

Internal Affairs Division Year to Date 2016

(Reporting Period: 1 Jan 16 to 31 Dec 16)

| Cases | 1186 | |
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| Allegations | 2559 | (The number of individual policy violations within each case) |
| Cases Investigated | | |
| Division Level | 386 | (Division Level investigations are completed by a supervisor) |
| Internal Affairs(IA) | 237 | (Internal Affairs investigations are completed by an IA investigator) |
| Total # of Investigations | 623 | |
| Allegations Reviewed and Administratively Closed: 870 | | |
| These complaints include but are not limited to: Outside Agency Complaints, Complaints of No Merit and Service Complaints* | | |
| *Example of a Service Complaint: Community member alleges the officer took too long to respond to a complaint of dogs barking; however, the officer was sent to an in progress Domestic Violence call. | | |
| Discipline | | |
| Suspension(s) | 11 | |
| Counseling and/or Training | 57 | |
| Written Reprimand(s) | 30 | |
| Termination | 03 | |
| Total Sustained Findings | 101 | |
| Manual of Rules Violations (MOR) | | |
| MOR | Description | # of Allegations |
| 000.01 | Service Complaint (A police practice mandated by policy or law, such as towing a vehicle; or a delay in service, such as a long wait for an officer's presence due to call for service volume) | 448 |
| 000.02 | No Violation of OPD Manual of Rules and/or the Law. | 413 |
| 000.03 | Duplicate Entry | 9 |
| 234.00 | AUTHORITY AND RESPONSIBILITIES Subject to direction from higher command, a commanding officer has direct control over all members and employees within his/her command. | 4 |
| 285.00 | AUTHORITY AND RESPONSIBILITIES – In addition to the general and individual responsibilities of all members and employees, each supervisor is specifically responsible for the following: Supervision, Leadership, Direction, Enforcement of Rules, Inspection, Assisting Subordinates, and Grievance Resolution. (Gross dereliction of duty) | 6 |
| 285.90 | Prevention of harassment, discrimination and retaliation. | 0 |

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| 314.03 | <p>GENERAL CONDUCT – Members and employees shall conduct themselves at all times in such a manner as to reflect favorably upon themselves, the City, the Department and the police service. Whether on or off-duty, members and employees shall avoid any conduct that brings disrepute to the Department or impairs its efficient and effective operation.</p> | 12 |
| 314.04 | <p>CONDUCT TOWARD OTHERS – HARASSMENT AND DISCRIMINATION – Members and employees shall treat all persons with courtesy and respect. The Department has a zero tolerance policy for harassment and discrimination against members, employees and persons on the basis of race, religion, national origin, marital status, age, sex, sexual orientation, ancestry, physical or mental disability, or medical condition. The Department prohibits conduct that violates the specified City Administrative Instruction. Any member or employee who harasses or discriminates against another member, employee, or any person, or engages in any inappropriate workplace conduct that violates City Administrative Instruction 71 shall be subject to severe disciplinary action, including discharge from the City service. Any member or employee who has knowledge that another member or employee has engaged in harassment or discrimination or inappropriate conduct that violates the specific City Administrative Instruction is strictly charged with the responsibility for reporting that conduct in accordance with the provisions of Manual of Rules Section 314.48 (Reporting Violations of Laws, Ordinances, Rules or Orders). Any member or employee who harasses or discriminates against another member, employee, or any person, or engages in any inappropriate workplace conduct that violates City Administrative Instruction 71 shall be subject to severe disciplinary action, including discharge from the City service. Any member or employee who has knowledge that another member or employee has engaged in harassment or discrimination or inappropriate conduct that violates the specific City Administrative Instruction is strictly charged with the responsibility for reporting that conduct in accordance with the provisions of Manual of Rules Section 314.48 (Reporting Violations of Laws, Ordinances, Rules or Orders).</p> | 46 |
| 314.07 | <p>CONDUCT TOWARD OTHERS – Demeanor – Members and employees shall perform their duties attentively and courteously, avoiding rude, threatening, harsh, insulting, profane, insolent or demeaning language, and they shall maintain a professional bearing regardless of provocation to do otherwise. Members and employees shall treat superior officers, subordinates, and peers with respect. They shall be courteous and civil at all times in their relationships with one another and shall avoid any inappropriate conduct. All persons, except the very youthful and those known personally by the member or employee, shall at all times be addressed by their appropriate title followed by their last name. When on duty and in the presence of others, superior officers shall be referred to by rank title. Members and employees shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other parts of the Department. Orders from superior to subordinate members and employees shall be given in a civil manner, without the use of profane or derogatory language.</p> | 255 |

