5 %	2762 4.4 %	5026 5.6 %	2278 5.6 %	2496 4.4 %	108309 6 %
1100 to 1159 hrs	54704 5.3 %	14389 4.3 %	7611 5.6 %	2744 6.2 %	2929 4.7 %	4433 5 %	2675 6.6 %	2315 4.1 %	91800 5.1 %

<i>TIME OF STOP</i>	<i>AGENCY</i>								<i>Total</i>
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
1200 to 1259 hrs	46408 4.5 %	12723 3.8 %	6551 4.8 %	2022 4.5 %	2983 4.8 %	3855 4.3 %	1937 4.8 %	3065 5.4 %	79544 4.4 %
1300 to 1359 hrs	38908 3.8 %	12887 3.8 %	6009 4.4 %	2171 4.9 %	3067 4.9 %	3751 4.2 %	2005 4.9 %	3098 5.5 %	71896 4 %
1400 to 1459 hrs	30776 3 %	14948 4.4 %	5519 4 %	2401 5.4 %	3465 5.5 %	3477 3.9 %	2151 5.3 %	3170 5.6 %	65907 3.7 %
1500 to 1559 hrs	56295 5.4 %	17077 5.1 %	6390 4.7 %	2326 5.2 %	3398 5.4 %	5094 5.7 %	2229 5.5 %	3202 5.7 %	96011 5.3 %
1600 to 1659 hrs	74203 7.2 %	18592 5.5 %	7592 5.6 %	2449 5.5 %	3220 5.2 %	5900 6.6 %	1885 4.7 %	4057 7.2 %	117898 6.5 %
1700 to 1759 hrs	70760 6.8 %	18838 5.6 %	7918 5.8 %	2449 5.5 %	3008 4.8 %	5160 5.8 %	1656 4.1 %	4724 8.4 %	114513 6.4 %
1800 to 1859 hrs	57113 5.5 %	18161 5.4 %	6972 5.1 %	2131 4.8 %	2450 3.9 %	4386 4.9 %	1319 3.3 %	3599 6.4 %	96131 5.3 %
1900 to 1959 hrs	45589 4.4 %	19606 5.8 %	5884 4.3 %	1730 3.9 %	1969 3.2 %	4021 4.5 %	1505 3.7 %	3068 5.4 %	83372 4.6 %
2000 to 2059 hrs	37682 3.6 %	23452 7 %	5096 3.7 %	1585 3.6 %	2413 3.9 %	3624 4.1 %	1759 4.3 %	2258 4 %	77869 4.3 %
2100 to 2159 hrs	26795 2.6 %	24450 7.3 %	4353 3.2 %	1429 3.2 %	3378 5.4 %	3520 3.9 %	1786 4.4 %	1910 3.4 %	67621 3.8 %
2200 to 2259 hrs	26012 2.5 %	23375 6.9 %	3955 2.9 %	1172 2.6 %	3711 5.9 %	4444 5 %	2018 5 %	2707 4.8 %	67394 3.7 %
2300 to 2359 hrs	39929 3.9 %	19102 5.7 %	4423 3.2 %	1148 2.6 %	3661 5.9 %	4331 4.8 %	1898 4.7 %	2916 5.2 %	77408 4.3 %
<b>Total</b>	1033421 100 %	336681 100 %	136635 100 %	44505 100 %	62433 100 %	89455 100 %	40515 100 %	56409 100 %	1800054 100 %

**Note:** Time periods are in 24 hour format (i.e. “2359 hrs” means “11:59 PM”).

**Table 2. Number of Stopped Individuals, by Month, by Agency**

DATE OF STOP	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
July 2018	185562 18 %	63145 18.8 %	29593 21.7 %	9282 20.9 %	9866 15.8 %	17090 19.1 %	7080 17.5 %	9873 17.5 %	331491 18.4 %
Aug. 2018	188795 18.3 %	66718 19.8 %	26583 19.5 %	9357 21 %	9644 15.4 %	16413 18.3 %	7217 17.8 %	10610 18.8 %	335337 18.6 %
Sept. 2018	191448 18.5 %	61555 18.3 %	23472 17.2 %	7811 17.6 %	9810 15.7 %	13997 15.6 %	6897 17 %	9841 17.4 %	324831 18 %
Oct. 2018	167661 16.2 %	52522 15.6 %	23173 17 %	7222 16.2 %	9473 15.2 %	14543 16.3 %	6951 17.2 %	8950 15.9 %	290495 16.1 %
Nov. 2018	145566 14.1 %	43958 13.1 %	17028 12.5 %	5998 13.5 %	10472 16.8 %	13885 15.5 %	6622 16.3 %	9129 16.2 %	252658 14 %
Dec. 2018	154389 14.9 %	48783 14.5 %	16786 12.3 %	4835 10.9 %	13168 21.1 %	13527 15.1 %	5748 14.2 %	8006 14.2 %	265242 14.7 %
<b>Total</b>	1033421 100 %	336681 100 %	136635 100 %	44505 100 %	62433 100 %	89455 100 %	40515 100 %	56409 100 %	1800054 100 %

**Table 3. Number of Stopped Individuals, by Stop Location, by Agency**

Due to its large size, Table 3 is available as a CSV file <a href="#">here</a> .
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**Table 4. Number of Stopped Individuals, by Primary Reason for Stop, by Agency**

REASON FOR STOP	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Traffic Violation	1017846 98.5 %	241503 71.7 %	95443 69.9 %	35085 78.8 %	37374 59.9 %	40396 45.2 %	25268 62.4 %	32938 58.4 %	1525853 84.8 %
Reasonable Suspicion	4755 0.5 %	82734 24.6 %	26153 19.1 %	4360 9.8 %	13272 21.3 %	42482 47.5 %	11123 27.5 %	20614 36.5 %	205493 11.4 %
Mandatory Supervision	101 0 %	4967 1.5 %	1092 0.8 %	642 1.4 %	1036 1.7 %	1431 1.6 %	1374 3.4 %	448 0.8 %	11091 0.6 %
Warrant	493 0 %	3696 1.1 %	3915 2.9 %	502 1.1 %	1379 2.2 %	1030 1.2 %	647 1.6 %	1070 1.9 %	12732 0.7 %
Truancy	477 0 %	226 0.1 %	53 0 %	417 0.9 %	1884 3 %	1919 2.1 %	424 1 %	469 0.8 %	5869 0.3 %
Consensual Encounter	9748 0.9 %	3552 1.1 %	9861 7.2 %	3485 7.8 %	7439 11.9 %	2190 2.4 %	1654 4.1 %	870 1.5 %	38799 2.2 %
Education Code Violation	-	-	21 0 %	4 0 %	25 0 %	7 0 %	10 0 %	-	67 0 %
School Policy Violation	1 0 %	3 0 %	97 0.1 %	10 0 %	24 0 %	-	15 0 %	-	150 0 %
<b>Total</b>	1033421 100 %	336681 100 %	136635 100 %	44505 100 %	62433 100 %	89455 100 %	40515 100 %	56409 100 %	1800054 100 %

**Table 5. Result of the Stop, and the Percent of all stopped Individuals subject to each type of Stop Result, by Agency**

RESULT OF STOP	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
No Action	104111 10.1%	48588 14.4%	17942 13.1%	6542 14.7%	20392 32.7%	12518 14%	8202 20.2%	9035 16%	227330 12.6%
Warning	249777 24.2%	80173 23.8%	30444 22.3%	8155 18.3%	20913 33.5%	14900 16.7%	10222 25.2%	13872 24.6%	428456 23.8%
Citation for infraction	647275 62.6%	131907 39.2%	6254 4.6%	24137 54.2%	10001 16%	20138 22.5%	12934 31.9%	14218 25.2%	866864 48.2%
In-field cite and release	9776 0.9%	8329 2.5%	63239 46.3%	3373 7.6%	1839 2.9%	10727 12%	1686 4.2%	11301 20%	110270 6.1%
Custodial arrest pursuant to outstanding warrant	2597 0.3%	8281 2.5%	8401 6.1%	1019 2.3%	3365 5.4%	3507 3.9%	1084 2.7%	2249 4%	30503 1.7%
Custodial arrest without warrant	31549 3.1%	24354 7.2%	11404 8.3%	1461 3.3%	6444 10.3%	9095 10.2%	3483 8.6%	3994 7.1%	91784 5.1%
Field interview card completed	824 0.1%	66624 19.8%	714 0.5%	661 1.5%	163 0.3%	19948 22.3%	3835 9.5%	765 1.4%	93534 5.2%
Noncriminal transport or caretaking transport	761 0.1%	989 0.3%	383 0.3%	157 0.4%	438 0.7%	943 1.1%	225 0.6%	1127 2%	5023 0.3%
Contact parent/legal guardian	382 0%	663 0.2%	520 0.4%	102 0.2%	186 0.3%	251 0.3%	147 0.4%	171 0.3%	2422 0.1%
Psychiatric Hold	462 0%	3145 0.9%	831 0.6%	376 0.8%	241 0.4%	3079 3.4%	803 2%	1215 2.2%	10152 0.6%
Contacted U.S. Department of Homeland Security	32 0%	22 0%	24 0%	-	2 0%	7 0%	2 0%	9 0%	98 0%
Referral to a school administrator	1 0%	1 0%	166 0.1%	25 0.1%	24 0%	7 0%	32 0.1%	-	256 0%
Referral to school counselor or other support staff	1 0%	-	36 0%	9 0%	4 0%	5 0%	4 0%	-	59 0%

**Note:** Percentages are relative to the number of stopped individuals from a given agency's data that were subject to a given result of stop (eg. a value of "24.2%" for the Warning row in the column for CHP data means that 24.2% of the individuals CHP stopped received a warning). Since officers can record multiple result of stop values per stopped individual, the column percentages may not add up to 100%. Categories that had zero occurrences for a given result of stop have a dash ( - ) instead of a percentage. Categories with 0.0% are rounded down from values of less than 0.1%.

**Table 6A. Warnings Issued by each Agency and by Level of Offense**

WARNING GIVEN	AGENCY NAME								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Felony	204 (0.1%)	649 (0.8%)	210 (0.7%)	81 (1%)	194 (0.9%)	88 (0.6%)	49 (0.5%)	307 (2.2%)	1782 (0.4%)
Infraction	228424 (91.5%)	68029 (84.9%)	27039 (88.8%)	7370 (90.4%)	17534 (83.8%)	11507 (77.2%)	8486 (83%)	10344 (74.6%)	378733 (88.4%)
Misdemeanor	25830 (10.3%)	11411 (14.2%)	4490 (14.7%)	1223 (15%)	3016 (14.4%)	3362 (22.6%)	1800 (17.6%)	3454 (24.9%)	54586 (12.7%)
Other	13 (0%)	84 (0.1%)	140 (0.5%)	11 (0.1%)	1031 (4.9%)	81 (0.5%)	42 (0.4%)	137 (1%)	1539 (0.4%)

*Notes:* Frequencies represent the number of charges reported by category while percentages represent the number of charges divided by the number of stopped individuals who were warned by each agency. Percentages may total over 100% since officers may select up to five offense codes per stopped individual. *Other* refers to California State Criminal Justice Information Services offense codes that are not reported to the Federal Bureau of Investigation.

**Table 6B. Citations Issued by each Agency and by Level of Offense**

CITATION OFFENSE CHARGED	AGENCY NAME								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Felony	0 (0%)	0 (0%)	0 (0%)	61 (0.3%)	96 (1%)	0 (0%)	2 (0%)	28 (0.2%)	187 (0%)
Infraction	647275 (100%)	131907 (100%)	6254 (100%)	25156 (104.2%)	8865 (88.6%)	20138 (100%)	12920 (99.9%)	13765 (96.8%)	866280 (99.9%)
Misdemeanor	0 (0%)	0 (0%)	0 (0%)	1053 (4.4%)	1876 (18.8%)	0 (0%)	95 (0.7%)	720 (5.1%)	3744 (0.4%)
Other	0 (0%)	0 (0%)	0 (0%)	6 (0%)	617 (6.2%)	0 (0%)	7 (0.1%)	73 (0.5%)	703 (0.1%)

*Notes:* Frequencies represent the number of charges reported by category while percentages represent the number of charges divided by the number of stopped individuals who were warned by each agency. Percentages may total over 100% since officers may select up to five offense codes per stopped individual. *Other* refers to California State Criminal Justice Information Services offense codes that are not reported to the Federal Bureau of Investigation.



**Table 6C. Arrests Issued by each Agency and by Level of Offense**

ARREST OFFENSE CHARGED	AGENCY NAME								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Felony	4307 (9.9%)	11707 (29.6%)	5626 (6.9%)	597 (10.4%)	2821 (25.3%)	2940 (12.8%)	1330 (21.8%)	2645 (15.4%)	31973 (14%)
Infraction	1672 (3.9%)	2027 (5.1%)	61567 (75.3%)	3347 (58.3%)	508 (4.5%)	9285 (40.3%)	922 (15.1%)	9962 (58%)	89290 (39.2%)
Misdemeanor	47015 (108.6%)	18298 (46.3%)	19303 (23.6%)	1654 (28.8%)	5486 (49.1%)	9668 (41.9%)	3744 (61.4%)	5299 (30.8%)	110467 (48.5%)
Other	270 (0.6%)	651 (1.6%)	388 (0.5%)	47 (0.8%)	752 (6.7%)	231 (1%)	78 (1.3%)	152 (0.9%)	2569 (1.1%)

Notes: Frequencies represent the number of charges reported by category while percentages represent the number of charges divided by the number of stopped individuals who were warned by each agency. Percentages may total over 100% since officers may select up to five offense codes per stopped individual. *Other* refers to California State Criminal Justice Information Services offense codes that are not reported to the Federal Bureau of Investigation. One offense code reported by SDSD did match Department of Justice records.

**Table 7. Number of Stopped Individuals, by Perceived Race or Ethnicity, by Agency**

<i>RACE/ ETHNICITY</i>	<i>AGENCY</i>								<i>Total</i>
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Asian	66036 6.4 %	10908 3.2 %	7717 5.6 %	1374 3.1 %	1832 2.9 %	4132 4.6 %	1415 3.5 %	6033 10.7 %	99447 5.5 %
Black	103189 10 %	93913 27.9 %	23754 17.4 %	5259 11.8 %	10573 16.9 %	16985 19 %	3146 7.8 %	14369 25.5 %	271188 15.1 %
Hispanic	400048 38.7 %	159180 47.3 %	66490 48.7 %	19499 43.8 %	23336 37.4 %	25013 28 %	12047 29.7 %	10416 18.5 %	716029 39.8 %
Middle Eastern/ South Asian	57975 5.6 %	10160 3 %	2890 2.1 %	733 1.6 %	1098 1.8 %	2251 2.5 %	1179 2.9 %	3631 6.4 %	79917 4.4 %
Multiracial	12132 1.2 %	2370 0.7 %	2842 2.1 %	316 0.7 %	842 1.3 %	905 1 %	364 0.9 %	1468 2.6 %	21239 1.2 %
Native American	2529 0.2 %	299 0.1 %	141 0.1 %	146 0.3 %	174 0.3 %	192 0.2 %	322 0.8 %	82 0.1 %	3885 0.2 %
Pacific Islander	6580 0.6 %	872 0.3 %	746 0.5 %	299 0.7 %	260 0.4 %	760 0.8 %	362 0.9 %	705 1.2 %	10584 0.6 %
White	384932 37.2 %	58979 17.5 %	32055 23.5 %	16879 37.9 %	24318 39 %	39217 43.8 %	21680 53.5 %	19705 34.9 %	597765 33.2 %
<b>Total</b>	1033421 100 %	336681 100 %	136635 100 %	44505 100 %	62433 100 %	89455 100 %	40515 100 %	56409 100 %	1800054 100 %

**Table 8. Number of Stopped Individuals, by Perceived Gender, by Agency**

<i>GENDER</i>	<i>AGENCY</i>								<i>Total</i>
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Female	299826 29 %	84489 25.1 %	41451 30.3 %	15904 35.7 %	18472 29.6 %	24528 27.4 %	13425 33.1 %	11862 21 %	509957 28.3 %
Gender Nonconforming	-	105 0 %	115 0.1 %	14 0 %	27 0 %	83 0.1 %	35 0.1 %	253 0.4 %	632 0 %
Male	733512 71 %	250260 74.3 %	94932 69.5 %	28524 64.1 %	43851 70.2 %	64561 72.2 %	26998 66.6 %	44136 78.2 %	1286774 71.5 %
Transgender Man/Boy	69 0 %	1277 0.4 %	68 0 %	50 0.1 %	48 0.1 %	183 0.2 %	35 0.1 %	53 0.1 %	1783 0.1 %
Transgender Woman/Girl	14 0 %	550 0.2 %	69 0.1 %	13 0 %	35 0.1 %	100 0.1 %	22 0.1 %	105 0.2 %	908 0.1 %
<b>Total</b>	1033421 100 %	336681 100 %	136635 100 %	44505 100 %	62433 100 %	89455 100 %	40515 100 %	56409 100 %	1800054 100 %

**Note:** Categories that had zero occurrences for a given perceived gender have a dash ( - ) instead of a percentage. Categories with 0.0% are rounded down from values of less than 0.1%.

**Table 9. Number of Stopped Individuals, by Perceived Approximate Age, by Agency**

AGE	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
1-9	439 0 %	269 0.1 %	235 0.2 %	77 0.2 %	41 0.1 %	82 0.1 %	145 0.4 %	42 0.1 %	1330 0.1 %
10-14	201 0 %	1036 0.3 %	536 0.4 %	139 0.3 %	198 0.3 %	364 0.4 %	180 0.4 %	107 0.2 %	2761 0.2 %
15-17	6848 0.7 %	6138 1.8 %	1747 1.3 %	537 1.2 %	1018 1.6 %	1224 1.4 %	770 1.9 %	460 0.8 %	18742 1 %
18-24	177068 17.1 %	65907 19.6 %	25825 18.9 %	6447 14.5 %	10096 16.2 %	11917 13.3 %	5810 14.3 %	6637 11.8 %	309707 17.2 %
25-34	314727 30.5 %	122159 36.3 %	46234 33.8 %	14187 31.9 %	22100 35.4 %	28835 32.2 %	12222 30.2 %	19742 35 %	580206 32.2 %
35-44	218614 21.2 %	66649 19.8 %	28139 20.6 %	10400 23.4 %	13963 22.4 %	19498 21.8 %	8823 21.8 %	13843 24.5 %	379929 21.1 %
45-54	165834 16 %	43241 12.8 %	19756 14.5 %	7185 16.1 %	9250 14.8 %	15439 17.3 %	7044 17.4 %	9465 16.8 %	277214 15.4 %
55-64	106370 10.3 %	23171 6.9 %	10263 7.5 %	3761 8.5 %	4396 7 %	9236 10.3 %	3945 9.7 %	4549 8.1 %	165691 9.2 %
65+	43320 4.2 %	8111 2.4 %	3900 2.9 %	1772 4 %	1371 2.2 %	2860 3.2 %	1576 3.9 %	1564 2.8 %	64474 3.6 %
<b>Total</b>	1033421 100 %	336681 100 %	136635 100 %	44505 100 %	62433 100 %	89455 100 %	40515 100 %	56409 100 %	1800054 100 %

**Table 10. Actions Taken by Peace Officer During Stop, and the Percent of all stopped Individuals subject to each type of Action, by Agency**

ACTIONS TAKEN	AGENCY								Total
	CHP	LAPD	LASD	RCSA	SBSD	SDPD	SDSD	SFPD	
Person removed from vehicle by order	7718 0.7%	33918 10.1%	10947 8%	1186 2.7%	5077 8.1%	3226 3.6%	2109 5.2%	3694 6.5%	67875 3.8%
Person removed from vehicle by physical contact	121 0%	989 0.3%	1074 0.8%	41 0.1%	139 0.2%	219 0.2%	94 0.2%	302 0.5%	2979 0.2%
Field sobriety test conducted	18518 1.8%	2594 0.8%	1226 0.9%	228 0.5%	1062 1.7%	1076 1.2%	725 1.8%	154 0.3%	25583 1.4%
Curbside detention	3494 0.3%	43249 12.8%	9754 7.1%	2877 6.5%	9188 14.7%	9758 10.9%	5595 13.8%	14857 26.3%	98772 5.5%
Handcuffed or flex cuffed	11414 1.1%	58310 17.3%	13257 9.7%	2541 5.7%	9610 15.4%	20042 22.4%	5678 14%	8780 15.6%	129632 7.2%
Patrol car detention	1453 0.1%	20828 6.2%	31691 23.2%	1608 3.6%	6689 10.7%	5742 6.4%	2338 5.8%	4091 7.3%	74440 4.1%
Canine removed from vehicle or used to search	366 0%	114 0%	53 0%	99 0.2%	103 0.2%	58 0.1%	59 0.1%	3 0%	855 0%
Firearm pointed at person	308 0%	3272 1%	674 0.5%	176 0.4%	986 1.6%	323 0.4%	156 0.4%	252 0.4%	6147 0.3%
Firearm discharged or used	16 0%	36 0%	7 0%	1 0%	4 0%	1 0%	1 0%	2 0%	68 0%
Electronic control device used	56 0%	114 0%	42 0%	4 0%	43 0.1%	48 0.1%	18 0%	1 0%	326 0%
Impact projectile discharged or used	11 0%	53 0%	13 0%	1 0%	10 0%	11 0%	6 0%	9 0%	114 0%
Canine bit or held person	18 0%	22 0%	5 0%	1 0%	3 0%	13 0%	7 0%	-	69 0%
Baton or other impact weapon used	6 0%	17 0%	6 0%	5 0%	12 0%	11 0%	4 0%	37 0.1%	98 0%
Chemical spray used	-	11 0%	57 0%	12 0%	17 0%	97 0.1%	12 0%	19 0%	225 0%

**Table 10. Actions Taken by Peace Officer During Stop, and the Percent of all stopped Individuals subject to each type of Action, by Agency**

ACTIONS TAKEN	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDDSD	SFPD	
Other physical or vehicle contact	262 0%	542 0.2%	1416 1%	103 0.2%	721 1.2%	1051 1.2%	218 0.5%	788 1.4%	5101 0.3%
Person photographed	800 0.1%	1324 0.4%	459 0.3%	137 0.3%	255 0.4%	1119 1.3%	4389 10.8%	2064 3.7%	10547 0.6%
Asked for consent to search person	280 0%	6514 1.9%	15515 11.4%	1844 4.1%	8283 13.3%	2187 2.4%	3226 8%	512 0.9%	38361 2.1%
Consent provided	244 87.1%	4296 66.0%	15432 99.5%	1649 89.4%	8283 100%	1847 84.5%	2899 89.9%	493 96.3%	35143 91.6%
Search of person was conducted	10580 1%	80582 23.9%	26591 19.5%	3300 7.4%	13308 21.3%	14767 16.5%	6668 16.5%	9339 16.6%	165135 9.2%
Asked for consent to search property	360 0%	5616 1.7%	6085 4.5%	726 1.6%	3536 5.7%	1210 1.4%	1721 4.2%	552 1%	19806 1.1%
Consent provided	310 86.1%	3797 67.6%	6028 99.1%	670 92.3%	3536 100%	1033 85.4%	1568 91.1%	524 94.9%	17466 88.2%
Search of property was conducted	2127 0.2%	35373 10.5%	11724 8.6%	1386 3.1%	5728 9.2%	7064 7.9%	3823 9.4%	5158 9.1%	72383 4%
Property was seized	624 0.1%	3113 0.9%	1014 0.7%	564 1.3%	1792 2.9%	2015 2.3%	1312 3.2%	2346 4.2%	12780 0.7%
Vehicle impounded	9833 1%	4404 1.3%	1685 1.2%	395 0.9%	734 1.2%	883 1%	576 1.4%	988 1.8%	19498 1.1%
Written statement	-	3 0%	74 0.1%	13 0%	59 0.1%	13 0%	37 0.1%	-	199 0%
None	1002530 97%	195834 58.2%	82814 60.6%	37731 84.8%	38537 61.7%	59865 66.9%	27802 68.6%	31502 55.8%	1476615 82%

**Note:** Categories that had zero occurrences for a given action taken have a dash ( - ) instead of a percentage. Categories with 0.0% are rounded down from values of less than 0.1%.

**Table 11. Number of Searched Individuals, by Basis for Search, by Agency**

BASIS FOR SEARCH	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Consent given	215 1.9%	25211 29.3%	12503 44.2%	1165 30.5%	5241 35.3%	1650 9.8%	2417 32.3%	850 8.1%	49252 27.5%
Officer safety/safety of others	909 8.1%	32052 37.3%	8499 30.1%	1254 32.8%	6154 41.4%	1469 8.8%	877 11.7%	3710 35.2%	54924 30.7%
Search warrant	45 0.4%	869 1%	413 1.5%	58 1.5%	626 4.2%	66 0.4%	93 1.2%	227 2.2%	2397 1.3%
Condition of parole/probation/ PRCS/ mandatory supervision	198 1.8%	18064 21%	4019 14.2%	907 23.8%	2300 15.5%	5267 31.4%	2680 35.9%	2080 19.7%	35515 19.8%
Suspected weapons	233 2.1%	12569 14.6%	1934 6.8%	116 3%	654 4.4%	345 2.1%	258 3.5%	965 9.2%	17074 9.5%
Visible contraband	340 3%	5285 6.1%	1555 5.5%	73 1.9%	423 2.8%	325 1.9%	231 3.1%	702 6.7%	8934 5%
Odor of contraband	351 3.1%	5492 6.4%	2193 7.8%	44 1.2%	244 1.6%	136 0.8%	74 1%	558 5.3%	9092 5.1%
Canine detection	188 1.7%	25 0%	18 0.1%	21 0.6%	36 0.2%	1 0%	22 0.3%	3 0%	314 0.2%
Evidence of crime	433 3.9%	4518 5.3%	2791 9.9%	134 3.5%	649 4.4%	331 2%	216 2.9%	957 9.1%	10029 5.6%
Incident to arrest	9681 86.2%	23396 27.2%	9262 32.8%	1245 32.6%	5444 36.6%	9277 55.3%	2681 35.9%	4496 42.7%	65482 36.6%
Exigent circumstances/emergency	30 0.3%	347 0.4%	90 0.3%	15 0.4%	77 0.5%	50 0.3%	30 0.4%	71 0.7%	710 0.4%
Vehicle inventory	547 4.9%	2562 3%	511 1.8%	113 3%	685 4.6%	536 3.2%	199 2.7%	456 4.3%	5609 3.1%
Suspected violation of school policy	-	1 0%	28 0.1%	6 0.2%	15 0.1%	2 0%	15 0.2%	-	67 0%

**Note:** Individuals included in this table who were subject to a search of their person, search of their property, or both a search of their person and their property. Officers may indicate multiple search bases for a single individual. Individuals for whom officers indicated multiple search bases are counted in this table multiple times. Therefore, the percentages do not add up to 100%. Categories that had zero occurrences for a given basis for search have a dash ( - ) instead of a percentage. Categories with 0.0% are rounded down from values of less than 0.1%.

**Table 12. Number of Searched Individuals Found to be in Possession of Contraband or Evidence, by Type of Contraband or Evidence Discovered, by Agency**

CONTRABAND OR EVIDENCE DISCOVERED	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Firearm	295 2.6%	1927 2.2%	610 2.2%	59 1.5%	391 2.6%	187 1.1%	79 1.1%	265 2.5%	3813 2.1%
Ammunition	166 1.5%	1061 1.2%	323 1.1%	36 0.9%	316 2.1%	143 0.9%	52 0.7%	207 2%	2304 1.3%
Weapon(s) other than a firearm	133 1.2%	2427 2.8%	767 2.7%	114 3%	458 3.1%	573 3.4%	218 2.9%	793 7.5%	5483 3.1%
Drugs/narcotics	1857 16.5%	9987 11.6%	5091 18%	417 10.9%	1973 13.3%	2198 13.1%	1100 14.7%	1634 15.5%	24257 13.6%
Alcohol	372 3.3%	7932 9.2%	2660 9.4%	66 1.7%	239 1.6%	1561 9.3%	222 3%	897 8.5%	13949 7.8%
Money	111 1%	1276 1.5%	283 1%	24 0.6%	228 1.5%	211 1.3%	50 0.7%	460 4.4%	2643 1.5%
Drug paraphernalia	984 8.8%	3132 3.6%	3377 11.9%	296 7.8%	1762 11.9%	1716 10.2%	980 13.1%	1028 9.8%	13275 7.4%
Suspected stolen property	182 1.6%	981 1.1%	513 1.8%	138 3.6%	416 2.8%	338 2%	180 2.4%	721 6.8%	3469 1.9%
Cell phone(s) or electronic device(s)	104 0.9%	531 0.6%	326 1.2%	24 0.6%	198 1.3%	220 1.3%	105 1.4%	540 5.1%	2048 1.1%
Other contraband or evidence	372 3.3%	2630 3.1%	1171 4.1%	156 4.1%	566 3.8%	659 3.9%	221 3%	1307 12.4%	7082 4%

**Note:** Values in the cells of this table represent how many individuals whom officers searched in a given agency's data were found to be in possession of a given contraband or evidence type. Individuals can possess more than one type of contraband or evidence; as a result, individuals may be counted in this table more than once, meaning that the percentages may not add up to 100%.



**Table 13. Number of Individuals from whom Officer Seized Property, by Type of Property Seized, by Agency**

TYPE OF PROPERTY SEIZED	AGENCY								Total
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Firearm(s)	108 17.3%	566 18.2%	128 12.6%	32 5.7%	204 11.4%	98 4.9%	68 5.2%	186 7.9%	1390 10.9%
Ammunition	53 8.5%	430 13.8%	94 9.3%	23 4.1%	161 9%	76 3.8%	39 3%	163 6.9%	1039 8.1%
Weapon(s) other than a firearm	43 6.9%	420 13.5%	93 9.2%	48 8.5%	136 7.6%	173 8.6%	115 8.8%	337 14.4%	1365 10.7%
Drugs/narcotics	301 48.2%	1250 40.2%	462 45.6%	210 37.2%	746 41.6%	830 41.2%	631 48.1%	597 25.4%	5027 39.3%
Alcohol	9 1.4%	33 1.1%	18 1.8%	3 0.5%	10 0.6%	125 6.2%	14 1.1%	53 2.3%	265 2.1%
Money	51 8.2%	446 14.3%	55 5.4%	19 3.4%	132 7.4%	120 6%	42 3.2%	371 15.8%	1236 9.7%
Drug paraphernalia	189 30.3%	565 18.1%	314 31%	112 19.9%	563 31.4%	599 29.7%	522 39.8%	404 17.2%	3268 25.6%
Suspected stolen property	50 8%	326 10.5%	102 10.1%	47 8.3%	175 9.8%	141 7%	130 9.9%	423 18%	1394 10.9%
Cell phone(s) or electronic device(s)	73 11.7%	279 9%	73 7.2%	16 2.8%	122 6.8%	181 9%	112 8.5%	417 17.8%	1273 10%
Vehicle	140 22.4%	303 9.7%	72 7.1%	129 22.9%	228 12.7%	319 15.8%	200 15.2%	176 7.5%	1567 12.3%
Other contraband	100 16%	728 23.4%	230 22.7%	104 18.4%	276 15.4%	296 14.7%	202 15.4%	901 38.4%	2837 22.2%

**Note:** Values in the cells of this table represent how many individuals from whom officers seized property in a given agency's had the given property type seized from them. Officers may seize property of more than one type from a single individual; as a result, individuals may be counted in this table more than once, meaning that the percentages may not add up to 100%.

**Table 14. Number of Individuals from whom Officers Seized Property, by Basis for Property Seizure, by Agency**

<i>BASIS FOR PROPERTY SEIZURE</i>	<i>AGENCY</i>								<i>Total</i>
	CHP	LAPD	LASD	RCSD	SBSD	SDPD	SDSD	SFPD	
Safekeeping as allowed by law/statute	75 12%	136 4.4%	50 4.9%	87 15.4%	143 8%	196 9.7%	232 17.7%	383 16.3%	1302 10.2%
Contraband	241 38.6%	1231 39.5%	356 35.1%	154 27.3%	516 28.8%	933 46.3%	635 48.4%	662 28.2%	4728 37%
Evidence	422 67.6%	2503 80.4%	826 81.5%	345 61.2%	1289 71.9%	1179 58.5%	810 61.7%	1935 82.5%	9309 72.8%
Impound of vehicle	155 24.8%	506 16.3%	100 9.9%	127 22.5%	261 14.6%	363 18%	242 18.4%	221 9.4%	1975 15.5%
Abandoned Property	5 0.8%	18 0.6%	1 0.1%	4 0.7%	6 0.3%	25 1.2%	3 0.2%	26 1.1%	88 0.7%
Suspected violation of school policy	-	-	2 0.2%	5 0.9%	3 0.2%	1 0%	12 0.9%	-	23 0.2%

**Note:** Values in the cells of this table represent, for a given property seizure basis, how many individuals a given agency's officers seized property from for that reason. Officers may provide multiple bases for seizing property from a single individual; as a result, individuals may be counted in this table more than once, meaning that the percentages may not add up to 100%. Categories that had zero occurrences for a given basis for property seizure have a dash ( - ) instead of a percentage. Categories with 0.0% are rounded down from values of less than 0.1%.

## Appendix C

### WAVE 1 AGENCIES' BIAS FREE POLICING POLICIES

## San Francisco Police Department

## **POLICY PROHIBITING BIASED POLICING**

One of the Department's guiding principles is our commitment to treat all people with dignity, fairness, and respect. This order outlines the policy for policing without racial bias. The members of the San Francisco Police Department have always striven to gain the trust of the community. To maintain that trust, it is crucial for members of our Department to carry out their duties in a manner free from bias and to eliminate any perception of policing that appears racially biased.

Over the past several years there has been a growing national perception that law enforcement action is often based on racial stereotypes or "racial profiling." In order to address this perception in California, the State legislature has enacted statutes mandating additional training for all California law enforcement officers on "racial and cultural differences and development of effective, non-combative methods of carrying out law enforcement duties in a racially and culturally diverse environment." (See Penal Code Section 13519.4(a). Also see California Penal Code 13519.4(e) which prohibits racial profiling by law enforcement officers).

As detailed below biased policing is the use, to any extent or degree, of actual or perceived race, color, ethnicity, national origin, religion, gender, age, sexual orientation, or gender identity in determining whether to initiate any law enforcement action in the absence of a specific suspect description.

### **I. PURPOSE**

This policy establishes the San Francisco Police Department's commitment to unbiased policing. It is to clarify the circumstances in which officers can consider race, color, ethnicity, national origin, religion, gender, age, sexual orientation, or gender identity when making law enforcement decisions and to reinforce existing policies and procedures that serve to assure the public that we are providing service and enforcing laws in an equitable manner.

### **II. POLICY**

#### **A. Policing Impartially**

1. Investigative detentions, traffic stops, arrests, searches and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrest, nonconsensual searches and property seizures.

2. Department personnel may not use, to any extent or degree, actual or perceived race, color, ethnicity, national origin, religion, gender, age, sexual orientation, or gender identity in conducting stops or detentions, or activities following stops or detentions except when engaging in the investigation of appropriate suspect specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by any of the above listed characteristics may rely on them in part only in combination with other appropriate identifying factors. The listed characteristics should not be given undue weight.
  - a) Except as provided above, officers shall not consider actual or perceived race, color, ethnicity, national origin, religion, gender, age, sexual orientation or gender identity in establishing either reasonable suspicion or probable cause.
  - b) Except as provided above, officers shall not consider actual or perceived race, color, ethnicity, national origin, religion, gender, age, sexual orientation or gender identity in deciding to initiate even those consensual encounters that do not amount to legal detentions or to request consent to search.

#### B. Preventing Perceptions of Biased Policing

In an effort to prevent perceptions of biased law enforcement, each officer (with consideration for officer safety), should do the following when conducting pedestrian, bicycle, or vehicle stops:

1. Be courteous and professional.
2. Approach the person being stopped and provide an explanation for the stop as soon as practical. When effecting vehicle stops, the officer should provide this information before asking the driver for his or her license and registration.
3. Ensure the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the person understands the nature of reasonable delays.
4. Answer questions the person may have regarding the stop, including an explanation of options for traffic citation disposition, if relevant.
5. Provide his or her star number. Do so in writing if requested.

C. Member's Responsibility and Compliance

All officers are responsible for knowing and complying with this policy. As with all General Orders, any violation of this policy may subject the member to disciplinary action. Supervisors shall ensure that all personnel in their command know the content of this policy and operate in compliance with it. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established procedure.

### **SEC. 96A.3. QUARTERLY ANALYSIS AND REPORTING.**

On a quarterly basis (the first Tuesday in February, May, August, and November), the Police Department and the Sheriff's Department respectively shall send a written report to the Mayor, the Board of Supervisors, the Police Commission, and the Human Rights Commission, covering the previous quarter (quarters commencing January 1, April 1, July 1, and October 1). The reports shall contain the following information for the reporting period:

(a) For Encounters:

- (1) The total number;
- (2) The total number broken down by race or ethnicity, age, and sex;
- (3) The total number of searches performed broken down by race or ethnicity, age, and sex;
- (4) The total number of each type of search performed;
- (5) For each type of search performed, the total number broken down by race or ethnicity, age, and sex;
- (6) The total number of each type of disposition, and the total number for each disposition broken down by race or ethnicity, age, and sex; and
- (7) The data for Encounters required to be reported by this subsection (a) shall be reported separately for Detentions and Traffic Stops;

(b) For Use of Force:

- (1) The total number of Uses of Force;
- (2) The total number of Uses of Force that resulted in death to the person on whom an Officer used force; and
- (3) The total number of Uses of Force broken down by race or ethnicity, age, and gender identity;

(c) For arrests:

- (1) The total number; and
- (2) The total number broken down by race or ethnicity, age, and sex.

(d) The reports shall also include data regarding the reasons for Encounters and arrests. The departments shall develop categories to collect and report this information (e.g., for Detentions and arrests: reasonable suspicion or probable cause based on observation, known probationer or parolee, consent, etc.; e.g., for Traffic Stops: moving violations, equipment violations, stops based on suspicion of other criminal conduct, etc.). The departments shall explain in the report each category, and shall report the number of Detentions, Traffic Stops, and arrests for each category. The departments shall also report the total number of each category broken down by race or ethnicity, age, and sex.



## San Francisco Police Department

(e) For purposes of Use of Force reporting, the report shall include data for each time a Use of Force occurred during the reporting period, and shall not be limited to Use of Force during a Traffic Stop or Detention.

(f) The Police Department shall obtain from the Department of Police Accountability (“DPA”) and include in its report the total number of complaints for the reporting period received by DPA that DPA characterizes as allegations of bias based on race or ethnicity, gender, or Gender Identity. The Police Department shall also obtain from DPA and include in its report the total number of DPA complaints closed during the reporting period that DPA characterizes as allegations of bias based on race or ethnicity, gender, or Gender Identity, and the total number of each type of disposition for such complaints.

(g) The reports of the Sheriff’s Department may separate data for the department’s custody division and the department’s field division.

(h) The department may include in the report any other information the department concludes will assist in understanding the information required by subsections (a)-(g) of this Section [96A.3](#). Where subsections (a)-(d) require that total numbers be broken down by race or ethnicity, or sex, the department shall also calculate and report the applicable percentages for each group.

(i) Notwithstanding any other provision of this [Chapter 96A](#), including this Section [96A.3](#), subsections (a), (c), and (d) of this Section [96A.3](#) shall expire by operation of law immediately following the submission of the quarterly report due on August 7, 2018, for the quarter commencing April 1, 2018.

(Added by Ord. [166-15](#), File No. 150643, App. 9/23/2015, Eff. 10/23/2015, Oper. 1/1/2016; amended by Ord. [232-17](#), File No. 170866, App. 12/8/2017, Eff. 12/8/2017; Ord. [97-18](#), File No. 180188, App. 5/4/2018, Eff. 6/4/2018)

## California Highway Patrol

## California Highway Patrol

### c. Command Responsibility.

(1) Each level of command shall evaluate each subordinate's demonstrated willingness to accept personal obligations for the fulfillment of departmental duties and objectives within the scope of assigned responsibilities.

(2) Command and supervisory personnel are responsible for instilling in each enforcement officer a lasting personal interest and sense of individual obligation to prevent traffic crashes on their assigned beat. This can be accomplished by:

- (a) Identifying their strengths and weaknesses;
- (b) Establishing methods for increasing individual effectiveness; and
- (c) Personally providing high-quality leadership and expert direction.

(3) Division Chiefs or Area commanders are responsible for the implementation of these objectives and policies to ensure the most efficient performance of personnel and the best use of available equipment and facilities.

## 2. GENERAL ENFORCEMENT POLICY.

a. The Department's enforcement efforts must be consistent with the organizational values of respect for others, fairness, ethical practices, and equitable treatment for all. Accordingly, all enforcement action by members must be based on sound professional judgment and accomplished in a businesslike, firm, impartial, courteous, and consistent manner.

b. Racial or Identity Profiling. Per Section 13519.4(e) of the Penal Code, racial or identity profiling is "the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest." Officers shall not engage in racial or identity profiling or discrimination of any kind. Racial or identity profiling and discrimination of any kind are prohibited by the Department and will not be tolerated.

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 0.8

REVISED SEPTEMBER 2018

### **PROFESSIONAL VALUES**

1. GENERAL. This General Order defines the professional values of the California Highway Patrol. Internalization of these values provides a foundation to enhance public trust within the Department while accomplishing an overriding pledge of providing the highest level of Safety, Service, and Security to the people of California. This pledge can only be upheld when all employees clearly understand the Department's expectations and commitment to service.
  
2. PURPOSE. The purpose of this order is to accomplish the following:
  - a. To identify and adopt a motto of professional values (Annex A), which is the foundation for our commitment to serve the public and fellow employees.
  - b. To apprise departmental personnel of the standards and values that are expected of them.
  - c. To have a departmental motto that is easy to remember by all employees.
  
3. EMPLOYEE RESPONSIBILITY. All employees, regardless of rank, classification, position, or assignment are expected to:
  - a. Present themselves in a manner that exemplifies the traits described in this order.
  - b. Review this order and sign an acknowledgment of receipt when reporting as a new or transferring employee and during the annual evaluation period. This is accomplished by signing a copy of Annex A or designated area of the annual personnel evaluation and placing a copy in the employee personnel file.
  - c. Have a general knowledge of the motto (CHP PRIDE) and the meaning behind it.
  - d. Abide by these values in order to maintain their personal professionalism and to preserve the integrity of the Department.

e. Understand that increasing authority is accompanied by increasing responsibility and each employee is accountable for the use of delegated authority in a manner consistent with departmental values.

4. SUPERVISOR AND MANAGER RESPONSIBILITIES.

a. Managers and supervisors shall learn the motto, internalize and support it, and thereafter serve as a model for subordinates to emulate.

b. As a model for subordinates, managers and supervisors shall lead, recognize, and support employees in everyday ethical decisions.

c. Managers and supervisors are accountable for the activities of the employees under their immediate control and shall reinforce the professional values concepts by frequently discussing them with employees in a variety of forums in order to achieve an environment of CHP PRIDE.

5. COMMANDER RESPONSIBILITIES. Commanders shall:

a. Review this order with newly hired and transferred employees.

b. Ensure the meaning and the importance of adherence to the motto is conveyed to all employees through training and periodic discussions on the topic.

c. Emphasize the importance of the professional values as they apply to the continued successful operation of the Department.

OFFICE OF THE COMMISSIONER

ANNEX A

OPI: 003

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 0.1

REVISED SEPTEMBER 2018

### **DEPARTMENTAL MISSION STATEMENT AND ORGANIZATIONAL VALUES**

1. GENERAL. The purpose of this General Order is to define the mission and organizational values of the California Highway Patrol (CHP). Adherence to the Department's mission and organizational values is critical in earning the trust of the people of California and fulfilling our commitment to service.

2. MISSION. The mission of the CHP is to provide the highest level of Safety, Service, and Security. This is accomplished through five departmental goals:

- **Protect life and property**—We make California a great place to live, work, and travel by reducing fatalities, injuries, and crime.
- **Provide superior service to the public and assistance to allied agencies**—We are committed to providing first class customer service.
- **Enhance public trust through community outreach and partnerships**—We model the Department's Professional and Organizational Values in every interaction.
- **Invest in our people**—We develop and support our workforce to sustain a world-class organization.
- **Identify and respond to evolving law enforcement needs**—We demonstrate leadership by addressing emerging trends.

3. ORGANIZATIONAL VALUES. To accomplish our mission, we are committed to the following organizational values as the foundation of our pledge to public Safety, Service, and Security:

- Respect for others.
- Fairness.

California Highway Patrol

- Ethical practices.
- Equitable treatment for all.

OFFICE OF THE COMMISSIONER

OPI: 003

## CHAPTER 9

### CULTURAL AWARENESS

1. INTRODUCTION. In order to best serve employees of the Department as well all people of the State of California, the California Highway Patrol (CHP) embraces the importance of recognizing and respecting the cultural, racial, and ethnic differences inherent in the state's very diverse population. To that end, the Department, in conjunction with the Museum of Tolerance, has developed and instituted a curriculum of instruction which encompasses cultural awareness.

2. **POLICY**. It is the policy of the CHP to treat employees and the public we serve with respect and fairness and to ensure our practices are ethical and equitable. These organizational values are the foundation of cultural awareness training in the Department. This training provides CHP employees with strategies for successful contacts with individuals from differing cultural, racial, or ethnic backgrounds, as well as detailing the importance of recognizing and respecting the complexities of cultural diversity in California. Cultural awareness training is provided to all employees annually and addresses issues of cultural awareness, racial profiling, hate crimes, and ethics.

3. DEFINITIONS.

a. Hate Crimes.

(1) Penal Code Section 422.55 defines a hate crime as: "A criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(a) Disability;

(b) Gender;

(c) Nationality;

(d) Race or ethnicity;

(e) Religion;

(f) Sexual orientation; and/or,

(g) Association with a person or group with one or more of these actual or perceived characteristics."



racially and culturally-diverse environment. The course includes detailed instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups. Training is to be conducted every five years, or on a more frequent basis, if deemed necessary in order to keep abreast of changing racial and cultural mores. (For additional information regarding racial profiling, refer to HPM 100.68, Traffic Enforcement Policy Manual, Chapter 1, Patrol and General Enforcement Guidelines, page 1-5.)

c. The Equal Employment Opportunity (EEO) Program will continue to receive staff support and resources from the Department as necessary to meet its objectives, and may be aided by participation in federal and state sponsored programs.

d. According to the terms and conditions of the settlement agreement between Curtis V. Rodriguez v. California Highway Patrol (Case No. C99-20895-JF/HRL), the Department is required to restate existing policy regarding traffic enforcement stops and racial profiling or racial discrimination issues:

(1) The CHP agrees that CHP officers may not engage in racial profiling or racial discrimination of any kind.

(2) The CHP affirms its existing policy prohibiting racial profiling as follows: "CHP officers shall not engage in racial profiling or racial discrimination of any kind. Racial profiling and racial discrimination of any kind are prohibited by the Department and will not be tolerated." (Refer to HPM 100.68, Chapter 1, Section 2.d., General Enforcement Policy.)

5. **TRAINING.** The Department provides both classroom and online training on Cultural Diversity, Racial Profiling, Hate Crimes, and Ethics. This training is based upon the Museum of Tolerance's Tools for Tolerance framework and the Commission on Police Officer Standards and Training (POST) Learning Domain 42, Cultural Diversity/ Racial Profiling.

a. Classroom Training. Classroom training is eight hours in duration and includes information and discussion on cultural diversity, racial profiling, hate crimes, and ethics. Classroom training is interactive and team-taught using multiple facilitators. Classroom training is required every two years on the even-numbered calendar years. Training sites and dates are identified by instructors and commanders within each command.

b. Online Training. Employees will complete an online training refresher course every odd-numbered calendar year. Online training includes components of the cultural diversity, racial profiling, hate crimes, and ethics curriculum.

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 100.21

REVISED JULY 2018

### **ENFORCEMENT/PUBLIC CONTACT DEMOGRAPHIC DATA COLLECTION**

1. PURPOSE. The purpose of this General Order (GO) is to establish policy, reporting procedures, and define California Highway Patrol employee responsibilities in the collection of demographic data. It is further intended that this GO shall ensure the data is accurate and affirms the integrity of the collection process.

2. GENERAL.

a. On October 3, 2015, Governor Brown signed Assembly Bill 953, known as the Racial and Identity Profiling Act of 2015 (RIPA), which requires the collection and reporting of specified demographic data for all enforcement contacts to the California Office of the Attorney General (OAG). As outlined in Government Code (GC) Section 12525.5, and associated regulations, the Department must begin collecting expanded demographic data on July 1, 2018.

b. In an ongoing effort to maintain public trust, the Department's enforcement efforts must be consistent with the Department's organizational values of respect for others, fairness, ethical practices, and equitable treatment for all. As such, all enforcement actions by members of the Department must be based on sound professional judgment and accomplished in a businesslike, firm, impartial, courteous, and consistent manner.

3. DATA COLLECTION.

a. In compliance with GC Section 12525.5 and Title 11, California Code of Regulations, the Department will collect specified data elements for each public contact on the CHP A415, Daily Field Record, in the departmental Activity Tracking System (ATS). These data elements include the following:

- (1) Originating Agency Identifier number.
- (2) Date, time, and duration of stop.
- (3) Location of stop.

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 0.7

REVISED JULY 2019

### CITIZENS' ADVISORY BOARD

#### 1. BACKGROUND.

a. In 1991, at the direction of the Commissioner, a departmental task force was convened to review and provide recommendations to the Commissioner regarding the California Highway Patrol's (CHP) policies on the use of force.

b. The Citizens' Ad Hoc committee was formed in 1992 to conduct an independent review of the findings of this task force, as well as the Department's policies regarding the use of force. The committee, composed of 6 citizens not associated with the Department, provided recommendations to the Commissioner based on their findings. Twelve recommendations were contained in an April 1993 report to the Commissioner. The recommendations were adopted, and the Ad Hoc Committee was renamed the "Citizens' Standing Committee on the Use of Force." The Citizens' Standing Committee on the Use of Force conducted an annual review of the Department's use of force policies, and periodically reported its findings and recommendations to the Commissioner.

c. In response to the committee's recommendation to broaden its purview, in 1996 the Citizens' Standing Committee on the Use of Force was renamed the Citizens' Oversight Committee (COC).

d. In 2009, due to the nature of the committee as an advisory body to the Commissioner with no statutory authority to make substantive decisions for the Commissioner or for the Department, the COC was renamed the Citizens' Advisory Board (CAB).

e. The meetings held by the CAB are not subject to the requirements of the Bagley-Keene Open Meeting Act (Government Code Section 11120 *et seq.*).

#### 2. MISSION.

a. The mission of the CAB is to provide the Commissioner objective, community-based input regarding issues of significance to optimize accountability

and objectivity. Citizen advisory boards play an important role in strengthening community trust in law enforcement by providing neutral third-party insight and a productive exchange of ideas.

**(1) Objectives.**

(a) The CAB is to serve as an advisory body to the Commissioner with the primary purpose of providing objective review and input concerning departmental policies, procedures, training, reporting, and controls to determine consistency with the demands of public safety as well as legal, moral, and public expectations. Areas of concern may include, but are not limited to:

- 1 Use of force/enforcement contact issues.
- 2 Civilian complaint investigations.
- 3 Equal employment opportunity issues.
- 4 Management and supervisory practices.
- 5 Personnel practices including selection and hiring procedures.
- 6 Public perception/image.

**(2) Members' Role.**

(a) To increase the Department's ability to understand their community/constituent concerns and needs relating to the Department.

(b) To function as a "sounding board," both as individuals and as a committee to identify and address issues that affect and/or impact the Department.

(c) To communicate this information to the Commissioner through the advisory board process.

**3. BOARD MEMBERSHIP.**

a. Every effort shall be made to ensure CAB membership reflects the state's population, taking into consideration geographic, ethnic, gender, and cultural diversity. Members shall be residents of California, mature, responsible, and drawn from among prominent individuals of integrity, reputation, and judgment. Membership qualities should include, but are not be limited to:

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 6.11

REVISED OCTOBER 2018

### COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC., ACCREDITATION

1. PURPOSE. The purpose of this General Order (GO) is to establish policy and reporting procedures associated with the Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA) accreditation process. The purpose of CALEA is to improve the delivery of public safety services by maintaining a body of standards developed by public safety practitioners, establishing and administering an accreditation process, and recognizing professional excellence. The Department participates in the CALEA Advanced Law Enforcement, Public Safety Communications, and Public Safety Training Academy accreditation programs.

2. GENERAL.

a. The CALEA was created in 1979 as a credentialing authority through the joint efforts of the following major law enforcement executive associations:

- (1) International Association of Chiefs of Police.
- (2) National Organization of Black Law Enforcement Executives.
- (3) National Sheriffs' Association.
- (4) Police Executive Research Forum.

b. The CALEA accreditation process is a proven modern management model that promotes the efficient use of resources and seeks to improve service delivery.

c. The accreditation program provides law enforcement agencies an opportunity to demonstrate adherence to an established set of professional standards that:

- (1) Require an agency to develop a comprehensive and uniform set of written directives as a method of evaluating administrative and operational goals, while also providing direction to agency personnel.
- (2) Provide the necessary reports and analyses needed for fact-based, informed management decisions.

## California Highway Patrol

- (3) Strengthen an agency's accountability, both within the agency and the community, through a body of standards that clearly define authority, performance, and responsibilities.
- (4) Can limit an agency's liability and risk exposure by demonstrating that internationally recognized standards have been met and verified by a trained team of independent assessors.
- (5) Facilitate an agency's pursuit of professional excellence.
- (6) Provide agencies with a continuing flow of information about exemplary policies, procedures, and projects, as distributed by CALEA.
- (7) Facilitate agencies' efforts to increase transparency and public trust.
- (8) Promote communication between various departmental offices and Divisions.

3. POLICY. As a requirement of accreditation, the Department shall familiarize its employees with the accreditation process. As such, commanders shall ensure all departmental employees, including nonuniformed personnel, are familiar with the CALEA accreditation process within 30 days of hire. The Academy shall ensure cadets are familiar with the CALEA accreditation process prior to graduation.

a. Familiarization with the CALEA accreditation process should be accomplished by:

- (1) Viewing the informational video available on the California Highway Patrol (CHP) Intranet site: [http://home.chp.ca.gov/org/dep\\_comm/oac.html](http://home.chp.ca.gov/org/dep_comm/oac.html).
- (2) Reviewing the content of this GO.
- (3) Ongoing discussions with employees regarding the CALEA accreditation process.
- (4) Completion of the nonuniform orientation course at the Academy or online.

4. PROCESS. Accreditation requires an in-depth review of every aspect of the Department's organization, management, operations, and administration. The primary focus of the accreditation process is demonstrating compliance with the standards established by CALEA.

a. Accreditation Process. The CALEA accreditation process consists of the following five phases:

## Los Angeles Police Department

**DEPARTMENT MANUAL  
Volume I**

Revised by Administrative Order No. 19

November 8, 2019

**345. POLICY PROHIBITING BIASED POLICING.** Discriminatory conduct on the basis of *an individual's actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration or employment status, English language fluency or homeless circumstance*, is prohibited *while performing any law enforcement activity*. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state laws. *Officers shall not initiate police action where the objective is to discover the civil immigration status of any person and shall strictly adhere to the Department's immigration enforcement guidelines as outlined in Department Manual Sections 4/264.50 and 4/264.55.*

Department personnel may not use race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability (to any extent or degree), *immigration or employment status, English language fluency or homeless circumstance as a basis for* conducting any law enforcement activity, including stops and detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability (*to any extent or degree*), *immigration or employment status, English language fluency or homeless circumstance*; may rely, in part, on the specified identifier or description only in combination with other appropriate identifying factors; and may not *grant* the specified identifier or description undue weight.

*A failure to comply with this policy is counterproductive to professional law enforcement and is considered serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established Department procedures.*



**202.02 AUTOMATED FIELD DATA REPORTS/COMPLETION AND TRACKING.**

**Officer's Responsibilities.** Sworn personnel assigned to any field, specialized, or investigative assignment (e.g., patrol, task force, detective, and plain clothes assignments) **shall** complete an Automated Field Data Report (AFDR) for **every person detained or searched** regardless of the initial reason for the encounter (e.g., traffic stop, radio call, observation, task force). All AFDR reports **shall** be completed by end of watch or, if exigent circumstances exist, as soon as practicable.

**Overtime and Off-Duty Assignments.** The same AFDR completion requirements also apply to officers working any:

- Overtime assignment to include but not limited to Cash Overtime Allotment for Scheduling and Timekeeping (COAST), Metropolitan Transit Authority, or Bureau/Area/division overtime details; and
- Off-duty uniformed assignment that is pursuant to a Memorandum of Understanding or other contractual relationship with the Department. These off-duty uniformed assignments include, but are not limited to, Dodger games, Staples Center events, and the USC or NFL football game details.

**Exceptions to Completion Requirements.** Officers are not required to complete an AFDR in the following circumstances:

- Detentions that occur during public safety mass evacuations, including bomb threats, gas leaks, flooding, earthquakes, and other similar critical incidents;
- Detentions that occur during an active shooter incident, such as when an individual is actively engaged in killing or attempting to kill people in a populated area;
- Detentions or searches that occur during or as a result of routine security screenings required of all persons to enter a building, school or special event, including metal detector screenings and any secondary searches that result from that screening;
- Detentions that occur during a crowd control situation in which pedestrians are directed to remain at a location or routed to a different location for public safety purposes;
- Interactions during which persons are detained at a residence only, so that officers may check for proof of age for purposes of investigating underage drinking;
- Checkpoints or roadblocks in which an officer detains a person as the result of a blanket regulatory activity that is not based on an individualized suspicion or personal characteristic;
- Passenger(s) of traffic stops who are not the subject of an investigation or enforcement action (e.g., any person(s) being asked to exit the vehicle simply because it is being impounded);
- The targeted subject(s) of a warrant, search condition, home detention, or house arrest while in their residence; or,
- Consensual encounters that do not result in a search.

**Perception.** As set forth below, officers must report their perceptions of specified characteristics regarding the person stopped, detained, or searched. Perception is considered to be the process through which an officer recognizes and interprets sensory information to draw a conclusion about the person being detained or searched. An officer's perception shall be based on personal observations only; he or she shall not ask another person for input or refer to an identification document or other written form to verify information about an individual. Perception can be decided prior to, during or after the detention.

With respect to the person being detained or searched, the officer shall report his or her own perception regarding the following:

- Perceived race or ethnicity of the person detained;
- Perceived age of the person detained;
- Perceived gender of the person detained;
- Whether the person detained is perceived to be lesbian, gay, bisexual or transgender;
- Whether the person detained is perceived to have limited or no English fluency; and,
- Whether the person detained is perceived or known to have a disability.

**Multiple Officers.** When there are multiple officers at the scene and interacting with the detained or searched person(s):

- Only one officer shall submit the AFDR;
- The officer with the highest level of engagement (contact or interaction) is responsible for completing the AFDR; and,
- All actions taken by each officer in the detention or search shall be included in the AFDR.

**Multiple Agencies.** If more than one agency is involved in the detention or search, the primary agency shall complete all of the AFDRs. If a non-reporting agency, such as the Federal Bureau of Investigation or Los Angeles County Probation Department, is the primary agency involved, a reporting agency, such as the Los Angeles Police Department or Los Angeles Sheriff's Department, is responsible for completing the AFDR(s).

**Completion Requirements.** Officers shall complete an AFDR electronically on the Department's Local Area Network (LAN), mobile phone application or Mobile Digital Computer (MDC). Current electronic versions of the Officer AFDR Completion Guide and the Supervisor AFDR Completion Guide are available to provide guidance in completing the AFDR. In addition, officers shall provide a Department business card to each person who meets the above criteria as outlined within the Officer's Responsibilities heading and in accordance with Department Manual Section 4/296.01. The business card shall include the date and time of the stop, detention, or search and the last four digits of the related incident number.

**Note:** If it is determined that an AFDR requires removal from the system, after the AFDR has been uploaded into the server, an Intradepartmental Correspondence, Form 15.02.00, shall be sent to the Commanding Officer, Application Development and Support Division.

If the AFDR system is inoperable or the officer is unable to access the AFDR system, the officer shall complete the California Department of Justice (Cal DOJ) Stop Data Collection Form. The purpose of this form is to document the AFDR detention or search data, so that the officer can accurately input this information into the AFDR System at a later time when access is gained, or at the officer's next regularly scheduled start of watch. Officers shall retain the hard copy Cal DOJ Stop Data Collection Form until the data is entered into the AFDR System. Once the data is entered into the AFDR System, the hard copy Cal DOJ Stop Data Collection Form shall be disposed of in a Department shredder.

**Note:** The AFDR Completion Guides and the Cal DOJ Stop Data Collection Form are accessible in the AFDR/Incident Tracking System link within the Applications setting on the Department's LAN or within the AFDR folder in the LAPD Applications Launcher (LAN or MDC).

**Recording AFDR Information on Various Activity Reports and Logs.**

Officers completing an Electronic Daily Field Activities Report (EDFAR) shall document the number of AFDRs (if any are required to be completed) for each incident.

Officers completing a Daily Field Activities Report (DFAR), Form 15.52.00, or Traffic Daily Field Activities Report (TDFAR), Form 15.52.01, or appropriate log used by specialized divisions to record field activities shall record:

- The number of persons contacted during the stop. For example, the C# field on the DFAR/TDFAR shall indicate the number "1" if a single person is contacted;
- The number of AFDRs completed during the activity/incident. For example, the F# field on the DFAR/TDFAR shall indicate the number "1" if one AFDR is completed; and,
- The AFDR number generated by the system. For example, the Disposition field on the DFAR/TDFAR shall indicate "AFDR #12345678."

**Supervisor's Responsibilities.** Supervisors shall be responsible for:

- Reviewing AFDRs in a **timely manner** to ensure that officers are properly completing the AFDR in accordance with the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide; and,
- Editing or directing the completing officer to revise the narrative portions of the AFDR, when appropriate.

# Los Angeles Police Department

The new AFDR system will include data fields that require Department personnel to complete a narrative as it relates to the reason for the stop and basis for the search. The supervisor shall ensure that a legal basis for the detention and search (if applicable) is adequately articulated. In addition, the supervisor shall protect the anonymity of all parties involved by:

- Ensuring there are no identifying characteristics listed of the person(s) or suspect(s) being stopped (e.g., name of individual, license plate number, date of birth, booking number); and,
- Ensuring there are no identifying characteristics listed of the officer(s) involved (e.g., name, serial number, badge number).

**Watch Commander's Responsibilities.** Watch commanders shall be responsible for ensuring that supervisors review AFDRs for completeness and accuracy **in a timely manner**.

**Commanding Officer's Responsibilities.** Commanding officers shall be responsible for ensuring that:

- All employees in their command adhere to established guidelines for the completion of the AFDRs; and,
- **ALL AFDRs are reviewed by a supervisor in a timely manner.**

**Application Development and Support Division's Responsibilities.** Application Development and Support Division shall:

- Process and maintain the AFDR data in an electronic database; and,
- Maintain and update the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide, as necessary.

**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY**

Police Training and Education was requested to provide an update on the efforts being made in training to provide a consistent and comprehensive Biased Policing Reduction Strategy throughout Department training plan. This overview provides some history and context for the priority this topic has had in Department training, and the need to continually evolve to help shape the culture and core values of the Department.

**Racial Profiling Training**

In 1999, State Senator Kevin Murray (Drafted Senate Bill (SB) 1109, which required Racial Profiling training for all officers. As a result, POST created a committee, including representatives from LAPD, to design curriculum for all California law enforcement. The committee developed Racial Profiling curriculum for academy level instruction, an initial five-hour course for all in-service officers and also created the requirement that officers must be retrained every five years on the topic of racial profiling. These requirements have been implemented by the Department.

On November 2, 2000, the Los Angeles City Council and Mayor approved the Civil Rights Consent Decree with the United States Department of Justice (DOJ). On June 15, 2001, the Court formally entered the Consent Decree into law. Within the Consent Decree, one Paragraph in particular, Paragraph 117, directly addressed the training needs as it relates to race, bias, and the manner in which the Department policed diverse communities. Multiple other paragraphs address related training requirements in regards to persons with mental illness, retaliation and community relations to name a few.

Paragraph 117 of the Consent Decree states, “The LAPD shall continue to provide all LAPD recruits, officers, supervisors and managers with regular and periodic training on police integrity. Such training shall include and address:

- Cultural diversity, which shall include training on interactions with persons of different races, ethnicities, religious groups, sexual orientations, persons of the opposite sex and persons with disabilities, and also community policing.
- Fourth Amendment and other constitutional requirements, and the policy requirements set forth in paragraphs 102-103, governing police actions in conducting stops, searches, seizures, making arrests and using force; and
- Examples of ethical dilemmas faced by LAPD officers and, where practicable given the location, type and duration of the training, interactive exercises for resolving ethical dilemmas shall be utilized.”

Since 1996 the Department has been sending officers to the Museum of Tolerance for an eight-hour course on diversity, discrimination, bias, community conflict, hate crimes and tolerance. Prior to 1996 the Director of Training and Education and the Officer-in-Charge of the Human Relations Unit at the Police Academy worked closely with the Museum to develop a law enforcement specific course which ultimately was approved by POST and officers from all over the state have attended. In 2001, the Department worked with the Museum to create a new

## POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY

course which included two segments: Beyond Diversity and Racial Profiling. Once POST approved the Department entered into a contract with the Museum to send officers through the new course. Since 1996, the Department has sent approximately 22,330 officers to the various courses offered by the Museum. This number includes active officers and officers who are no longer with the Department. This number does not include reserve officers or civilian personnel.

### Racial Profiling Policy

In 2001, the Department created policy prohibiting racial profiling. This policy was integrated into a number of in-service training classes. The term racial profiling was used interchangeably with the term “biased policing”. In 2010, the Department adopted a policy replacing the term “biased policing” with the term “constitutional policing” which included violations of constitutional law. Constitutional policing was then integrated in Department training within numerous courses. The concept of constitutional policing continued to evolve based on research and national trends on the subject matter. The Department has evolved in the use and understanding of terminology in this area from biased policing, to Fair and Impartial Policing, to Implicit Bias, to Procedural Justice.

To further improve the Department’s response to concerns from the community regarding fair and impartial policing, in 2003, the Department created the Diversity Training Review Committee. The Department sought input from external stakeholders, including a variety of affiliates from a range of organizations. Those organizations included, but was not limited to the following groups:

- City of Los Angeles, Human Relations Commission
- City of Los Angeles, Mayors Office
- City of Los Angeles Department on Disability
- Greater Los Angeles Association for the Deaf
- National Association for the Advancement of Colored People (NAACP)
- University of California School of Public Policy
- Los Angeles Unified School District
- Museum of Tolerance
- Anti-Defamation League (ADL)
- California State University of Northridge (CSUN)
- First African Methodist Episcopal (AME) Church
- Los Angeles Times
- University of Southern California
- Los Angeles Urban League

The committee provided community and special interest input, including the recognition that the Department had “silo” based training and recommended integration and cross referencing of certain topics throughout training. It was emphasized that training on single blocks of instruction was considered an outdated form of teaching complex topics with adult learners and that Department training needed to evolve further in its’ methodology.

**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY**

The topic of Constitutional and Biased Policing was presented to the Direct Reports at the Senior Staff meeting and then at the General Staff meeting in 2010. The Chief of Police then recorded a video on Constitutional and Biased Policing and required that all employees view the video along with a Chief of Police Notice on the same topic. Additionally, during 2010, the Department held a Department-wide Police Officer III+I meeting where customer service, and issues of Biased Policing and Leadership were discussed. Training was also provided to all Command Staff and sworn supervisors on the adjudication of Biased Policing complaints.

**Fair and Impartial Policing Training**

From 2014 to 2017, Fair and Impartial Policing (FIP) provided the next generation of progress in Department training by including scientific research and clarification of the differences between implicit and explicit bias, as well as discussions on strategies to minimize the impact of implicit bias through contact theory and counter stereotype exposure.

An executive level course was delivered by Dr. Lorie Fridell and her staff to all Command Officers (sworn and civilian) in December of 2014. The focus was twofold: first on individual awareness and then on understanding how bias can influence management practices and systems. The training was well received and it was determined that the Department would invest in a Train-the-Trainer (TTT) course so the Department could deliver the course on Fair and Impartial Policing in an efficient and cost effective manner to all employees. Given the national high demand of the fair and impartial policing curriculum, the first TTT that could be scheduled was in September 2015. Twenty-five cadre members were selected from 95 applications of sworn and civilian Department employees. After the training was completed, the cadre met numerous times to design a plan to address the ongoing training needs at different levels of the organization (Academy, Police Sciences and Leadership I, Field Training Officers, Supervisors, Civilian, and Command Staff).

Academy staff ensured that the fair and impartial policing concepts were addressed thoroughly in academy curriculum and also in the Police Sciences and Leadership I training course that occurs eleven-months post-graduation from the academy.

The next group the cadre focused on was Field Training Officers (FTO) who are required to attend 24 hours of specific training every two years as required by POST. Given the current national discussion in policing on the topic of FIP, the Department determined there was a need to add an additional day to the FTO update Course to emphasize fair and impartial policing mental illness, and interactions with the lesbian, bi-sexual, transgender, and questioning (LGBTQ) community. Four hours are now dedicated to fair and impartial policing in the updated 32-hour FTO course.

The Department Supervisor Update Course and Civilian Supervisor Course both have an existing block on understanding and investigating complaints with a particular focus on bias policing complaints. This existing curriculum for these supervisor schools have been evaluated and updated.

## POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY

### Procedural Justice Training

As the national discussion on policing expanded across the nation from 2013-2016, training on Implicit Bias and Procedural Justice quickly came to the forefront as the Report on the President’s Taskforce on 21<sup>st</sup> Century Policing was released in 2015. During 2017 there was a Department-wide effort to train all officers with the research related to Implicit Bias. A deeper understanding of implicit bias allowed for the next wave of learning to expand into the application of internal and external procedural justice. Procedural justice is the concept that involved parties are more likely to accept police legitimacy, irrespective of the outcome as long as the process is deemed “fair.” This has been evolving as a cornerstone concept within the examination of external police contacts, the efficacy of community interventions, and the assessment of internal department processes.

In order to generate a more indepth understanding, the tenets of procedural justice (trustworthiness, respect, neutrality and voice) have been integrated into academy training and all promotional schools including Police Sciences and Leadership I/II, Field Training Officer Update, Supervisory School, Watch Commander School and Command Development. All Command Officers shared a collective overview on Procedural Justice in December, 2018 and the new quarterly leadership brief to be released in DP 4, highlights procedural justice for Department Supervisors to review at roll call and squad meetings. The supervisors with GED/Metro received a specialized training on procedural justice during March 2019 and in April, the Direct Reports to the Office of Operations will also received a specialized training in procedural justice. The Department recognizes that following the tenets of procedural justice will positively impact the communities we serve, while minimizing responses potentially related to implicit bias.

### Current Curriculum Content-

The following section describes what is taught relative to Procedural Justice (including implicit bias and racial profiling) at the various levels within the Department. It is a comprehensive list across several different courses because implicit bias can be present in a number of different ways and should not be limited to only race.

- *Regular Basic Course (recruit training)*: In 2015, police recruits in the Academy received content related to fair and impartial policing and implicit bias throughout their six-month academy training. The eight hours of training from the Museum of Tolerance is specific to this subject however these concepts are reinforced throughout the academy training during scenario debriefs and specifically during the 3.5-hour pedestrian stops segment. During this segment the instructor defines biased policing, teaches the history of the Civil Rights movement, includes legal considerations, and discusses the negative impact of biased policing on individuals in the community. By 2017, content was expanded to include the tenets of Procedural Justice. The below chart identifies several areas where these content areas are integrated into the basic academy course.

**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY**

<b>ACADEMY CONTENT RELATED TO INCREASING UNDERSTANDING AND REDUCING BIAS</b>						
<b>Class Name</b>	<b>Event</b>	<b>Session No.</b>	<b>Week</b>	<b>Hours</b>	<b>LD</b>	<b>Description</b>
Transition from Civilian to Sworn	Event 1 / Police Sciences	1	1	1	42	Discussion on Officers transition to sworn
You as a Culturally Diverse Community	Cult Diversity/Police Science	2	1	3	42	Discussion on Community Diversity
"C" is CAPRA	Event 1 / Police Science	3	1	1	1	CAPRA Discussion / Problem Solving
Sexual Harassment	Event 1 / Police Science	4	1	3	42	Cultural Diversity / Discrimination
Basic Racial Profiling/Biased Policing	PED Stop	10	3	3.5	42	P.O.S.T 1070 Course
Communications Skills	Traffic Enforcement	3	5	1	3	8 - Step / 5 - Step Scenarios
Traffic Stop-Male provides female I.D.	Traffic Enforcement	4	5	1	3	5 - Step / Scenarios
Traffic Stop-Scenarios	Traffic Enforcement	12	7	2	28	8 - Step / 5 - Step Scenarios
LGBTQ	Crimes Against Persons	2	7	4	95	Case Studies
MOT + Hate Crimes	Crimes Against Persons	8	11	8	42	Case Studies and Museum of Tolerance
Scenarios DV-COP-Ethical dilemma	Family Violence	7	13	3	25	Domestic Violence Studies
Police in Transition	Event 1 / Police Sciences	4	21	3	1	Recruit Officers Transitioning to Police Ofcr
* Tutorials						
* Additional Test Remediation LD28						
				<b>Total</b>		
				33.5		

- *Police Sciences and Leadership I (PSLI)*: The Department fully implemented the Police Sciences Leadership I training course in January of 2016. This course is taught to all new officers who have graduated the academy and are generally in their eleventh month of their twelve-month probationary field training program. This course was designed to build on the basic academy training and integrate experiences from their field experience during the first week and is then followed by the completion of the 40-hour course, Mental Health Intervention Training (MHIT).

In addition to leadership, emotional intelligence and investigative skills, the course currently includes four hours of education on Implicit Bias as presented by Dr. Bryant Marks. The module defines bias and bias policing with an academic discussion that includes how humans establish bias, the difference between implicit and explicit bias, stereotypes, policing's negative history, and how all people tend to judge themselves by their intentions but they typically judge others by their actions. Empathy, contact theory and procedural justice are presented as ways in which to over-come the negative impact of bias.

**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY**

Day two includes a module called Care of Victims and Witnesses that focuses on the victim and the victim’s fears. The concept of “suspending one’s own frame of reference” is introduced. This is intended to prevent an officer from becoming de-sensitized to the trauma victims experience due to over-exposure to crime and trauma throughout an officer’s career. Bias is again discussed.

Day three includes a 1.5-hour Procedural Justice module and requires all participants to turn in a written assignment on Procedural Justice and law enforcement. The discussion of bias is again discussed.

Additionally, blocks of instruction called Use of Force Philosophy and Use of Force Mindfulness – include additional teachings on bias and its impact on police-community contacts. These modules together are an additional 5.5-hours.

- *Police Sciences and Leadership II (PSLII)*: After PSL I during the 11<sup>th</sup> month in the field, academy classes are returned to training as a class two years later (during their 3<sup>rd</sup> year on the job) for PSLII. During this one week course, there is a return to basics and scenarios in all skill areas including de-escalation, procedural justice, ethics, and peer support. The week closes out with an overview of the Use of Force process and the final activity is a presentation from Critical Incident Review Division where they have to determine how to apply the criteria for a Use of Force adjudication.
- *Various In-Service Training*: As part of the ongoing training and education efforts required by POST, all officers must complete updated training on *biased policing* every five years. Currently, as discussed earlier sworn employees undergo updated training through ten hours of training at the Museum of Tolerance (Beyond Diversity: Integrity as a Tool for Building Community Trust and Racial Profiling Update). This training enhances an officer’s understanding of biased policing, the Civil Rights movement, and legal, ethical, and community considerations.

The Museum of Tolerance courses are described below:

<p><b>OT 232 Cultural Diversity, Tools for Tolerance</b></p>	<p>This course is a diversity of awareness workshop utilizing the dynamics of a highly interactive technology based Museum of Tolerance Facility to promote understanding of prejudice and intolerance for both in-service and basic academy law enforcement agency personnel in public contact positions as approved by the Department head.</p>
<p><b>OT242 Building Community Trust</b></p>	<p>This course is made of two separate – <b>COURSE 1 The Beyond Diversity: Integrity as a Tool for Building Community Trust</b> (6 Hour) This course advances the tools introduced in the Tools for Tolerance® Cultural Diversity Program. Law enforcement personnel examine the efficacy of respect and trust as tools for building productive relationships with diverse communities. Integrity is introduced as a fundamental element in building trust and respect. Participants explore the concept of integrity and how to build integrity to ensure ethical decision-making.</p>



**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY**

	<p><b>COURSE 2 Racial Profiling Update:</b> (4 Hour) This course meets the mandate requiring racial profiling update training. This class provides students with an updated and enhanced understanding of racial profiling. Using the prior POST training as a template, this course utilizes videos and interactive activity to further explore the five areas defined in the original 5-hour training: Defining Racial Profiling, Legal Considerations, History of Civil Rights, Community Considerations, and Ethical Considerations.</p>
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- September 2014: The Department’s *Mental Health Intervention Training* 40-hour course which teaches officers effective interactions with people with mental illness and developmental disabilities is now required training for all patrol officers to attend this course. The course addresses the American Disabilities Act (ADA) and the need for equal application of the law to people protected by the ADA. Further, the topic of stigma and/or bias related to mental illness, homelessness, PTSD, and suicidality is explored as it is related to potential referrals, treatment, family involvement and calls for police service.
- July 2015: The Department created a 5-hour block of instruction on *Preservation of Life and Building Public Trust*. This training was delivered to the entire Department and contained segments focused on Constitutional Policing and the prohibition of biased policing.
- June 2016: In the *Field Training Officer (FTO) Update*, FTOs must understand their own bias and be able to effectively address bias in a new officer, therefore, a module on fair and impartial policing has been added to the 32-hour course.
- March to October, 2017: *Implicit Bias Training* (4 hours) was delivered to 9, 188 LAPD employees by Dr. Bryant Marks. Trainers throughout the Department who train in this content area were responsible to integrate content and ensure consistency with ongoing Department Training.
- *LGBTQ Cultural Competency Training in Roll Call* – this is a Department-wide effort to increase the understanding of the LGBTQ communities across the Department. Specialized teams of officers and community members are attending roll calls at every Division throughout 2019. A newly approved Transgender Employee Handbook has been created to support employees and supervisors in knowing Department resources and direction for providing a safe and inclusive environment for all employees.
- *Supervisory Development Course*: Internal Affairs teaches a two-hour block of instruction on Constitutional Policing, which is teaches how to conduct bias policing investigations. This includes identifying what bias policing is and reinforcement of the policy prohibiting it. After the report to the Board of Police Commissioners in 2018, the content was again reviewed and updated.

**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY**

- *Watch Commander School Course*: The concepts of anti-bias are discussed in segments about public scrutiny, public distrust of law enforcement, detentions and arrests, and the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> amendments. Additionally, the course covers the following:
  - Reinforces that detentions shall not be based on race, color, ethnicity, or national origin and the responsibilities of a watch commander in supervising and signing booking approvals.
  - Complaint investigations and the need to identify if there is discrimination (e.g. on the basis of race, ethnicity, gender, religion, national origin, sexual orientation or disability), including improper ethnic remarks and gender bias.
- *Conflict Resolution Training* – Through partnership with Pepperdine University, the Department has invested in securing outside funding for Detective, Sergeant and Lieutenant level supervisors to attend a four-day training in Conflict Resolution. This training incorporates an understanding of bias and how to understand others in the midst of conflict resolution efforts. As of January, 2019, there were sixty-six supervisors who had attended. Additionally, all Command Staff (130) attended a shortened two-day version of this course in the Spring of 2018.
- *Command Development*: The curriculum for the Command Development course, presented to those on the Captain and Police Administrator lists, has a module on cultural diversity and discrimination which has been taught since 1992. This module includes bias, stereotypes, impacts internally and externally, diversity and unlawful discrimination. This class has had numerous revisions over the years as the Department has had to incorporate lessons learned from various law suits, legal updates, and nationwide trends.

Mr. Arif Alikhan personally teaches the block of *Constitutional Policing* at Command Development, which is focused on policy prohibiting biased policing and the constitutional enforcement of the law during public contacts. Additionally, senior Command Officers teach classes on building public trust and the importance of our Department's challenges with minority communities and the need to build public trust.

- *Leadership Enhancement And Development Sessions (LEADS)* – In 2018, at the first LEADS training under the direction of the new Chief of Police, an overview was provided on Procedural Justice to all Command Staff.

**POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY****Response to the BOPC from the 2018 PSB Report:**

In addition to the comprehensive training efforts listed above, key training initiatives were outlined in the last PSB report to the Board of Police Commissioners and progress on each items have been listed below:

**1. Leverage supervisors to provide in-person training to officers**

- a. Supervisor School and Watch Commander School were both updated in the Fall of 2018 in collaboration with PSB. Additionally, all supervisors will be given training on how to review Body Worn Video from three different perspectives; 1) Legal and Policy Considerations; 2) Tactical Considerations; and 3) Considerations related to Procedural Justice
- b. Quarterly Leadership Briefs – have been introduced on the LAN page next to the Chief’s message to provide the Chief’s leadership expectations and key debriefing points for supervisors during roll call and squad meetings. This will provide the Chief an opportunity to provide a quarterly message to Department leaders.

**2. Leverage technology to provide interactive, uniform messaging on policy and best practices to all officers.**

- a. All officers have been required to complete three key elearning modules related to reinforcing constitutional policing and ensuring the legality of every stop. The completion of these courses are due by the end of DP4.
  - i. Consensual Encounters
  - ii. Probable Cause
  - iii. Reasonable Suspicion
- b. Production of a new elearning is underway and will outline the new Alternative Complaint Resolution (ACR) process that is being finalized through PSB. Once the process is finalized, the elearning will provide a review of key topics related to the prevention of bias as well as an informational guide to the new program.

**3. Develop specific targeted training for Area Divisions with high volume of biased policing complaints as identified by Professional Standards Bureau (PSB).**

- a. In collaboration with the Los Angeles Women’s Police Officer’s Association (LAWPOA), the Department is able to benefit from an outside grant that provides a specialized Community – Police Experience. The pilot of this program started with a day of officer training (April 2) and a day of community training (April 4), and then a shared experience (April 11<sup>th</sup>) that incorporates understanding from both the community and law enforcement experience. The grant provides an opportunity to deliver this training in each of the four geographical Bureaus. A greater number of officers from the higher volume areas will be allowed to attend.
- b. Specialized training was designed and implemented for all officers assigned to Gang Enforcement Details and the Metro Units assigned to work with them. This training, *Best Practices in Proactive Policing*, was delivered to all officers and supervisors in these units during January, 2019. A subsequent follow-up meeting with all supervisors was conducted in March with a refresher on legal matters and a more in-depth training on Procedural Justice. A total of 549 officers/supervisors were trained.

## POLICE TRAINING AND EDUCATION – 2019 BIASED POLICING REDUCTION STRATEGY

- c. Research on Implicit Bias as presented previously to the BOPC indicates that the best kinds of interventions related to the reduction of bias have to do with Contact Theory, Habit-Breaking Strategies and Mindfulness.
- d. As previously mentioned, all Divisions will be receiving the specialized training on LGBTQ Cultural Competency and additional outside training opportunities are being evaluated.

#### **4. Develop Command Staff as experts in engaging with the community through Bureau Town Hall Meetings and LEADS Training**

- a. On November 1, 2018, all Command Officers received three hours of training on “Public Engagement: A Vital Leadership Skill in Difficult Times” by the Dean of the School of Public Policy at Pepperdine, Pete Peterson, and the former Chief of Police from San Luis Obispo, Deborah Linden.
- b. Community Engagement is also covered extensively in the Command Development Course for new Commanding Officers.