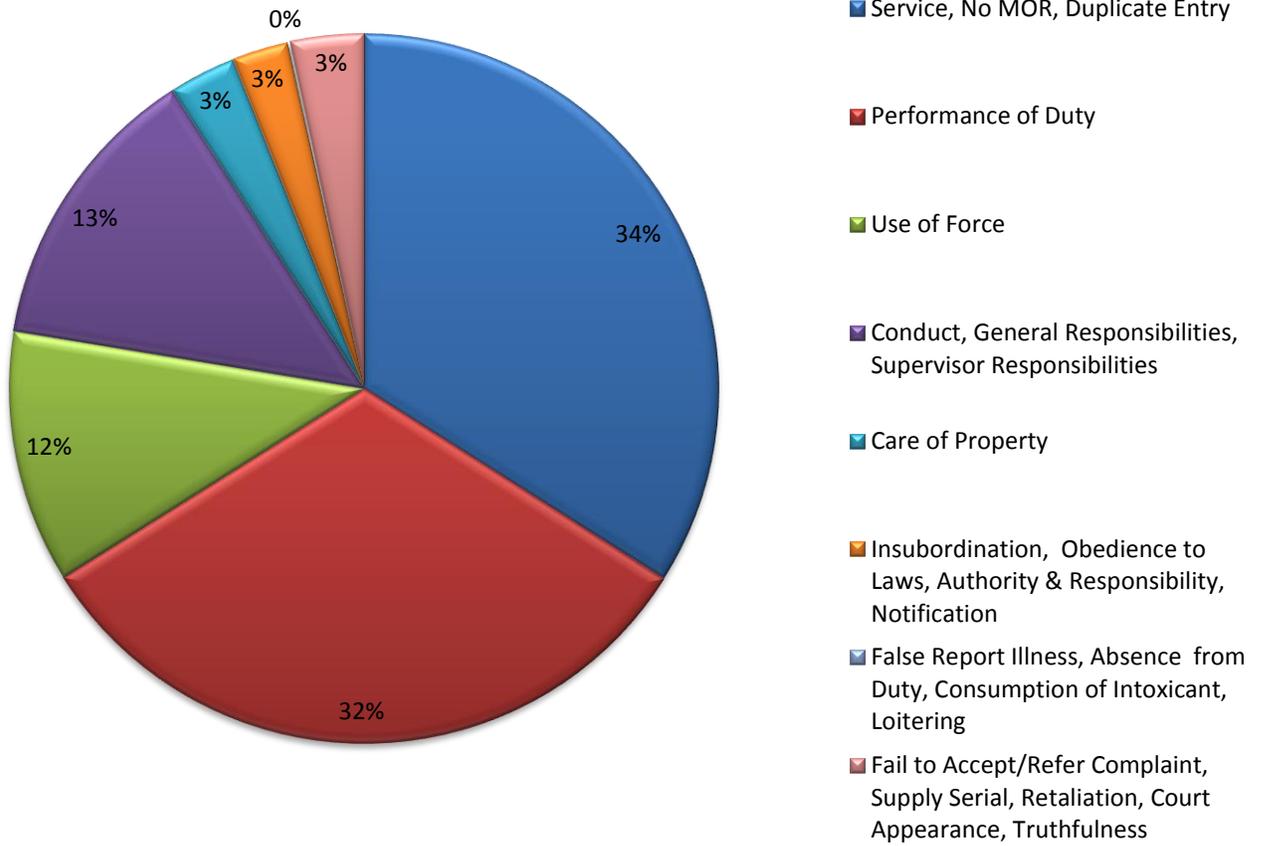
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| 314.08 | CONDUCT TOWARD OTHERS – RELATIONSHIPS – Members and employees shall not inappropriately convert or attempt to convert an on-duty contact to an intimate relationship. | 2 |
| 314.28 | NOTIFICATION - Any member or employee who is a party to any of the following incidents shall prepare and forward via email or a hand-delivered memorandum directly to an IAD Commander within 72 hours:- Lawsuit (the member or employee is not required to report under this section when the City is also named as a party in the lawsuit); Arrested; CDL suspension or revocation or notification of CDL suspension or revocation; Cited, in lieu of arrest (except Vehicle Code infractions); Served with a civil or administrative process related to their employment or which contains allegations which rise to the level of a Manual of Rules violation; or becomes aware that he/she is under investigation for any misdemeanor or felony in this or another jurisdiction. | 2 |
| 314.30 | INSUBORDINATION-DISOBEDIENCE TO ORDERS – Failure of any member or employee to obey a lawful order given by a superior officer constitutes insubordination. | 0 |
| 314.32 | INSUBORDINATION-DISRESPECT – The act of ridiculing or treating with disrespect a superior officer or his/her orders whether in or out of his/her presence. | 0 |
| 314.38 | OBSTRUCTING THE INTERNAL AFFAIRS PROCESS – No member and employee shall obstruct, impede, delay, or undermine the internal investigation process in either words or actions. | 1 |
| 314.39 | PERFORMANCE OF DUTY – All members and employees shall perform their assigned duties and responsibilities as required or directed by law, Departmental rule, policy, or order by a competent authority. Each member and employee is accountable for the exercise of delegated authority, and shall not conceal, divert or mitigate their true culpability. Violations of performance of duty include, but are not limited to, the following: Intentional illegal search, seizure, or arrest; unintentional or improper search, seizure, or arrest; planting of evidence; failure to perform duties as required or directed by law, Departmental rule, policy, or order; improper care of the property of persons; and changing a work assignment without authority. | 815 |
| 314.42 | OBEDIENCE TO LAWS – Members and employees shall observe and obey all laws and ordinances. A violation of this section may include, but is not limited to the following: Felony and serious misdemeanor crimes; other misdemeanor crimes; or driver's license status. | 30 |
| 314.48 | REPORTING VIOLATIONS OF LAWS, ORDINANCES, RULES OR ORDERS – Members and employees who become aware that other members or employees violated laws, ordinances, rules of the Department, or disobeyed orders, of a Class I violation or any Class II violation which indicates a pattern of misconduct of which they are aware, shall within 24 hours or sooner, if practical, report the offense, orally or in writing, to his/her supervisor or the Internal Affairs Division. | 2 |