#### **5. Institute a Biased Policing Complaint Overview and Video Review**

- a. Development and production of this video has been slower due to the need for the Department-wide production of the first three elearning courses from Item 2 and the implementation of the new Quarterly Leadership Briefs.
- b. To complete this initiative, additional information is also needed in order to convey accurate and current information about the new ACR program.
- c. The current video review form being introduced to supervisors and watch commanders should be able to assist with the completion of this item.

### **Conclusion**

The Department has a long history of training that originally began with cultural diversity training, then diversity and discrimination training and today includes cultural diversity, discrimination, biased policing, procedural justice and fair and impartial policing topics. The Department learned through error that such training should not be developed in isolation. Since the early 1980’s and continuing through today, the Department partners with various advocacy groups, professionals, community members, educators and other law enforcement agencies when designing this type of critical training. It is not enough to simply prohibit biased policing in policy, but constitutional policing and the emphasis on Department Core Values must be taught and reinforced throughout the Recruit Basic Course, In-Service Training, and all supervisor and management schools.

It is critically important that the Department remains focused on continuous improvement in the design, development and delivery of courses that educate employees on these most important subjects. The Department will continue to partner with external resources, including community members to continue the evolution of such training such that it may better serve the community of Los Angeles.

**INTRADEPARTMENTAL CORRESPONDENCE**

October 31, 2019

1.1

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** EFFORTS TO REDUCE THE NUMBER OF BIASED POLICING COMPLAINTS

**RECOMMENDED ACTION**

1. That the Board of Police Commissioners REVIEW and APPROVE this report.

**DISCUSSION**

On April 24, 2018, the Board of Police Commissioners (BOPC) directed Professional Standards Bureau and the Office of Operations to work together on strategies to (1) reduce the number of biased policing complaints; (2) increase participation in the complaint mediation program; and (3) deploy specially trained supervisors to conduct Alternative Complaint Resolution facilitations in the field when biased policing is alleged. The purpose of this report, with input from the Director of Police Training and Education, is to provide an update on the status of the recommendations presented to the BOPC on July 17, 2018.

If you have any questions, please contact Commander Michael Hyams, Commanding Officer, Internal Affairs Group, at (213) 996-2986.

Respectfully,

  
MICHEL MOORE  
Chief of Police

Attachment

## **Efforts to Reduce the Number of Biased Policing Complaints October 30, 2019**

On April 24, 2018, the Board of Police Commissioners (BOPC) directed Professional Standards Bureau (PSB) and the Office of Operations (OO) to work together on strategies to (1) reduce the number of biased policing complaints; (2) increase participation in the Community-Police Unification Program, the Department's complaint mediation program; and (3) deploy specially trained supervisors to conduct Alternative Complaint Resolution (ACR) facilitations in the field when biased policing is alleged.<sup>1</sup> The Department presented its response and recommendations to the BOPC on July 17, 2018.

Because alternative dispute resolution has been shown to increase understanding and improve public trust, strategies to increase participation in the ACR process and mediation were proposed.

Officers who participate in the mediation process report an understanding that if they took a little more time explaining what they are doing in the field, they might be able to prevent some biased policing complaints. Similarly, complainants who engage in the mediation process frequently report a better understanding of why the officers acted as they did during the contact. As we increase public trust and understanding, we anticipate the reduction of biased policing complaints.

The purpose of this report is to provide an update on the status of those recommendations. This report includes:

- Biased policing complaint and mediation summary statistics for 2018;
- Review of body worn and digital in-car videos to identify training issues;
- Police Training and Education's 2019 biased policing reduction strategy, which incorporates procedural justice throughout the Department's training plan;
- A summary of the proposed Alternative Complaint Resolution pilot program;
- Information regarding an Office of the Chief of Police Notice to highlight the importance of the complaint mediation program, encourage participation, and clarify misconceptions.

### **Biased Policing Complaint and Mediation Summary Statistics for 2018**

In 2018, 274 biased policing complaints were initiated involving 463 officers. The distribution of biased policing complaints initiated for 2018 was similar to 2016 and 2017.

<b># Complaints</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Total Initiated	3,393	3,189	3,535
Biased Policing	305	282	274

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<sup>1</sup> The BOPC also requested that the Department and Office of the Inspector General work with the City Attorney's (CA) Office to recruit mediators to respond for immediate field interventions when biased policing is alleged and the complainant prefers a mediator from outside the Department. After discussions with the CA's Office, it has been determined this proposal is not feasible with the limited number of volunteer mediators available. Nevertheless, mediator recruitment efforts are ongoing.

<b>Areas with highest incidence of BP complaints based on number of complaints</b>			
#	Bureau	Area	# of Complaints
1	South	Southwest	34 (12.4%)
2	South	77th Street	32 (11.7%)
3	Central	Central	29 (10.6%)
4	West	Wilshire	23 (8.4%)
5	West	Hollywood	20 (7.3%)

<b>Assignments with highest incidence of BP complaints based on number of complaints</b>			
#	Assignment Type	# of Complaints	# of Officers
1	Patrol	125	239
2	Metropolitan Division	28	51
3	Traffic Enforcement	28	30
4	Gang Enforcement	25	50
5	Patrol - Specialized Enforcement	17	29

<b>Assignments with highest incidence of BP complaints based on complaints per 100 officers</b>			
#	Assignment Type	Complaints per 100	# of Complaints
1	Traffic Enforcement	11.9	28
2	Patrol - Specialized Enforcement	7.2	28
3	Gang Enforcement	5.9	25
4	Metropolitan Division	4.9	17
5	Patrol	4.6	125

In 2018, the Department completed investigations into 247 biased policing complaints which listed 403 accused officers.

- Of the 403 listed as accused, 375 could be identified and 28 could not.
- Of the 375 known accused officers, 25 officers had two or more biased policing complaints.
  - 24 officers had two biased policing complaints.
  - One officer had three biased policing complaints.
  - In total, the 25 officers were associated with 44 biased policing complaints resulting from the following type of encounters:

Type of Encounter	# of Complaints	(%)
Pedestrian Stop	7	15.9%
Radio Call	12	27.3%
Traffic Stop	20	45.5%
Other <sup>2</sup>	5	11.4%
Total	44	100.0%

<sup>2</sup> Other encounters included citizen flag-downs, encounters with officers at police stations and detention facilities, detective follow-up investigations, and 9-1-1 phone calls.

- The biased policing allegations adjudicated during 2018 were closed as Unfounded, Demonstrably False, Mediated, Insufficient Evidence to Adjudicate, Not Resolved, or Actions Could Have Been Different.

### Review of Body Worn/Digital In-Car Videos

As part of the effort to reduce the number of biased policing complaints received, it was requested that Internal Affairs Group (IAG) review videos from biased policing complaints to determine whether training issues specific to each Area or assignment could be identified. In total, 94 biased policing complaints and the available videos associated with 76 of those complaints were reviewed.

#### Method

The biased policing complaints initiated between January 1 and June 30, 2018 were reviewed for this report. The number of complaints was further narrowed to complaints from the five areas with the most biased policing complaints, and to two assignment types: Metropolitan Division and traffic divisions.<sup>3</sup> A single biased policing complaint usually has more than one accused officer, consequently, a review of videos associated with each complaint usually requires the viewing of multiple Body Worn Videos (BWV) and/or Digital In-Car Videos (DICV).

The table below details for each of the five areas and two assignment types the number of biased policing complaints initiated between January 1 and June 30, 2018, and the number of those complaints that had video recordings available for review.<sup>4</sup>

Area/Assignment	No. of Complaints	Complaints with Video
1. Central	15	11
2. Southwest	14	14
3. Wilshire	13	12
4. Hollywood	12	10
5. 77th Street	8	6
1. Metropolitan	17	10
2. Traffic	15	13
<b>Total</b>	<b>94</b>	<b>76</b>

#### Observations

<sup>3</sup> Because most assignment types (e.g. patrol) usually overlap with areas, only Metropolitan Division and traffic divisions were selected for review since the assignments are discrete and/or separate from the Area entities.

<sup>4</sup> Not all complaints had videos available for review. The reason video was unavailable varied. For example, some complaints were made against Unknown officers; others involved employees not normally assigned video cameras, such as Security Officers or Police Service Representatives; some involved employees working off-duty; and some complaints involved incidents that occurred before the accused employees had been issued video equipment but were not initiated by the complainant until recently.



### **Common issues found in some bias policing complaints**

#### Officers engaging in argument or debate with the complainant

During the encounters reviewed on video, the people detained often questioned officers as to the reason and/or validity of the stop, sometimes in a very hostile manner. Usually, officers attempted to explain the reasons for the stop and what the law authorized officers to do in such situations, but officers sometimes responded by engaging the complainants in argument. While engaging complainants in debate is not *necessarily misconduct*, based on the videos reviewed, it did not help to reduce the conflict.

#### Officers requiring complainant to exit a car though complainant is otherwise complying

In some of the videos reviewed, after initiating a traffic stop, officers required the driver to exit the vehicle for officer safety. In many cases, officers did not require this; instead, they walked up to the driver after the windows were rolled down and spoke to the driver through the window. Usually, complainants complied with the officers' request for documents, but at the same time, many also loudly questioned the reason and/or validity of the stop, often using profanity. In some of these instances, officers responded by requiring the drivers to exit the vehicle, leading complainants to question if they were being pulled out of their cars for expressing opinions the officers did not like.<sup>5</sup> In some cases, officers required the occupants to exit the vehicle before approaching. This typically occurred during investigative stops in areas with a high incidence of violent crime.

### **Training Plan to Reduce Biased Policing Complaints**

It is not enough to simply prohibit biased policing in policy, but Constitutional policing with an emphasis on the Department Core Values must be taught and reinforced through continuous training. Progress on the key training initiatives is outlined below:

Leverage supervisors to provide in-person training to officers. In the fall of 2018, Supervisor School and Watch Commander School were updated in collaboration with Internal Affairs Group to include current policy and procedure related to the identification of biased policing allegations, complaint intake and the immediate adjudication of demonstrably false complaints. Classroom exercises with scenarios were added for practical application.

Currently, the Supervisor School has been redesigned and the training cadre will assist new supervisors on how to review body worn video from three different perspectives: 1) legal and policy considerations; 2) tactical considerations; and 3) considerations related to procedural justice. The redesigned Supervisor School was successfully piloted in Deployment Period (DP) 9 with the current cadre of instructors.

Quarterly Leadership Briefs have been introduced on the Local Area Network (LAN) next to the Chief's Message to provide the leadership expectations of the Chief of Police and key debriefing

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<sup>5</sup> There were also instances in which officers simply allowed the drivers to vent, but these incidents often resulted in lengthy encounters.

points for supervisors during roll call and squad meetings. This gives the Chief an opportunity to provide a quarterly message to Department leaders. The first Leadership Brief was issued in DP 13, 2018, and discussed Consensual Encounters. The second issue on Procedural Justice was published in DP 3, 2019. The third and most recent issue, Wellness: Resiliency and Recovery, was published DP 9, 2019.

Leverage technology to provide interactive, uniform messaging on policy and best practices.

All officers were required to complete three key eLearning modules related to reinforcing Constitutional policing and ensuring the legality of every stop by the end of DP 4. The modules are listed below along with Department-wide course completion rates as of October 23, 2019:

Modules	Completion Rates
Consensual encounters	79%
Pat-down searches	78%
Reasonable suspicion	77%

The Department is continuing to explore online and technology-related methods to relay important messages on policy and best practices. The production of a new eLearning course is underway to outline changes to the Alternative Complaint Resolution process. Further detail on the ACR pilot program and the training course are discussed in the *Alternative Complaint Resolution Pilot Program* section (Page 7). Once the process is finalized, the course will provide a review of key topics related to the prevention of bias as well as an informational guide to the pilot program.

Develop targeted training for Areas/divisions with a high volume of biased policing complaints.

In collaboration with the Los Angeles Women Police Officers and Associates (LAWPOA), the Department is benefitting from an outside grant that provides a specialized community – police experience. The pilot program started with a day of officer training (April 2), a day of community training (April 4), and a shared experience (April 11<sup>th</sup>) that fosters understanding between the community and law enforcement.

LAWPOA provided feedback on the first pilot class and both the officers and the community members renamed the course to be “C3: Community, Cops and Conversations.” Overall, the training was received positively by both officers and community members, and the combined average rating for the course was 9.6 out of 10. The next class occurred in West Bureau between September 24<sup>th</sup> and 26<sup>th</sup>, 2019 at the Islamic Center of Southern California and had similar positive results.

Specialized training was designed and implemented for all officers assigned to gang enforcement details and Metropolitan Division. The training, Best Practices in Proactive Enforcement, was delivered to all officers and supervisors in these units in January 2019. A subsequent follow-up meeting with all supervisors was conducted in March with a refresher on legal matters and more in-depth training on procedural justice. In total, 549 officers and supervisors were trained. Surveys distributed after the presentations showed positive feedback, with an average rating of 8.9 out of 10.

Develop command staff as experts in engaging with the community through bureau town hall meetings. On November 1, 2018, all command officers received three hours of training in a course titled, “Public Engagement: A Vital Leadership Skill in Difficult Times” by the Dean of the School of Public Policy, Pepperdine University, and the former Chief of Police, San Luis Obispo Police Department. Community engagement is also covered extensively in the Command Development Course for new commanding officers. Ongoing development for existing command staff is covered in LEADS (Leadership Enhancement and Development Sessions), where current topics related to community engagement and priorities of the BOPC are regularly covered.

Institute a Biased Policing Complaint Overview and Video Review. Although this initiative has been delayed due to other projects, the intent is to produce a video for all accused employees receiving a biased policing complaint. The video would include information on what to expect and a self-guided debriefing to reflect on their actions/responses based on issues identified by Internal Affairs Group. These issues are: 1) officers engaging in argument or debate with the complainant, and 2) requiring the complainant to exit a car though he/she is otherwise complying, assuming there are no other safety issues.

#### Ongoing Training Initiatives.

Research on implicit bias as previously presented to the BOPC indicates that the best interventions to reduce bias are related to contact theory, habit-breaking strategies, and mindfulness. In 2017, a four-hour course, Implicit Bias Training, was completed by 9,188 Department employees. Every Police Sciences Leadership class continues to receive this training. While implicit bias is a concept to be understood, understanding alone does not provide a solution. In recent years, however, the ongoing utilization of procedural justice practices has been seen as a way to mitigate potential bias.

The Department has been committed to the integration of procedural justice as a guiding principle throughout training and Department practices as identified in the supervisor review of BWV, the recent Leadership Brief and in the training designed for gang enforcement details and Metropolitan Division at the beginning of the year. Starting in January 2020, recruits in the academy will receive eight hours of Principled Policing, which includes procedural justice and implicit bias training along with another four hours integrated into scenario training. Academy instructors are currently going through the POST approved Train the Trainer courses to ensure they can confidently facilitate this course. To coincide with this effort, field training officer (FTO) instructors are also attending this course to ensure there is parallel content on Principled Policing in the newly revised curriculum for the next FTO Update Course.

Several efforts have been made this year to increase awareness and understanding of the LGBTQ community. In DP 5, a roll-call training on “Just Ask” was presented Department-wide and assisted in the understanding of the use of pronouns in the LGBTQ community. Additionally, all divisions are receiving specialized roll-call training on LGBTQ Cultural Competency throughout 2019. Specialized teams of officers and community members are attending roll calls City-wide to provide this training.

Understanding different kinds of potential bias is critical for the duties of a police officer. As such, bias is also addressed in the FTO Update Course, Mental Health Intervention Training, and Gang Intervention Training.

### **Alternative Complaint Resolution Pilot Program**

It was recommended that the Department deploy specially trained supervisors to conduct Alternative Complaint Resolution facilitations in the field when biased policing is alleged. A three-year pilot study, Alternative Complaint Resolution Revised - Pilot Program, is pending and set to begin January 1, 2020.

Although complaints of biased policing are not eligible for the ACR process according to current procedure, under the pilot program, selected biased policing complaints may be eligible for ACR when conducted by supervisors who have specialized training. It is limited to public complaints of biased policing and/or discourtesy with no additional allegations or only additional minor allegations of misconduct, including some unlawful detentions or searches.

Police Training and Education is developing an eLearning course to update employees on the use of and changes to the ACR process. Supervisors who have completed the eLearning and a course in conflict resolution, such as the Straus Institute for Dispute Resolution through the Pepperdine School of Law; Basic Mediation Training – Los Angeles City Attorney's Office; or any dispute resolution course approved by Internal Affairs Group, will be authorized to conduct ACRs to resolve biased policing complaints.

The pilot is subject to the meet and confer process with the respective collective bargaining units.

### **Office of the Chief of Police (OCOP) Notice**

One of the recommendations was to prepare an OCOP Notice to all personnel emphasizing the significance of participating in the mediation program and its impact on building public trust. The Notice, which was published August 13, 2019, highlights the importance of the complaint mediation program, encourages participation, and clarifies misconceptions.

# LOS ANGELES POLICE DEPARTMENT



**MICHEL R. MOORE**  
Chief of Police

**ERIC GARCETTI**  
Mayor

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Ref #: 14.1

December 2, 2019

Anna Leah Rick  
California Department of Justice  
Civil Rights Enforcement Section  
1515 Clay Street, Suite 2100  
Oakland, CA 94612

Dear Ms. Rick:

The California Department of Justice (DOJ), Racial and Identity Profiling Advisory (RIPA) Board conducted a review of bias policing policies and current complaint forms of Wave 1 California law enforcement agencies, including the Los Angeles Police Department (LAPD). The RIPA Board obtained the LAPD's policy and complaint form via LAPD's online website with no additional information reviewed. As a result, the RIPA Board found the LAPD's bias-free policing policy to be lacking in four of the ten components used as a reviewing metrics. Additionally, the LAPD was found to be deficient in one of the eight complaint form criteria reviewed.

## **Policy on Bias-Free Policing**

The RIPA Board found the LAPD to be deficient in the following four categories related to the bias policing policy review:

- Uses of concrete definitions of bias-free policing and/or racial and identity profiling;
- Component on racial and identity profiling training;
- Component on data analysis; and,
- Supervisory Review.

The following information and attached Addenda provide current Department policies and procedures that address each of the four categories rectifying the determined deficiencies.

### Uses Concrete Definitions of Bias-free Policing and/or Racial and Identity Profiling

The LAPD identifies a concrete definition of what bias policing includes and its prohibition in all law enforcement activity in the opening statement of Department Manual Section 1/345, *Policy Prohibiting Biased Policing* (Addenda 1):

*Discriminatory conduct on the basis of an individual's actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration or employment status, English language fluency or homeless circumstance, is prohibited while performing any law enforcement activity. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state laws.*

Further, the LAPD published an Office of the Chief of Police Notice, dated November 15, 2010, entitled, *Constitutional Policing and Biased Policing* (Addenda 2) which further defines biased policing:

*The fact that it is ultimately determined that the person you stopped committed a traffic violation or equipment violation may still result in a finding that you violated this policy if it is determined that your initial decision to conduct the stop was based not on the violation itself, but rather on any of the prohibited factors listed above.*

In both the LAPD manual and Department-wide notice, the LAPD unequivocally reaffirms its policy of bias-free policing and includes immigration or employment status, language fluency, and homeless circumstance as protected classes further mandating its employees to provide Constitutional Policing to all Angelenos.

#### Component on Racial and Identity Profiling Training

Due to ever-changing legal and Peace Officer Standards Training (POST) mandates, the LAPD does not outline training requirements or curricula within the manual; however, the Department ensures officers, supervisors, and command staff alike receive bias policing training as required by law and state mandates. Moreover, the LAPD has a long-standing history of developing and incorporating biased policing training within its course curriculum.

Since 1996, officers have attended an eight-hour training course at the Museum of Tolerance focusing on diversity, discrimination, bias, community conflict, hate crimes, and tolerance. In 2001, the LAPD worked with the Museum of Tolerance to develop a POST-approved course which includes two segments: Beyond Diversity and Racial Profiling. Since 1996, approximately 22,330 LAPD officers have attended these trainings.

From 2004-2017, the LAPD included scientific research and clarification of the difference between implicit and explicit bias as well as utilization of contact theory and counter stereotype exposure in its Fair and Impartial Policing Training.

In response to the President's Taskforce on 21<sup>st</sup> Century Policing report, a Department-wide effort was made in 2017 to train all officers on implicit bias and procedural justice. These concepts have since been integrated into various Department curriculum which include, but are

not limited to, the Regular Basic Course, Field Training Officer School, Supervisory School, Watch Commander School, Command Development, Police Science Leadership Course I and II, leadership briefs, and roll call training.

In March 2019, the Director of the Office of Constitutional Policing and Policy (OCP) conducted a four-hour training for all personnel assigned to Gang Enforcement Details and Metropolitan Division encompassing procedural justice, the impacts on our communities, and responses to our implicit biases.<sup>1</sup>

The Department has focused its efforts on addressing conflict and providing a voice to community members through two focused courses: Conflict Resolution for Law Enforcement and Community, Cops, and Conversations. In conjunction with the Straus Institute for Dispute Resolution at Pepperdine University's School of Law, the Department developed the Conflict Resolution Course for Law Enforcement which teaches tactical and interpersonal skills to address conflicts that occur in the field.

Community, Cops, and Conversations is a three-day course where one day is focused on officer training, a second day for community members only, and a third training day bringing officers and community members together to discuss their shared experiences. The goal of the training is to foster understanding between the community and law enforcement.

The Department remains committed to developing training to reduce incidents of bias policing and provide tools to ensure effective communication with community members throughout Los Angeles.

#### Component on Data Analysis

In May 2018, the LAPD published a notice to comply with Assembly Bill 953 (The Racial and Identity Profiling Act of 2015) requiring California law enforcement agencies to collect perceived demographic and other detailed data on police interactions with members of the public. As such, the LAPD implemented new procedures for officers, detectives, and supervisors as outlined in the attached notice (Addenda 4 – Office of the Chief of Police Notice, dated May 31, 2018, entitled, *Expanded Automated Field Data Report Completion Requirements and System*).

The data collected is analyzed by the Department through a Steering Committee which meets every four weeks. The committee consists of the Director of OCP as Chair, Director of Office of Operations, Director of Office of Support Services, Director of Office of Special Operations, Office of the City Attorney, Board of Police Commissioners, and the Inspector General. Policy, procedures, training, and other recommendations based on the analysis is developed through the Steering Committee.

Additionally, the LAPD is developing a Stop Data Dashboard to analyze the 56 data points that are collected via the Automated Field Data Report. The dashboard will give commanding officers at the geographic Areas insight into the types of stops being conducted, reasons for

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<sup>1</sup> *Police Training and Education – 2019 Biased Policing Reduction Strategy* provides a history of LAPD's bias policing training as well as detailed information of current training courses required of officers, supervisors, and command staff (Addenda 3).

stops, searches conducted, and actions taken by officers in the field.

Further analysis is conducted by the Professional Standards Bureau in the *Efforts to Reduce the Number of Biased Policing Complaints Report* presented to the Board of Police Commissioners each quarter (Addenda 5). The report details analysis of biased policing complaint data and strategies to reduce the number of complaints, increase participation in the complaint mediation program and Community-Police Unification Program, and deploy specifically trained supervisors to conduct Alternate Complaint Resolution facilitations in the field.

### Supervisory Review

While not delineated in the Policy Prohibiting Biased Policing, the Department reiterates the responsibilities of supervisors and command staff via notices, in-service training, and the complaint process. Specifically, the expectation of all supervisors is outlined in the Office of the Chief of Police Notice, dated November 15, 2010, entitled *Constitutional Policing and Biased Policing*:

#### ***Supervisor Expectations:***

*I expect you to take issues of biased policing seriously. Do not allow joking about "profiling," regardless of the setting or who is involved, but especially when subordinates are present. Treat each complaint of biased policing seriously and each person making the complaint with respect and keep these invest. Treat each complaint of biased policing seriously and each person making the complaint with respect and keep these investigations confidential. When conducting personnel complaint "intake," do a thorough job as possible by thoroughly interviewing the complaining party and all available civilian witnesses, collecting evidence, and taking photos, when needed. Most importantly, insist that your officers treat the community members with dignity and respect.*

Moreover, supervisors are responsible for reviewing each officer's Daily Field Activities Report, Automated Field Data Report, traffic citation, investigative and arrest reports, etc. prior to its final submission. This level of supervisory review ensures the constitutionality of officers' actions and holds Department personnel accountable for their decisions.

### **Complaint Forms**

The LAPD would like to clarify the RIPA Board's review of the Department's complaint form as well as address the area of Complaint Process Information Attached to the Form, where the LAPD was found to be deficient.

The LAPD's complaint form is available in both English and Spanish as well as other languages including, but not limited to, Chinese, Cantonese, Korean, Japanese, Tagalog, and Vietnamese. The toll-free hotline for civilians to make complaints is available in all languages and is not limited to those incidents where a complaint form is unavailable.



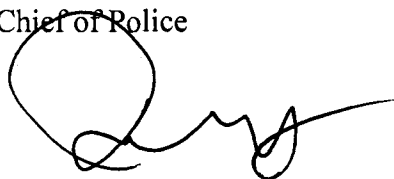
Complaint Process Information Attached to Form

As stipulated in your review, the compliant investigation process is explained on the LAPD website. Additionally, the Personnel Complaint Information pamphlet, while not specifically attached to the complaint form, is displayed next to and made available with each complaint form, in various languages, and details how the formal personnel complaint is handled (Addenda 6).

Should you have additional questions or require further clarification, please contact Commander Jeffrey Bert, Commanding Officer, Risk Management Legal Affairs Group at (213) 486-8720.

Respectfully,

MICHEL R. MOORE  
Chief of Police

A handwritten signature in black ink, appearing to read 'Michel R. Moore', written over the printed name and title.

JEFFREY BERT, Commander  
Commanding Officer  
Risk Management Legal Affairs Group

## Riverside County Sheriff's Department

## Bias-Based Policing

### 406.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Riverside County Sheriff's Department's commitment to policing that is fair, objective and constitutional.

#### 406.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

### 406.2 POLICY

The Riverside County Sheriff's Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### 406.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit a deputy from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

#### 406.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

- (a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.
- (b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

### 406.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a

## *Bias-Based Policing*

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supervisor. Members should intervene to prevent any biased-based actions by another member, regardless of rank.

### **406.4.1 REASON FOR CONTACT**

Deputies contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved deputy should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any deputy to document a contact that would not otherwise require reporting.

### **406.4.2 REPORTING OF STOPS - R.I.P.A.**

Unless an exception applies under 11 CCR 999.227, a deputy conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple deputies conduct a stop, the deputy with the highest level of engagement with the person shall collect the data elements and prepare the report (11 CCR 999.227).

If multiple agencies are involved in a stop and the Riverside County Sheriff's Department is the primary agency, the Riverside County Sheriff's Department deputy shall collect the data elements and prepare the stop data report (11 CCR 999.227).

The stop data report should be completed by the end of the deputy's shift or as soon as practicable. It must; however, be submitted within 24 hours of the event. (11 CCR 999.227).

### **406.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE**

The Internal Affairs Bureau Manager shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against deputies is collected and provided to the Records Manager for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020).

Supervisors should ensure that data stop reports are provided to the Records Manager for required annual reporting to the DOJ (Government Code § 12525.5) per station or bureau procedure(s).

### **406.6 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Bureau.

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.

# Riverside County Sheriff's Department

Riverside County Sheriff's Department Standards Manual (DSM)

## *Bias-Based Policing*

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- (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary. (Penal Code § 13519.4(i)).

## San Bernardino County Sheriff's Department

## **San Bernardino County Sheriff's Department Bias-Free Policies**

### **1.104 Department Value Statement**

We believe in strong, effective law enforcement services. We believe in high professional standards of integrity, ethics and behavior guided by the letter and spirit of the law, and the Law Enforcement Code of Ethics.

- We believe in a balance between personal and professional life.
- We believe in attaining and maintaining excellent physical conditioning, current intellectual competence, and optimum mental health.
- We have a personal and professional commitment to improve our communities and earn their trust, respect and support through active partnerships, involvement and service.
- We believe we should treat all people with respect, fairness, and compassion.
- We believe in loyalty and support for each other and the community without compromise of the high ethical standards of law enforcement.
- We believe in recognition for, and valuing each individual's contribution to the Department and the community regardless of position, assignment or role.
- We believe in open and honest communications, both internal and external.
- We believe in an empowering work environment that encourages innovation, input and participation, and values each member's diversity.
- We believe in all members working together to achieve Departmental goals through partnership with each other and the community.
- We believe in initiative and autonomy at all levels with responsibility for our own actions and the actions of those we lead and influence.
- We believe in an equitable system that evaluates each person on their merits and provides for appropriate recognition and just sanctions.
- We have pride in the law enforcement profession with a productive work ethic and a high level of commitment to the Department and the community.

### **1.604 General Standard of Conduct**

The Law Enforcement Code of Ethics is adopted as a general standard of conduct for officers of the San Bernardino County Sheriff's Department.

### **1.606 The Law Enforcement Code of Ethics**

"As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality, and justice.

"I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity, will be kept ever secret unless revelation is necessary in the performance of my duty.

"I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

"I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement."

### **1.608 Commitment to County Public Service**

This code establishes the standards of conduct required of public officials and employees for the proper operation of County government and has the force of law. These standards are intended to strengthen public service and to maintain and promote faith and confidence of the people in their government.

Public officials and employees are agents of the public purpose and serve for the benefit of the public. They shall uphold the Constitution of the State of California, the Charter of the County of San Bernardino, rules, regulations, and policies of the County, and shall carry out impartially the laws of the Nation, State, and County. In their official acts, they shall discharge faithfully their duties, recognizing that the public interest is paramount. Public officials and employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their position and consistent with law.



In the performance of their duties, all officials and employees shall support governmental objectives expressed by the electorate and interpreted by the Board of Supervisors and the County programs developed to attain these objectives.

Officials and employees shall adhere to work rules and performance standards established for their positions by the appointing authority. The County requires all officials and employees to use good manners, to be considerate, to be accurate in statement, and to exercise sound judgment in the performance of their work. During the hours covered by active County employment, no official or employee shall work for any other employer or agency and neither conduct nor pursue any unauthorized activity for remuneration. Officials and employees shall neither exceed their authority nor break the law or ask others to do so. They shall work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of the work.

No official or employee shall unlawfully grant any special consideration, treatment, or advantage to any person beyond that which is available to every other person in similar circumstances. No person shall be forced or discriminated against with respect to any appointment in the County service because of family or social relationships, sex, race, religion, national origin, marital status, age, physical handicap, political affiliation.

### **1.610 Respect for Constitutional Rights**

No person has a constitutional right to violate the law; neither may any person be deprived of his constitutional rights merely because he is suspected of having committed a crime. The task of determining the constitutionality of a statute lies with an appellate court of proper jurisdiction, not with an officer who seeks to properly enforce the law as it exists. Therefore, an officer may enforce any federal, state, or local statute which is valid on its face without fear of abrogating the constitutional rights of the person violating that statute. An officer who lawfully acts within the scope of his authority, makes reasonable inquiries, conducts investigations, and arrests on probable cause. However, when an officer exceeds his authority by unreasonable conduct, he violates the sanctity of the law which he is sworn to uphold.

### **1.612 Professional Demeanor**

Members shall at all times be attentive to their duties and by their alertness and observation, demonstrate their interest in their work. They shall act with dignity,

and maintain a professional bearing. They shall not, while on duty, read newspapers, periodicals, or similar material in public view, except in the line of duty. They shall not show a lazy disposition, or lounge about or sleep while on duty, or place their feet on desks or other furniture in any Sheriff's Department's offices open to public view.

#### **1.614 Interaction with the Public**

In each of his contacts with the public, an employee must be aware that his actions, appearance, and statements are those of the Department. For that reason, and because of the inherent potential for conflict in many law enforcement contacts, an employee must develop a fair, impartial, and reasonable attitude and perform his task in a business-like manner. His statements must be the result of a considered judgment and be absent of personal opinion, bias, or editorial comment. Extended conversation which reflects the employee's personal opinions shall normally be considered inappropriate.

#### **1.616 Expected Behavior - Safety Personnel**

Officers shall make diligent efforts to arrest or locate wanted persons and to recover stolen or lost property. They shall observe and investigate all persons, while on foot or in vehicles, whose appearance, actions, or presence at a particular location seems suspicious. When so engaged, they shall use tact and good judgment in speech and conduct and shall, at all times, remain cautious and alert to the possibility of attack or flight by the suspect.

#### **1.618 Respect Among Members**

Members shall avoid conduct or speech that undermines the morale, efficiency, and/or productivity of the workplace. They shall treat each other with respect and courtesy, and shall refrain from engaging in conversation or communication that is derogatory or harmful to any other member. No member shall, through specific actions or general demeanor, create or contribute to an environment within the workplace that a reasonable person would interpret or recognize as hostile, antagonistic, or derisive. Discourteous treatment of the public or other employees may be considered cause for disciplinary action and/or transfer for the purposes of maintaining a harmonious working environment.

##### **1.618.10 Cooperation Between Members**

Officers and employees of the Department shall conduct themselves in a manner that shall foster the greatest harmony and cooperation between each other and organizational units of the Department. Members shall not interfere with cases assigned to other officers, except with the consent of the assigned officer. Officers conducting investigations within County jurisdiction, but outside their assigned duty station, should notify the jurisdictional watch commander or dispatcher. However, if the activities of the visiting officer are of a serious nature, or significant enough to arouse the attention of the news media, he shall notify and brief the jurisdictional watch commander. For those cases that are potentially dangerous, officers are encouraged to request additional assistance to ensure officer safety.

### **1.620 Courtesy**

Effective law enforcement depends on a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by Department employees. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstance is indefensible. The practice of courtesy by a member is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional member of law enforcement.

### **1.622 Integrity**

The public demands that the integrity of its law enforcement employees be above reproach. The dishonesty of a single employee may impair public confidence and cast suspicion upon the entire Department. Succumbing to even minor temptation can be the genesis of a malignancy which may ultimately destroy an individual's effectiveness and may contribute to the corruption of countless others. An employee must scrupulously avoid any conduct which might compromise the integrity of himself, his fellow employees, or the Department.

### **1.624 Confidentiality**

Public trust is one of the greatest responsibilities that go with public employment. Information and processes, not normally available to the average citizen, are available to employees of this Department. Employees shall use this knowledge

only as it applies to the ongoing operation of the Department. All information of this nature is confidential and employees are to follow statutes and departmental policies and procedures in this regard.

#### **1.624.10 Confidential Information**

Members shall treat the official business of the Department as confidential. They shall not provide official information, such as proposed movement of the force or Department regulations, to anyone except to those for whom it is intended, or as directed by a commanding officer, or under due process of law. They shall not provide information to any person, including members of the Department, any order that they may have received, unless it is required by the nature of the order. They shall not reveal the identity of a witness, a complainant, or informant to any private person, except as mandated by law.

Members shall not communicate information which may delay an arrest, aid a person to escape, destroy evidence, or cause the loss of stolen or embezzled goods. They shall not communicate information regarding an arrest or a case which is currently under investigation, except in the course of their duties. In this case, no discussion shall take place between members and civilians not involved in the investigation. Members shall not communicate information regarding an impending arrest or case except in the course of the investigation or to a superior officer.

Members shall not divulge the residence address, telephone number, or personal information of any other member of the Department without first obtaining his permission. Any inquiries regarding status of employment shall be referred to the Sheriff's Employee Services Division.

#### **1.626 Loyalty**

In the performance of his duty to serve society, an employee is often called upon to make difficult decisions. He must exercise sound decision making in situations where his rights and liabilities and those of the Department depend upon his proper conduct and reasonable judgment. An employee's decisions are not easily made and occasionally they involve a choice which may cause him hardship or discomfort.

An employee must be faithful to his oath of office, the principles of professional law enforcement, and the objectives of the Department, and in the discharge of his duty he must not allow personal motives to govern his decisions and conduct.

### **1.628 Truthfulness**

No member shall willfully depart from the truth, orally or in writing, when giving testimony in a court of law, when preparing criminal or administrative reports/documents, or in any matter under investigation by the Department or any other law enforcement agency.

Exceptions to this rule include:

- Communications/interactions during authorized undercover investigations.
- Communications/interactions during suspect interviews as allowed by current statutory and/or case law.

### **1.807 Role of the Department Member**

Community relations are manifested in their most common form in the numerous daily encounters between individual members and citizens. It is where the greatest burden for strengthening community relations is laid.

In dealing with people, each member must attempt to make his contact one which inspires respect for himself as an individual and professional and one which generates the cooperation and approval of the public. While entitled to his personal beliefs, a member cannot allow his individual feeling or prejudices to be subconsciously manifested. It is incumbent upon him to strive for the elimination of attitudes which might impair his impartiality and effectiveness.

### **1.812 Commitment to Community Relations Training**

The selection process for deputy sheriffs is designed to choose the most qualified and to eliminate those who are physically, emotionally, mentally, or socially unfit. Those selected, however, are representative of the community at large and as such are subject to having the same prejudices and biases found in much of society. Exposure to crime and its aftermath can tend to harden and render insensitive an officer whose sympathetic understanding is needed to properly perform his duties. The Department must provide initial and continuing training in human and

community relations to help officers avoid this hardening of attitude and to imbue each officer an understanding of his total role in the community.

### **2.132.20 Inspection and Control**

Management inspection and control is necessary to ascertain if command policies, procedures, and rules are adequate and are being adhered to, whether Department resources are adequate, and are being properly utilized, and to evaluate the overall performance and attitude of the Department.

It is the responsibility of each commanding officer to continually conduct inspections within his command to ensure proper performance of assigned personnel and the most efficient use of assigned equipment, material, and facilities. Merely finding fault is not inspecting. Therefore, a commanding officer's responsibility does not end with discovering a deficiency or inadequacy; it includes taking positive measures to correct the problem.

### **3.146.10 Racial and Identification Profiling Act (RIPA)**

Members of the San Bernardino County Sheriff's Department are prohibited from unlawfully considering race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle in deciding whether or not law enforcement intervention will occur.

Effective July 1, 2018, all detentions or searches meeting the documentation requirements of Assembly Bill 953, The Racial and Identity Profiling Act (RIPA) and Government Code section 12525.5 shall be documented per state law and Department training standards.

San Diego Police Department

## San Diego Police Department

### **9.31 NON-BIAS BASED POLICING POLICY (Revised 3/27/15)**

The department does not tolerate bias based policing. Bias based policing occurs when law enforcement inappropriately considers factors such as race, religion, national origin, gender (to include gender identity and gender expression), lifestyle, sexual orientation or similar personal characteristics in deciding with whom and how to intervene in an enforcement capacity.

Members shall not base any enforcement action, in whole or in part, on race, religion, national origin, gender (to include gender identity and gender expression), lifestyle, sexual orientation or similar personal characteristics, except when members are looking for subjects or investigating crimes involving those specific descriptors.

Members shall make every effort to prevent and report instances of discriminatory or bias based policing practices by fellow members.



## San Diego County Sheriff's Department

## San Diego County Sheriff's Department - Policy Section

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### **2.1 RULES OF CONDUCT FOR MEMBERS OF THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT**

All employees shall conform to Federal, State, and Local laws, as well as to the policies of this Department. It shall be the responsibility of all employees to familiarize themselves and comply with all such policies, orders, directives, rules and regulations of this Department. (02-12-13)  
(Reviewed 05/01/15)

### **2.55 NON-BIASED BASED POLICING**

Members of the San Diego County Sheriff's Department are prohibited from inappropriately or unlawfully considering race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle in deciding whether or not enforcement intervention will occur.

Effective July 1, 2018, all detentions or searches meeting the documentation requirements of Assembly Bill 953, The Racial and Identity Profiling Act (RIPA) and Government Code section 12525.5 shall be documented in accordance with Department Policy, Procedure, and the law. (08-28-18)

### **2.56 OFF DUTY INTERVENTION POLICY**

Law enforcement officers whose on duty employment involves performing police functions, retain full power and authority to act as peace officers when off duty. Prior to taking law enforcement action, off duty peace officers who observe or who are told of criminal activity, shall first consider contacting the appropriate law enforcement agency and have on duty officers/deputies respond. Off duty peace officers should, if possible make mental notes of the criminal incident and attempt to be a good witness to the event. (07-11-08) (Reviewed 05/01/15)

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## **SECTION 2 Rules of Conduct**

## **San Diego County Sheriff's Department - Procedure Section**

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Employees shall not use or handle lethal or less lethal weapons (including chemical agents, saps, batons, taser guns, etc.) in a careless or imprudent manner. Employees shall use these weapons in accordance with law and established Departmental procedures. (Reviewed 1-16-2011)

### **2.51 Arrest, Search and Seizure**

Employees shall not make any arrest, search or seizure, nor conduct any investigation or official Department business, in a manner which they know or ought to know is not in accordance with law and established Department policies and procedures. (Reviewed 1-16-2011)

### **2.52 Conflicts of Interest**

No employee shall make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which the employee knows, or has reason to know, that he or she has a financial interest. (Govt. Code ' ' 1090, 87100 et seq.) (Reviewed 1-16-2011)

### **2.53 Discrimination**

Employees shall not express any prejudice or harassment concerning race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, pregnancy, marital status, gender, age, political beliefs, sexual orientation, lifestyle or similar personal characteristics.

Examples of discriminatory acts which will not be tolerated include the use of verbal derogatory comments, slurs, or jokes, derogatory pictures, cartoons or posters and actions which result in a person being treated unequally. (Reviewed 1-27-2011)

### **2.54 Sexual Harassment**

Employees shall not participate in or allow behaviors or situations that they know or should know, constitute sexual harassment as outlined in state and federal law. Employees shall take swift action to stop the offensive behavior or correct the situation. Employees shall not retaliate in any way against a complaining party or witness involved in sexual harassment allegations. (08-18-97) (Reviewed 1-16-2011)

### **2.55 Non-Biased Based Policing**

A. All investigative detentions, traffic stops, arrests, searches, and seizures of property by employees will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and relevant statutory authority. Employees must be able to articulate specific facts and circumstances, which support probable cause or reasonable suspicion for an arrest, traffic stop, investigation, detention or search.

B. Except as provided in this procedure, employees shall not consider race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle in establishing either reasonable suspicion or probable cause.

## **SECTION 2 RULES OF CONDUCT**

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## San Diego County Sheriff's Department - Procedure Section

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Appropriate consideration of race, ethnicity, origin, sexual orientation, and gender shall be used for purposes of housing, classification, transportation or any other matters affecting an inmate's status when necessary for the safety and security of the inmate or the institution. Consideration of the above-mentioned personal characteristics shall not be used for purposes of inmate discipline.

C. Employees may take into account a reported descriptor such as race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle of a specific suspect or suspects based on credible, reliable and locally relevant information that links a person(s) of a specific descriptor to a particular criminal incident(s). Race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle can never be the sole factor in establishing reasonable suspicion or probable cause, but can, in the restricted circumstances described above, be one factor of the totality of the circumstances.

D. To further this effort and comply with state law, employees will be required to collect and document all information required under Assembly Bill 953, The Racial and Identity Profiling Act (RIPA). The regulations specify the reporting requirements and data that shall be collected and reported on each detention or search, including consensual searches, by a peace officer, consistent with Government Code section 12525.5, the updated definition of "racial or identity profiling" listed there, and the guidelines provided by the California Attorney General and/or California Department of Justice regarding its application. The answers are to be based on the deputy's perception at the time of the stop and not utilize external reference information, questioning, or other personal identifying information to formulate their responses.

Data collection will begin July 1, 2018, and be entered using the Sheriff's RIPA specific application. The application can be accessed via a desktop computer, Mobile Data Computer (MDC), or other mobile device connected to the Sheriff's network. When applicable, the deputy shall enter all required data as soon as practical, but no later than the end of shift barring extreme circumstances.

In the event the application cannot be used for technical or logistical reasons, the information shall be temporarily recorded on an SO-210 RIPA Temporary Collection Form until access to the application can be restored, at-which point the data must be entered as soon as practical.

Deputies shall not report RIPA data related to detentions/contacts that occur in a custodial setting. Per the California Department of Justice, "custodial setting" is defined as: correctional institutions, juvenile detention facilities, and jails, including parking lots and grounds within the perimeter of these enumerated facilities. Custodial setting does not include home detention or any circumstances where persons are under house arrest outside of correctional institutions, juvenile detention facilities, or jails. (08-28-18)

### **2.56 Off Duty Intervention**

In determining whether or not to intervene, the off duty peace officer should consider the totality of the situation. In a case where action is considered necessary, to prevent death, the possibility of death or serious bodily injury, significant property damage or loss, the off duty peace officer should consider the offense involved, the difficulty that being off duty tactically and operationally presents, and/or other factors as articulated and observed by the off duty peace officer.

If an off duty peace officer intervenes in the criminal conduct, he/she must, if reasonably possible, identify themselves, their agency and their intent to stop the criminal conduct. Any law enforcement action taken by the peace officer will be governed by the policies and procedures, rules and regulations that apply to on duty personnel.

When outside the limits of their jurisdiction, but within the State of California, off duty peace officers may assist any law enforcement officer who appears to be in need of immediate

## **SECTION 2 RULES OF CONDUCT**

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## Los Angeles County Sheriff's Department

### **3-01/121.00 POLICY OF EQUALITY**

#### **CORE VALUES**

Our Policy of Equality reflects and builds upon our Core Values, which each Department member is responsible for demonstrating in both actions and words.

These Core Values lie at the heart of our Policy of Equality:

*With **integrity, compassion, and courage**, we serve our communities –  
protecting life and property, being diligent and **professional** in our acts and deeds,  
holding ourselves and each other **accountable** for our actions at all times,  
while **respecting** the dignity and rights of all.*

***Earning the Public Trust Every Day!***

These Core Values do not limit the responsibility of Department members to upholding only the stated values. All Department members are required to conduct themselves in accordance with the entirety of this Policy of Equality, and all applicable local, county, state, and federal laws.

#### **PURPOSE**

This Policy is intended to preserve the dignity and professionalism of the workplace as well as protect the right of employees to be free from discrimination, harassment, and retaliation. Discrimination, harassment, and retaliation are absolutely contrary to the values of the law enforcement profession as a whole and to the Core Values of the Los Angeles County Sheriff's Department. Discrimination, harassment, and retaliation are also illegal under local, county, state, and federal law.

The Department will not tolerate unlawful discrimination on the basis of sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition, nor will it tolerate unlawful harassment or retaliation. As a preventive measure, the Department also will not tolerate inappropriate conduct toward others based on a protected status even if the conduct does not meet the legal definition of discrimination or harassment.

All Department members are responsible for conducting themselves in accordance with this Policy and its associated Procedures. Violation of the Policy and/or Procedures will lead to prompt and appropriate Departmental action including, but not limited to, counseling, training, written reprimand, suspension, demotion, and/or discharge.

**Revised 01/15/16**  
**Revised 01/05/03**

### **3-01/121.05 POLICY OF EQUALITY - PROHIBITED CONDUCT**

Each Department member is responsible for understanding these definitions of prohibited conduct as they will govern in any disciplinary proceeding for violations of this Policy and/or associated Procedures.

**Revised 01/05/03**

### **3-01/121.10 POLICY OF EQUALITY - DISCRIMINATION**

Discrimination is the disparate or adverse treatment of an individual based on or because of that individual's sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition.

**Revised 01/05/03**

### **3-01/121.20 POLICY OF EQUALITY - DISCRIMINATORY HARASSMENT (OTHER THAN SEXUAL)**

Harassment of an individual because of the individual's race, color, ancestry, religion, national origin, ethnicity, age, disability, sexual orientation, marital status, or medical condition is also discrimination and prohibited by federal and/or state civil rights statutes. Discriminatory harassment is conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, offensive, or abusive work environment.

**Revised 01/05/03**

### **3-01/121.30 POLICY OF EQUALITY - INAPPROPRIATE CONDUCT TOWARD OTHERS**

Inappropriate conduct toward others is any physical, verbal, or visual conduct based on or because of sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition when such conduct reasonably would be considered inappropriate for the workplace.

This provision is intended to stop inappropriate conduct before it becomes unlawful discrimination or harassment. As such, the conduct need not be pervasive or repeated in order to violate this Policy. An isolated derogatory comment, joke, racial slur, sexual innuendo, etc., may be grounds for discipline. Similarly, the conduct need not be unwelcome to the party against whom it is directed; if the conduct reasonably would be considered inappropriate for the workplace, it will violate this Policy.

**Revised 01/05/03**

### **3-01/121.40 POLICY OF EQUALITY - EXAMPLES OF CONDUCT THAT MAY VIOLATE THIS POLICY AND SCOPE OF COVERAGE**

Depending on the facts and circumstances, the following are examples of conduct that may violate this Policy:

- posting, possessing, sending, soliciting or displaying in the workplace sexually suggestive, racist, "hate site" related, or obscene letters, notes, invitations, cartoons, posters, facsimiles, electronic mail or web links;
- verbal conduct such as whistling and cat calls, using or making lewd or derogatory noises or making graphic comments about another's body, or participating in explicit discussions about sexual experiences and/or desires;
- verbal conduct such as using sexually, racially or ethnically degrading words or names, using or making racial or ethnic epithets, slurs, or jokes;
- verbal conduct such as comments or gestures about a person's physical appearance which have a racial, sexual, disability-related, religious, age or ethnic connotation or derogatory comments about religious differences and practices;
- physical conduct such as touching, pinching, massaging, hugging, kissing, rubbing or brushing the body, making sexual gestures, impeding or blocking an individual's passage or normal movements;
- visual conduct such as staring, leering, displaying or circulating sexually suggestive objects, pictures, posters, photographs, cartoons, calendars, drawings, magazines, computer images or graphics;
- sexual advances or propositions, including repeated and unwanted requests for a date;
- retaliation in any form, including withholding work-related information, giving punitive work assignments, or denial of job benefits; and
- hazing based on any protected status, including withholding assistance, giving demeaning, unattainable, or unnecessary job assignments, or ignoring the presence of a co-worker.

This list is not exhaustive. Any conduct which is retaliatory or based on or because of sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition may also violate this Policy.

#### **SCOPE OF COVERAGE**

**Department Members:** For purposes of this Policy, "Department members" is defined as employees of the Los Angeles County Sheriff's Department and applicants for employment, whether sworn (regular or reserve) or civilian, all volunteers, and Explorer Scouts and outside vendors (see the Department's Outside Vendor Policy).

**Location:** This Policy prohibits discrimination, harassment, retaliation, and inappropriate conduct toward others in the workplace or in other work-related settings such as work-related social events (e.g., retirement parties). Depending upon the facts and



circumstances, this Policy also prohibits off-site, off-duty conduct where such conduct meets one of the foregoing definitions of prohibited conduct and has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile, offensive, or abusive working environment.

Communication System/Equipment: This Policy also applies to the use of any Departmental communication system or equipment, including but not limited to, electronic mail, internet, intranet, JDIC, telephone lines, computers, facsimile machines, voice mail, radio, and mobile digital terminals. Employees will be disciplined in accordance with this Policy for using any Departmental communication system or equipment to deliver, display, store, publish, circulate, or solicit material in violation of this Policy.

**Revised 12/12/13**

**Revised 01/05/03**

### **3-01/121.45 POLICY OF EQUALITY - REPORTING VIOLATIONS OF THIS POLICY**

Any Department member who believes he or she has been subjected to conduct that violates this Policy is strongly encouraged to report the matter to any Department supervisor or manager or the Intake Specialist Unit. The Intake Specialist Unit may be reached at (323) 890 5371, and is located at: 4900 South Eastern Avenue, Suite 203, Commerce, California, 90040.

Any non-supervisory Department member who believes he or she has knowledge of conduct that violates this Policy is strongly also encouraged to report the matter.

Supervisors and managers have an affirmative duty to report potential violations of this Policy to the Intake Specialist Unit. Supervisors and managers also have additional duties and responsibilities as detailed in the procedures associated with this Policy.

The Department will fully and fairly investigate any complaints and take immediate and appropriate corrective action.

Department members also may contact the California Department of Fair Employment and Housing by calling (800) 884-1684 or visiting their website at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and may contact the Federal Equal Employment Opportunity Commission by calling 213 894 1000 or 800 669 4000 or visiting their website at [www.eeoc.gov](http://www.eeoc.gov). For more information regarding the Fair Employment and Housing Act, Department members may refer to the California Department of Fair Employment and Housing's brochure entitled "[Sexual Harassment: The Facts about Sexual Harassment](#)," which is attached to this Policy.

Department members may also contact the County Office of Affirmative Action Compliance at (213) 974 1251.

**Revised 10/01/07**

**Revised 01/05/03**

### **3-01/122.00 POLICY OF EQUALITY - PROCEDURES**

#### **INTRODUCTION**

All Department members are responsible for conducting themselves in accordance with the Policy of Equality ("Policy") and these procedures ("Procedures"). The Policy and Procedures are the internal controlling authority for all Department equity matters. Violation of the Policy or Procedures will lead to prompt and appropriate Departmental action including, but not limited to, counseling, training, written reprimand, suspension, demotion, and/or discharge.

Any Department member who believes he or she has been subjected to a violation of the Policy is strongly encouraged to report the matter. Any non-supervisory Department member who has knowledge of a violation of the Policy is also strongly encouraged to report the matter.

Supervisors and managers have an affirmative duty to report potential violations of the Policy. Supervisors and managers shall also take all reasonable steps to prevent discrimination, harassment, and retaliation from occurring in the workplace and take immediate and appropriate corrective action to stop any discrimination, harassment, and retaliation that does occur.

The Department will promptly and effectively investigate all reports of violations of the Policy and will take immediate and appropriate preventive and corrective action. Department members shall cooperate fully in any inquiry or investigation related to the Policy.

**Revised 01/05/03**

### **3-01/122.05 POLICY OF EQUALITY - PROCEDURES - DUTIES OF SUPERVISORS AND MANAGERS**

Under these Procedures, supervisors and managers shall perform certain duties as enumerated below.

Supervisors and managers for purposes of the Procedures include the Sheriff, the Undersheriff, Assistant Sheriffs, Chiefs, Commanders, Captains, Lieutenants, Sergeants, Deputies performing supervisory duties or acting in a supervisory capacity, and civilian Directors, Managers, and Supervisors.

**NOTE: FAILURE BY ANY SUPERVISOR OR MANAGER TO CARRY OUT THESE DUTIES MAY BE CAUSE FOR DISCIPLINE.**

Duty of All Supervisors and Managers to Report

Supervisors and managers have an affirmative duty to report potential violations of the Policy. Supervisors and managers are required to report potential violations of the Policy to the Intake Specialist Unit as provided below even when a complaining or reporting party requests that no action be taken. The supervisor or manager shall:

- immediately notify the Intake Specialist Unit of the incident(s) or complaint and any initial steps taken by the supervisor or manager; and
- complete a Policy Of Equality Report form POE-001 ("POE Report Form") and promptly file the original with the Intake Specialist Unit with copies to: (a) the reporting party's Unit Commander, unless the complaint is against the Unit Commander, in which case it shall be sent to the Department's Equity Commander; and (b) the Equity Oversight Panel.

Additional Duties of All Supervisors and Managers

Supervisors and managers are also responsible for:

- being aware of and understanding the Policy and Procedures, as well as any modifications that may be made to them;
- actively monitoring the work environment to ensure that discrimination, harassment, and/or retaliation are not occurring;
- informing Department members under their supervision of the types of behavior prohibited, and the Department's procedures for reporting and resolving complaints arising under the Policy;
- stopping conduct that violates the Policy and taking immediate and appropriate action whether or not the involved Department members are within their line of supervision; and
- taking immediate action to prevent retaliation towards the complaining party (if there is one), and to deter and eliminate any hostile work environment. If a situation requires separation of the involved parties, particular care must be taken to avoid actions that appear to punish the complaining party.

Supervisors and managers have the foregoing duties whether or not a complaint has been made.

Additional Duties of Unit Commanders

In addition to the duties described above, Unit Commanders have the following duties:

- ensuring that blank POE report forms POE-001 are maintained in a prominent and accessible place in every Unit. It is the further duty of the Unit Commander to

ensure that the location, availability, and purpose of these forms are made known to each Unit member; and

- performing all duties required by the Outside Vendor Policy Regarding Discrimination, Harassment, and Retaliation.

**Revised 12/12/13**

**Revised 01/05/03**

### **3-01/122.10 POLICY OF EQUALITY - PROCEDURES - INFORMATION ABOUT THE POLICY AND PROCEDURES**

#### Office of the Ombudsperson

The Office of the Ombudsperson functions as a specialized resource for all Department members concerning the Policy of Equality and these Procedures. The Office of the Ombudsperson shall respond to inquiries, including anonymous inquiries, about the Department's Policy and Procedures and provide information to Department members about, among other things, their rights and responsibilities and complaint and investigation procedures concerning equity matters.

The Office of the Ombudsperson is not a complaint intake Unit. However, if a caller provides enough information to indicate a violation of the Policy, the Office of the Ombudsperson must report the matter to the Intake Specialist Unit. The Office of the Ombudsperson shall notify each caller of this obligation.

#### QUESTIONS ABOUT THIS POLICY

Any Department member who has questions about the meaning or interpretation of this Policy should contact the Office of the Ombudsperson. They may be reached at:

Office of the Ombudsperson (323) 890 5348

**Revised 10/01/07**

**Revised 01/05/03**

### **3-01/122.15 POLICY OF EQUALITY - PROCEDURES - EQUITY COMPLAINT PROCESS**

#### Reporting Complaints

Any Department member who believes he or she has been subjected to conduct that violates the Policy is encouraged to report the matter to:

- any Department supervisor or manager (whether or not in the Department member's chain-of-command); or
- the Intake Specialist Unit at (323) 890-5371.

## Los Angeles County Sheriff's Department

Non-supervisory Department members are also encouraged to report potential violations of the Policy directed toward another to a supervisor, manager, or to the Intake Specialist Unit, the number for which has been provided above.

Supervisors and managers shall report potential violations of the Policy in accordance with the procedures detailed above.

- The Intake Specialist Unit

The Intake Specialist Unit, staffed by both sworn and civilian Department members, is an initial point of contact for Department members who wish to report a violation of the Policy. Department members are not required to identify themselves when contacting the Intake Specialist Unit.

The Intake Specialist Unit shall be responsible for directing any reports concerning equity issues to the Equity Unit for investigation and resolution. The Intake Specialist Unit also shall assist Department members in finding the right point of contact for questions regarding the Policy and Procedures or equity issues.

The Intake Specialist Unit shall contact the complainant during the course of the investigation to ensure that no retaliation is occurring. The Intake Specialist Unit shall make prompt notification to the appropriate parties if an issue of retaliation is raised.

- Supervisors and Managers

Department members also may report potential violations of the Policy and/or Procedures to any Department supervisor or manager as defined above.

### Investigating Complaints: The Equity Unit

The Equity Unit is responsible for promptly and effectively investigating reports of conduct that violates the Policy or Procedures. Equity Unit investigations shall be immediate, thorough, objective, and complete. Equity Unit investigations shall be as confidential as reasonably possible consistent with the Department's obligation to conduct a full and effective investigation. Upon conclusion of the investigation, the Equity Unit investigators shall present their findings to the Equity Oversight Panel for review.

The Equity Unit investigator(s) assigned to the case shall conduct an initial investigation to determine whether there has been a potential violation of the Policy and/or Procedures. If the initial investigation indicates a potential violation of the Policy and/or Procedures, the investigator shall open an administrative investigation at the direction of an Equity Unit Lieutenant, who may seek the advice or concurrence of the Equity Commander or Equity Unit attorney. Any decision not to open an administrative investigation shall be forwarded to the Equity Oversight Panel for review.

## Review of Equity Unit Investigations

- The Equity Oversight Panel

The Equity Oversight Panel is an independent oversight body which, in accordance with the procedures described in this section, shall have authority and be responsible for reviewing Equity Unit investigations and making appropriate determinations for violations of the Policy and/or Procedures. The Equity Oversight Panel shall meet bi-monthly, or more frequently if necessary, to discuss and review each Equity Unit investigation.

In addition, the Equity Oversight Panel shall be responsible for, among other matters, monitoring and evaluating the quality of the Equity Unit investigations and the effectiveness of the Policy and Procedures. The Equity Oversight Panel shall also serve as an equity policy advisor to the Department.

- The Review Process

The review process shall consist of the following steps:

- The Equity Oversight Panel shall receive a thorough briefing from and have the opportunity to question the investigator(s) who handled the Equity Unit investigation. The subject's Division Chief or Director and/or Unit Commander may attend the briefing. In addition, the Equity Oversight Panel shall have the authority to command the appearance of any Department member deemed necessary to a full and effective resolution of the complaint or incident. Any information relied upon by the Equity Oversight Panel to reach its decisions must be reflected in the subject's investigation package, including any new information received from any attendee to the Equity Oversight Panel's briefing.
- The Equity Oversight Panel shall meet to discuss and deliberate on the Equity Unit case presented. A representative from County Counsel and the Office of Affirmative Action Compliance may be present to offer advice as required under applicable Protocols. The subject's Division Chief or Director and/or Unit Commander may be present at the request of the Equity Oversight Panel members. After discussion, the Equity Oversight Panel shall determine appropriate dispositions and discipline, if discipline is warranted. The Equity Oversight Panel immediately shall cause to be forwarded to the Sheriff for review all cases where its final recommended discipline determination exceeds 15 days suspension (See "Sheriff's Review of Discipline in Excess of 15 Days Suspension," below.).
- In all cases, the Equity Oversight Panel may direct the Equity Unit to conduct further investigation. If further investigation is directed, another review shall be held in accordance with this section after the investigation.
- The Equity Oversight Panel shall communicate its recommendations to the Equity Unit, which shall notify the appropriate parties. The Equity Unit shall issue a Letter of Intent to Impose Discipline to the subject or, where appropriate, inform

## Los Angeles County Sheriff's Department

the subject that the complaint was unfounded or unresolved. At the same time, the Equity Unit shall issue a letter to the complainant indicating that the complaint was either founded, unfounded, or unresolved and that, if founded, appropriate corrective action was determined. Proposed disciplinary action shall be kept confidential until the Equity Unit receives the determinations regarding dispositions and discipline from the Equity Oversight Panel or Sheriff or his delegate.

### Sheriff's Review of Discipline in Excess of 15 Days Suspension

The Sheriff shall have the authority to review all cases of discipline in excess of 15 days suspension, including demotion and termination. For these cases, the Sheriff shall have the authority to adopt or modify the discipline and/or reopen the investigation if deemed necessary.

The Sheriff may delegate the aforementioned authority to the Undersheriff or an Assistant Sheriff.

### Skelly Hearings

Where applicable, the subject Department member may elect to have a hearing on discipline (a "Skelly" hearing) before the discipline is imposed. If the subject elects to have a Skelly hearing, the Department shall designate a Skelly officer.

Information presented by the subject at the Skelly hearing that was known to the subject at the time of the subject's Equity Unit investigation but not disclosed shall not be grounds for overturning the Equity Oversight Panel's recommendation. If the subject presents new facts during the Skelly hearing (i.e., facts discovered subsequent to the subject's Equity Unit investigation), the Skelly officer shall send the case back to the Equity Unit for further investigation.

The Skelly officer shall promptly communicate, in writing, the factual and legal basis for any decision to modify the Equity Oversight Panel's determinations to the Sheriff and to the Equity Oversight Panel. Failure to do so may be grounds for discipline.

### Grievance Procedures

- Department Member Rights

Department members also may grieve disciplinary actions according to the terms of applicable memoranda of understanding ("MOU") negotiated by the Department and the union representing said members. As such, these MOUs may require separate or additional procedures according to their respective terms.

- Supervisors' and Managers' Responsibilities

Any supervisor authorized to conduct grievances shall promptly communicate, in writing, to the Equity Oversight Panel and to the subject's Division Chief or Director the factual and legal basis for any decision to modify the Equity Oversight Panel's determinations. Failure to do so may be cause for discipline.

Information presented by the subject during the grievance that was known to the subject at the time of the subject's Equity Unit investigation but not disclosed shall not be grounds for overturning the Equity Oversight Panel's recommendation. If the subject presents new facts during the grievance (i.e., facts discovered subsequent to the subject's Equity Unit investigation), the supervisor authorized to conduct the grievance shall send the case back to the Equity Unit for further investigation.

#### Appeals To Civil Service

Department members also may appeal final determinations of discipline to the Civil Service Commission in accordance with the Civil Service Rules. Where the final discipline determination exceeds 15 days suspension, the Department may not settle a Civil Service Commission case without prior approval by the Sheriff or his designee. In all other cases, the Department may not settle a Civil Service Commission case without prior approval by the Equity Oversight Panel.

**Revised 12/12/13**

**Revised 10/01/07**

**Revised 01/05/03**

#### **3-01/122.20 POLICY OF EQUALITY - PROCEDURES - EXTERNAL COMPLAINT MONITORING**

The Department's Affirmative Action Unit, in conjunction with the County's Office of Affirmative Action Compliance, will receive and process all external discrimination, harassment, and retaliation complaints. Where appropriate, the Affirmative Action Unit will forward the complaint to the Equity Unit for investigation and resolution.

**Revised 01/05/03**

#### **3-01/122.25 POLICY OF EQUALITY - PROCEDURES - CONFIDENTIALITY**

The Department shall maintain all complaint-related information in confidence to the extent possible given the Department's obligation to conduct a full and effective investigation. For more information concerning confidentiality, Department members should contact the Office of the Ombudsperson.

The Department shall keep all information and material reviewed confidential in accordance with California Penal Code " 832.7 and 832.8, California Evidence Code ' 1043 et seq., and any other provision regarding the confidentiality of peace officer personnel records.



**Revised 01/05/03**

### **2-07/140.60 THE AMERICAN WITH DISABILITIES ACT (ADA) UNIT**

The American with Disabilities Act (“ADA”) Unit is separated into two components:

Title I, Employment issues, and Title II, Public Access issues. Under Title I, the ADA Unit ensures that Department supervisors are aware of and in compliance with Title I of the Federal ADA, as well as the State’s Fair Employment and Housing Act (FEHA). The Unit is responsible for developing and presenting ADA training for Department supervisors. The ADA Unit, in conjunction with the Health and Safety Unit, Advocacy Unit, and Personnel Administration Bureau, assist individual Units regarding the interactive process with concerned employees, and with reasonable accommodations for existing Department members. The ADA Unit is responsible for processing all reasonable accommodation requests received from Department applicants.

Under Title II, the ADA Unit ensures that all Department-occupied buildings, including jail facilities, are in compliance with ADA regulations. Working with Correctional Services Division and Custody Operations Division, the ADA Unit helps to ensure that inmates with disabilities have access to all programs that all other inmates receive. The ADA Unit also processes facility-access complaints received from the public, including inmates, as it pertains to Department facilities.

**Revised 12/12/13**

**Revised 06/22/09**

### **3-09/004.00 LIMITED ENGLISH PROFICIENCY AND LANGUAGE ASSISTANCE PLAN**

It is the policy of the Los Angeles County Sheriff’s Department to provide accurate and effective communication with members of the public regardless of their level of English proficiency. The Department shall strive to eliminate or reduce, to the maximum extent practicable, limited English proficiency (LEP) as a barrier to accessing assistance or utilization of Department programs and services.

Limited English proficient individuals are defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding) but may still be LEP for other purposes (e.g., reading or writing).

Department members shall take reasonable steps to ensure effective and accurate communication with a LEP individual when providing assistance or Department programs and services. Personnel will use qualified bilingual persons as translators and interpreters as set forth in this policy. A “qualified bilingual person” as used in this plan is a qualified County interpreter (MPP [3-02/180.00](#) Bilingual Bonus), including

employees or persons available through the civilian volunteer program or persons available through the Sheriff's Information Bureau bilingual services program who have passed the Los Angeles County fluency examination for the language involved. Immigration authorities shall not be used as interpreters for law enforcement matters relating to individuals in Department custody, even if otherwise qualified. Language assistance should be provided at a time and place that avoids the effective denial of assistance, service, or rights to the LEP person.

The Department shall prioritize the translation of vital forms including Public Complaint forms, Inmate Complaint forms, Miranda Rights cards, Inmate Services forms, and Order to Disperse cards.

The Department shall take reasonable steps to translate the LASD.org website into multiple languages, reflective of the communities served.

### Desk Operations

Dispatch personnel who receive emergency calls for service from LEP individuals shall utilize the 24-hour, telephone-based Language Line Solutions translation service on the 9-1-1 emergency phone system unless the desk personnel are qualified bilingual person(s) for the language involved, or are self-identified as proficient in the relevant language. Department personnel capable of in-language communication should be dispatched as the primary responder or assisting unit for scenes involving LEP persons whenever possible.

To communicate with LEP individuals in the field, Department members should, as follows:

1. First, engage in direct in-language communication (i.e. without interpretation or translation between English and the non-English language) with the individual if the member is:  
a) a qualified bilingual person in the relevant non-English language; or b) is self-identified as proficient in the relevant non-English language. Each station shall maintain separate lists of members who are either qualified bilingual or self-identified as proficient in a non-English language.
2. If the member is unable to engage in direct in-language communication, he/she shall obtain interpretation assistance of a Department member who is qualified as bilingual or self-identified as bilingual in the relevant non-English language.
3. If unable to engage in either of the above, and for the limited purpose of obtaining preliminary information in the field, a Department member may use bilingual family, friends, or bystanders for interpreting in very informal, non-confrontational contexts. If follow-up information or an investigation is needed, within a reasonable amount of time,

the Department member or supervisor should contact the LEP individual using a qualified bilingual member, self-identified bilingual members, or Language Line Solutions to confirm the preliminary information collected and to obtain additional information.

Department members should be aware that using bilingual family, friends, or bystanders to interpret could result in a breach of confidentiality, a conflict of interest, or an inadequate interpretation. Department members should avoid using persons biased for or against one of the parties and minor children under the age of 12 to assist in interpretation unless there is no available alternative. Department members should also avoid using a family member as an interpreter in a matter involving domestic violence absent exigent circumstances.

4. If the above options are unavailable, use the non-emergency number for Language Line Solutions services, (800) 523-1786, which can be accessed from any telephone. Give the station a specific 6-digit ID number. (For further information, refer to the Desk Manual.)

### *Exceptions*

In the following circumstances, interpretation must be provided through telephonic language assistance or a qualified/self-identified bilingual Department member:

- An LEP person requests the assistance of an interpreter;
- A Department member intends to make an arrest that is based solely on information from an LEP person and the Department member is not confident that the interpretation provided by a family member, friend, or bystander is reliable and/or accurate;
- Department members are requesting consent to search from an LEP person and where the only authority for the search rests on the consent;
- Department personnel are conducting custodial interviews or interrogations; or
- Department members are conducting pre-planned, coordinated follow-up interviews with known LEP persons after a first report has been completed. In conducting pre-planned field investigations or canvassing, Department members should make efforts to anticipate the need for language interpretation and be prepared to obtain language assistance through telephonic language assistance or a qualified/self-identified bilingual Department member.

### *Exigent Circumstances*

In exigent circumstances, Department members are to use the most reliable temporary option available, including bystanders. Examples of exigency may include but are not

limited to: medical emergencies; situations in which the life or safety of civilians are threatened; the immediate need to obtain descriptive information on a suspect; the need to obtain identifying information of an injured person; the need to avoid delay that will create a Terry Stop violation.

Once the exigency has passed and within a reasonable amount of time, Department members or supervisors shall obtain language assistance consistent with this plan. The use of a temporary interpreter, the exigent circumstances that necessitated such use, and the steps made for follow-up interpretation shall be memorialized in the incident report.

### Personnel Complaints

Any LEP individual who wishes to file a complaint about an employee shall be provided with a complaint form and informational materials in the appropriate non-English language and/or be provided appropriate translation and interpretation services from a qualified bilingual person in order to file a complaint.

Each station shall have a sign displayed in the front lobby printed in English and other prevalent languages for that Department station service area as determined by the unit commander, containing the Department's public complaint phone number. In the event a LEP individual indicates they cannot read the posted information, Department members shall make reasonable efforts to provide appropriate language services from a qualified bilingual person.

### Station Facilities

Each station, in the respective booking/detention areas, shall prominently display signage, printed in English as well as the prevalent spoken language(s) for that Department station service area as determined by the unit commander, detailing information regarding access to the Bail Commissioner, the Public Defender's Office, information on minor childcare, and the prisoner's right to complete three phone calls. In the event a LEP individual indicates they cannot read the posted information, Department personnel will make reasonable efforts to provide appropriate language services.

### Custody Facilities

To maintain consistency and uniformity, each facility shall post both the English and Spanish versions of the Custody Services Division Inmate Rules and Regulations as listed in Custody Division Manual section 7-33/000.00, "Inmate Rules and Regulations." For those inmates who are unable to read English or Spanish, provisions shall be made for the jail staff to verbally instruct them or provide them with material, in an understandable form, regarding jail rules and disciplinary procedures and penalties.

### Community Engagement and Outreach

## Los Angeles County Sheriff's Department

Providing meaningful access to LEP individuals should also be considered in existing and future outreach and education initiatives within the Department. Department personnel should take steps to assess whether LEP individuals may be part of an LASD organized community forum and should, to the extent practicable, ensure information about the forum or programs are sufficiently relayed in the appropriate language.

It may be necessary to translate press releases particularly where the newsworthy event involves a large number of LEP individuals or if translation of the press release may garner useful information to the public.

### LEP Data Collection and Analysis

The use of a qualified bilingual person, self-identified LASD bilingual personnel, a civilian, or the Language Line Solutions service shall be memorialized in the incident report. To facilitate follow-up, contact information for civilians who provide language assistance should be included in the incident report.

**Revised 04/08/18  
08/14/15 MPP**

## **5-09/520.00 CONSTITUTIONAL POLICING AND STOPS**

As a public law enforcement agency, the Department is committed to ensuring that members of the public receive equal protection of the law without bias based on race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation and in accordance with the rights secured or protected by the Constitution or laws of the United States. These ideals are engrained into our efforts and reflect our Department's continued commitment to Constitutional Policing.

**Revised 05/15/17  
03/31/15 MPP**

## **5-09/520.05 STOPS, SEIZURES, AND SEARCHES**

Department members shall only conduct investigatory stops or detentions when they have reasonable suspicion that a person has been, is, or is about to be engaged in the commission of a crime.

Department members shall not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause except as part of actual and credible description(s) of a specific suspect or suspects in any criminal investigation.

Department members shall not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation in exercising discretion to conduct a search except as part of an actual and credible description of a specific suspect or suspects in any criminal investigation.

Department members shall not initiate stops or other field contacts because of an individual's actual or perceived immigration status.

Department members shall not conduct arbitrary searches. The request to conduct a consent search must be reasonable, and a deputy must be able to articulate a valid reason under law and policy for initially having stopped the individual.

Department members shall only conduct searches of individuals based on probation or parole status when knowledge of a probation or parole search condition has been established.

Department members shall immediately notify a supervisor when routine field activity or observations lead to consideration of a home search based on consent, and the supervisor shall either approve the search before it is conducted or, if appropriate, a search warrant should be sought.

**Revised 05/15/17  
03/31/15 MPP**

### **5-09/520.10 BACKSEAT DETENTIONS**

A backseat detention occurs when an individual's freedom is restrained by placing the individual in the backseat of a patrol vehicle for investigative purposes for any period of time. Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat. Backseat detentions are not permitted when based on unreasonable or factually unsupported assertions of deputy safety. Deputies shall not conduct backseat detentions as a matter of course during routine traffic stops or domestic violence situations.

In instances where the backseat detention is due to weather conditions or the individual's desire for privacy, the deputy will ask the individual whether he or she would like the option of sitting in the backseat of the vehicle and make clear that this placement is a courtesy and that the individual is free to exit the vehicle at any time.

Deputies shall explain to civilians in a professional and courteous manner why they are being detained in the backseat of patrol cars. If an individual complains about being detained in the backseat of a patrol car, the deputy shall call for a field sergeant to respond to the scene to address the individual's complaint. If the individual does not want to wait for the field sergeant to respond to the scene, the deputy shall provide the individual the deputy's business card.

Deputies shall not attempt to dissuade any individual from registering a complaint with a supervisor about a backseat detention, whether through their words, actions, or by delaying the notification to or the response from the supervisor.

The backseat detention contact type codes shall be used as the primary code in the Contact Type field to document all backseat detentions on the Deputy's Daily Work Sheet. The length of time of the backseat detention and the factual justification for the backseat detention "seizure" shall be articulated in the narrative portion of the deputy's log.

**Revised 05/15/17  
03/31/15 MPP**

### **5-09/520.15 CONSENSUAL ENCOUNTERS**

Persons that are contacted during consensual encounters shall be free to leave at all times and the contact shall be voluntary. A consensual encounter can transform into a detention if a reasonable person believes that they are not free to leave.

**03/31/15 MPP**

**5-09/520.20 LOGGING PUBLIC CONTACTS**

Field units performing regular field law enforcement duties shall create an electronic Deputy's Daily Work Sheet (DDWS) through the Mobile Digital Computer (MDC) or Computer-Aided Dispatch (CAD) system.

Units included in this classification include, but are not limited to:

- General patrol
- Traffic patrol
- Motorcycle patrol
- COPS teams
- Special Assignment Officers
- Gang Enforcement Team patrol units
- Special Enforcement Bureau directed patrol units
- Bicycle patrol
- Foot patrol
- Beach patrol units
- Associated field supervisors for the above units

Regular field law enforcement duties include, but are not limited to:

- Responding to calls for service
- Conducting vehicle, bicycle, and pedestrian stops for enforcement/investigatory purposes
- Assisting members of the public

The requirement to create a DDWS extends to units not equipped with an MDC. When a unit is not equipped with an MDC, the DDWS shall be created at the beginning of the shift by utilizing a station CAD terminal. Completion of the DDWS shall occur either during the course of the shift or prior to its conclusion.

**Revised 05/15/17**  
**03/31/15 MPP**

**5-09/520.25 LOGGING FIELD ACTIVITIES**

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer's Deputy's Daily Work Sheet (DDWS). The Mobile Digital Computer's DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop.

For the purposes of this policy, "significant public contacts and activity" are defined as:



- Calls for service;
- Self-initiated activity that results in arrest or citation;
- Self-initiated activity that is enforcement/investigative in nature but does not result in arrest or citation; and/or
- Self-initiated activity which is not enforcement/investigative in nature but results in Department personnel taking some form of constructive action, e.g., requesting a tow truck for a stranded motorist.

Each field incident shall be logged separately with its own unique "Tag" number. Deputies shall not log multiple unconnected incidents or traffic stops under a single "Tag" number. Multiple citations or activities resulting from the same traffic stop or incident shall be logged under the same "Tag" number. These concepts are equally applicable to vehicle, pedestrian, and bicycle stop contacts.

**Revised 05/15/17  
03/31/15 MPP**

### **5-09/520.30 STATISTICAL CODES FOR TRAFFIC, PEDESTRIAN, AND BICYCLE STOPS**

The statistical codes 840 (Traffic Stop), 841 (Pedestrian Stop), and 842 (Bicycle Stop) shall be used when field personnel conduct vehicle, pedestrian, or bicycle stops based on probable cause, reasonable suspicion, or for other investigative purposes or to follow up on leads from prior incidents. The codes shall be used when logging vehicle, pedestrian, or bicycle stops which are associated with:

- Calls for service;
- Self-initiated activity that results in arrest or citation; and/or
- Self-initiated activity which is enforcement or investigative in nature but does not result in arrest or citation.

These codes shall be used in addition to any other statistical code(s) used to classify the incident. The narrative portion of the logged incident shall also include the reason for the contact and a brief description of the action taken by deputies.

The Mobile Digital Computer "Reasonable Suspicion" and "Pat Down" Contact Information Codes require justification for the stop or search and shall be noted in the narrative portion of the deputy's log.

**03/31/15 MPP**

## Appendix D

### WAVE 1 AGENCIES' CIVILIAN COMPLAINT FORMS AND PROCEDURES

## California Highway Patrol

## Commend or Complain

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 [chp.ca.gov/notify-chp/commend-or-complain](https://chp.ca.gov/notify-chp/commend-or-complain)

### Office of Internal Affairs

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The California Highway Patrol (CHP) has a well-defined procedure for investigating civilians' complaints. Once a complaint is received, it is the responsibility of the involved employee's Commander to ensure a thorough investigation is conducted. Although complaints cannot always be resolved to a civilian's satisfaction, all investigations are conducted objectively, with a goal of maintaining public confidence and departmental integrity. After completion of the investigation, complaints are directed through the chain of command for an impartial review. After final approval, the civilian is provided with a closing written response.

The civilians' complaint process is designed to investigate the allegations of civilians and to make a determination of fact as to any wrongdoing. In cases where a false complaint is maliciously filed against a peace officer, that officer is entitled to file a civil action. Therefore, it is important all allegations presented in a complaint to the Department be based on factual information. Penal Code Section 148.6 requires that all law enforcement agencies accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign a Civilians' Complaint Information form.

**[Click here to fill out the online Commend or Complain form.](#)**

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There are known issues in viewing some PDF documents with the Firefox, Chrome, and Safari browsers (Internet Explorer is recommended). Please, make sure that you are using the latest versions of those browsers and have the latest version of the Adobe Acrobat Reader (available here: <https://get.adobe.com/reader/>).

To view a form, right-click on the desired link and choose "Save Link As" in the pop-up menu. Next, in the dialog box that appears, click on the Desktop icon or directory of your choice and click the Save button. Once the PDF is saved to your desktop, you can double-click or right-click and choose "Open With" to view the file in Adobe Acrobat.

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CHP USE ONLY			
CONTROL NUMBER			
LOCATION CODE	YEAR	SEQUENTIAL NO.	

**CIVILIANS' COMPLAINT INFORMATION**

CHP 240B (Rev. 12-15) OPI 031

PERSON FILING COMPLAINT (LAST, FIRST, M.I.)

MAILING ADDRESS (STREET, APARTMENT NUMBER)	NAME AND IDENTIFICATION NUMBER OF EMPLOYEE
CITY, STATE, ZIP CODE	LOCATION OF INCIDENT
HOME TELEPHONE NUMBER (INCLUDE AREA CODE)	DATE/TIME OF OCCURRENCE
OTHER TELEPHONE NUMBER (INCLUDE AREA CODE)	CITATION OR ARREST REPORT NUMBER
ADDITIONAL EMPLOYEE(S) (INCLUDE NAMES AND IDENTIFICATION NUMBERS WHEN KNOWN)	

**IMPORTANT! READ AND SIGN THE FOLLOWING INFORMATION.**

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

I have read and understand the above statement.

Signature \_\_\_\_\_

Date

Allegations of misconduct brought to the attention of the Department through the Civilians' Complaint process are investigated by the command (Area or Division) where the employee was assigned at the time of the alleged misconduct. If necessary, the Office of Internal Affairs will assist you in contacting the proper command to ensure your allegations are investigated. The Department makes every effort to complete civilians' complaint investigations within sixty (60) days.

Pursuant to California Penal Code §§ 832.7 and 832.8, peace officer personnel records, including civilians' complaint investigations, are confidential and are not releasable.

In accordance with California Penal Code § 832.5, any member of the public may obtain a copy of the Department's Civilians' Complaint Investigation Manual (Highway Patrol Manual 10.4). Members of the public may purchase a copy of this manual by contacting the California Highway Patrol, Publications Unit, at 601 North 7th Street, P.O. Box 942898, Sacramento, CA 94298, or via electronic mail at [publications@chp.ca.gov](mailto:publications@chp.ca.gov).

**CIVILIANS' COMPLAINT INFORMATION**

CHP 240B (Rev. 12-15) OPI 031 (Page 2)

This section may be used by you and/or the Department to summarize or further clarify your complaint.

*(Attach additional pages as needed.)*

OLO ARA USO DE CHP			
CONTROL NUMBER			
LOCATION CODE	YEAR	SEQUENTIAL NO.	