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| 314.69 | GIFTS, GRATUITIES – SOLICITING OR ACCEPTING – Members and employees shall not use their authority or position, whether for him/herself or another, and not otherwise available to them as a private person: Members and employees shall not use their authority to solicit or accept contributions for the Department or for any other agency, organization, event, or cause without the express consent of the Chief of Police or designee. | 4 |
| 314.70 | USES OF PRIVILEGED INFORMATION – Members and employees are prohibited from using information, not available to the public, gained through their position as a law enforcement officer or within the Department to gain a financial or other benefit for themselves or another. | 17 |
| 328.07 | PROHIBITED ACTIVITY ON DUTY – Members and employees are prohibited from engaging in the following activities while on duty: Sexual activity; Sleeping, loafing, idling; Conducting private business; Carrying of articles not associated with the performance of police duties; or gambling, unless to further a police purpose. | 4 |
| 328.14 | LOITERING – On-duty members and employees, and off-duty members and employees in uniform shall not enter bars, taverns or theaters except to perform a police task. Loitering and unnecessary conversation in such locations is forbidden. Eating in establishments where the primary purpose is the service of alcoholic beverages rather than food is discouraged, although not forbidden. | 0 |
| 328.49 | ABSENCE FROM DUTY – Every member or employee who fails to appear for duty at the date, time and place specified without the consent of competent authority is "absent without leave." Absences without leave in excess of one day shall be reported in writing to the Chief of Police. | 1 |
| 328.63 | CONSUMPTION OF INTOXICANTS – Members and employees shall not at any time. | 3 |
| 342.00 | DEPARTMENT PROPERTY AND EQUIPMENT – Preventable Collision | 74 |
| 342.19 | DAMAGED, INOPERATIVE PROPERTY OR EQUIPMENT – Members and employees shall immediately report to their immediate supervisor or commanding officer any loss of or damage to Departmental property or equipment assigned to or used by them. The immediate superior shall be notified of any defects or hazardous conditions existing in any Departmental equipment or property. In the event that Department property is found bearing evidence of damage that has not been reported, it shall constitute presumptive evidence that the last person using the property or vehicle was responsible. | 4 |
| 356.30 | ACCESSING, VIEWING, DOWNLOADING, PROVIDING, SHARING INAPPROPRIATE MATERIAL Members and employees shall not intentionally access, view, download, provide, or share inappropriate material while on-duty or in a police facility, except in the performance of an official police task. | 2 |