PERSONA QUE REGISTRA LA DENUNCIA (APELLIDO, NOMBRE, INICIAL DE SEGUNDO NOMBRE)

DIRECCIÓN DE CORREO (CALLE, NÚMERO DE APARTAMENTO)	NOMBRE Y NÚMERO DE IDENTIFICACIÓN DE EMPLEADO
CIUDAD, ESTADO, CÓDIGO POSTAL	LUGAR DEL INCIDENTE
NÚMERO DE TELÉFONO (CON ÓDIGO DE ÁREA)	FECHA/HORA DEL SUCESO
OTRO NÚMERO DE TELÉFONO (CON CÓDIGO DE ÁREA)	NÚMERO DE CITACIÓN O DE INFORME DE ARRESTO
EMPLEADOS ADICIONALES (INCLUIR NOMBRE Y NÚMEROS DE IDENTIFICACIÓN SI SE ONOCEN)	

**PORTANTE! LEER Y RMAR LA SIGUIENTE NFORMACIÓN.**

**USTED TIENE DERECHO A HACER UNA ENUNCIA CONTRA UN OFICIAL DE POLICÍA POR UALQUIER CONDUCTA INDEBIDA. LA LEY E CALIFORNIA REQUIERE QUE ESTA AGENCIA TENGA UN PROCEDIMIENTO PARA INVESTIGAR LAS ENUNCIAS CIVIL. USTED TIENE DERECHO A RECIBIR UNA DESCRIPCIÓN POR ESCRITO E ESTE PROCEDIMIENTO. ESTA AGENCIA PUEDE ETERMINAR, ESPUÉS DE UNA INVESTIGACIÓN, QUE NO EXISTEN SUFICIENTES PRUEBAS PARA JUSTIFICAR ACCIÓN SOBRE SU DENUNCIA; INCLUSO SI ESE ES EL ASO, USTED TIENE DERECHO A PRESENTAR LA DENUNCIA Y HACER QUE ESTA SE INVESTIGUE SI USTED CREE QUE UN POLICÍA SE OMPORTÓ DE MANERA INAPROPIADA. ESTA AGENCIA TIENE QUE RETENER LAS ENUNCIAS CIVIL Y LOS INFORMES O HALLAZGOS RELACIONADOS ON LAS DENUNCIAS POR UN PERIODO MINIMO E INCO AÑOS.**

He leído y entendido la declaración expuesta arriba.

Firma \_\_\_\_\_ Fecha \_\_\_\_\_

Los alegatos de mala conducta que se presenten al Departamento a través del proceso de Denuncias Civil son investigados por la jefatura (área o división) a la que estaba asignado el empleado en el momento de la presunta mala conducta. Si es necesario, la Oficina de Asuntos Internos lo ayudará a ponerse en contacto con la jefatura correspondiente para garantizar que se investiguen sus alegatos. El Departamento hace su mayor esfuerzo por completar las investigaciones de las denuncias civil en un período de sesenta (60) días.

De conformidad con las secciones 832.7 y 832.8 del Código Penal de California, los expedientes de personal de los oficiales de paz, incluyendo las investigaciones de las denuncias civil, son confidenciales y no pueden hacerse públicos.

De conformidad con la sección 832.5 del Código Penal de California, todo miembro del público puede obtener una copia del Manual de Investigación de Denuncias Civil del Departamento (Manual de Patrulla de Autopistas 10.4). Los miembros del público pueden comprar una copia de este manual poniéndose en contacto con el Departamento de Patrulla de Autopistas de California, a la siguiente dirección: Sacramento, CA 94298, o por correo electrónico en: [publications@chp.ca.gov](mailto:publications@chp.ca.gov).

**INFORMACIÓN DE DENUNCIA CIVIL**

Si necesita ayuda para llenar este formulario, póngase en contacto con una oficina de CHP, o con la Oficina de Asuntos Internos, en el P.O. Box 942898, Sacramento, CA 94298 o al teléfono (916) 843-3060.

Esta sección pueden usarla usted y/o el Departamento para resumir o aclarar más detalles sobre su denuncia.

*(Adjunte las páginas adicionales según sean necesarias.)*



<b>CHP USE ONLY</b>
COMPLAINT NUMBER

**CIVILIANS' COMPLAINT INFORMATION (NON-UNIFORMED)**

CHP 240D (Rev. 6-09) OPI 031

PERSON FILING COMPLAINT (LAST, FIRST, M.I.)		AREA ADDRESS STAMP
<i>Check the appropriate box to indicate how/where you wish to be contacted by an investigator.</i>		
<input type="checkbox"/> MAILING ADDRESS (STREET, APARTMENT NUMBER)		
CITY, STATE, ZIP CODE		
<input type="checkbox"/> HOME PHONE NUMBER (INCLUDE REA ODE)		LOCATION OF OCCURRENCE
<input type="checkbox"/> WORK PHONE NUMBER (INCLUDE REA ODE)		DAY, DATE, AND TIME OF OCCURRENCE
DATE OF BIRTH	DRIVER'S LICENSE NUMBER	ARREST/ACCIDENT REPORT OR CITATION NUMBER (IF KNOWN)

**IMPORTANT! READ AND SIGN THE FOLLOWING FORMATION**

This form is not intended for the filing of complaints against peace officers or sworn employees of the CHP. If this is your desire, you should telephone or contact a local office of the CHP for assistance. Alternatively, you may contact the Office of Investigations by telephone at (916) 843-3060, or by correspondence at P.O. Box 942898, Sacramento, CA 94298.

The California Highway Patrol has a well-defined procedure for investigating civilians' complaints. Once a complaint is received, it is the responsibility of the involved employee's Commander to ensure a thorough investigation is conducted. Although complaints cannot always be resolved to a civilian's satisfaction, all investigations are conducted objectively, with a goal of maintaining public confidence and departmental integrity. After completion of the investigation, complaints are directed through the chain of command for an impartial review. After final approval, the complainant is provided with a closing written response.

The civilians' complaint process is designed to investigate the allegations of civilians and to make a determination of fact as to any wrongdoing. Therefore, it is important all allegations presented in a complaint to the Department be based on factual information.

The space below is provided for you to make an optional statement regarding your allegations. Please note that a CHP investigator will contact you at a later date and you may provide a more detailed statement or other documentation at that time. After completing this form, it may be returned to your local CHP office or to the Office of Investigations as specified above.

Thank you for allowing us this opportunity to address your concerns.

(Continue reverse if necessary)

**CIVILIANS' COMPLAINT INFORMATION (NON-UNIFORMED)**

CHP 240D (Rev. 6-09) OPI 031 (Reverse)

*This section may be used by you and/or the Department to summarize or further clarify your complaint.*

## Los Angeles Police Department

# Los Angeles Police Department

<https://docs.google.com/forms/d/e/1FAIpQLSfWo1bwv7nLh3M4vpfObqBrvfUAPFeFcgl...>

## Online Personnel Complaint Form

This form is only used for complaints of misconduct involving Los Angeles Police Department employees. The Los Angeles Police Department does not investigate employees of other Los Angeles (LA) City departments, such as the Department of Water and Power or the Bureau of Sanitation, nor does it investigate LA County agencies, such as the LA County Sheriff's Department. If you need to reach another LA City department, call 3-1-1 for assistance or find additional information online.

If you need the Personnel Complaint Form in Spanish, click here. If you require assistance in a different language, please call the 24-hour toll free hotline at (800) 339-6868.

\* Required

### Your Information (Today's Date) \*

MM DD YYYY

/ / 2019

### First Name

Your answer

### Last Name

Your answer

### Middle Name

Your answer

### Gender

- Male
- Female
- Other

### Descent

Your answer

### If Not English Speaking, Primary Language

- Yes
- No



# Los Angeles Police Department

## Address

Your answer

## City

Your answer

## State

Your answer

## Zip Code

Your answer

## Mailing Address (If different)

Your answer

## City

Your answer

## State

Your answer

## Zip Code

Your answer

## Home Phone

Your answer

## Work Phone

Your answer

## Mobile Number

Your answer

## Email Address \*

Your answer

## Date of Birth

MM DD YYYY

/ / 2019



# Los Angeles Police Department

Driver Licence Number

State

## Information about the Incident

Date of Incident \*

MM DD YYYY

/ / 2019



Time

Time

: AM

Has this complaint or any related complaint been reported before?

Yes

No

If yes, Case Number

Your answer

Arrest?

Yes

No

Booking Number (If known/applicable)

Police Report Number (If known/applicable)

Location of Incident \*

Your answer

Unknown



# Los Angeles Police Department

## Involved Officers/Employees

Do you know the officer/employees' names? List any additional officers/employees in the Summary.

Yes

No

Officer/Employee 1 & Badge or Serial No.

Your answer

Officer/Employee 2 & Badge or Serial No.

Your answer

Officer/Employee 3 & Badge or Serial No.

Your answer

Officer/Employee 4 & Badge or Serial No.

Your answer

## Witnesses

Do you have names of any witnesses and their contact information? List any additional witnesses and their contact information.

Yes

No

Witness 1 Name, Address, and Phone No.

Your answer

Witness 2 Name, Address, and Phone No.

Your answer

Witness 3 Name, Address, and Phone No.

Your answer



# Los Angeles Police Department

## Summary

Please provide a summary of the incident. Include additional officers/employees and witnesses not listed above.

Your answer

SUBMIT

Page 1 of 1

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Google Forms





**PERSONNEL COMPLAINT  
INFORMATION**

**HOW TO MAKE A COMPLAINT OF  
MISCONDUCT AGAINST AN EMPLOYEE**

The purpose of this pamphlet is to explain the complaint process of the Los Angeles Police Department. Anyone who feels that an employee has acted improperly should bring the matter to the attention of a Department supervisor. The allegation will be investigated and appropriate action taken. It is through this process that the individual can help maintain the high standards of quality that the Department demands and the Community deserves.

**WHERE AND HOW TO FILE A  
COMPLAINT**

You may make a complaint in person at any Los Angeles community police station; Internal Affairs Group, located at 304 South Broadway, Los Angeles, CA 90012; the Police Commission, at 100 West First Street, Los Angeles, CA 90012 or the Office of the Inspector General, at 201 North Figueroa Street, Suite 610, Los Angeles, CA 90012, regardless of where the incident occurred. If you do not wish to make a complaint in person, you may obtain a "Complaint of Employee Misconduct" form from any Los Angeles community police station, the Police Commission, the Office of the Inspector General or any City Council field office. If you are unable to obtain a form at any of these locations, you may call our 24- hour, toll free number, 1-800-339-6868, Telecommunications Device for the Deaf (TDD) phone number (213) 978-3500 to file a

complaint or request the "Complaint of Employee Misconduct" form.

If you feel more comfortable making your complaint in writing, you may send a letter directly to Internal Affairs Group, the Office of the Chief of Police or the Board of Police Commissioners. Any of these offices will be able to assist you. The mailing address for Internal Affairs Group is 304 South Broadway, Los Angeles, CA 90012. The mailing address for the Police Commission is 100 West First Street, Los Angeles, CA 90012 and the mailing address for the Office of the Inspector General is 201 North Figueroa Street, Suite 610, Los Angeles, CA 90012. Electronic complaints may be filed via the Los Angeles Police Department (LAPD) Internet website at [www.lapdonline.org](http://www.lapdonline.org). Complaints may also be faxed to (213) 473-6700.

**HOW A FORMAL PERSONNEL  
COMPLAINT IS HANDLED**

After filing, a formal personnel complaint will be investigated by either a supervisor from the division of occurrence or a supervisor assigned to Internal Affairs Group. Once the complaint has been thoroughly investigated, the commanding officer of the investigating division will review the entire complaint and render a finding.

Your complaint will then be reviewed at several additional levels to ensure that nothing has been overlooked. A commander or deputy chief will examine your complaint, as well as the recommendations made by the commanding officer prior to the final approval by the Chief of Police.

The investigation of a personnel complaint and the subsequent review of the investigation (including the administration of discipline against a Department employee when warranted) are very time consuming and involved processes. Please be patient. After the complaint has been thoroughly investigated and the appropriate action taken, you will be notified in writing of the results.

**INVOLVEMENT OF THE HEAD OF THE  
POLICE DEPARTMENT**

The Board of Police Commissioners routinely monitors investigations of employee misconduct to ensure that complaints are properly investigated and adjudicated.

The Board of Police Commissioners is the head of the Police Department. The Board is made up of five members from the community appointed by the Mayor and confirmed by the City Council.

**CRIMINAL CHARGES AND THE COURT**

Many times, people who have been arrested feel that they are not guilty of the charge. However, the validity of the arrest and the guilt or innocence of the person involved must be determined by a Court of Law, not the police department. Only the Court is empowered by law to adjudicate such matters. A court proceeding provides an impartial forum in which both sides of the case can be heard and the truth determined.

01.81.03 (01/11)

**LOS ANGELES POLICE DEPARTMENT  
COMPLAINT OF EMPLOYEE MISCONDUCT**

This form is for reporting employee misconduct. Matters reported on this form that are other than employee misconduct will be referred to the responsible entity for appropriate action.

Please complete the form entirely and provide as much detail as possible. Once you have completed the form, you may return it to the Los Angeles Police Department by bringing it in person to any Los Angeles Police Station, sending it by mail to Los Angeles Police Department, Internal Affairs Group, Post Office Box 30158, Los Angeles, CA 90030, or sending it via facsimile to (213) 482-0413. You may also return the form to the Los Angeles Police Commission, Office of the Inspector General, in person or by mail, at 350 S. Figueroa Street, Suite 1002, Los Angeles, CA 90071, or sending it via facsimile to (213) 687-7473.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Cell phone: \_\_\_\_\_ Email address: \_\_\_\_\_  
Preferred method of contact: \_\_\_\_\_ Best time to contact you: \_\_\_\_\_  
Address: \_\_\_\_\_ Primary language spoken: \_\_\_\_\_  
\_\_\_\_\_ Date and time of occurrence: \_\_\_\_\_

Location of occurrence: \_\_\_\_\_

**Names, Badge Numbers or Serial Numbers of Employees Involved (if known).**

\_\_\_\_\_  
\_\_\_\_\_

**Names, addresses, and telephone numbers of witnesses present at the time of occurrence (if known).**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**LIST ADDITIONAL EMPLOYEES AND/OR WITNESSES UNDER THE "DETAILS" SECTION**

Details (Explain what happened, when it happened and where it happened. If you do not know the involved employees' names or badge numbers, please describe them. Be as detailed as possible and include any information you have that will help us investigate your complaint.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you have any questions, please call the Internal Affairs Group, Complaint Hotline, at (800) 339-6869.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**DEPARTAMENTO DE POLICIA DE LOS ANGELES  
QUEJA DE MALA CONDUCTA DEL EMPLEADO**

Esta forma es para reportar queja de mala conducta de empleados de la policia. Asuntos reportados en esta forma que no son sobre mala conducta del empleado, se van a remitir a la entidad responsable para accion apropiada.

Favor de completar la forma completamente y suministrar los mas detalles posible. Cuando complete la forma, usted puede regresarla en persona a cualquier comisaria de policia, por correo a Los Angeles Police Department, Internal Affairs Group, P.O. Box 30158, Los Angeles, CA. 90030, o por telefax o facsimile a (213) 473-6700. También puede regresar la forma a la oficina del comisionado de Los Angeles Inspector General en persona o por correo a 201 N. Figueroa Street, Suite 610, Los Angeles, CA. 90012, o facsimile a (213) 202-9966.

Nombre \_\_\_\_\_ Teléfono \_\_\_\_\_

Numero de telefono celular \_\_\_\_\_ Correo Electrónico \_\_\_\_\_

Método de contacto preferido \_\_\_\_\_ Mejor tiempo para comunicarnos con usted \_\_\_\_\_

Domicilio \_\_\_\_\_ Lengua Materna \_\_\_\_\_

\_\_\_\_\_ Fecha y Hora que ocurrió \_\_\_\_\_

Area o localidad de ocurrencia \_\_\_\_\_

Nombres, números de identificación o Números de Serie de los empleados involucrados (si lo sabe).

\_\_\_\_\_  
\_\_\_\_\_

Nombres, domicilio, y números de teléfono de testigos presente al tiempo de los echos (si lo sabe).

\_\_\_\_\_  
\_\_\_\_\_

---

(INCLUYE EMPLEADOS ADICIONALES Y/O TESTIGOS DE BAJO DE LA SECCIÓN  
"DETALLES.")

Detalles: (Favor de explicar lo que ocurrió, cuando ocurrió y adonde ocurrió. Si usted no sabe los nombres o números de serie de los empleados implicados por favor describa en detalle cómo son. Favor de dar los mas detalles si es posible, incluya cualquier información que usted tiene que nos va ayudar a investigar su queja.)

\_\_\_\_\_

---

Si tiene preguntas, favor de llamar a Internal Affairs Group, Complaint Classification Unit a este número (213) 473-6739.

Fecha \_\_\_\_\_ Firma \_\_\_\_\_

01.81.07 (07/12) Spanish

Los Angeles Police Department

Continuacion de detalles (Explique lo que ocurri6, cuando ocurri6 y adonde ocurri6. Si usted no sabe los nombres o n6meros de serie de los empleados implicados por favor describa en detalle c6mo son. Favor de dar los mas detalles si es posible, incluya cualquier informaci6n que usted tiene que nos va ayudar a investigar su queja.)

Lined area for providing details of the incident.

**DEPARTMENTAL USE ONLY**

To be completed by the supervisor receiving this form.

Supervisor's name \_\_\_\_\_ Serial Number \_\_\_\_\_

Date and time received \_\_\_\_\_ Division \_\_\_\_\_

Final disposition \_\_\_\_\_  
(i.e., forwarded to IAG; 01.28.00 initiated; sent correspondence to complainant, etc.)

(Attach additional sheets, if needed.) CF NO. \_\_\_\_\_ DIV. NO. \_\_\_\_\_

01.81.07 (07/12) Spanish

**Kagawaran Ng Pulisya Ng Los Angeles**  
**SUMBONG SA MALING ASAL NG EMPLEYADO**

Ang pormang ito ay dapat gamitin upang ipagbigay-alam ang hindi tamang asal ng empleyado. Kung ang sumbong ay hindi tungkol sa maling pag-aasal ng kawani, ito ay ipaubaya sa nararapat na may-kapangyarihan upang mabigyan ng kalutasan.

Pagkatapos na mapunuan ang pormang ito, maaring ibalik ng personal sa pinakamalapit na Himpilan ng Pulisya, ng Los Angeles o ipadala sa koreo sa Los Angeles Police Department, Internal Affairs Group, Post Office Box 30158, Los Angeles, CA 90030, o ipadala sa fax (213) 482-0413. Maaari ring ibalik ito sa Pulis Komisyon ng Los Angeles, Opisina ng Inspektor Heneral, sa 350 South Figueroa Street, Numero 1002, Los Angeles, CA 90071, o ipadala sa fax (213) 687-7473.

Pangalan: \_\_\_\_\_ Telepono: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Paano Kokontakin: \_\_\_\_\_ Oras ng pagkontak: \_\_\_\_\_

Tirahan: \_\_\_\_\_ Wikang Sinasalita: \_\_\_\_\_

Petsa Ng Pangyayari: \_\_\_\_\_ Oras Ng Pangyayari: \_\_\_\_\_

Lugar Ng Pangyayari: \_\_\_\_\_

**Pangalan, Tsapa o Seryal na Numero ng Kawaning Sangkot (kung malalaman)**

\_\_\_\_\_  
\_\_\_\_\_

**Pangalan, tirahan, at telepono ng mga Saksi sa pangyayari (kung mayroon)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(ISAMA ANG MGA KARAGDAGANG IMPORMASYON AT/O MGA SAKSI SA ILALIM NG BAHAGING NAKALAHAN)**

Mga detalye - (Ipaliwanag kung ano, kailan at saan ang insidente. Kung hindi alam ang pangalan o tsapa ng empleyado, ilarawang mabuti ang buong pangyayari. Isama ang lahat ng mahalagang impormasyon na makakatulong sa imbestigasyon ng inyong sumbong.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Kung mayroon kayong katanungan, tumawag lamang sa Internal Affairs Group, Complaint Hotline, Telepono (800) 339-6869.

Petsa: \_\_\_\_\_ Lagda: \_\_\_\_\_

## Los Angeles 경찰국

### 직원 부정행위 신고서

본 양식은 직원의 부정행위를 신고 하는데 쓰여집니다. 직원의 부정행위 외 다른 사건은 담당부서로 일임 적절이 처리될것입니다.

양식을 전면 작성 하시고 가능한 사건내용을 상세히 기재해 주십시오. 양식을 작성하신 후 엘에이 경찰국 아무 경찰서로 직접 제출하시거나 우편 또는 팩스로 엘에이 경찰국 내사과로 보내십시오 Los Angeles Police Department, Internal Affairs Group, Post Office Box 30158, Los Angeles, CA 90030, 팩스: (213) 996-2739. 또한 엘에이 경찰국 경찰위원회 Inspector General 로 직접 제출하거나 우편으로 350 South Figueroa Street, Suite 1002, Los Angeles, CA 90071 로 보내셔도 됩니다, 팩스: (213) 687-7473.

이름 _____	전화 _____
핸드폰 _____	e-mail (이-메일) _____
원하시는 연락 방법 _____	가장좋은 연락시간 _____
주소 _____	사용언어 _____
사건일자 _____	사건시간 _____
사건장소 _____	

직원이름, 배지번호나 직원번호(있는 경우)

\_\_\_\_\_

현장 증인이름, 주소, 전화번호(있는 경우)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(추가 직원 또는 증인 이름들은 세부내용란을 이용하십시오)

내용-(사건내용, 사건 시일과 장소. 해당직원의 이름을 모를경우 직원의 인상착의 또는 배지번호를 기재하십시오. 가능한 상세한 내용까지 기재하고 수사에 도움이 될 만한 내용을 기재하십시오.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

질문은 Internal Affairs Group, Complaint Hotline, (800) 339-6869 로 주십시오.

날짜 \_\_\_\_\_ 서명 \_\_\_\_\_

Los Angeles Police Department

내용-(사건내용, 사건 시일과 장소. 해당직원의 이름을 모를경우 직원의 인상착의 또는 배지번호를 기재하십시오. 가능한 상세한 내용까지 기재하고 수사에 도움이 될 만한 내용을 기재하십시오.)

Lined area for writing the incident details.

**DEPARTMENT USE ONLY**

To be completed by the supervisor receiving this form.

Supervisor's Name: \_\_\_\_\_ Serial Number: \_\_\_\_\_

Date and Time Received: \_\_\_\_\_ Division: \_\_\_\_\_

Final Disposition: \_\_\_\_\_

(i.e., forwarded to IAG; 01.28.00 initiated; sent correspondence to complainant, etc.)

(Attach additional sheets, if needed.)

CF NO.:

DIV. NO.:

01.81.14 (09/19) Korean

# 洛杉磯警察局 雇員行為不檢投訴

這份表格是用於報告雇員的不當行為。除了是雇員的不當行為之外,在這份報告的其他不相關事宜,將被轉移到有關部門跟進調查。

請詳細地填好這份表格,並且盡可能提供詳盡和相關的細節。一旦填好了這份表格,您可以郵寄或親自帶到任何洛杉磯警察分局,或郵寄到洛杉磯警察局的內部事務小組, Los Angeles Police Department, Internal Affairs Group, Post Office Box 30158, Los Angeles, CA 90030], 或傳真到 (213) 473-6700。您也可以郵寄或親自帶到“洛杉磯警察委員會辦公室監察長辦公室”位於 201 N. Figueroa Street, Suite 610, Los Angeles, CA 90012 [“Los Angeles Police Commission Office of the Inspector General” at 201 N. Figueroa Street, Suite 610, Los Angeles, CA 90012] 或傳真到 (213) 202-9966。謝謝您的關注。

姓名: \_\_\_\_\_ 電話: \_\_\_\_\_  
手機號碼: \_\_\_\_\_ 電子郵件地址: \_\_\_\_\_  
較喜歡的聯絡方法: \_\_\_\_\_ 最佳聯繫時間: \_\_\_\_\_  
地址: \_\_\_\_\_ 語言: \_\_\_\_\_  
發生日期與時間: \_\_\_\_\_

發生地點: \_\_\_\_\_  
雇員的姓名, 徽章號碼或編號(如果知道)

\_\_\_\_\_  
現場證人的姓名與地址(如果知道)

(在以下的細節空格內列出其他雇員或證人細節)

**細節-**

請解釋和描述發生了的事件,時間和地點。如果你不知道所涉及的雇員的名字或徽章號碼,請盡可能形容他們面容或身體描述。要盡可能詳細,包括將有助於我們調查投訴的任何相關消息。

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

如果有任何問題,請聯繫洛杉磯警察局的內部事務小組到(213) 473-6739。

日期: \_\_\_\_\_ 簽名: \_\_\_\_\_



Los Angeles Police Department

**細節 -**

請解釋和描述發生了的事件,時間和地點。如果你不知道所涉及的雇員的名字或徽章號碼,請盡可能形容他們面容或身體描述。要盡可能詳細,包括將有助於我們調查投訴的任何相關消息。

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**DEPARTMENT USE ONLY**

To be completed by the supervisor receiving this form.

Supervisor's Name \_\_\_\_\_ Serial Number \_\_\_\_\_

Date and Time received \_\_\_\_\_ Division \_\_\_\_\_

Final Disposition \_\_\_\_\_

(i.e., forwarded to IAG; 01.28.00 initiated; sent correspondence to complainant, etc.)

(Attach additional sheets, if needed.)

01.81.15 (10/16) Chinese

# LOS ANGELES 警察署 警察署員の不正行為に対する苦情

この用紙は警察署員の不正行為を報告するためにのみ使用されます。Los Angeles 警察の方針や手続き、または現場への警察官の応答時間に関する苦情は、最寄りの警察署の監視責任者にご通知ください。この用紙に記入し、最寄りの警察署に自身で提出されるか、または複写を LOS ANGELES POLICE DEPARTMENT, Internal Affairs Group, P.O. Box 30158, Los Angeles, CA 90099-4896. に郵送して下さい。住所の記載された返信用封筒が付いています。記録のため、ご自分用にも複写を保存しておいてください。

氏名 \_\_\_\_\_ 電話 \_\_\_\_\_ ☐ 昼  
☐ 夜  
 住所 \_\_\_\_\_ 使用言語 \_\_\_\_\_  
 事件発生日 \_\_\_\_\_ 発生時刻 \_\_\_\_\_  
 発生場所 \_\_\_\_\_

関与した警察署員の名前、認識標番号、シリアル番号 \_\_\_\_\_ 事件当時現場にいた目撃者の名前、住所、電話番号（わかれば） \_\_\_\_\_  
 (わかれば) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(警察官または目撃者の追加は、以下「詳細」欄に記述して下さい。)

詳細— (名前、発生時刻、場所、目撃者、その他調査に有用と思われる情報を含めて、苦情内容を記述して下さい。署員の名前がわからない場合は、風貌など特徴を説明して下さい。)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

日付 \_\_\_\_\_ 署名 \_\_\_\_\_

### DEPARTMENTAL USE ONLY

To be completed by the supervisor receiving this form.

Supervisor's name \_\_\_\_\_ Serial Number \_\_\_\_\_

Date and time received \_\_\_\_\_ Division \_\_\_\_\_

Final disposition \_\_\_\_\_

(i.e. forwarded to IAG; 1.28 initiated; sent correspondence to complainant, etc.)

(Attach additional sheets, if needed.)

CF NO. \_\_\_\_\_

DIV. NO. \_\_\_\_\_

## Los Angeles County Sheriff's Department

## **PROCEDURES FOR PUBLIC COMPLAINTS**

### **How Do I Make A Complaint?**

You may make a complaint in person, or by calling or writing to any Sheriff's station, jail or facility. If you write, your complaint does not have to be on any special form. When you make your complaint in person, ask for the Watch Commander or person in charge. The Watch Commander will listen to your complaint and fill out what we call a Service Comment Report. If you choose to call in your complaint, dial 1-800-698-TALK. Upon completion of the Public Complaint form, return it in person to the nearest Sheriff's station, or mail the form to Los Angeles County Sheriff's Department, Professional Standards Division, 211 West Temple Street, Los Angeles, CA 90012.


### **What Happens After I Make A Complaint?**

The Sheriff's Department will look into your complaint and talk to the people involved. Please give us a list of people you think we should talk to that can give us specific information about your complaint. The amount of time it takes to complete a complaint review or investigation depends on many factors and can vary from a few days to several months.

You can check with the Sheriff's Department at any time about your complaint. When we are finished looking into the matter, we will write and tell you what was decided. The Department may find that your complaint is justified and take appropriate action with respect to the employee.

On the other hand, the Department may not find enough information to substantiate misconduct on the part of our employee. If you are dissatisfied with that decision, you can talk to the Station Captain or the person who was in charge of looking into your complaint. They will listen to your reason for dissatisfaction and try to assist you.

## What If I Still Don't Like The Way My Complaint Was Handled?

You may contact the Office of Inspector General's web-site: <https://oig.lacounty.gov/FAQ> [<https://oig.lacounty.gov/FAQ>] or by mail to the Los Angeles County Office of Inspector General, 312 S. Hill St., Los Ar  COMPLAINT INFO - ENGLISH

 INFORMACIÓN DE QUEJAS - VERSION EN ESPAÑOL

Ask LASD Bot 



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



## PROCEDURES FOR PUBLIC COMPLAINTS

### How Do I Make A Complaint?

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211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

*A Tradition of Service*  
— Since 1850 —

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT  
PUBLIC COMPLAINTS**

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Date/Time of Occurrence \_\_\_\_\_ Date of Complaint \_\_\_\_\_

Location of Occurrence \_\_\_\_\_

Names and I.D. Numbers of Deputies Involved (if known)

_____	_____
_____	_____
_____	_____

Has any member of this Department attempted to discourage you, in any way, from bringing this matter to the attention of the Department? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, who? \_\_\_\_\_

Details: (Please summarize your complaint, and include names of witnesses and any other factual, supporting information.)

PLEASE USE ADDITIONAL PAGES IF NEEDED

Page 1 of \_\_\_\_\_

Signature: \_\_\_\_\_



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



## PROCEDIMIENTOS PARA QUEJAS DEL PUBLICO

### Como Hago Una Queja?

Usted puede hacer una queja en persona, por telefono, o escribiendo a cualquier estacion del Sheriff, a cualquier carcel, u oficina del Sheriff. Si usted escribe, su queja no tiene que estar en ninguna forma especial. Cuando usted hace su queja en persona, exija hablar con el Comandante encargado del turno o con la persona encargada. El Comandante encargado del turno escuchara su queja y llenara una forma llamada Reporte Sobre Comentario de Servicio. Si hace una queja por telefono, marque al 1-800-698-8255. Cuando complete la forma, usted puede regresarla en persona a cualquier comisaria de sheriff, por correo a Los Angeles County Sheriff's Department, Professional Standards Division, 211 West Temple Street, Los Angeles, CA 90012.

### Que Sucede Despues De hacer Una Queja?

El Departamento del Sheriff investigara su queja y hablara con las personas implicadas. Por favor provea una lista de las personas con quien usted cree que debemos hablar, y las cuales nos puedan dar informacion especifica acerca de su queja. La cantidad de tiempo que se toma para completar una revision de una queja, o una investigacion, depende de muchos factores y puede tardar de unos dias a varios meses.

Usted puede preguntar sobre el progreso de su queja con el Departamento del Sheriff a cualquier hora. Cuando terminemos de investigar el asunto, le escribiremos y le diremos que se decidio. El Departamento puede encontrar que su queja fue justificada y puede tomar accion apropiada con respecto al empleado.

Pero, a la misma vez, es posible que el Departamento no encuentre suficiente informacion para substanciar la mala conducta de parte de nuestro empleado. Si usted no esta satisfecho con esa decision, pueda hablar con el Capitan de la estacion o con la persona encargada de investigar su queja. Ellos escucharan la razon por su falta de satisfaccion y trataran de asistirle.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

*A Tradition of Service*  
— Since 1850 —



**DEPARTAMENTO DEL ALGUACIL DEL CONDADO DE LOS ANGELES  
FORMA PARA QUEJAS DE LOS CIUDADANOS**

Nombre: \_\_\_\_\_ Telefono: \_\_\_\_\_

Domicilio : \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Codigo Postal: \_\_\_\_\_

Fecha/Hora del Incidente: \_\_\_\_\_ Fecha del Incidente: \_\_\_\_\_

Localidad del Incidente: \_\_\_\_\_

Nombres(s) y Numero(s) de Placa de Identificacion de los Oficiales:

_____	_____
_____	_____
_____	_____

Algun miembro del Departamento ha intentado desanimarlo, de alguna manera, de traer esta queja a la atencion de este departamento? Si  No

Si su respuesta es Si, quien? \_\_\_\_\_

Detalles: (Resuma por favor su queja, e incluya los nombres de testigos, y todos los datos de apoyo, que justifiquen su queja).

AGREGUE PAGINAS ADICIONALES SI ES NECESARIO

Pagina 1 de \_\_\_\_\_ Firma: \_\_\_\_\_

## San Diego Police Department

San Diego Police Department

**INSTRUCTIONS FOR COMPLETING THE COMPLAINT FORM:**

Please describe the incident that led to this complaint, telling what happened from beginning to end. Be as clear and specific as you can be. What aspect(s) of the incident was improper (your specific complaint). How could it be resolved to your satisfaction? (Feel free to add additional pages as necessary.)

**COMPLAINANT NAME** \_\_\_\_\_ **HOME PHONE** ( ) \_\_\_\_\_

**ADDRESS** \_\_\_\_\_ **BUS. PHONE** ( ) \_\_\_\_\_

**CITY** \_\_\_\_\_ **STATE** \_\_\_\_\_ **ZIP** \_\_\_\_\_ **DOB** \_\_\_\_\_

**E-MAIL** \_\_\_\_\_

**INCIDENT LOCATION:**

\_\_\_\_\_ **DATE** \_\_\_\_\_ **TIME** \_\_\_\_\_

**SDPD PERSONNEL INVOLVED: (Give as much detail as possible)**

**NAME:** \_\_\_\_\_ **Gender:** \_\_\_\_\_ **Race:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_ **ID #** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **Gender:** \_\_\_\_\_ **Race:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_ **ID #** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **Gender:** \_\_\_\_\_ **Race:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_ **ID #** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **Gender:** \_\_\_\_\_ **Race:** \_\_\_\_\_ **Badge #:** \_\_\_\_\_ **ID #** \_\_\_\_\_

**WITNESS(ES):**

**NAME** \_\_\_\_\_ **HOME PHONE** ( ) \_\_\_\_\_ **BUS. PHONE** ( ) \_\_\_\_\_

**ADDRESS** \_\_\_\_\_ **DOB** \_\_\_\_\_

**NAME** \_\_\_\_\_ **HOME PHONE** ( ) \_\_\_\_\_ **BUS. PHONE** ( ) \_\_\_\_\_

**ADDRESS** \_\_\_\_\_ **DOB** \_\_\_\_\_

**Please answer Yes/No: Did you include the following with this complaint? \_\_\_\_\_ Video(s) \_\_\_\_\_ Photo(s)**

**INCIDENT DESCRIPTION/COMPLAINT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## How will my complaint be investigated?

Your case will be assigned to an appropriate police supervisor. They will talk to you about your complaint and explain the process. You have the option of an **Informal** or **Formal** complaint resolution.

A **Formal** investigation will be categorized into either a Category-I, where Internal Affairs will investigate, or a Category-II where the officer's command will usually conduct the investigation. During a **Formal** investigation, you, the officer, and all witnesses will be interviewed. Where appropriate, physical evidence will also be examined. At the conclusion of the investigation the Department will notify you of the results. The investigation will be retained in the Internal Affairs Unit for five years. For all Category-I complaints, the complete investigation will then be reviewed by the Community Review Board on Police Practices (CRB). At the conclusion of the CRB's review, and deliberation of the case, a letter will be sent to you notifying you of the CRB's conclusion.

For an **Informal**, the supervisor will review the officer's Body-Worn Camera (BWC) video, address your concerns directly with the officer, and document the incident with a memo, which will be retained in the Internal Affairs Unit for five years. No further investigation will take place, and the officer receives no formal discipline, unless the employee's Commanding Officer determines additional investigation is warranted.

## Will I be told the results of the complaint?

**Yes.** For Formal complaints both SDPD and the CRB will send you a letter with the results at the completion of their respective investigation and review. Each allegation will be assigned one of five possible conclusions. In the CRB's review, each allegation will be reviewed and the CRB will either agree or disagree with SDPD's finding.

The five possible conclusions are:

1. **Sustained:** All or part of the act occurred.
2. **Not Sustained:** There was not enough evidence to clearly prove or disprove the allegation.
3. **Unfounded:** The act did not occur.
4. **Exonerated:** The act occurred, but was justified, legal and proper.
5. **Complainant Not Cooperative:** This conclusion is reached if you cannot be located for an interview, or if you refuse to cooperate with the investigation.

## What will happen to the officer?

If the officer's actions were improper, they would be subject to discipline. However, by law (832.7 P.C.) we are prohibited from telling you what specific disciplinary action was taken against the officer(s).

## What next?

You can turn this completed form into any police station or storefront as well as Police Headquarters at 1401 Broadway in downtown San Diego. If you prefer you can call (619) 531-2000 and ask to speak with a police supervisor, or forward this form electronically to [sdpdia@pd.sandiego.gov](mailto:sdpdia@pd.sandiego.gov). If you have any questions, you can also call San Diego Police Department Internal Affairs directly at (619) 531-2801

Lastly, you can also submit this form to the CRB at Civic Center Plaza-1200 Third Avenue, Suite 924, by phone at (619) 236-6296, or online at: [www.sandiego.gov/communityreviewboard/filing/complaint-form](http://www.sandiego.gov/communityreviewboard/filing/complaint-form)

# Community Review Board on Police Practices

Community Review Board on  
Police Practices Home

About the Board

CRB Procedures

Filing a Complaint or  
Commendation

Board Meetings & Agendas

Reports

Gallery

Contact

## File a Complaint

The Community Review Board on Police Practices (CRB) encourages any person(s) who believe that they have experienced or observed police misconduct to file a complaint with the San Diego Police Department (SDPD) and/or with the CRB. The CRB recognizes that completing and submitting the Complaint Form may be intimidating and stressful. The CRB wishes to assure complainants and witnesses that they will be able to do so without fear of retaliation or adverse consequences.

The CRB takes all complaints seriously, but only reviews complaints containing one or more of the following serious allegations: (1) False Arrest – an officer allegedly knew, or should have known, that there was insufficient probable cause for an arrest or conducted a bad faith Fourth Amendment searches; (2) Criminal Conduct – an alleged violation of Federal, State, County, or Municipal law; (3) Discrimination – alleged unequal treatment due to a person’s gender (including gender identity and gender expression), race, color, national origin, ancestry, religion, physical or mental disability, medical condition (including cancer, HIV, and AIDS), age, political beliefs or affiliation, marital status, sexual orientation, lifestyle, or similar personal characteristics; (4) Slur – an allegation of a derogatory term that a reasonable person would recognize as an inherent insult or degradation of another (based upon the same characteristics as listed for Discrimination); and (5) Force – an allegation that more force was used than reasonably necessary. If one of these serious violations is alleged, the CRB will also review less serious allegations, including poor service, discourtesy, failure to follow SDPD procedures, and conduct unbecoming an officer.

The CRB’s primary goal is to ensure complaints against SDPD officers are investigated thoroughly, completely and fairly, giving equal consideration to citizens and officers alike. The CRB also reviews all officer involved shootings at a person and in-custody deaths. The CRB is also tasked with reviewing and evaluating the administration of discipline arising from sustained allegations. Subsequent to the review and evaluation process, the CRB may recommend improvements in policy, procedures or training of police officers to the Mayor and/or Chief of Police.

**Please note: The complaint form must be submitted by the complainant himself/herself.**

## Instructions for Completing the Complaint Form

Please describe the incident that led to this complaint, telling what happened from beginning to end. Be as clear and specific as you can be. What aspect(s) of the incident was improper (your specific complaint). How could it be resolved to your satisfaction?

Fields with an asterisk (\*) are required.

**Complainant**

First Name *	Last Name *	Age
<input type="text"/>	<input type="text"/>	<input type="text"/>
Email *		
<input type="text"/>		
Home Phone	Business Phone	
<input type="text"/>	<input type="text"/>	
Address *	City *	
<input type="text"/>	<input type="text"/>	
State *	Zip Code *	
<input type="text" value="- Select -"/>	<input type="text"/>	

## Filing a Complaint or Commendation

- [Filing a Complaint or Commendation Home](#)
- [Investigation Process](#)
- [File a Complaint](#)
- [File a Commendation](#)

 [Complaint Form](#)

 [Formulario De Queja](#)

# San Diego Police Department

## Optional Information

The following information is being collected for CRB statistical purposes and is entirely optional. The completion or not of this information will not in any way affect the outcome of the investigation.

Gender/Gender Identity/Gender Expression

Race/Ethnicity

## Incident

Description/Complaint \*

Location \*

Date

Month  Day  Year  

Time \*

:  00   m  pm

## SDPD Personnel Involved

[Personnel #1](#)

[Personnel #2](#)

[Personnel #3](#)

[Personnel #4](#)

## Witness(es)

[Witness #1](#)

[Witness #2](#)

[Witness #3](#)

## Photo/Video

Only one (1) photo can be uploaded. Additional photos or video files will have to be provided separately.

Upload Photo

Files must be less than 5 MB.

Allowed file types: gif jpg jpeg png.

Do you have more photos or a video of the incident?

Yes

No

**"I realize that I may be asked to meet with officers of the City of San Diego Police Department Internal Affairs Division and/or members of the Citizens' Review Board on Police Practices to discuss this complaint. If I fail to do so, I acknowledge that it may make it difficult to properly investigate my complaint. I hereby affirm that the foregoing is true and complete to the best of my knowledge and belief."**

I agree with the above statement.

The Community Review Board on Police Practices (CRB) encourages any person(s) who believe that they have experienced or observed police misconduct to file a complaint with the San Diego Police Department (SDPD) and/or with the CRB. The CRB recognizes that completing and submitting the Complaint Form may be intimidating and stressful. The CRB wishes to assure complainants and witnesses that they will be able to do so without fear of retaliation or adverse consequences.

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**Please note: The complaint form must be signed by the complainant himself/herself.**

The completed Complaint Form may be submitted in person or by mail to:

**Community Review Board on Police Practices  
1200 Third Avenue, Suite 924  
San Diego, CA 92101**

Copies of the Complaint Form may also be downloaded from the CRB’s website:

<http://www.sandiego.gov/communityreviewboard>

This form may also be submitted by e-mail to [communityreviewboard@sandiego.gov](mailto:communityreviewboard@sandiego.gov)

San Diego Police Department

**INSTRUCTIONS FOR COMPLETING COMPLAINT FORM:**

Please describe the incident that led to this complaint, telling what happened from beginning to end. Be as clear and specific as you can be. What aspect(s) of the incident was improper (your specific complaint). How could it be resolved to your satisfaction?

COMPLAINANT NAME \_\_\_\_\_ HOME PHONE ( ) \_\_\_\_\_

ADDRESS \_\_\_\_\_ BUS. PHONE ( ) \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ DOB \_\_\_\_\_

**Optional Information:**

The following information is being collected for CRB statistical purposes and is entirely optional. The completion or not of this information will not in any way affect the outcome of the investigation.

Gender/ Gender Identity/Gender Expression \_\_\_\_\_ Race/Ethnicity \_\_\_\_\_

**INCIDENT LOCATION:**

\_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

**SDPD PERSONNEL INVOLVED:**

NAME: \_\_\_\_\_ Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Badge #: \_\_\_\_\_ ID # \_\_\_\_\_

NAME: \_\_\_\_\_ Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Badge #: \_\_\_\_\_ ID # \_\_\_\_\_

NAME: \_\_\_\_\_ Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Badge #: \_\_\_\_\_ ID # \_\_\_\_\_

NAME: \_\_\_\_\_ Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Badge #: \_\_\_\_\_ ID # \_\_\_\_\_

**WITNESS (ES):**

NAME \_\_\_\_\_ HOME PHONE ( ) \_\_\_\_\_ BUS. PHONE ( ) \_\_\_\_\_

ADDRESS \_\_\_\_\_ DOB \_\_\_\_\_

NAME \_\_\_\_\_ HOME PHONE ( ) \_\_\_\_\_ BUS. PHONE ( ) \_\_\_\_\_

ADDRESS \_\_\_\_\_ DOB \_\_\_\_\_

NAME \_\_\_\_\_ HOME PHONE ( ) \_\_\_\_\_ BUS. PHONE ( ) \_\_\_\_\_

ADDRESS \_\_\_\_\_ DOB \_\_\_\_\_

**Please answer Yes/No: Did you include the following with this complaint? \_\_\_\_\_ Video(s) \_\_\_\_\_ Photo(s)**

**INCIDENT DESCRIPTION/COMPLAINT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(USE BACK OF FORM IF MORE SPACE IS NEEDED)**





La Mesa Directiva de Ciudadanos para la Revisión de las Prácticas Policiacas (CRB) anima a cualquier persona que cree que ha experimentado u observado mala conducta de la policía a presentar una queja con el Departamento de policía de San Diego (SDPD) o con el CRB. El CRB reconoce que completar y enviar el formulario de quejas puede ser intimidante y estresante. El CRB desea asegurar a los denunciantes y a los testigos que podrán hacerlo sin temor a represalias o consecuencias adversas.

El CRB toma en serio todas las quejas, pero sólo revisa quejas que contengan uno o más de los siguientes alegatos graves: (1) Detención falsa – un oficial supuestamente sabía, o debía haber sabido, que no había suficiente causa probable para un arresto o llevó a cabo una búsqueda de la Cuarta Enmienda con mala fe; (2) Conducta Criminal–una supuesta violación de ley federal, estatal, del Condado o de Ley Municipal;(3) Discriminación – alega trato desigual por género de una persona (incluyendo la identidad de género y expresión de género), raza, color, origen nacional, ascendencia, religión, incapacidad física o mental, condición médica (incluyendo el cáncer, VIH y SIDA), edad, creencias políticas o afiliaciones, estado civil, orientación sexual, estilo de vida o características personales similares; (4) Agravio – una denuncia de un término despectivo que una persona razonable reconocería como un insulto inherente o la degradación de otro (basado en las mismas características que se enumeran para la discriminación); y (5) Fuerza – un alegato que se utilizó más fuerza de lo razonablemente necesario.

Si una de estas violaciones graves se alega, el CRB también revisará acusaciones menos graves, incluyendo mal servicio, descortesía, fallo de parte de SDPD a seguir los procedimientos escritos, y conducta indebida de parte del oficial.

El objetivo principal de la CRB es que denuncias contra agentes de SDPD se investiguen cuidadosamente y completamente, dando consideración equivalente a los ciudadanos y funcionarios por igual. El CRB también revisa casos sobre todo funcionario involucrado en tiroteos que resultan en la muerte de una persona o si una persona muere en la custodia de la policía. El CRB también tiene de tarea revisar y evaluar la administración de disciplina derivadas de las denuncias sostenidas. Tras el proceso de revisión y evaluación, el CRB puede recomendar mejoras en políticas, procedimientos o entrenamiento de agentes de policía al alcalde o jefe de la policía.

**Nota: el formulario debe ser firmado por el denunciante mismo/ella misma.**

El formulario de queja puede presentarse en persona o por correo a:

**Community Review Board on Police Practices  
1200 Third Avenue, Suite 924  
San Diego, CA 92101**

Copias del formulario de queja también pueden descargarse del sitio web de la CRB:  
<http://www.sandiego.gov/communityreviewboard>. Este formulario también puede enviarse por correo electrónico a [communityreviewboard@sandiego.gov](mailto:communityreviewboard@sandiego.gov)

## Mesa Directiva de Ciudadanos para la Revisión de las Prácticas Policiacas (CRB) Formulario De Queja

### INSTRUCCIONES PARA COMPLETAR FORMULARIO DE QUEJA:

Por favor describa el incidente que condujo a esta queja, contando lo que sucedió de principio a fin. Sea tan claro y específico como puede ser. Qué aspecto del incidente fue inapropiado (su queja específica). ¿Cómo podría resolverse a su satisfacción?

NOMBRE DENUNCIANTE \_\_\_\_\_ TELÉFONO DE CASA ( ) \_\_\_\_\_

SU DOMICILIO \_\_\_\_\_ Teléfono de la empresa ( ) \_\_\_\_\_

CIUDAD \_\_\_\_\_ ESTADO \_\_\_\_\_ Código Postal \_\_\_\_\_ Fecha de Nacimiento \_\_\_\_\_

#### INFORMACIÓN OPCIONAL:

La siguiente información se está recogiendo para fines estadísticos de CRB y es enteramente opcional. La realización o no de esta información de ninguna manera afectará el resultado de la investigación.

Su Género/Identidad de Género/Expresión de Género \_\_\_\_\_ Raza/Etnicidad \_\_\_\_\_

#### LOCALIZACIÓN DE INCIDENTE:

\_\_\_\_\_ FECHA \_\_\_\_\_ HORA \_\_\_\_\_

#### FUNCIONARIOS de SDPD QUE INTERVIENIERON:

NOMBRE: \_\_\_\_\_ Género: \_\_\_\_\_ Raza: \_\_\_\_\_ # de Insignia: \_\_\_\_\_ # de ID \_\_\_\_\_

NOMBRE: \_\_\_\_\_ Género: \_\_\_\_\_ Raza: \_\_\_\_\_ # de Insignia: \_\_\_\_\_ # de ID \_\_\_\_\_

NOMBRE: \_\_\_\_\_ Género: \_\_\_\_\_ Raza: \_\_\_\_\_ # de Insignia: \_\_\_\_\_ # de ID \_\_\_\_\_

NOMBRE: \_\_\_\_\_ Género: \_\_\_\_\_ Raza: \_\_\_\_\_ # de Insignia: \_\_\_\_\_ # de ID \_\_\_\_\_

#### TESTIGO(S):

NOMBRE \_\_\_\_\_ TELEFONO DE CASA ( ) \_\_\_\_\_ TELEFONO DE TRABAJO ( ) \_\_\_\_\_

DOMICILIO \_\_\_\_\_ FECHA DE NACIMIENTO \_\_\_\_\_

NOMBRE \_\_\_\_\_ TELEFONO DE CASA ( ) \_\_\_\_\_ TELEFONO DE TRABAJO ( ) \_\_\_\_\_

DOMICILIO \_\_\_\_\_ FECHA DE NACIMIENTO \_\_\_\_\_

NOMBRE \_\_\_\_\_ TELEFONO DE CASA ( ) \_\_\_\_\_ TELEFONO DE TRABAJO ( ) \_\_\_\_\_

DOMICILIO \_\_\_\_\_ FECHA DE NACIMIENTO \_\_\_\_\_

Por favor, responda Sí/No: ¿Ha incluido lo siguiente con esta queja? \_\_\_\_\_ Video(s) \_\_\_\_\_ Foto(s)

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## San Francisco Police Department

## **COMPLAINTS AGAINST OFFICERS**

### **2.04.01** **PURPOSE**

This order outlines the policies and procedures for receiving, investigating and processing complaints against officers. It also describes the Department of Police Accountability ("DPA") investigative procedures and findings.

It is the policy of the San Francisco Police Department ("SFPD") to encourage everyone to bring forward complaints regarding inadequate police service or official misconduct by officers, and receive such complaints with courtesy and without delay. The value of an effective complaints system serves to build and maintain public confidence and trust by conducting prompt, fair and impartial investigations. Officers shall cooperate fully with the DPA and provide their full assistance in the expeditious and impartial processing of such complaint.

### **2.04.02** **POLICY**

- A. It is the policy of the SFPD to accept all complaints of official misconduct regardless of source (e.g. juvenile, anonymous, third party, etc.), whether received electronically, by letter, telephone, or in person.
- B. When a complaint is made to an employee of the Department, the employee receiving the complaint shall immediately refer the matter to the senior-ranking officer on duty in the station, division, section, or unit where the complaint is being made. The senior-ranking officer on duty shall be personally responsible for the conduct of the investigation until relieved of responsibility as specified in this order.

In cases where the senior-ranking officer on duty at the station, division, section, or unit is the subject of the complaint, the employee shall refer the matter to the senior-ranking member's superior officer. The superior officer shall be personally responsible for the conduct of the investigation until relieved of responsibility as specified in this order.

In cases where the Chief of Police is the subject of the complaint, the employee shall refer the matter to the Director of the City and County of San Francisco's

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Human Resources Division (“DHR”). The Director of DHR shall forward the complaint to the Director of the DPA.

- C. Attempts to threaten, intimidate, mislead, or harass potential or actual complainants, witnesses, or DPA or IAD investigative staff is prohibited. Sworn employees who are the subject of a complaint shall not contact the complainant or witnesses regarding the issues of the complaint. If such a sworn member must contact the complainant or witness to a complaint in the line of duty, the officer shall not discuss or make any reference to the complaint. This shall not preclude member's representative or attorney from gathering evidence or statements for their defense.
- D. Copies of the DPA Complaint Form (SFPD/DPA 293) and DPA's informational brochure shall be available on display for the public at all District Stations and any division, section or unit open to the public in languages consistent with San Francisco’s Language Access Ordinance, SF Admin Code 91.1-91.9, DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons, and federal, state and local laws.

Employees shall provide a copy of the form and the informational brochure to any person appearing at a district station, or division, section, or unit open to the public who requests information about the DPA or requests general information about the complaint process.

If a member of the public requests information about the DPA or requests general information about the complaint process at a location other than a district station or division, section or unit open to the public, the employee shall provide the person with written information that includes the SFPD’s and the DPA’s website addresses.

### **2.04.03**

#### **PROCEDURE**

##### **A. RECEIVING A COMPLAINT / DUTIES OF SENIOR RANKING OFFICER**

1. **EVALUATION.** Evaluate the seriousness of the allegation and determine whether an immediate investigation is needed (see Section B).
2. **FORM PREPARATION.** If the complaint is against an officer, prepare a DPA Complaint Form (SFPD/DPA 293). If the complainant is present, allow the complainant the option to personally complete the form or to have an officer prepare the form for them. If the complainant requests that an officer complete

the form, write only what the complainant states on this form and allow the complainant to review the form and make any corrections. Provide the complainant a copy. If the complaint is received by telephone, read the complainant's statement to the complainant as it is written on the form to assure accuracy. In either case, tell the complainant that the complaint will be referred to the DPA for investigation.

3. **ADDITIONAL INFORMATION/COMMENTS.** If there is any additional information or comments that should be brought to the attention of the investigator, do not include it on SFPD/DPA 293. Instead, prepare it on a memorandum to your commanding officer for review. The commanding officer shall then forward it promptly to the DPA.
4. **ROUTING.** Route by mail before reporting off-duty the original DPA compliant form to the DPA and forward a copy to your commanding officer.
5. **SFPD MEMBER INITIATED COMPLAINTS.** A DPA Complaint form shall not be completed when a complaint is made by any Department employee against another Department member. Instead, prepare a memorandum specifying the nature of the complaint and forward it to the accused officer's commanding officer, who shall forward the matter to the Internal Affairs Division (IAD) for investigation. Third party internal complaints shall be forwarded to IAD for review and if necessary assignment.
6. **GOVERNMENTAL AGENCY COMPLAINTS.** A complaint referred from a non-law enforcement agency (e.g., Office of the Public Defender, Office of Civil Engagement and Immigrant Affairs, or Department of Public Works) against a member of the SFPD shall be investigated by DPA. Upon receipt of a complaint, the DPA will immediately forward a copy of the complaint to the Chief of Police.
7. **LAW ENFORCEMENT AGENCY COMPLAINTS.** A complaint initiated by any Law Enforcement Agency against an SFPD member shall be investigated by IAD. The complaint shall be written on an SFPD memorandum form and forwarded through the chain of command to IAD.
8. **OFF-DUTY COMPLAINTS.** Off-Duty complaints shall be investigated by IAD. The complaint shall be written on a SFPD Memorandum form and forwarded through the chain of command to IAD. Complaints made against members who place themselves on duty by verbally identifying themselves, displaying a department issued star, or department issued ID card or taking enforcement action, shall be forwarded to DPA.



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**B. IMMEDIATE INVESTIGATION / DUTIES OF SENIOR-RANKING OFFICER**

1. **WHEN.** Members must conduct an immediate investigation if a delay imposed by forwarding the complaint to DPA or IAD will jeopardize the investigation or public safety. The following are examples of situations requiring an immediate investigation and report:
  - a. The conduct is still occurring.
  - b. The allegation is that an officer is unfit to perform police duties, and that officer is currently on duty.
  - c. A witness may be unavailable later.
  - d. The complainant alleges criminal conduct.
  - e. The complainant alleges unnecessary force, resulting in serious injury and medical treatment.
2. **DPA/IAD NOTIFICATION.** When an immediate investigation is required, and the complaint is made by anyone other than a Department member or another law enforcement agency, immediately notify the DPA by calling the DPA at 415-241-7711. Calls to that number after business hours will forward to the answering service, which will connect the caller to DPA. IAD shall be notified in all cases of immediate investigations.
3. **INVESTIGATION.** If the accused officer is assigned to your unit, conduct an immediate investigation. Document your investigation on a memorandum and, if the complaint is made by a member of the public or a non-law enforcement agency, complete the DPA 293 form. Send the DPA 293 form to the DPA before reporting off-duty. Forward the investigation memorandum to your commanding officer for review. The commanding officer shall then forward the report promptly to the DPA for further investigation as well as a copy to IAD.
4. **UNIT NOTIFICATION/IMMEDIATE INVESTIGATION.** When the officer is assigned to another unit, immediately notify the senior-ranking officer on-duty at that unit who shall assume responsibility for the immediate investigation and memorandum. If the unit is closed, contact the officer-in-charge through the Operations Center. Prepare and forward a copy of DPA 293 to the DPA.

5. INVESTIGATION MEMORANDUM. The immediate investigation memorandum must contain all reasonably obtainable information before you report off duty. This includes, but is not limited to: (1) names, addresses, and telephone numbers of any witnesses, including the complainant; (2) statements from witnesses; and (3) any preliminary findings and recommendations. Document time, date and recipient's name of any notification made to DPA.

### **C. MEMBER RESPONSE FORMS**

1. RESPONSIBILITIES OF MEMBERS. A Member Response Form (MRF) must be completed by the member and received by the DPA within twenty-one (21) calendar-days of the notice. Members are not required to respond until the member is on duty. A time extension shall not be granted except upon a showing of good cause submitted in writing by the member to the assigned DPA Investigator as soon as possible. The DPA Director or designee shall have sole authority to determine whether good cause exists. Good cause includes, but is not limited to illness, hospitalization, and unexpected family emergencies. If the member cannot meet this deadline, the member must contact the appropriate DPA investigator prior to the due date.
2. RESPONSIBILITIES OF COMMANDING OFFICERS. Commanding Officer, or designee, shall assure that all MRFs and notice of interviews by DPA are served upon the officer and a copy retained electronically in the Department approved platform. The Commanding Officer, or designee, shall assure copies of all DPA 293 Forms are retained at the Station or investigative unit. These functions may be accomplished electronically utilizing processes as designated by the Department.

### **D. DPA INTERVIEWS**

Members shall appear for scheduled interviews and be prepared to proceed. If a member must reschedule, the member must contact the assigned investigator at least 24 hours prior to the interview. The inability to arrange for a specific representative will not necessarily be cause for rescheduling the interview. If an exigent circumstance presents itself, the officer or their representative shall notify the DPA investigator and the on-duty senior ranking supervisor of the officer to be interviewed. The DPA has sole authority to grant a request to reschedule.

## **2.04.04**

### **DPA PROCEDURES**

- A. JURISDICTION.** The DPA shall completely, promptly, fairly and impartially investigate any incident occurring within the City in which a member of the uniformed ranks of the Department discharges a firearm resulting in the physical injury or death of a person, even if the discharge is accidental, and all complaints regarding police use of force, misconduct or allegations that a member of the SFPD has not properly performed a duty. The DPA shall investigate all such matters, except those complaints which clearly indicate that the acts complained of were proper, and those complaints lodged by other members of the San Francisco Police Department.
- B. ALLEGATIONS OF CRIMINAL CONDUCT.** If any portion of the complaint alleges criminal misconduct by a Department member, the DPA shall immediately forward the information presented by the complainant to the Department and District Attorney's Office. The District Attorney's Office shall only receive complaint forms or personnel files in accordance with Penal Code section 832.7(a). The OIC of the assigned criminal investigative unit will notify the OIC of IAD that the District Attorney has dismissed or filed charges in the case. The OIC of IAD will coordinate the notification and the production of a copy of the completed criminal case file to DPA.
- C. NOTIFICATION AND REVIEW.** After completing an investigation, the DPA shall ensure that every named officer and complainant receive a letter containing the disposition of the complaint and instructions for requesting a hearing. For investigations that contain multiple allegations against a member, the DPA will list the findings for each of the allegations.

## **2.04.05**

### **INTERNAL AFFAIRS INVESTIGATIONS**

Internal Affairs shall investigate complaints of members made by any Department member or Law Enforcement Agency, and all off-duty alleged misconduct. Additionally, all EEO complaints shall be referred to IAD's EEO Liaison, who shall in turn forward the complaints to the Department of Human Resources.

## **2.04.06**

### **COMPLAINTS AGAINST DPA**

Members who have a complaint regarding a DPA investigation, investigator, or attorney may file a written complaint with the DPA.

## **2.04.07**

### **CLASSIFICATIONS OF COMPLAINTS AND FINDINGS**

**A. INVESTIGATIVE FINDINGS**

The DPA and SFPD shall use the following terms and definitions to maintain consistency at the conclusion of investigations.

1. IMPROPER CONDUCT                      A preponderance of the evidence proves that the alleged conduct occurred and that the conduct violated Department policy or procedure.
2. INSUFFICIENT EVIDENCE              The evidence fails to prove or disprove that the alleged conduct occurred.
3. PROPER CONDUCT                      The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.
4. POLICY FAILURE                      The evidence proves that the alleged conduct occurred but was justified by Department policy or procedures; however, the SFPD or DPA recommends that the policy or procedure be changed or modified.
5. SUPERVISION FAILURE              The evidence proves that the alleged conduct occurred and was the result of inadequate supervision.
6. TRAINING FAILURE                      The evidence proves that the alleged conduct resulted from inadequate or inappropriate training.
7. UNFOUNDED                      The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.
8. REFERRAL TO OTHER AGENCY      The evidence proves that the alleged conduct did not involve a sworn member of the Department or that the complaint raised issues not within the scope of DPA or IAD. Referral to other agency allegations are not counted as complaints against sworn members of the Department.

9. WITHDRAWAL

The complainant failed to provide additional requested evidence, or the complainant requested a withdrawal of the complaint.

10. MEDIATED

The complainant and officer agreed to mediation as a non-disciplinary resolution. (DPA finding only)

**B. CLASSIFICATIONS**

DPA and the SFPD have agreed to formulate consistent language to refer to categories of alleged misconduct. The classifications are contained within the MOU between SFPD and DPA.

**2.04.08**

**QUARTERLY MEETINGS BETWEEN DPA AND THE POLICE DEPARTMENT**

A. Disciplinary Review Board (DRB) shall consist of the following:

1. The Assistant Chief of Staff or designee from the Risk Management Office;
2. The Deputy Chief of the Administration Bureau;
3. The Deputy Chief of the Field Operations Bureau;
4. A member of the Police Commission (Advisory);
5. The Director of the DPA, or designee (Advisory).

B. The DRB shall review and discuss:

1. Aggregate trends related to DPA and IAD complaints, both alleged and sustained.
2. Policy failure or training failure cases closed in the prior quarter.
3. The Department in consultation with the DPA will select sustained cases from the previous quarter for review to determine the need for training or policy changes.
4. SFPD and DPA Recommendations.

The DRB shall consider whether any policy, procedures or training needs to be revised, added or re-issued if it relates to the subject matter reviewed. The DRB may make written recommendations that include the manner in which the recommendation shall be implemented and a timeline for completion based upon identified priority level and complexity of recommendation.

The DRB shall report quarterly to the public and to the Commission those policy and training changes it recommends, and the measurement of the success or failure of each change, in a manner consistent with individual police officer privacy rights. The guidelines for the report are contained within the MOU between SFPD and DPA.

References:

MOU between SFPD and Department of Police Accountability

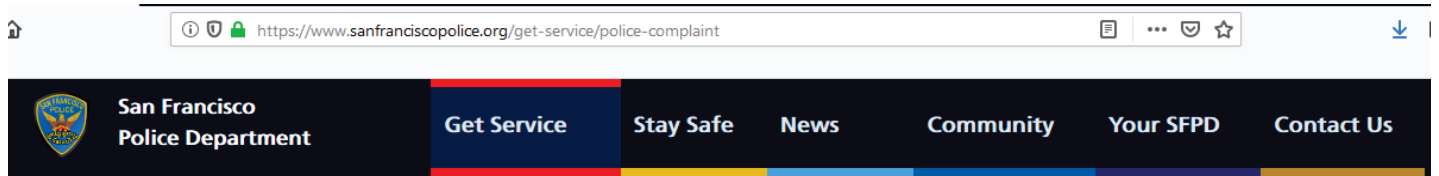
DGO 1.06, Duties of Superior Officers

DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons

San Francisco Administrative Code, Chapter 91.1 – 91.9

Penal Code Section 13012

# San Francisco Police Department



## How you can file a complaint:

The San Francisco Police Department is committed to ensuring that all of our officers and civilian staff provide unbiased, quality service to our City's diverse communities. Toward that goal, the SFPD and the City of San Francisco provide several ways to file a complaint.

The Department of Police Accountability is charged with impartially investigating complaints against SFPD officers and making policy recommendations regarding police practices. You can also call the DPA at [1-415-241-7711](tel:1-415-241-7711) (the TTY line is [1-415-241-7770](tel:1-415-241-7770)) or visit the Department of Police Accountability website to file a complaint at <https://sfgov.org/dpa/>.

The DPA is located at 25 Van Ness Ave., Suite 700, San Francisco, CA 94102.

You may also contact a department supervisor at any SFPD police station. [Each station](#) is open 24 hours a day. SFPD personnel are required to receive complaints courteously and to assist you with filing them.

## Please be aware that:

- The San Francisco Police Commission investigates all complaints forwarded by the DPA and makes recommendations for discipline by the Chief of Police.
- For information about our conduct, complaint and disciplinary process, please view these Department General Orders:
  - [DGO 2.01 General Rules of Conduct](#)
  - [DGO 2.04 Citizen Complaints Against Officers](#)
  - [DGO 2.05 Citizen Complaints Against Non-Sworn Members](#)
  - [DGO 2.07 Discipline Process For Sworn Officers](#)

For information on how to compliment an officer, please click [here](#).

Home > **Complaints** > Complaints

## Complaints

### When Should you File a Complaint of Police Misconduct?

You should file a complaint when you feel that a member of the San Francisco Police Department has acted improperly in the course of their work. Whether the complaint is related to discourteous treatment, failure to take action, inaccurate report writing, an unjustified arrest, unnecessary force, or any other police action that you feel is wrong, the Department of Police Accountability wants to know about it.

### Anonymous Complaints of Police Misconduct

Anonymous complaints will be treated with the same importance as any other complaint; however, the Police Commission has determined that anonymous complaints cannot be sustained without additional evidence.

### How to File a Complaint

Please review the [Complaint Process](#) to prepare. There are several ways to file a complaint:

1. Fill out our [Online Complaint Form](#)
2. Visit our office at 25 Van Ness Avenue, Suite 700
3. Call us at 415-241-7711
4. Mail your complaint (print one of our prepaid-postage Complaint Forms below or simply send us a letter containing the details of your complaint)

### Download a Complaint Form

- [Complaint Form \(English\) \(PDF\)](#)
- [Complaint Form \(Spanish\) \(PDF\)](#)
- [Complaint Form \(Chinese\) \(PDF\)](#)
- [Complaint Form \(Russian\) \(PDF\)](#)
- [Complaint Form \(Tagalog\) \(PDF\)](#)
- [Complaint Form \(Vietnamese\) \(PDF\)](#)

### COMPLAINTS

[Complaint Process](#)

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### STAY CONNECTED





# Department of Police Accountability

**YOU MAY ALSO COMPLETE THIS FORM ONLINE** at <http://policecomplaints.sfgov.org/>

**INSTRUCTIONS FOR COMPLETING THIS FORM:** Please complete this form to the best of your ability. We will contact you to follow-up. If you do not have a telephone number, please explain the best way to contact you. If you have questions or need help, please call the **DPA at (415) 241-7711**, between 8:00 a.m. and 5:00 p.m., or leave a message with our answering service after 5:00 p.m. We provide interpreters at no charge.

Today's Date / Time	Preferred Language	Case No. (DPA Use Only)
		<input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/>
Last Name	First Name	Middle Name

Home Address:	Street		Apt.
City	State	Zip Code	
Work Address:	Street		Suite
City	State	Zip Code	



Home Phone		Birthdate	
Mobile Phone		Gender	
Work Phone		Ethnicity	
Email		Occupation	

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DPA Use Only

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OFFICES LOCATED AT:  
 25 Van Ness Avenue, Suite 700  
 San Francisco, CA 94102



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City and County of San Francisco  
**Department of Police Accountability**  
 101 South Van Ness Avenue  
 San Francisco, CA 94103-9868





Occurrence Date & Time	Occurrence Location	Case No. (DPA Use Only)							
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	 <b>Department of Police Accountability</b>								
Page of									


# Departamento de Quejas Sobre La Policía

TAMBIÉN PUEDE COMPLETAR ESTE FORMULARIO EN LÍNEA: <http://policecomplaints.sfgov.org/>

**INSTRUCCIONES PARA COMPLETAR ESTE FORMULARIO:** Por favor, complete este formulario lo mejor que pueda. Vamos a contactar con usted para darle seguimiento a su caso. Si no cuenta con un número de teléfono, díganos cómo contactar con usted. Si tiene preguntas o necesita ayuda, llame **DPA** (Departamento de Quejas de la Policía, *siglas en inglés*) al **(415) 541-7711**, entre las 8:00 a. m. y 5:00 p. m., o deje un mensaje después de la 5:00 p. m. en el servicio de respuesta. Tenemos intérpretes sin costo alguno.

Fecha de hoy / hora	Lenguaje de preferencia	Case No. (DPA Use Only)
		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>
Apellido	Nombre	Segundo nombre

Dirección de domicilio	Calle		Apto.
Ciudad	Estado	Código Postal	
Dirección de trabajo	Calle		Suite
Ciudad	Estado	Código Postal	



Teléfono de domicilio		Fecha de nacimiento	
Celular		Género	
Teléfono del trabajo		Grupo étnico	
Correo electrónico		Oficio	

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←----- Segundo doble aquí -----→

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**Department of Police Accountability**  
101 South Van Ness Avenue  
San Francisco, CA 94103-9868



Fecha y hora del incidente	Ubicación del incidente	Case No. (DPA Use Only)							
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Página ___ de ___		<b>Departamento de Quejas Sobre La Policía</b>							



# 警務工作問責處

你亦可於網上填寫這份表格，網址：<http://policecomplaints.sfgov.org/>

**填寫表格指引：**請盡你所能填妥這份表格。我們會聯絡你跟進。如果你無電話號碼，請說明聯絡你的最佳方式。如你有疑問或需要幫助，請於上午 8 時至下午 5 時致電(415) 241-7711 聯絡 DPA，或下午 5 時之後呼叫應答服務留下口訊。我們會為你提供免費的口譯服務。

今日日期/時間	偏好語言	Case No. (DPA Use Only)
		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>
姓氏	名字	中間名

家庭地址	街道		公寓
市		郵區號碼	
工作地址	街道		套房
市		郵區號碼	



家庭電話		出生日期	
移動電話		性別	
工作電話		種族	
電郵		職業	

先折疊這邊

DPA Use Only

後折疊這邊

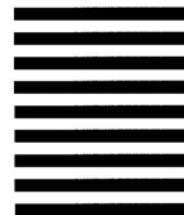
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# Департамент Подотчетности Полиции

**ВЫ ТАКЖЕ МОЖЕТЕ ЗАПОЛНИТЬ ЭТУ ФОРМУ ОНЛАЙН:** <http://policecomplaints.sfgov.org/>

**ИНСТРУКЦИИ ПО ЗАПОЛНЕНИЮ ЭТОЙ ФОРМЫ:** Пожалуйста, заполните эту форму в меру своих возможностей. Мы свяжемся с Вами по осуществлению последующих действий. Если у Вас нет номера телефона, пожалуйста, укажите наилучший способ связи с вами. Если у Вас есть вопросы или Вам нужна помощь, позвоните в **ДПП по телефону (415) 241-7711**, с 8:00 до 18:00, после 17:00 оставьте сообщение. Мы бесплатно представляем переводчиков.

Сегодняшняя дата /Время	Предпочитаемый Язык	Case No. (DPA Use Only)
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Фамилия	Имя	Отчество

Домашний адрес	Улица		Квартира
Город	Штат	Индекс	
Рабочий Адрес	Улица		№ офиса
Город	Штат	Индекс	



Домашний Телефон	Дата Рождения	Пол	
Мобильный Телефон	Этническая Принадлежность	Род Деятельности	
Рабочий Телефон			
Email			

←----- Сначаласложитездесь ----->

DPA Use Only

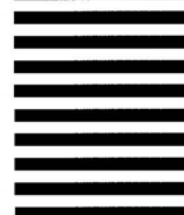
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Дата и Время Инцидента	Расположение Инцидента	Case No. (DPA Use Only)							
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**Department of Police Accountability  
(Departamento para sa Pananagutan ng Pulisya)**

**PUWEDE RIN NINYONG KUMPLETUHIN ANG FORM NA ITO ONLINE sa: <http://policecomplaints.sfgov.org/>**

**MGA INSTRUKSIYON SA PAGKUMPLETO NG FORM NA ITO:** Pakikumpleo ang form na ito sa abot ng inyong makakaya. Tatawagan namin kayo para mag- follow-up. Kung wala kayong numero ng telepono, pakisulat ang pinakamadaling paraan kung paano kayo makokontak. Kung mayroon kayong tanong o kailangan ninyo ng tulong, pakitawagan ang **DPA sa (415) 241-7711**, mula 8:00 ng umaga hanggang 5:00pm, o magiwan ng mensahe kung lampas na sa 5:00pm. Mayroon kaming libreng serbisyo ng pagsasalin sa wikang Filipino.

Ang Petsa/Oras Ngayon	Mas Gustong Wika	Case No. (DPA Use Only)
		<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>
Apelyido	Pangalan	Gitnang Pangalan

Address sa bahay	Kalye		Apt.
Syudad	State o Estado	Zip Code	
Address ng Trabaho	Kalye		Suite
Syudad	State o Estado	Zip Code	



Telepono sa Bahay	Araw ng Kapanangakan
Mobile Phone	Kasarian
Telepono sa Trabaho	Etnisidad
Email	Trabaho

Fold Here First (Tupiin muna rito)

DPA Use Only

Fold Here Second (Tupiin dito pagkatapos)

OFFICES LOCATED AT:  
25 Van Ness Avenue, Suite 700  
San Francisco, CA 94102



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 22978 SAN FRANCISCO CA  
POSTAGE WILL BE PAID BY ADDRESSEE



City and County of San Francisco  
**Department of Police Accountability**  
101 South Van Ness Avenue  
San Francisco, CA 94103-9868





Petsa at Oras ng pangyayari	Lugar ng Pangyayari	Case No. (DPA Use Only)							
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				-					
Pahina __ ng __		<b>Department of Police Accountability</b> <b>(Departamento para sa Pananagutan ng Pulisya)</b>							
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Petsa at Oras ng pangyayari	Lugar ng Pangyayari	Case No. (DPA Use Only)							
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				-					
Pahina __ ng __		<b>Department of Police Accountability</b> <b>(Departamento para sa Pananagutan ng Pulisya)</b>							

# Sở Kiểm sát Trách nhiệm về Hành động của Cảnh Sát

QUÍ VỊ CŨNG CÓ THỂ ĐIỀN MẪU NÀY TRỰC TUYẾN ở <http://policecomplaints.sfgov.org/>

**HƯỚNG DẪN VỀ CÁCH ĐIỀN MẪU NÀY** Xin điền mẫu này với khả năng tối đa của quý vị. Chúng tôi sẽ liên lạc tiếp với quý vị. Nếu quý vị không có điện thoại, xin cho biết cách hay nhất để liên lạc với quý vị. Nếu quý vị có câu hỏi nào hay cần sự giúp đỡ, xin gọi DPA ở số (415) 241-7711 trong khoảng 8 giờ sáng đến 5 giờ chiều, hay để tin nhắn vào điện thoại sau 5 giờ chiều. Chúng tôi cung cấp các phiên dịch viên miễn phí.

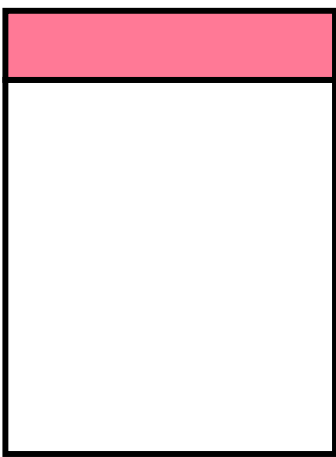
Ngày của Hôm nay/Giờ giấc	Ngôn ngữ thích hợp	Case No. (DPA Use Only)
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Tên Họ	Tên Gọi	Tên Đệm

Địa chỉ nhà	Đường phố		Số căn hộ
Tỉnh	Tiểu bang	Mã số Bưu Điện	
Địa chỉ nơi làm việc	Đường phố		Phòng
Tỉnh	Tiểu bang	Mã số Bưu Điện	



Địa chỉ nhà	Ngày sinh
Điện thoại cầm tay	Giới tính
Điện thoại nơi làm việc	Sắc tộc
Điện thư	Công việc

←----- Đầu tiên gấp tại đây -----→



←-----  -----→

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Ngày & Giờ xảy ra sự việc	Nơi xảy ra sự việc	Case No. (DPA Use Only)							
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<b>Phúc trình về tai nạn hay giấy báo số</b>		<b>Sở Kiểm sát Trách nhiệm về Hành động của Cảnh Sát</b>							

Ngày & Giờ xảy ra sự việc	Nơi xảy ra sự việc	Case No. (DPA Use Only)							
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## San Diego County Sheriff's Department

**◆ IS FILING A COMPLAINT WITH CLERB THE SAME AS FILING AN INTERNAL AFFAIRS COMPLAINT, CRIMINAL COMPLAINT, GRAND JURY COMPLAINT, COUNTY CLAIM, OR CIVIL LAWSUIT?**

NO. CLERB conducts independent investigations of complaints. The following are entirely separate from, are not a part of, and do not preclude filing a CLERB complaint: an internal affairs complaint with the Sheriff's or Probation departments, a criminal investigation or prosecution, a Grand Jury complaint or investigation, County claim, or a civil lawsuit.



**◆ HOW CAN I GET INVOLVED?**

Apply to serve your community as a board member. Board members must be registered to vote in San Diego County and have a demonstrated interest in public affairs and service. Candidates undergo background checks, are nominated by the County's Chief Administrative Officer, and are appointed by the Board of Supervisors. County employees and persons employed as peace officers are ineligible to serve. Members serve a three-year term for up to two consecutive terms. In addition to reviewing investigative reports and participating in regular meetings, members complete training by the Sheriff's and Probation departments and County Counsel, ride-a-longs, and jail tours. Members must file annual statements of economic interest. Members also periodically attend community meetings to talk about CLERB.

Applications may be downloaded from CLERB's website, [www.sdcourty.ca.gov/clerb](http://www.sdcourty.ca.gov/clerb), or are available by mail upon request.

**OFFICE LOCATION**

**555 W BEECH STREET, SUITE 220  
SAN DIEGO, CA 92101-2940**

**Phone: 619-238-6776  
Fax: 619-238-6775**

**Email: [clerbcomplaints@sdcourty.ca.gov](mailto:clerbcomplaints@sdcourty.ca.gov)**

**INTERNET WEBSITE**

**[www.sdcourty.ca.gov/clerb](http://www.sdcourty.ca.gov/clerb)**

**ADDITIONAL COUNTY PHONE NUMBERS**

Emergency Police, Fire, Ambulance	911
Non-Emergency Sheriff	358.565.5200
Probation Dept.	358.514.3148
District Attorney	619.531.4040
Public Defender	619.338.4700
Child Support Services	619.236.7600
County Claims Division	619.531.4899

COUNTY OF SAN DIEGO

**CITIZENS' LAW  
ENFORCEMENT REVIEW  
BOARD**



**"SERVING THE COMMUNITY  
AND THE JUSTICE SYSTEM"**

**COUNTY OF SAN DIEGO**

**CITIZENS' LAW ENFORCEMENT REVIEW BOARD**

**MISSION STATEMENT**

*To increase public confidence in government and the accountability of law enforcement by conducting impartial and independent investigations of citizen complaints concerning Sheriff's Deputies and Probation Officers of San Diego County.*

◆ **WHO ARE WE?**

San Diego County voters established the Citizens' Law Enforcement Review Board (CLERB) in November 1990 to independently receive and investigate citizen complaints against deputies and probation officers. CLERB is composed of eleven volunteer community members who are not affiliated with the Sheriff's Department or Probation Department. CLERB is supported by four County employees, including two full-time investigators.

◆ **WHAT DO WE DO?**

CLERB receives and investigates complaints about the conduct of peace officers employed by the San Diego County Sheriff's Department and Probation Department. CLERB investigates deaths that arise out of, or in connection with, the actions of deputies and probation officers, regardless of whether a complaint is filed. CLERB also makes recommendations for complaint-related policy and procedure changes. CLERB publishes meeting minutes and agendas with case summaries, workload reports, findings, an annual report, and "early warning" reports to the Sheriff and Chief Probation Officer.



◆ **WHAT DO WE INVESTIGATE?**

CLERB has jurisdiction to investigate allegations of:

- ⇒ Use of excessive force
- ⇒ Discrimination
- ⇒ Improper discharge of firearms
- ⇒ Illegal search or seizure
- ⇒ False arrest
- ⇒ False reporting
- ⇒ Criminal conduct
- ⇒ Misconduct
- ⇒ Death that arises out of, or in connection with, the actions of a deputy or probation officer.

◆ **WHAT IS MISCONDUCT?**

"Misconduct" is any alleged improper or illegal act, omission or decision, directly affecting the person or property of a specific citizen by reason of an alleged violation of Sheriff's Department or Probation Department orders or guidelines; an alleged violation of state or federal law; or any otherwise improper or unbecoming conduct by a peace officer employed by the Sheriff's Department or the Probation Department. CLERB does not have jurisdiction over complaints involving civilian employees of these departments or off-duty conduct of peace officers.

◆ **WHO MAY FILE A COMPLAINT?**

Anyone may file a complaint, regardless of age, citizenship, residence, disability, criminal record, or incarceration.

◆ **HOW CAN I FILE A COMPLAINT?**

By phone, fax, in person, U.S. mail, or the Internet at CLERB's website.

**CONTACT CLERB AT:**

555 W Beech Street, Suite 220  
 San Diego, CA 92101-2940  
 619.238.6776  
 Fax: 619.238.6775  
 Email: [clerbcomplaints@sdcounty.ca.gov](mailto:clerbcomplaints@sdcounty.ca.gov)

[www.sdcounty.ca.gov/clerb](http://www.sdcounty.ca.gov/clerb)

◆ **HOW DO WE INVESTIGATE?**

When a complaint is received, a CLERB investigator puts the complaint in writing and returns it to the complainant to review. In order for CLERB to open an investigation, the complainant must sign the complaint under penalty of perjury and return it promptly. A copy of the signed complaint is sent to the Sheriff or Chief Probation Officer and involved peace officer, and the investigation begins. The complainant, any witnesses, and the involved peace officer may be interviewed. The investigator gathers and reviews evidence, such as reports and video, and may subpoena records as needed. The investigator analyzes the evidence according to current laws and the policies and procedures of the Sheriff's Department or Probation Department. A report to the Review Board is prepared with an analysis and recommended finding for each allegation.

◆ **WHAT HAPPENS AFTER THE INVESTIGATION?**

Board members examine evidence and review the investigative reports prepared by CLERB staff at regular meetings. Because of California court decisions, discussions about misconduct investigations concerning peace officers are closed to the public, including complainants, and investigative reports are confidential. Board members discuss the investigations and decide by majority vote, based on preponderance of evidence, whether an allegation is sustained, not sustained, unfounded, or the action taken was justified. CLERB's findings, and any recommendations for policy or procedure change, are advisory and non-binding. CLERB may not impose discipline on a sustained finding, or compel a change in policy or procedure. Findings and recommendations are sent to the Sheriff and the Chief Probation Officer for their confidential review and response. The complainant and the involved peace officer are notified by mail of staff's recommendation and when the Review Board will consider the complaint, may briefly address the Review Board in open session, and are notified of the Review Board's finding by mail. Findings also are posted on CLERB's website.

**IS THERE A TIME LIMIT FOR FILING A COMPLAINT?**

YES. A signed complaint must be received within one year of the event that caused the complaint. Incarceration or incapacity tolls the one-year period.

**BOARD MEMBERS**

SUSAN N. YOUNGFLESH  
 Chair  
 P. DARREL HARRISON  
 Vice-Chair  
 ROBERT SPRIGGS JR.  
 Secretary  
 DAVE ALBERGA  
 GARY BROWN  
 EILEEN DELANEY  
 MICHAEL FLITTERMAN  
 MICHAEL GRAY  
 LOURDES N. SILVA  
 TIM WARE  
 GARY I. WILSON



**EXECUTIVE OFFICER**  
 JULIO ESTRADA

# County of San Diego

## CITIZENS' LAW ENFORCEMENT REVIEW BOARD

555 W BEECH STREET, SUITE 220, SAN DIEGO, CA 92101-2940  
 TELEPHONE: (619) 238-6776 FAX: (619) 238-6775  
[www.sdcounty.ca.gov/clerb](http://www.sdcounty.ca.gov/clerb)

To Whom It May Concern:

Thank you for contacting the Citizens' Law Enforcement Review Board. The Citizens' Law Enforcement Review Board (CLERB) was established to receive, review and investigate citizen complaints filed against peace officers or custodial officers employed by the County in the Sheriff's Department or the Probation Department which allege: (A) use of excessive force; (B) discrimination or sexual harassment in respect to members of the public; (C) the improper discharge of firearms; (D) illegal search or seizure; (E) false arrest; (F) false reporting; (G) criminal conduct; or (H) misconduct. You can review our website and the attached brochure for further specific information regarding our process.

Please read this page and the instructions on the forms that follow carefully before completing them.

In order for the Review Board to open an investigation, a complaint must be signed under penalty of perjury. Please print out, complete, sign and return both the (1) **Complaint Form** and (2) **Request and Agreement** form. Please fill in the "**Complainant Information**" and "**Incident Information**" sections of the form. If the complaint involves allegations of injury, please complete and return the medical release form(s).

You may mail or fax the completed forms to the above-listed address or facsimile number. You may also scan the documents and email it to [clerbcomplaints@sdcounty.ca.gov](mailto:clerbcomplaints@sdcounty.ca.gov). If you are unable to complete or print the above-listed forms or prefer to type your complaint, you may email your complaint to [clerbcomplaints@sdcounty.ca.gov](mailto:clerbcomplaints@sdcounty.ca.gov) with a mailing address; staff will copy your complaint into the required forms and mail them to you for your review, signature, and return.

The Review Board has jurisdiction over complaints alleging misconduct in the performance of duty by peace officers employed by the Sheriff's and Probation departments. The Review Board also has jurisdiction over deaths that occur in connection with the actions of these peace officers. The Review Board does not have jurisdiction over non-specific complaints about jail conditions, or over the conduct of civilian employees, such as medical and clerical staff, of the Sheriff's and Probation departments. All complaints must be received within one year of the incident that gave rise to the complaint, unless the complainant was incarcerated or incapacitated during that year. Additional information about the Review Board is available at [www.sdcounty.ca.gov/clerb](http://www.sdcounty.ca.gov/clerb) or upon request.

If you have any questions, please contact us in writing (U.S. mail or email at [clerbcomplaints@sdcounty.ca.gov](mailto:clerbcomplaints@sdcounty.ca.gov)), by phone at (619) 238-6776, or in person at the above-listed address in downtown San Diego.

Sincerely,  
 The Citizens' Law Enforcement Review Board

**SAN DIEGO COUNTY  
CITIZENS' LAW ENFORCEMENT REVIEW BOARD**

**INSTRUCTIONS FOR COMPLETING CITIZEN COMPLAINT FORM**

**Please describe, in detail, the event(s) that led to this complaint. Be as clear and specific as possible. If you do not know the name(s) or identification numbers(s) of involved Sheriff's deputies or Probation officers, provide as much descriptive information as possible. Include the date, time, and location of the event(s). List any witnesses and their contact information. If you need more space, attach additional sheets.**

**Your statement must be a true and accurate account of the incident to the best of your knowledge, and you must sign and attest to its truthfulness under penalty of perjury. If you have questions or need help, please call the Review Board at (619) 238-6776, or leave a message at that number after hours or on holidays.**

In accordance with the County Administrative Code, a copy of every signed complaint received by the Review Board is sent to the Sheriff or Chief Probation Officer. Investigative materials are confidential and are not disclosed to the public, including complainants, unless compelled by court order pursuant to California law.

Staff strives to complete every investigation within one year of receipt of a signed complaint; death and complex investigations may take longer to complete. Because the investigative process can take several months, please notify the Review Board of any changes in your contact information. Failure to maintain contact information or failure to cooperate in the investigation will result in a recommendation to the Review Board for Summary Dismissal. You will be notified in writing of the date the Review Board will consider your complaint in closed session and its decision.

---

**INSTRUCCIONES**

**Por favor describa, en detalle, el evento o los eventos que generan esta queja. Sea lo más claro y específico posible. Si usted no sabe el nombre o placa del oficial o de los oficiales involucrados, provéanos con toda la información descriptiva posible. Si necesita mas espacio, anexe hojas de papel adicionales.**

**Su declaración debe de ser clara y debe proveer una descripción detallada del incidente de acuerdo a su conocimiento del mismo. Además, debe firmar este documento bajo pena de perjurio. Si usted tiene preguntas o necesita ayuda, por favor contacte a un investigador del Consejo de Revisión al número (619) 238-6776, o deje un mensaje si llama después de las horas de trabajo, o en días festivos.**

De acuerdo al Código Administrativo del Condado, copias de las quejas recibidas por el Consejo de Revisión serán enviadas al Departamento del Alguacil. Con excepción de lo que este permitido por ley, los materiales de la investigación son considerados confidenciales y no estarán disponibles al público, incluyendo los querellantes.

Nos esforzamos en completar cada investigación dentro del primer año de recibida. Debido a que el proceso de investigación puede tomar varios meses, por favor notifique al Consejo de Revisión cualquier cambio en su dirección y numero de teléfono. A usted se le notificara por escrito le fecha en que su caso será considerado por el Consejo de Revisión y la decisión tomada.

San Diego County Sheriff's Department

COMPLAINANT INFORMATION			
COMPLAINANT NAME			
MAILING ADDRESS			
PHONE # (Home & Work) EMAIL			
SEX:	ETHNICITY (optional):	DOB:	DL, ID or BK:
NAME & ADDRESS OF AGGRIEVED (If other than complainant)			
IF IN CUSTODY, FACILITY & DATE OF RELEASE			
OUT OF CUSTODY ADDRESS & PHONE			

INCIDENT INFORMATION	
LOCATION OF INCIDENT	
DATE OF INCIDENT	RACE OR GENDER ISSUE? <input type="checkbox"/>
ACCUSED NAME, BADGE # & ASSIGNMENT	
WITNESS NAME, ADDRESS, PHONE #	

**PLEASE GO TO NEXT PAGE>>>>>**

CLERB STAFF USE ONLY						
LODGE DATE		FILE DATE		CASE NUMBER		
INTAKE INV		HOW RECEIVED				
INJURIES CLAIMED <input type="checkbox"/>		INJURIES VISIBLE <input type="checkbox"/>		DRUG OR ALCOHOL RELATED <input type="checkbox"/>		
MEDICAL RELEASE SIGNED <input type="checkbox"/>		PHOTOS TAKEN <input type="checkbox"/>		OTHER WAIVERS SIGNED <input type="checkbox"/>		
ALLEGATIONS						
Excessive Force (EF)		Discrimination or Sexual Harassment (DC)				
Improper Discharge of Firearms (IDF)		Illegal Search or Seizure (ISS)				
False Arrest (FA)		False Reporting (FR)				
Criminal Conduct (CC)		Misconduct (M)				
<i>Misconduct Sub-categories: Discourtesy Harassment Intimidation Medical Procedure Retaliation Truthfulness</i>						
STAFF COMMENTS						
HOW DID COMPLAINANT LEARN ABOUT CLERB?						
Other Citizen/Inmate	Prior Complainant/Witness	Other Department Referral	CLERB Information Brochure	CLERB Website	Other Public Information	Unknown/ Declined to State







**REQUEST FOR INVESTIGATION OF COMPLAINT & AGREEMENT**  
**NOT TO SUBPOENA CITIZENS' LAW ENFORCEMENT REVIEW BOARD**  
**PERSONNEL OR RECORDS**

I, [REDACTED] (name), request that the San Diego County Citizens' Law Enforcement Review Board (CLERB) investigate my complaint against peace officer(s) employed by the Sheriff's Department/Probation Department.

I understand the following:

- CLERB's investigative records associated with my complaint are **confidential** under California law and may not be disclosed to the public or complainants, except as compelled by court order pursuant to California law;
- I will receive written notice of the date CLERB will consider my complaint, staff's recommendation(s), and the Review Board's decision(s) on my complaint;
- I may briefly address the Review Board, if I choose, during the public comments portion of the Review Board's meeting;
- Failure to respond to staff questions, or to provide requested information may result in staff's recommendation to the Review Board that my complaint be dismissed;
- CLERB's findings are **advisory** and **non-binding** for the consideration of the Sheriff or Chief Probation Officer;
- Pursuant to Penal Code Section 832.7 and CLERB Rule 4.5, the disposition of my complaint "shall not be conclusive or binding or admissible as evidence in any separate or subsequent action or proceeding brought before an arbitrator, court, or judge of California or the United States;"
- In requesting CLERB to investigate my complaint, I am not in any way waiving my right to bring a claim or civil suit against any peace officer employed by the San Diego County Sheriff's Department/Probation Department, or the County of San Diego.

**By asking CLERB to investigate my complaint against Sheriff's Department/Probation Department sworn personnel, I agree *not* to subpoena CLERB records or testimony from any member of CLERB.**

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**COUNTY OF SAN DIEGO / CLERB #**

**AUTHORIZATION TO USE OR DISCLOSE PROTECTED HEALTH INFORMATION**

I hereby authorize disclosure of my health information to:  
**The Citizens' Law Enforcement Review Board (CLERB)**  
**555 W Beech Street, Suite 505, San Diego, CA 92101-2940**

<b>COMPLAINANT</b>		
NAME:		
STREET:	CITY/STATE:	ZIP:
TELEPHONE:	ALIAS:	<b>DOB:</b>
<b>DISCLOSURE IS REQUIRED BY THE FOLLOWING INDIVIDUAL(S) OR ORGANIZATION(S):</b>		
<b>MEDICAL PROVIDER:</b> SHERIFF'S MEDICAL RECORDS AND/OR	DATE OF SERVICE:	
ADDRESS:	CITY/STATE:	ZIP:
TELEPHONE:	FAX:	
<p><b>I UNDERSTAND THAT REFUSAL TO PROVIDE AUTHORIZATION DOES NOT PROHIBIT, BUT MAY PREVENT A THOROUGH INVESTIGATION OF MY COMPLAINT. THE FOLLOWING INFORMATION IS TO BE DISCLOSED: (PLEASE CHECK)</b></p> <p><input checked="" type="checkbox"/> Complete Record      <input type="checkbox"/> Other / Provide Description:</p> <p><b>(The Requestor may use the medical records and type if information authorized for the CLERB Investigation ONLY)</b></p>		
<p><b>Expiration:</b> This authorization will expire upon completion of the investigation or within one (1) calendar year from the date the complaint was signed. I understand that I have the right to revoke this authorization at any time. I understand if I revoke this authorization I must do so in writing. I understand that the revocation will not apply to information that has already been released based on this authorization.</p>		
<p><b>Other Rights:</b> I understand that authorizing the disclosure of this health information is voluntary. I can refuse to sign this authorization. I do not need to sign this form in order to file a complaint with CLERB. I understand that I may inspect or obtain a copy of the information to be used or disclosed, as provided in section 45 CFR 164.524. I have right to receive a copy of this authorization by the medical provider. I would like a copy of this authorization.    <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>		
<p><b>Sensitive Information:</b> I understand that the information in my record may include information relating to sexually transmitted diseases, acquired immunodeficiency syndrome (AIDS), or infection with the Human Immunodeficiency Virus (HIV). It may also include information about behavioral or mental health services or treatment for alcohol and drug abuse.</p>		
<p><b>Re-disclosure:</b> CLERB will not re-disclose my health information without my written authorization.</p>		
<b>SIGNATURE OF INDIVIDUAL OR LEGAL REPRESENTATIVE</b>		
I agree that a photocopy or faxed copy of this authorization shall be valid as the original.		
<b>SIGNATURE:</b>	<b>DATE:</b>	
LEGAL REPRESENTATIVE (Please include relationship to the complainant):		



**San Diego County Sheriff's Department  
Post Office Box 939062  
San Diego, California 92193-9062**



William D. Gore, Sheriff

**COMPLAINT FORM**

PLEASE PRINT OR TYPE

COMPLAINANT'S NAME		DATE OF BIRTH	HOME PHONE
COMPLAINANT'S ADDRESS		CITY	ZIP CODE
LOCATION OF INCIDENT		CITY	DATE AND TIME OF INCIDENT

NAME(S) OF SHERIFF'S PERSONNEL

**BRIEF NARRATIVE OF COMPLAINT**

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CONTINUED ON ADDITIONAL SHEETS

1. DO YOU BELIEVE YOU WERE STOPPED, ARRESTED, SEARCHED, OR DETAINED BY LAW ENFORCEMENT DUE, AT LEAST IN PART, TO RACIAL OR IDENTITY PROFILING (E.G. BECAUSE OF YOUR RACE, COLOR, NATIONALITY, NATIONAL ORIGIN, GENDER, AGE, RELIGION, GENDER EXPRESSION, SEXUAL ORIENTATION, MENTAL OR PHYSICAL DISABILITY)?  Yes  No
2. IF YES, PLEASE EXPLAIN WHAT SPECIFIC PROFILING YOU BELIEVE OCCURRED AND THE BASIS FOR YOUR BELIEF:

**148.6 P.C. ADVISORY STATEMENT:** YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIANS COMPLAINTS AND ANY REPORTS OR FINDINGS RELATED TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understand the above statement.

SIGNATURE OF COMPLAINANT: \_\_\_\_\_ DATE: \_\_\_\_\_

**INTERNAL AFFAIRS USE ONLY**

EMPLOYEE RECEIVING COMPLAINT:	DATE & TIME:
RECEIVED IN I.A. BY:	
<input type="checkbox"/> IN PERSON	NATURE OF COMPLAINT:
<input type="checkbox"/> U.S. MAIL	
<input type="checkbox"/> MESSENGER MAIL	ASSIGN TO:
<input type="checkbox"/> OTHER:	
	I.A CASE #

# San Diego County Sheriff's Department

(2)

## San Diego County Sheriff's Department



A relationship of trust and confidence between the members of the San Diego County Sheriff's Department and the community is essential for effective law enforcement. Deputies are given the responsibility to conduct themselves in a reasonable, lawful and impartial manner, always respecting the rights of all persons.

The San Diego County Sheriff's Department acknowledges its responsibility to establish a system of complaint and disciplinary procedures which not only subject its employees to corrective action when their conduct is improper, but also protects them from unwarranted criticism when their duties are discharged properly. It is the purpose of these procedures to provide a prompt, fair and expeditious disposition of complaints about the conduct of employees of the Sheriff's Department.

The San Diego County Sheriff's Department welcomes constructive criticism of the Department and valid complaints against its members or procedures.

I hope you will never need to make a complaint about our services. Should you need to, however, you can be sure that your complaint will be given full and complete consideration.

William D. Gore, Sheriff  
San Diego County

IA-1 (Rev. 12/16)

### COMPLAINT PROCEDURES

#### 1. WHERE CAN I GO TO MAKE A COMPLAINT?

You may submit this form at any Sheriff's Station or facility, or mail it to:

SAN DIEGO SHERIFF'S DEPARTMENT  
INTERNAL AFFAIRS UNIT  
PO BOX 939062  
SAN DIEGO, CA. 92193-9062

Complaints should be filed within 30 days of the corresponding incident.

#### 2. WHAT HAPPENS AFTER I FILE A COMPLAINT?

You will receive a written confirmation that your complaint has been received. You may be contacted by an investigator who will interview you in more detail about your concerns.

#### 3. WHO INVESTIGATES A CIVILIAN'S COMPLAINT?

Investigations are normally conducted by a Sheriff's Department Supervisor.

#### 4. ARE COMPLAINTS INVESTIGATED THOROUGHLY?

Yes. We want to know if something went wrong so we can prevent it from happening again. When appropriate, investigators may interview witnesses, and examine relevant evidence.

#### WILL I BE TOLD WHEN THE INVESTIGATION IS COMPLETED?

You will be notified by mail that the investigation has been completed and you will be told the disposition. You will not be told the amount or type of discipline, if any. Specific details about the investigation are confidential. Information from an investigation becomes part of the employee's personnel records and is confidential according to Penal Code Section 832.7. All complaint records are maintained for five years according to law.

#### 5. WHO MAY I CALL IF I HAVE QUESTIONS ABOUT FILING A COMPLAINT?

Feel free to call the Sheriff's Department Internal Affairs Unit at (858) 974-2065.

#### **Our Mission**

In partnership with our communities, we provide the highest quality public safety services.

#### **Our Values**

**Honesty · Loyalty  
Trust · Respect  
Fairness · Integrity  
Diversity**



**San Diego County Sheriff's Department  
Post Office Box 939062  
San Diego, California 92193-9062**



William D. Gore, Sheriff

**FORMULARIO DE QUEJA**

**POR FAVOR ESCRIBA LETRA DE MOLDE O ESCRIBE A MÁQUINA**

NOMBRE DEL RECLAMANTE		FECHA DE NACIMIENTO	Nº MERO DE TELEFONO EN CASA
DIRECCIÓN DE RECLAMANTE	CIUDAD	ZONA POSTAL	Nº MERO DE TELEFONO DE EMPLEO
LA LOCALIDAD DEL INCIDENTE	CIUDAD	FECHA Y HORA DEL INCIDENTE	
NOMBRE(S) DEL OFICIAL DEL ALGUACIL			

**BREVE RESUMEN DE LA QUEJA**


CONTINUA EN HOJAS ADICIONALES

- ¿CREÉ USTED QUE FUE, DETENIDO, ARRESTADO O REVISADO POR UN OFICIAL DE LA LEY, AL MENOS EN PARTE, POR RAZONES RACIAL O PERFILES DE IDENTIDAD (POR EJEMPLO, DEBIDO A SU RAZA, COLOR, NACIONALIDAD, ORIGEN NACIONAL, GÉNERO, EDAD, RELIGIÓN, EXPRESIÓN DE GÉNERO, ORIENTACIÓN SEXUAL, DISCAPACIDAD MENTAL O FÍSICA)? Sí \_\_\_\_ No \_\_\_\_
- Si sí, EXPLIQUE QUÉ PERFILES ESPECÍFICOS CREE USTED QUE OCURRIERON Y LA BASE PARA SU CREENCIA:

**148.6 P.C. DECLARACION CONSULTOR:** USTED TIENE EL DERECHO DE FORMULAR UNA QUEJA CONTRA UN OFICIAL DE LA LEY POR CONDUCTA INAPROPIADA. LA LEY DE CALIFORNIA REQUIERE QUE ESTA AGENCIA TENGA UN PROCEDIMIENTO PARA INVESTIGAR LAS QUEJAS DE CIUDADANOS. USTED TIENE EL DERECHO DE RECIBIR UNA DESCRIPCION ESCRITA DE ESTE PROCEDIMIENTO. DESPUES DE LA INVESTIGACION ESTA AGENCIA PUEDE ENCONTRAR QUE NO HAY SUFICIENTE EVIDENCIA PARA JUSTIFICAR LA ACCION DE SU QUEJA. SI ESTE ES EL CASO, USTED TIENE EL DERECHO DE SEGUIR LA INVESTIGACION SI USTED CREE QUE EL OFICIAL SE COMPORTO INAPROPIADAMENTE. CUALQUIER QUEJA CIVIL, REPORTE, CONCLUSION INFORMES DE QUEJAS SON RETENIDAS POR LA AGENCIA POR LO MENOS CINCO (5) ANOS. ES CONTRA LA LEY HACER ALGUNA QUEJA QUE USTED SABE SER FALSA. SI USTED HACE UNA QUEJA CONTRA UN OFICIAL SABRIENDO QUE ES FALSA, USTED PODRIA SER ACUSADO DE EN UN DELITO MENOR.

HE LEIDO Y ENTENDIO LA DECLARACION.

**FIRMA**

**FECHA**

**INTERNAL AFFAIRS USE ONLY  
(SOLO PARA LA UTILIZACION DE LA UNIDAD DE ASUNTOS INTERNOS)**

EMPLOYEE RECEIVING COMPLAINT:

DATE & TIME:

RECEIVED IN I.A. BY:

- IN PERSON
- U.S. MAIL
- MESSENGER MAIL
- OTHER:

NATURE OF COMPLAINT:

ASSIGN TO:

I.A. CASE #

**San Diego County  
Sheriff's Department**  
Departamento del Alguacil del  
Condado de San Diego



Una relación de confianza entre los miembros del Departamento del Alguacil del Condado de San Diego y la comunidad es esencial para la aplicación efectiva de la ley. Los diputados tienen la responsabilidad de conducirse en una manera razonable, lícita y imparcial, siempre respetando los derechos de todas las personas.

El Departamento del Alguacil del Condado de San Diego reconoce la responsabilidad de establecer un sistema para quejas y los procedimientos disciplinarios que no sólo sujetan a sus empleados a la acción correctiva cuando su conducta es inadecuada pero también protegerlos contra quejas injustificables. Es el propósito de estos procedimientos que la disposición es justa y expeditiva acerca del conducto de empleados del Departamento del Alguacil.

El Departamento del Alguacil del Condado de San Diego acepta la crítica constructiva del Departamento y las quejas válidas contra sus miembros o procedimientos.

Espero que nunca necesite formular una queja acerca de nuestros servicios. Sin embargo, si es necesario formular una queja, puede estar seguro que su queja recibirá consideración completa y completa.

William D. Gore, Alguacil  
Condado de San Diego

IA-1 (Rev. 12/16)

**PROCEDIMIENTOS de QUEJA**

**1. ¿DÓNDE PUEDO IR A FORMULAR UNA QUEJA?**

Usted puede someter este formulario en cualquier estación o facilidad del Alguacil, o puede enviar a:

SAN DIEGO SHERIFF'S DEPARTMENT  
INTERNAL AFFAIRS UNIT  
PO BOX 939062  
SAN DIEGO, CA. 92193-9062

Quejas deben ser archivadas dentro de 30 días del incidente correspondiente.

**2. ¿QUÉ SUCEDE DESPUES QUE YO ARCHIVO UNA QUEJA?**

Usted recibirá confirmación escrita que recibimos su queja. Usted será contactado por un investigador para una entrevista acerca de detalles de su asunto.

**3. ¿QUIÉN INVESTIGA UNA QUEJA DE CIUDADANO?**

Normalmente, las investigaciones son realizadas por un Supervisor del Departamento del Alguacil.

**4. ¿SON LAS QUEJAS INVESTIGADAS COMPLETAMENTE?**

Sí. Queremos saber si algo falló para prevenir que vuelva a ocurrir. Todos los partidos serán entrevistados, generalmente en cinta, y todos los registros de la queja, por ley serán mantenidos por cinco años.

**5. ¿SERÉ DICHO CUANDO SE COMPLETA LA INVESTIGACIÓN?**

Usted será notificado por el correo que la investigación se ha completado y dicho la disposición. No será dicho la cantidad ni el tipo de disciplina, incluyendo detalles específicos acerca de la investigación. Por Sección Código Penal 832.7, esa información es parte de los registros del archivo del empleado y son confidenciales.

**6. ¿A QUIÉN PUEDO LLAMAR SI TENGO PREGUNTAS ACERCA LA CLASIFICACIÓN DE UNA QUEJA?**

Siéntese libre a llamar al Departamento del Alguacil la Unidad de Asuntos Internal (858) 974-2065.

**Nuestra Misión**

Juntos con nuestras comunidades, proveemos la más alta cualidad de servicios y seguridad al público.

**Nuestros Valores**

Honradez · Lealtad  
Confianza · Respeto  
Justicia · Integridad  
Diversidad

## Riverside County Sheriff's Department



CHAD BIANCO

# SHERIFF

## Who To Call

SHERIFF-CORONER, RIVERSIDE COUNTY, CA

10 Sheriff's Stations Serving Riverside County & Contract Communities



- Jobs
- Press Releases
- Stations
- Coroner
- Corrections
- Court Services
- Crime
- Bureaus & Teams
- Training

- Report a Crime
- Recruiting Events
- Inmates & Jails
- Unclaimed Money
- CCW
- Firearms
- Alerts
- Volunteers
- About Us
- Department Members

### Complaint Procedure

The Sheriff's Department has always felt that any person making a complaint about the Department or its operations is entitled to a response. Communication is vital to good law enforcement services and to develop community cooperation. The Department has a procedure which can be employed by the community to make complaints concerning Department policies, programs and personnel.

You should first contact the Sheriff's station → where the incident occurred. You may also contact the Sheriff's Professional Standards Bureau to file a complaint:

Professional Standards Bureau

---

4095 Lemon Street  
Riverside, CA 92501  
(951) 955-2400

### The Complaint Process

You have the right to make a complaint against a police officer for any improper police conduct. California Law requires this agency to have a procedure to investigate civilian's complaints.

You have the right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Civilian complaints and any reports or findings relating to complaints must be retained by the agency for at least



#### Sheriff's Department

- About Us
- Codes of Ethics
- Complaints
- Fees (pdf)
- History
- In Memory
  - Awards & Honors
- Organizational Chart (pdf)
- Our Values
- Peace Officer Memorials
- Patches
- Unclaimed Money

#### Community Outreach

- LGBT Liaison

#### Sheriff's Retirees

- FAQs
- Law Enforcement Officers Safety Act 🗳️
- Retiree Update Form

#### Sheriff's Stations



# Riverside County Sheriff's Department

five years.

**A. GENERAL ORDERS #108.01:** complaints of Departmental operations and/or personnel shall be thoroughly and accurately investigated.

**B. PROCEDURE:** Any person can file a complaint. All complaints will receive immediate attention. Complaints may be made to any employee of the Department. Complaints may be received:

- (1) In person,
- (2) by telephone; or
- (3) in writing.

All complaints will be forwarded to the Sheriff's Administration Office. Witnesses of the incident will be contacted. A review of the finding will be made by the Sheriff's Administrative Staff and final disposition made by the Sheriff. Final disposition will be based upon Departmental policy, program and procedure. The Department considers the investigation and disposition as confidential.

**C. RESULTS OF COMPLAINTS:** Results of all complaints will be made known to the complainant, if known, and to the employee involved.

**D. COMPLAINT DISPOSITION WILL BE AS FOLLOWS:**

- UNFOUNDED - Did not occur.
- EXONERATED - Did occur, but was justified.
- NOT SUSTAINED - No clear evidence of proof.
- SUSTAINED - Clear evidence of proof.

## Filing a False Complaint

A word of caution is offered concerning persons knowingly making false complaints about peace officers. Civil Code 47.5\* allows peace officers to bring civil action against a person filing a false complaint.

\*NOTE: Section 47.5 Civil Code can be found on the California Law Website Section 47.5 Civil Code (Peace Officers; defamation action against person filing false complaint alleging misconduct, criminal conduct, or incompetence) ... a peace officer may bring an action for defamation against an individual who has filed a complaint with that officer's employing agency alleging misconduct, criminal conduct, or incompetence, if that complaint is false, the complaint was made with knowledge that it was false and that it was made with spite, hatred, or ill will . . .

- Cabazon
- Colorado River
- Hemet
- Jurupa Valley
- Lake Elsinore
- Moreno Valley
- Palm Desert
- Perris
- Southwest
- Thermal

### Riverside Sheriff's Stations

- Station Lookup -



### Law Enforcement Agencies

- Agency Lookup -



### Non-Emergency Numbers

All 9-1-1 and non-emergency numbers support TTY communications.



Toll Free: 800-950-2444  
West: 951-776-1099  
Central: 951-776-1099  
East - Coachella: 760-836-3215  
East - Blythe: 760-921-7900  
Moreno Valley: 951-247-8700  
Temecula: 951-696-4357  
**Emergency - Dial 911**

Riverside County Sheriff's Department

COMPLAINT PROCEDURE

The Riverside County Sheriff's Department believes that any person making a complaint about the Department or its operations is entitled to a response.

Communication is vital to good law enforcement service and maintaining community cooperation.

The Department has a procedure which can be employed by the community to make complaints concerning Department policies, programs and personnel.

A word of caution is offered concerning persons knowingly making false complaints about peace officers. Civil Code Section 47.5\* allows peace officers to bring civil action against a person filing a false complaint.

A. GENERAL ORDERS #108.01:

Complaints of Departmental operations and/or personnel shall be thoroughly and accurately investigated.

B. PROCEDURE

- 1. Any person can file a complaint.
2. All complaints will receive immediate attention.
3. Complaints may be made to any employee of the Department.
4. Complaints may be received: (1) In person (2) by telephone; or (3) in writing.
5. All complaints will be forwarded to the Sheriff's Administration Office.
6. Witnesses of the incident will be contacted.
7. A review of the findings will be made by the Sheriff's Administrative Staff and final disposition made by the Sheriff.
8. Final disposition will be based upon Departmental policy, program and procedure.
9. The Department considers the investigation and disposition confidential.

C. RESULTS OF COMPLAINTS:

Results of all complaints will be made known to the complainant, if known, and to the employee involved.

D. COMPLAINT DISPOSITION WILL BE AS FOLLOWS:

- UNFOUNDED Did not occur EXONERATED Did occur, but was justified
NOT SUSTAINED No clear evidence of proof SUSTAINED Clear evidence of proof

\*NOTE: Section 47.5 Civil Code (Peace Officers; defamation action against a person filing a false complaint alleging misconduct, criminal conduct, or incompetence)... a peace officer may bring an action for defamation against an individual who has filed a complaint with that officer's employing agency alleging misconduct, criminal conduct, or incompetence, if that complaint is false, the complaint was made with knowledge that it was false and that it was made with spite, hatred, or ill will . . .

Tear along dotted line

CIVILIAN REPORT

Policy/ Procedure Personnel

YOUR NAME: DATE:

ADDRESS: CITY:

TELEPHONE: E-MAIL ADDRESS:

DATE OF INCIDENT: TIME OF OCCURRENCE: STATION/REPORT NUMBER

LOCATION OF OCCURRENCE:

PERSON(S) INVOLVED (IF KNOWN):

BRIEFLY DESCRIBE DETAILS OF COMPLAINT:

[Blank lines for complaint details]

(Use additional paper if necessary)

IF YOU ARE ALLEGING RACIAL OR IDENTITY PROFILING, PLEASE SELECT FROM THE FOLLOWING:
Race or Ethnicity Nationality Gender Age Religion
Sexual Orientation Mental Disability Physical Disability Gender Identity or Expression

You have the right to make a complaint against a police officer for any improper police conduct. California Law requires this agency to have a procedure to investigate civilians' complaints. You have the right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Civilian complaints and any reports or findings relating to sustained complaints must be retained by this agency for at least five years.

I have read and understand the above statement.

Signature of person making complaint

Riverside County Sheriff's Department

FROM:

---

---

---

STAMP  
RE

PERSONAL

# CIVILIAN COMPLAINT REPORT

Penal Code Section 832.5  
Civilian Complaints Against  
Department Personnel



CHAD BIANCO, SHERIFF-CORONER  
P.O. BOX 512  
RIVERSIDE, CALIFORNIA 92502

## San Bernardino County Sheriff's Department



## San Bernardino County **SHERIFF'S DEPARTMENT**

### Civilian Complaint Procedure Submit a Commendation Administrative Review - Parking Citation



Our Department is committed to providing professional law enforcement services to our community. We encourage people to express their opinions regarding the performance of our duties.

- [Submit administrative review of a parking citation](#) +
- [Submit a commendation](#) +
- [Submit a complaint](#) +

#### Where and how to file a complaint

You may make a complaint in person at any Sheriff's station or Internal Affairs regardless of where the incident occurred. Internal Affairs is located at Sheriff's Headquarters, 655 East 3<sup>rd</sup> Street in San Bernardino. If you do not wish to make a complaint in person, you may call Internal Affairs during normal business hours at 909 387-3726, to have a Citizen Complaint form mailed to you.

You may also click on one of the form icons at the bottom of this page. Please complete the form, print it, and mail it to:

San Bernardino County Sheriff-Coroner Department  
Internal Affairs Division  
655 East Third Street  
San Bernardino, California 92415-0061

If you feel more comfortable making a complaint in writing, and there is not enough room on the complaint form to fully explain your concerns, you may attach additional pages along with any documents you feel are relevant. There is no set format. You may tell your story in the way which you feel comfortable. Please remember it is important to include details such as when and where the incident occurred, the name of the employee involved if you know it and how we can contact you for additional information.

Please mail all the material directly to Internal Affairs at the address listed above.

#### How a formal personnel complaint is handled

When a formal personnel complaint is received, it is assigned to a supervisor from the station where the incident occurred for investigation. Often, the first thing the supervisor will ask to do is conduct a recorded interview with you. The purpose of this is to ensure the investigator has a good understanding of what your complaint is about and who is involved. Once the complaint has been thoroughly investigated, the commander of the

# San Bernardino County Sheriff's Department

Citizen Complaint Procedure – San Bernardino County Sheriff's Department <http://wp.sbcounty.gov/sheriff/divisions/internal-affair...>

station will review it and forward it to Internal Affairs.

Your complaint and the investigation will then be reviewed by Internal Affairs personnel and sent to the appropriate Bureau Deputy Chief. The Deputy Chief will examine all of the materials and render a decision on how the matter is to be handled. If an employee is to receive discipline the case may be referred to a disciplinary review board.

Investigation of a personnel complaint and the subsequent case review are very time-consuming and involved processes. Please be patient. After the complaint has been thoroughly investigated, and the appropriate action has been taken, you will be notified in writing of the results. California law prohibits the department from disclosing details of personnel investigations or any disciplinary action taken.

The letter you receive will list one or more of the following decisions relative to the allegations:

- **SUSTAINED** - The investigation established that the actions of the officer constitute misconduct.
- **INCONCLUSIVE** - The investigation established insufficient evidence to prove or disprove misconduct.
- **UNFOUNDED** - The investigation clearly established that the allegation is not true.
- **EXONERATED** - The investigation clearly established that the actions of the officer are not violations of law or department policy.
- **FRIVOLOUS** - The investigation established that the complaint is totally and completely without merit or offered for the sole purpose of harassing the officer.

## Criminal charges and the courts

Many times people who have received a citation or were arrested feel they are not guilty of the charge. However, the validity of the citation or arrest and the guilt or innocence of the person involved must be determined by a Court of Law, not the Sheriff's Department. Only the Court is empowered by law to adjudicate such matters. The filing of a Citizen Complaint will not stop a criminal investigation, prosecution or the citation process.

**CIVILIAN COMPLAINT FORM ENGLISH**

**CIVILIAN COMPLAINT FORM SPANISH**



# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

## CIVILIAN COMPLAINT

P#	DATE FILED
----	------------

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT. \_\_\_\_\_  
COMPLAINANT SIGNATURE

### REPORTING PERSON

NAME (LAST, FIRST, MIDDLE)	PHONE NO.	DOB
RESIDENCE ADDRESS (CITY, STATE, ZIP CODE)		
BUSINESS ADDRESS (CITY, STATE, ZIP CODE)		

### PERSONS INVOLVED (IF OTHER THAN ABOVE)

NAME (LAST, FIRST, MIDDLE)	DOB
RESIDENCE ADDRESS (CITY, STATE, ZIP CODE)	
BUSINESS ADDRESS (CITY, STATE, ZIP CODE)	

DAY AND DATE OF INCIDENT	TIME OF INCIDENT	LOCATION OF INCIDENT
--------------------------	------------------	----------------------

### WITNESSES

NAME	ADDRESS	PHONE NO.

IF WITNESSES ARE NOT KNOWN, GIVE THEIR DESCRIPTION

### NAME OR DESCRIPTION OF EMPLOYEE(S) INVOLVED

NAME	BADGE OR ID NO.	PHYSICAL DESCRIPTION

### PERSON(S) ARRESTED

NAME	ADDRESS	PHONE NO.

### RACIAL OR IDENTITY PROFILING PC 13519.4(e)

Do you believe you were stopped, arrested, searched, or detained by law enforcement based, at least in part, on your race or ethnicity (including color), nationality/national origin, gender, age, religion, gender expression, sexual orientation, mental disability, or physical disability?  Yes  No

If yes, what specific type of racial or identity profiling do you allege? (Check all that apply.)

- |                                                              |                                            |                                              |
|--------------------------------------------------------------|--------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Race or Ethnicity (Including Color) | <input type="checkbox"/> Age               | <input type="checkbox"/> Sexual Orientation  |
| <input type="checkbox"/> Nationality/National Origin         | <input type="checkbox"/> Religion          | <input type="checkbox"/> Mental Disability   |
| <input type="checkbox"/> Gender                              | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Physical Disability |







# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

## DENUNCIA PÚBLICA

P#	FECHA
----	-------

TIENE USTED EL DERECHO DE PRESENTAR UNA QUEJA CONTRA UN AGENTE DE POLICÍA POR CUALQUIER CONDUCTA INAPROPIADA. LA LEY DE CALIFORNIA REQUIERE QUE ESTA AGENCIA TENGA UN PROCEDIMIENTO PARA INVESTIGAR LAS QUEJAS DE LOS RESIDENTES. USTED TIENE DERECHO A UNA DESCRIPCIÓN ESCRITA DE ESTE PROCEDIMIENTO. DESPUÉS DE LA INVESTIGACIÓN, ESTA AGENCIA PUEDE DESCUBRIR QUE NO HAY PRUEBAS SUFICIENTES PARA JUSTIFICAR LA ACCIÓN DE SU QUEJA; INCLUSO SI ESE ES EL CASO, USTED TIENE DERECHO A PRESENTAR UNA QUEJA Y HACER QUE SE INVESTIGUE SI CREE QUE UN OFICIAL SE COMPORTÓ DE MANERA INCORRECTA. LAS QUEJAS CIVILES DEBEN SER CONSERVADAS POR ESTA AGENCIA DURANTE AL MENOS CINCO AÑOS.

ES CONTRA LA LEY PRESENTAR UNA QUEJA QUE USTED SABE QUE ES FALSA. SI PRESENTA UNA QUEJA CONTRA UN OFICIAL SABRIENDO QUE ES FALSA, PUEDE SER PROCESADO POR UN CRIMEN MENOR.

HE LEÍDO Y ENTENDIDO LA DECLARACIÓN.

\_\_\_\_\_

FIRMA DE SOLICITANTE

### DENUNCIANTE

NOMBRE (APELLIDO, NOMBRE, SEGUNDO NOMBRE)	TELEFONO	EDAD
DOMICILIO DE RESIDENCIA (CIUDAD, ESTADO, CODIGO POSTAL)		
DOMICILIO DEL NEGOCIO (CIUDAD, ESTADO, CODIGO POSTAL)		

### OTRAS PERSONAS INVOLUCRADAS

NOMBRE (APELLIDO, NOMBRE, SEGUNDO NOMBRE)	EDAD	
DOMICILIO DE RESIDENCIA (CIUDAD, ESTADO, CODIGO POSTAL)		
DOMICILIO DEL NEGOCIO (CIUDAD, ESTADO, CODIGO POSTAL)		
DIA Y FECHA DEL INCIDENTE	TIEMPO DEL INCIDENTE	LUGAR DEL INCIDENTE

### TESTIGOS

NOMBRE	DOMICILIO	TELFONO

SI NO CONOCE A LOS TESTIGOS, INCLUYE LA DESCRIPCION

### NOMBRE O DESCRIPCION DE EMPLEADOS INVOLUCRADOS

NOMBRE	NUMERO DE PLACA	DESCRIPCION FISICA

### PERSONA(S) ARRESTADA

NOMBRE	DOMICILIO	TELEFONO

### DISCRIMINACION RACIAL O PERSONAL PC 13519.4(e)

¿Cree que fue detenido, buscado, o retenido por la policía, por cuestiones de su raza o etnicidad (incluyendo el color), el origen nacional, sexo, orientación sexual, discapacidad mental, o discapacidad física?  Si  No

¿En caso de que si, qué tipo de discriminación racial o personal alega? (marque todo lo que aplica.)

- |                                                                 |                                              |                                              |
|-----------------------------------------------------------------|----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Raza o etnicidad (incluyendo el color) | <input type="checkbox"/> Edad                | <input type="checkbox"/> Orientación sexual  |
| <input type="checkbox"/> Origen Nacional                        | <input type="checkbox"/> Religión            | <input type="checkbox"/> Discapacidad mental |
| <input type="checkbox"/> Sexo                                   | <input type="checkbox"/> Expresión de género | <input type="checkbox"/> Discapacidad física |



## Appendix E:

### RACIAL AND IDENTITY PROFILING ADVISORY BOARD 2020 REPORT –BEST PRACTICES

The 2020 Report contains model language for a written bias-free policing policy; definitions related to bias; the limited circumstances when personal characteristics of an individual may be considered; training; data collection and analysis; encounters with the community; accountability and adherence to the policy; and supervisory review. Agencies are also encouraged to develop policies and training on how to prevent bias by proxy when responding to a call for service. In addition to including model language, the Board conducted a policy review to assist Wave 1 agencies in identifying areas of opportunity to incorporate the best practices and model language presented in this report and the 2019 RIPA Annual Report with respect to civilian complaints and bias free policing policies. For the purposes of this report, Wave 1 agencies refers to the eight largest law enforcement agencies in the state that began collecting stop data on July 1, 2018, and reported it to the California Department of Justice on April 1, 2019.

The Board advises that these best practices are general recommendations –developed with the hope of eliminating racial and identity profiling in policing –but they are by no means exhaustive. These recommendations represent best practices that have appeared in various consent decrees, grand jury reports, and scholarly studies regarding policies related to bias-free policing. Each individual law enforcement agency should review its current policies, procedures, and trainings to determine which of the following recommendations fit best within its organization. These best practices can be found throughout the body of the report as well as in Appendix E for ease of reference.

It is the Board’s hope that these best practice resources will assist law enforcement agencies, policymakers, and community members in developing, assessing and implementing bias-free policing policies, procedures, and trainings. The Board understands that there must be sufficient funding in order to implement these recommendations, and further understands that the amount of funding and resources available to implement these recommendations varies depending on the agency; however, agencies are encouraged to seek out grants and funding that will ensure that the stop data collection is utilized to its fullest potential. The Board also encourages law enforcement agencies to partner with local community-based organizations or colleges or universities to help with translations and other implementation of these best practices.

Even without additional resources, there are recommendations that can and should be adopted to enhance the services that law enforcement agencies provide to the community. The Board encourages cities, counties, and policymakers to work with law enforcement agencies under their purview to ensure they are allocated the necessary funding and resources to implement the best practices described in the report.

As the Board continues to carry out its mission, it applauds the efforts of law enforcement agencies and stakeholders to improve law enforcement-community relationships and take steps toward eliminating racial and identity profiling in California. The Board recognizes and understands that real progress requires both law enforcement and community support. California has been a leader on many fronts and this is yet another opportunity to demonstrate to the nation that real progress is possible when people work together towards a shared goal, in this case, the elimination of racial and identity profiling in California.

### **Recommendations for Model Bias-Free Policing Policies**

A model bias-free policing policy is a stand-alone policy devoted to bias-free policing. It uses clear language, including definitions of relevant terms, and expresses the agency or department's responsibility to identify and eliminate racial and identity profiling. In addition to stating the agency or department's core values and its commitment to bias-free policing, a model policy includes relevant federal and state law. A model policy is based on best practices, well researched, and regularly updated with changes in the law or best practices. A model bias-free policing policy includes cross references to other relevant agency policies on subjects such as civilian complaints, stops, use of force, training, and accountability. It also includes references to relevant training that agency or department personnel receive on subjects such as implicit bias, civilian complaint procedures, human and community relations, etc. A model stand-alone policy is easily accessible to both agency personnel and the public.

All personnel, including dispatchers and non-sworn personnel, should receive training on the bias-free policing policy. Specific examples of behavior that violates the bias-free policing policy should be included in either the training or the policy itself.

Below is model policy language and definitions that law enforcement agencies can consider including in their bias-free policing policies. The Board notes that these recommendations are merely a starting point for the development of best practices that agencies can include in their bias-free policing policies.

#### **A. Model Policy Language for Bias-Free Policing Policy**

- The [agency] expressly prohibits racial and identity profiling.
- The [agency] is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner that keeps both the community and officers safe and protected.
- The [agency] recognizes that explicit and implicit bias can occur at both an individual and an institutional level and is committed to addressing and eradicating both.
- The intent of this policy is to increase the [agency's] effectiveness as a law enforcement agency and to build mutual trust and respect with the [city, county or state's] diverse groups and communities.

- A fundamental right guaranteed by the Constitution of the United States is equal protection under the law guaranteed by the Fourteenth Amendment. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents as guaranteed by the Fourth Amendment.
- The [agency] is charged with protecting these rights. Police action that is biased is unlawful and alienates the public, fosters distrust of police, and undermines legitimate law enforcement efforts.
- All employees of [agency] are prohibited from taking actions based on actual or perceived personal characteristics, including but not limited to race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group.
- [Agency] personnel must not delay or deny policing services based on an individual's actual or perceived personally identifying characteristics.

## **B. Model Policy Language for Definitions Related to Bias**

- **Racial or Identity Profiling:** the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability<sup>1</sup> in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. Such activities include, but are not limited to, traffic or pedestrian stops, or actions taken during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.<sup>2</sup>
- **Bias-Based Policing:** conduct by peace officers motivated, implicitly or explicitly, by the officer's beliefs about someone based on the person's actual or perceived personal characteristics, i.e., race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability.
- **Implicit Bias:** the attitudes or stereotypes that affect a person's understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.
- **Bias by Proxy:** when an individual calls/contacts the police and makes false or ill-informed claims of misconduct about persons they dislike or are biased against based on explicit racial and identity profiling or implicit bias.<sup>3</sup> When the police act on a request for service based in unlawful bias, they risk perpetuating the caller's bias. Sworn and civilian staff should use their

critical decision-making skills, drawing upon their training to assess whether there is criminal conduct.

- **Reasonable Suspicion to Detain:** reasonable suspicion is a set of specific facts that would lead a reasonable person to believe that a crime is occurring, had occurred in the past, or is about to occur. Reasonable suspicion to detain is also established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.

- **Detention:** a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer.<sup>4</sup>

- **Reasonable Suspicion to Conduct a Pat Search:** officers are justified in conducting a pat search if officers have a factual basis to suspect that a person is carrying a weapon, dangerous instrument, or an object that can be used as a weapon, or if the person poses a danger to the safety of the officer or others. Officers must be able to articulate specific facts that support an objectively reasonable apprehension of danger under the circumstances and not base their decision to conduct a pat search on any perceived individual characteristics. Reasonable suspicion to conduct a pat search is different than reasonable suspicion to detain. The scope of the pat search is limited only to a cursory or pat down search of the outer clothing to locate possible weapons. Once an officer realizes an object is not a weapon, or an object that can be used as a weapon, the officer must move on.

- **Probable Cause to Arrest:** under the Fourth Amendment to the United States Constitution, arrests must be supported by probable cause. Probable cause to arrest is a set of specific facts that would lead a reasonable person to objectively believe and strongly suspect that a crime was committed by the person to be arrested.

### **C. Model Policy Language for Limited Circumstances in which Characteristics of an Individual May Be Considered**

- [Agency] members may only consider or rely on characteristics listed in a specific description of a suspect, victim, or witness based on trustworthy and relevant information that links a specific person to a particular unlawful incident.

- Except as provided above, [agency] officers shall not consider personal characteristics in establishing either reasonable suspicion or probable cause.

### **D. Model Policy Language for Encounters with Community**

- To cultivate and foster transparency and trust with all communities, each [agency] member shall do the following when conducting pedestrian or vehicle stops or otherwise interacting with members of the public, unless circumstances indicate it would be unsafe to do so:

- Be courteous, professional, and respectful.

- Introduce themselves to the community member, providing name, agency affiliation, and badge number. [Agency] members should also provide this information in writing or on a business card.<sup>5</sup>
  - State the reason for the stop as soon as practicable, unless providing this information will compromise officer or public safety or a criminal investigation.
  - Answer questions that the individual may have about the stop.
  - Ensure that a detention is no longer than necessary to take appropriate action for the known or suspected offense and [agency] member convey the purpose of any reasonable delays.
- All [agency] personnel, including dispatchers and non-sworn staff, shall not use harassing, intimidating, derogatory, or prejudiced language, including profanity or slurs, particularly when related to an individual’s actual or perceived personal characteristics.
  - Dispatchers and sworn personnel shall be aware of and take steps to curb the potential for bias by proxy in a call for service.
  - Officers should draw upon their training and use their critical decision-making skills to assess whether there is criminal conduct and to be aware of implicit bias and bias by proxy when carrying out their duties.
  - All [agency] personnel, including dispatchers and non-sworn personnel, shall aim to build community trust through all actions they take, especially in response to bias-based reports.

#### **E. Model Policy Language for Training**

- The [agency] will ensure that, at a minimum, all officers and employees are compliant with requirements regarding bias-free policing training.
- The [agency] will ensure that management includes a discussion of its bias-free policing policy with its officers and staff on an annual basis.
- [Agency] officers should be mindful of their training on implicit bias and regularly reflect on specific ways their decision-making may be vulnerable to implicit bias.

#### **F. Model Policy Language for Data Collection and Analysis**

- As required by the California Racial and Identity Profiling Act of 2015, [agency] is required to collect data on: (a) civilian complaints that allege racial and identity profiling and (b) perceived demographic and other detailed data regarding pedestrian and traffic stops. The data to be collected for stops includes, among other things, perceived race or ethnicity, approximate age, gender, LGBT status, limited or no English fluency, or perceived or known disability, as well as other data such as the reason for the stop, whether a search was conducted, and the results of any such search. All agencies must report this data to the California Department of Justice.

- The [agency] should regularly analyze data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population.

### **G. Model Policy Language for Accountability and Adherence to the Policy**

- All [agency] personnel, including dispatchers and non-sworn personnel, are responsible for understanding and complying with this policy. Any violation of this policy will subject the member to remedial action.
  - Types of remedial action should be outlined.
- All [agency] personnel, including dispatchers and non-sworn personnel, shall not retaliate against any person who complains of biased policing or expresses negative views about them or law enforcement in general.
- All [agency] personnel, including dispatchers and non-sworn personnel, share the responsibility of preventing bias-based policing. Personnel shall report any violations of this policy they observe or of which they have knowledge.
  - Processes and procedures for reporting violations should be included.

### **H. Model Policy Language for Supervisory Review**

- Supervisors shall ensure that all personnel under their command, including dispatchers and non-sworn personnel, understand the content of this policy and comply with it at all times.
  - Supervisory processes and procedures for monitoring should be included.
- Any employee who becomes aware of any instance of bias-based policing or any violation of this policy shall report it in accordance with established procedure.
- Supervisors who fail to respond to, document, or review allegations of bias-based policing will be subject to remedial action.
  - Types of remedial action should be outlined.
  - Supervisor processes and procedures for review should be included.

### **Recommendations Regarding Bias by Proxy**

Bias by proxy occurs in a call for service “when an individual calls the police and makes false or ill-informed claims about persons they dislike or are biased against.”<sup>6</sup> Because calls for service are a common way in which law enforcement officers make contact with the public, it is critical that law enforcement agencies have policies and training in place about how to prevent bias by proxy when responding to a call for service.

### **Best Practices for Responding to Biased-Based Calls for Service<sup>7</sup>**



The Board reviewed evidence-based best practices for responding to bias-based calls for service and identified the following best practices:

- Agencies should have a policy detailing how sworn personnel and dispatchers should respond to bias-based reports, reports regarding bias, or bias by proxy from the community. This policy could be a stand-alone policy or integrated into the bias-free policing policy.
- An agency policy covering biased-based calls for service should include:
  - How an officer should identify a biased-based call for service.
    - It should first instruct the officer to determine whether there is evidence of criminal misconduct or if there is a need to engage in a community caretaking function.
    - It should include clear direction on next steps with respect to the caller and subject of the call (see below) if an officer determines that there is no criminal conduct or no need to conduct a well-being check.
    - It should allow officers to respond to the area and independently assess the subject’s behavior from a distance. If no suspicious criminal behavior is observed, then the officer can report the call to dispatch as “unfounded.”
  - How sworn personnel and dispatchers should interact with the community member who has made a bias-based call for service.
    - It should detail ways personnel can courteously explore if the call is bias-based and concerns an individual’s personal characteristics (e.g., call regarding a person of color walking in the “wrong neighborhood”) or if there are specific behaviors that warrant a call for police response. If the complainant can offer no further, concrete information, the complainant may be advised that the shift supervisor will be in contact at the first opportunity.
- Specifically, dispatchers could have a series of questions or a flexible script, which enables them to ask questions and explore whether there are concrete, observable behaviors that form the basis of the suspicious activity or crime the caller is reporting. Is the person looking into cars, checking doors, casing homes, etc.? What specific crime or activity does the person claim to be witnessing?<sup>8</sup>
  - If a call turns out to be a bias-based call for service, the shift supervisor may follow up with the caller to let them know that they found no suspicious or criminal activity. This way of “closing the call” may help educate callers about appropriate calls for service and possibly alleviate dispatching calls that have no merit, while serving to build trust between police and the community.
- How an officer should interact with a community member who is the subject of a bias-based call.
  - It should detail methods on how to approach the subject of a bias-based call in a manner that respects their dignity and does not alarm them, but informs them about the reason that the officer is on scene.

- It should include methods to account for situations in which the responding officer encounters both the caller and the subject of a potential bias-based call at the scene.
- Such methods should include de-escalation, respectful listening, and procedural justice techniques to ensure the scene is safe, the parties have an opportunity to communicate, and the officer has the opportunity to explain why no violation has occurred.
  - How the shift supervisor should interact with the caller:
    - It should detail how the shift supervisor can explain that the agency does not respond to calls for service based on an individual’s personal characteristics and that lawful activities are not more suspicious because of the individual’s personal characteristics.
    - It should detail ways the shift supervisor can educate the caller on the agency’s bias-free policing policy and philosophy and explain that officers respond to behaviors/actions of individuals that appear suspicious, threatening, illegal, etc., and not to hunches or situations based on an individual’s personal characteristics.
    - In the case of a call for service that is based on a caller's suspicion that an individual present in the jurisdiction is an undocumented immigrant, the supervisor could inform the caller that California law enforcement agencies are not responsible for enforcing federal immigration law, as provided for in the California Values Act (Cal. Gov. Code, §§ 7284 et seq.). These interactions should be documented by the supervisor.
- Agencies should have a training for officers and dispatchers that covers responding to bias-based calls for service. It should include:
  - Foundational instruction on how poor or inadequate responses to such calls can impair the agency’s legitimacy and undermine other agency efforts to build community trust and communication.
  - How to be mindful of their training on implicit bias and regularly reflect on whether such bias is affecting a caller’s decision-making (e.g., assuming a higher or lower threat level presented by an individual based upon his or her race, gender, or other personal characteristics).
  - How to assess a call for bias-based motivations.
  - How information regarding a call for service should be relayed without including biased assumptions.
  - How to collect enough information necessary to verify reasonable suspicion of criminal activity.
  - How to record and track any bias-based call in the agency’s tracking systems.
  - How on-scene responses to calls for service may require officers to apply de-escalation, communications, and procedural justice techniques.

- The subject of biased-based calls for service should also be included in supervisor and leadership training as desktop exercises so that attendees grasp the challenge bias-based calls present to the agency's overall mission.

It would be beneficial for dispatchers and officers to jointly attend training on calls for service so that the training can address the intersecting roles and responsibilities of both positions in dealing with bias-based calls for service. The Board also recommends that dispatchers go on a ride-along with a field officer as part of their training, and that field officers do a sit-along in the dispatch center so that each can build a better understanding of what the other job entails. This will open up the lines of communication between the two positions and enable them to better handle not only calls rooted in bias by proxy, but all dispatch calls generally.

### **Best Practice Recommendations for Civilian Complaint Forms**

In its 2019 report, the Board made recommendations for best practices for civilian complaint procedures and policies. In its 2020 report, the Board makes recommendations regarding the civilian complaint forms. After reviewing literature regarding best practices for civilian complaint procedures and forms and conducting an initial review of the Wave 1 agency civilian complaint review forms, the Board recommends that agencies consider the following in assessing and, if appropriate, revising their complaint procedures and forms:

#### ***Introductory or Background Information***

- The agency's complaint form should include an explanation of the policy to provide the complainant with clear direction on complaint procedures.
- The agency's policies, applicable forms, and training materials should communicate a clear, consistent definition of the term "civilian complaint."
- Complaint forms should include specific instructions for how to fill out and submit the complaint, as well as the contact information of specific department personnel who can assist in completing the form.
- The form should include pertinent information from the agency's complaint policy and procedures, such as:
  - A link to the agency's complaint policy.
  - A statement on the agency's commitment to the acceptance and prompt, fair, and thorough investigation of all complaints regardless of submission method or source.
  - A statement that retaliation for making a complaint or cooperating in a complaint investigation is contrary to agency policy and may also be unlawful. The statement may encourage individuals to report any retaliation they face.

- A statement on the protection of personal information except as necessary to resolve the complaint. This should include a notice that the information is subject to the State’s public disclosure laws.
- A definition of racial or identity profiling consistent with RIPA.
- Information about the investigation process, including the potential finding dispositions and the timeline.
- Information on whom to contact regarding updates on the investigation of the complaint.

***General Complaint Information***

- The form should capture:
  - If the complaint is being submitted anonymously, by a third party, or on behalf of a minor;
  - If a translator has been requested;
  - How the complaint was submitted (e.g., online, mail, in person).
- The form should include the name and contact information for agency personnel who filed or collected the complaint.
- The form should be accessible for people with disabilities.

***Complainant Information***

- The form should ask for the following relevant information about the complainant (*if the complainant so chooses*):
  - Name
  - Age
  - Gender
  - Race or Ethnicity
  - Sexual Orientation
  - Primary Language
  - Address
  - Home, work, mobile phone numbers.
  - E-mail Address

### ***Incident Information***

- The form should capture relevant information about the incident, including:
  - The location of the incident
  - Date of incident
  - Time of incident
  - If the incident was the result of a traffic or pedestrian stop
  - If the incident resulted in bodily injury
    - Including a narrative description field
    - If photos or videos of the injury were included with the complaint
  - If the complainant was present at the incident
  - If the incident was based in whole or in part on any factors such as:
    - Actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability<sup>9</sup>
    - Inappropriate use of force
    - Improper detention, search, or arrest
    - Substandard officer performance
  - Witness information, to the extent known
  - The name or a description of the officer(s)/employee(s) involved (potentially including Badge or ID number)
  - If the complaint or a related complaint has been previously submitted
  - A large narrative field for description of the alleged misconduct.

### ***Processing of Complaints***

The agency's civilian complaint procedures should clearly explain how various types of complaints will be received, logged, and reviewed. The procedure should require that all complaints – including those that may be reviewed by a civilian review board or different branch within the department (for example, Internal Affairs) – be logged into a central civilian complaint repository to facilitate systematic analysis of these complaints.

The agency's complaint procedure should also include a time frame within which civilian complaints are to be investigated and a resolution reached.

The Board hopes that agencies will work to implement the Board's best practice recommendations for handling civilian complaints. As with all of its recommendations, the

Board notes that these recommendations are merely a starting point and not an exhaustive list of best practice recommendations for civilian complaint procedures. These recommendations will help ensure that complaints submitted to the Department of Justice accurately reflect the number and type of complaints of racial and identity profiling.

### **Addressing the Lack of Uniformity Regarding What Constitutes a “Civilian Complaint” and How to Quantify Complaints**

Law enforcement agencies should evaluate their civilian complaint processes and align their complaint forms with the best practices laid out in the Board’s 2019 Report. In examining the civilian complaint data for 2018, the Board found that there were significant disparities in the number of reported civilian complaints by agencies. Disparities in the numbers of complaints documented, investigated, and reported by agencies may arise in part because agencies do not necessarily share a common understanding of what counts as a “complaint.” Penal Code section 832.5 does not include a definition of “complaint” for reporting purposes, and there is no professional consensus within California on a definition.

Instead, agencies in California have the discretion to adopt or develop various definitions and systems for handling civilian complaints. One might suspect, then, that an agency with a relatively narrow definition of a civilian complaint — such as submitting a completed civilian complaint form signed under penalty of perjury — would have fewer reported complaints than an agency that has a broader policy that also includes oral complaints that are later memorialized in writing.

The lack of an agreed-upon definition or process for responding to complaints can contribute to wide differences in reported data, even if all agencies examined are acting in the utmost good faith.

#### **Factors to Consider When Defining a “Civilian Complaint”**

- Verbal complaints – whether there is a duty to document, investigate, and report.
- Complaints – verbal or written – by arrested individuals.
- Complaints by uninvolved third parties who witness misconduct.
- Multiple complaints by third parties about one incident
- Is every complaint logged or are all associated complaints logged as one incident?
- Is an officer required to self-report when verbally accused of racial profiling or other forms of biased policing?

Even a brief consideration of the many ways community members might express dissatisfaction or allege misconduct will identify potential areas of disagreement. Consider the following:

- Community Member A informs a Sergeant she knows that a patrol officer has regularly been running red lights without any apparent emergency. She adds, “I don’t want make out one of those citizen complaints, because I like that officer. But there are lots of children out here, and thought you might speak to him.” The allegations, if true,

would violate agency policy and possibly traffic laws. Should this communication count as a “complaint” within Penal Code section 832.5?

- Community Member B informs a Sergeant that an officer “roughed up” her neighbor’s teenage son. The teenager and his family state they do not wish to become involved “because we have to live in this neighborhood.” Should the allegation count as a “complaint” for reporting purposes?
- Community Member C is driving on her way home from work when she is pulled over by an officer. The officer checks Community Member C’s driver’s license and finds she has an outstanding arrest warrant for failure to appear at a court hearing. Upon arrest, Member C accused the officer of racial profiling. Does this allegation trigger the agency’s reporting, investigation, and retention requirements for civilian complaints? Should the accused officer be required to self-report the allegation, even if Community Member C does not take further action, such as completing a complaint form or otherwise making a more formal complaint?
  - Even if Community Member C did later submit a written statement that includes the racial profiling allegations, would all agencies treat the allegations as a civilian complaint, a defense to a criminal charge, an arrestee/prisoner grievance, or something else?
- During an agency’s investigation of an excessive force complaint, a neighborhood witness tells the investigator that he witnessed the same officer use excessive force on a different neighbor last week. Should that new allegation of misconduct count as a second “civilian complaint” for reporting purposes, or would the agency treat the new allegation as part of the original investigation?

Another factor related to the core concept of what constitutes a “civilian complaint” is how to accurately log such a complaint. For example, if 10 people witness an altercation between an officer and an individual at an event and submit written complaints about the incident to an agency, does the agency log 10 complaints or just one, because they all have to do with the same incident? Do all agencies accept complaints from third parties regarding interactions they observe, even though the third parties are not directly involved in interactions with the peace officer?

With the emergence of social media, there is also the opportunity for law enforcement to consider accepting complaints from less formal means. Consider, for example, what might happen if an agency learned that a community member posted a video recording on the Internet that depicted apparent officer misconduct towards another community member. Would the agency consider the original posting a civilian complaint that must be logged, reviewed, and reported to the Department? What about additional comments following the original posting? What if one or more of those comments included separate allegations of misconduct by agency personnel?

The Board raises these examples to illustrate why there may be disparities in reporting and to further urge law enforcement agencies to think about how the term “complaint” should be defined and/or expanded. Clear policies that address these questions will provide officers with direction that will hopefully standardize the civilian complaint processes within each agency as well as across California. The Board’s review of the complaint policies of the Wave 1 reporting agencies reveals that the term “civilian complaint” is not defined in any of these policies. The Los Angeles County Grand Jury, in a recent report on the civilian complaint process of several law enforcement agencies in Los Angeles County, suggested the following definition:

A complaint is an allegation by any person that a sworn officer or custodial employee of an agency, or the agency itself, has behaved inappropriately as defined by the person making the allegation. The person making the allegation is the complainant.<sup>10</sup>

As another example of a possible definition of “complaint,” the Los Angeles County Sheriff’s Department defines “personnel complaint” as “an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department.”

The National Association for Civilian Oversight of Law Enforcement (NACOLE) likewise suggests that the “types of complaints that should be investigated include allegations that, if proven true, would represent misconduct under the police department’s policies and procedures.”<sup>11</sup>

Even using one of these definitions, however, agencies may still vary regarding how to respond to a complaint, such as how to respond to verbal complaints, third-party complaints, or complaints reported by the officer who is the subject of the complaint.

### **Lack of Uniformity Regarding How to Process Civilian Complaints**

Another factor that could explain an agency’s relatively low number of civilian complaints is an agency’s system for processing complaints and, in particular, the lack of a centralized repository for civilian complaints. For example, complaints that allege use of force may be reported directly to an Internal Affairs or Professional Standards unit within an agency, or to a Civilian Review Board, and may not be classified as civilian complaints. By contrast, complaints that allege verbal abuse or racial or gender identity slurs and not use of force may be processed and treated differently, through different investigative channels.

Likewise, some complaints may be classified as “inquiries” or “adverse comments” and not logged as a reportable civilian complaint. Complaints may also be classified according to the level of review they are afforded, which may skew the numbers.<sup>12</sup> And certain complaints, such as complaints of domestic violence involving officers, may be treated differently from complaints about an officer for interactions that occur while on duty.

For example, in 2016, the USDOJ issued a report regarding its investigation of the Baltimore Police Department (Baltimore PD), finding that the Baltimore PD “failed to effectively investigate complaints alleging racial bias—often misclassifying complaints to preclude any meaningful investigation.”<sup>13</sup> USDOJ uncovered only one complaint that that Baltimore PD



classified as a racial slur in six years of complaint data. Yet a manual review of the complaints from the Baltimore PD revealed 60 additional complaints that alleged that officers used a racial slur; nonetheless, these complaints were misclassified as a lesser offense.<sup>14</sup> Indeed, USDOJ found that a particular racial slur was misclassified 98 percent of the time.<sup>15</sup> As the Baltimore PD exemplifies, how an agency classifies a civilian complaint – whether done intentionally or inadvertently – can skew the numbers of complaints reported, present an obstacle to the transparency that such data collection is designed to further, and make systematic analyses and comparisons across agencies difficult, if not impossible.

In its recent review of the Sacramento Police Department (Sacramento PD), the California Department of Justice noted that the Sacramento PD’s complaint intake procedure permitted complaints to be referred to either the employee’s supervisor or Internal Affairs and found that this system gave too much discretion for how personnel complaints were handled in the first instance. As a result, the Department recommended that all complaints be referred to Internal Affairs for processing, and that Internal Affairs should serve as the repository for all complaints, regardless of origin or level of severity.<sup>16</sup> The lack of a centralized information source for complaints, which is not unusual based on our review of complaint practices, could lead to underreporting of civilian complaints, which may in turn explain disparities in reporting.

Another recommendation the Department made in its review of the Sacramento PD was to establish a complaint classification system that would categorize complaints according to the severity of the offense. In reviewing the Sacramento PD complaint policies and procedures, the Department noted that Sacramento PD identified four types of complaint classifications: (1) inquiries; (2) Office of Public Safety Accountability (OPSA) complaints; (3) civilian complaints; and (4) Department complaints. Inquiries or OPSA complaints were investigated informally, and did not trigger the same tracking and documentation requirements as civilian or Department complaints, which required documentation on a specified form, forwarding via the chain of command, a formal investigation, and tracking via an electronic database. Accordingly, the Department recommended that personnel complaints be tracked uniformly and classified by type of alleged misconduct, such as excessive use of force or racial bias.<sup>17</sup>

Likewise, the Los Angeles County Sheriff’s Department classifies complaints from members of the public as “service complaints” (“external communication of dissatisfaction with Department service, procedure or practice, not involving employee misconduct”) or “personnel complaints” (“an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department”),<sup>18</sup> which are governed by different procedures.<sup>19</sup>

These examples illustrate how agencies have differed in how they track complaints they receive; consequently, certain complaints alleging racial bias may not be processed as civilian complaints that are reported to the California Department of Justice.

Without a uniform system to accept, document, investigate, and report complaints, agencies may not only provide inaccurate or incomplete reporting data, but also blind themselves and

limit their ability to respond to personnel or operational problems identified by the communities they serve. An agency's ability to audit its complaint system to account for complaints received by a variety of means (e.g., complaints logged in separate, unconnected databases) may also affect whether, or to what extent, it meets its legal obligations under Penal Code Section 832.5 to report civilian complaints. Because agencies may silo the various sources of misconduct allegations (e.g., civilian complaints, use of force incidents, domestic violence complaints, complaints by peer officers or supervisors, etc.), failure to integrate this information among various databases may impair or entirely defeat an agency's early intervention system that seeks to identify and remedy at-risk behavior as soon as possible.<sup>20</sup>

Without a uniform understanding of (1) what a complaint is under this section, and (2) how such complaints are handled internally, it is difficult to compare and contrast civilian complaints reported by agencies pursuant to Penal Code section 832.5. Because one of the goals of RIPA was to require agencies to provide more granular data regarding civilian complaints that allege racial or identity profiling, in order to better analyze these complaints, it is crucial that agencies use similar methods to define and track civilian complaints.

### **Accessibility and Knowledge of an Agency's Complaint Process**

Another factor that may explain the disparities in numbers of complaints between agencies is different levels of community access to agency complaint processes.<sup>21</sup> Barriers to accessing civilian complaint forms or processes could also explain the disparities in the number of reported complaints among agencies. In other words, one agency may report what seems like a disproportionately high number of civilian complaints, not because of inherent problems in how they interact with the community, but because their complaint system is widely publicized and individuals can easily submit complaints through the Internet, over the phone, or in their native language. By contrast, a different agency may have low numbers of reported complaints, not because they provide exceptional service, but because individuals cannot readily access a complaint form, or are required to mail or bring in complaints in person.

Agencies should increase public access by developing an easily understandable and usable form, available in multiple languages and multiple formats that individuals may use to make complaints. A best practice would be to refrain from using any language in the form —such as requiring the complainant to sign under penalty of perjury — that could be reasonably construed as discouraging the filing of a complaint.<sup>22</sup>

### **Possible Barriers to Reporting of Civilian Complaints**

- *Lack of knowledge of complaint process*: complaint processes may not be prominently featured on an agency's website or literature.
- *Inadequate explanation of process*: complainants may be confused or have misconceptions about the complaint process.

- *Language barriers*: complaint processes may not be available in languages other than English.
- *Difficulty of complaint process*: complaints may not be easily downloaded from a website or submitted online and may have to be filed in person.<sup>23</sup>
- *Inaccessibility of forms*: forms may not be available on an agency’s website, in the complainant’s language, or physically available or easy to obtain at the agency’s public waiting area; if forms are not displayed in public waiting area, an individual may have to specifically state “I want to file a complaint” in order to initiate the process.

### **Best Practices to Increase Access to Civilian Complaints for People with Disabilities**

A potential reason behind the disparities in the numbers of complaints among agencies is the varying degree of accessibility of the complaint process for people with disabilities. The Board seeks to ensure that individuals with disabilities have access to complaint forms. To that end, the Board reached out to Disability Rights California and other advocates to identify best practices to make complaint processes and forms more easily available and usable for individuals with disabilities.<sup>24</sup>

Given these discussions with stakeholders, the Board encourages law enforcement agencies to accept complaints filed in person, in writing, over the telephone, by Internet, by fax, anonymously, or on behalf of someone else, so that individuals with disabilities have multiple options to choose from based on what would be most assistive given their particular disability.<sup>25</sup> A phone-in option, for instance, may be more accessible for individuals with low vision or who are blind. Agencies should also develop and use a language assistance plan and policy that includes protocols for interpretation (including Braille and American Sign Language). For example, the World Wide Web Consortium (W3C) has a well-established set of programming standards and resource materials to assist web page designers in making content accessible to persons with a variety of disabilities — such as blind persons using text-to-speech software.<sup>26</sup>

An agency can also increase accessibility by offering a trained staff member to assist with completing a complaint form. When creating form and policy documents for the public, agencies can use the following guidelines to make documents more accessible to individuals with disabilities in the following ways:

1. Documents should be easy to read. There are private vendors that have built-in accessibility check features that can identify solutions for accessibility errors in documents. There are also commercially available spelling and grammar checks that can score a document with a “Reading Ease Number” and a “Grade Level” for the readability of text. For the reading ease number, a score above 60 percent is recommended. For the reading level, a score between 7th and 9th grade reflects accessible text.<sup>27</sup>

2. The minimum font size should be 14 point.
3. Always use high contrast colors on text. Some people cannot see the text if the background color does not have enough contrast.
4. Text should be flush left. This makes it easier for people with disabilities to read the content.<sup>28</sup>
5. Numbered lists are more easily read than bullet points.
6. Correct formatting of the electronic document can make titles and headers, pictures, tables, footnotes, and endnotes accessible for assistive technology software/screen readers.<sup>29</sup>

Ensuring that individuals with disabilities have equal access to civilian complaint forms and processes not only fulfills agencies' duties in complying with state and federal disability access laws, but will help agencies obtain valuable input from members of the disabled community.

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<sup>1</sup> Some agencies include other personal characteristics in their racial or identity profiling policies, such as socioeconomic status or immigration status.

<sup>2</sup> Cal. Pen. Code, § 13519.4, subd. (e).

<sup>3</sup> Fridell, A. (2017). Comprehensive Program to Produce Fair and Impartial Policing. In *Producing Bias-Free Policing*. USA: Springer International Publishing, p. 90.

<sup>4</sup> 11 CCR § 999.224(a)(7).

<sup>5</sup> President's Task Force on 21st Century Policing. (2015). Final Report of the President's Task Force on 21<sup>st</sup> Century Policing. Washington, DC: Office of Community Oriented Policing Services, p. 27. Available at <http://elearning-courses.net/iacp/html/webinarResources/170926/FinalReport21stCenturyPolicing.pdf> (identified as recommendation 2.11, with accompanying Action Item 2.11.1 for promoting effective crime reduction while building public trust).

<sup>6</sup> Fridell, A. (2017). A Comprehensive Program to Produce Fair and Impartial Policing. In *Producing Bias-Free Policing*. Springer, p. 90.

<sup>7</sup> We are aware that the San Francisco Police Department is in the process of incorporating bias by proxy into the new draft of its anti-bias policing policy. If adopted, we believe this would be the first policy in California, certainly of a major police department, to incorporate concepts of bias by proxy into its department general orders.

<sup>8</sup> One illustrative example is what Nextdoor, a neighborhood communication platform, has developed in collaboration with community groups, local law enforcement, academic experts,

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and neighbors to try to prevent racial profiling and make crime reporting more useful to neighbors and law enforcement. Nextdoor has the following tips: “1) Focus on behavior. What was the person doing that concerned you, and how does it relate to a possible crime?; 2) Give a full description, including clothing, to distinguish between similar people. Consider unintended consequences if the description is so vague that an innocent person can be targeted.; and 3) Don’t assume criminality based on someone’s race or ethnicity. Racial profiling is expressly prohibited.” See Nextdoor. (2017). Preventing Racial Profiling on Nextdoor. Available at <http://us.nextdoor.com/safety/preventing-profiling-approach>.

<sup>9</sup> Agencies may consider including language similar to the following: If you believe that the misconduct is based in whole or in part on your race, color, national origin, sex, gender identity, religion, or disability, please identify the basis and explain what led you to believe that you were treated differently from others.

<sup>10</sup> Los Angeles Grand Jury Report, 2017-2018, p. 86. Available at

<http://www.grandjury.co.la.ca.us/pdf/2017-2018%20los%20angeles%20county%20civil%20grand%20jury%20final%20report.pdf>

<sup>11</sup> National Association for Civilian Oversight of Law Enforcement. (2016). What Types of Complaints Should Be Accepted? Available at <https://www.nacole.org/complaints>.

<sup>12</sup> See, e.g., USDOJ, Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*, pp. 139, 141. Available at <https://www.justice.gov/opa/file/883366/download> (holding that “[a]ppropriately categorizing a complaint is critical because it affects which internal affairs component will investigate, the level of investigation undertaken, and the possible discipline imposed”; describing the Baltimore PD’s failure to consistently review how complaints are categorized in its internal affairs database, thereby vesting considerable discretion in supervisors; and finding that “supervisors frequently use this discretion to classify allegations of misconduct that result in minimal investigation”).

<sup>13</sup> *Ibid*, p. 47.

<sup>14</sup> *Ibid*, p. 62. See also p. 66 (“Even when individuals successfully make a complaint alleging racial bias, BPD supervisors almost universally misclassify the complaint as minor misconduct—such as discourtesy—that does not reflect its racial elements.”), and p. 68 (As a result of misclassification, “[Baltimore] PD does not investigate the frequent allegations of race-related misconduct made against its officers and has no mechanism to track allegations to correct discriminatory policing where it occurs).

<sup>15</sup> *Ibid*, p. 69 (“Failing to recognize the potential for racial discrimination in the use of a racial epithet is difficult to attribute to a lack of training, policy guidance, or other systemic deficiency. This systemic misclassification of complaints, particularly when the classification is not difficult, indicates that the misclassification is because of the racial nature of the complaints.”), pp. 141-142 (finding that complaints were misclassified and sent to different track for review, for example, as “supervisor complaints,” which are not required to be investigated and that “[Baltimore] PD administratively closed 67 percent of supervisor complaints and sustained just 0.27 percent of them . . . . By administratively closing complaints, [Baltimore] PD investigators evade [Baltimore] PD policy that requires all complaints to be labeled as sustained, not sustained, exonerated or unfounded . . . . These administrative closures, combined with [Baltimore] PD’s failure to ensure that complaints are appropriately classified, undermine

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[Baltimore] PD’s system of accountability and contribute to the perception shared by officers and community members alike that discipline is inconsistent and arbitrary.”).

<sup>16</sup> California Department of Justice. (2019). *Sacramento Police Department Report and Recommendations*. California: Office of the Attorney General, p. 69. Available at <https://oag.ca.gov/system/files/attachments/press-docs/spd-report.pdf>.

<sup>17</sup> *Ibid*, p. 70. In August 2019, the Sacramento Police Department revised its complaint intake and investigation procedure in Internal Reference Manual 220.01, and in doing so appears to have eliminated the “inquiry” classification.

<sup>18</sup> Los Angeles County Sheriff’s Department. (n.d.). 3-04/10.00, Department Service Reviews. In *Manual of Policies and Procedures*. Available at <http://www.lasd.org/pdfjs/web/PublicComplaintPolicies.pdf>.

<sup>19</sup> *Ibid*, Sections 3-04/010.20 (Service Complaints) and 3-04/010.25 (Personnel Complaints).

<sup>20</sup> See, e.g., USDOJ, Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*, p. 134. (Baltimore Police Department’s failure to use integrated systems to maintain information blunts the usefulness of this data; data is maintained in 232 separate databases, most of which cannot be linked to each other); California Department of Justice. (2019). *Sacramento Police Department: Report & Recommendations*, pp. 71-72 (recommending an early intervention program that collects and maintains, in a computerized database, various subsets of information, including civilian complaint data and disposition, as well as use of force allegations, disciplinary actions, awards and commendations, and training).

<sup>21</sup> See, e.g., 2012-2013 Santa Clara County Civil Grand Jury. (2013). Report: Law Enforcement Public Complaint Procedures. Available at [http://www.sccourt.org/court\\_divisions/civil/cgj/2013/LawEnforcementPublicComplaintProcedures.pdf](http://www.sccourt.org/court_divisions/civil/cgj/2013/LawEnforcementPublicComplaintProcedures.pdf); 2015/2016 Marin County Civil Grand Jury. (2016). *Law Enforcement Citizen Complaint Procedures: The Grand Jury has a few complaints*. Available at <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2015/law-enforcement-citizen-complaint-procedures.pdf?la=en>; 2018 Los Angeles County Grand Jury Report. Available at <http://www.grandjury.co.la.ca.us/pdf/2017-2018%20los%20angeles%20county%20civil%20grand%20jury%20final%20report.pdf>.

<sup>22</sup> See, e.g., *U.S. v. Police Department of Baltimore City, et. al.* (2017) 1:17-cv-00099-JKB (mandating that the written notice of receipt sent to non-anonymous complainants should “not contain language that could be reasonably construed as discouraging participation in the investigation, such as a warning against providing false statements or a deadline by which the complainant must contact the investigator.”)

<sup>23</sup> The USDOJ found, for example, that the Baltimore PD placed unnecessary conditions on the filing of complaints, including requiring many types of complaints to be signed, notarized, and filed in person at only a few locations. USDOJ, Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*, p. 140.

<sup>24</sup> Accessibility to the complaint process is required by both state and federal law. USDOJ, Civil Rights Division. (n.d.). Information and Technical Assistance on the Americans with Disabilities Act: ADA enforcement in criminal justice settings. Available at [https://www.ada.gov/criminaljustice/cj\\_enforcement.html](https://www.ada.gov/criminaljustice/cj_enforcement.html).

<sup>25</sup> See, e.g., Police Executive Research Forum. (2015). *Critical Response Technical Assessment Review: Police Accountability – Findings and National Implications of an Assessment of the San*

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*Diego Police Department*. Washington, DC: Office of Community Oriented Policing Services. Available at <https://cops.usdoj.gov/RIC/Publications/cops-w0756-pub.pdf> (“Consistent with accepted best practice, the SDPD has a multifaceted system for receiving complaints; community members in San Diego may file a complaint in person, by phone, by mail, or by e-mail”); *U.S. v. Police Department of Baltimore City, et. al.* (2017) 1:17-cv-00099-JKB (describing how Baltimore PD will ensure widespread and easy access to its complaint system: “BPD will ensure individuals may make complaints in multiple ways, including in person or anonymously, by telephone, online, and through third parties”). See also recommendations in reports issued by the Los Angeles County Grand Jury, Santa Clara County Grand Jury, and Marin County Grand Jury.

<sup>26</sup> See World Wide Web Consortium (W3C). (n.d.). Web Accessibility Initiative. Available at <https://www.w3.org/standards/webdesign/accessibility>.

<sup>27</sup> Disability Rights California. *Guide to Accessibility*. AC 01; AC 08 – v.01.

<sup>28</sup> Disability Rights California. *Guide to Accessibility*. AC 01; AC 09 – v.01.

<sup>29</sup> Disability Rights California. *Guide to Accessibility*. AC 03; AC 06; AC 07; AC 09 – v.01.