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| 356.89 | IMPROPER DISSEMINATION OF COMPUTER INFORMATION – Members and employees shall not disseminate information obtained from a Departmental/City computer without proper authorization. | 1 |
| 356.90 | UNAUTHORIZED USE OF ELECTRONIC SYSTEMS – Members and employees shall not use or access Departmental/City/County computer systems/databases/records and/or other communication equipment unless authorized to do so by competent authority. | 1 |
| 370.27 | PHYSICAL FORCE, USE OF – The use of physical force (Level 1-4) shall be restricted to circumstances specified y Departmental policies and law. | 295 |
| 370.36 | CUSTODY OF PRISONERS – Arrestees and/or detainees shall be reasonably controlled in order to prevent their escape. They shall be treated humanely and shall not be subjected to unnecessary restraint. The arresting officer(s) shall notify the transportation officers of any special care the prisoner may need. Responsibility for both the prisoner and his/her personal property transfers from the arresting officer to the transportation officer when they accept custody of the prisoner | 4 |
| 370.45 | REPORTS AND BOOKINGS – No member or employee shall knowingly: Submit false/inaccurate/improper Departmental records with the intent to assist prosecution or defense. Falsify time records or financial records for fraudulent purposes. Falsify official reports or records. Falsify or alter evidence. | 1 |
| 370.63 | SECURITY OF DEPARTMENTAL BUSINESS – Members and employees shall not reveal confidential reports, records, and/or information to an unauthorized person. Questions regarding the disclosure of information shall be referred to competent authority. | 2 |
| 370.72 | COMPROMISING CRIMINAL CASES – Members and employees shall not: - Interrupt, attempt to interrupt, or improperly influence the legal process; - Engage in any activity with the intent to interfere with a criminal investigation, charging, or prosecution of any case; or - Fail/refuse to cooperate with an official criminal investigation upon direction of a competent department authority. | 1 |
| 370.81 | ASSISTING CRIMINALS – Members and employees shall not disclose to any person attempting to commit a criminal act or who may be engaged in criminal activity any information that might assist him/her in committing a crime, evading arrest or disposing of evidence of any unlawful act. | 2 |
| 398.70 | INTERFERING WITH INVESTIGATIONS – Members and employees are prohibited from contacting any witnesses, complainants, or subjects involved with internal or Citizens’ Police Review Board (CPRB) investigations for the purpose of discussing or influencing their testimony or persuading them to withdraw complaints. When routine contact with such persons is unavoidable, members and employees shall refrain from any discussion of complaints against Department personnel or testimony relating to those complaints. | 1 |

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| 398.73 | <p>RETALIATION – Under no circumstances shall members or employees retaliate against any other member, employee, or any other person for engaging in a protected activity. Members and employees shall not engage in any adverse action that: Would cause a reasonable member, employee, or any other person to be deterred from engaging in a protected activity; or is based on a retaliatory motive arising out of a member, employee, or any other person engaging in a protected activity. Any member or employee who becomes aware of such conduct shall immediately report the misconduct to a commander/manager, and/or directly to the Internal Affairs Division. The presumptive penalty for violation of this section shall be termination.</p> | 5 |
| 398.76 | <p>REFUSAL TO ACCEPT OR REFER COMPLAINT – Members and employees shall not refuse to accept a citizen complaint, fail to refer a citizen to the IAD (when the citizen can be reasonably understood to want to make a citizen’s complaint), fail to forward a complaint to the IAD, discourage a person from filing a complaint, and/or knowingly provide false, inaccurate, or incomplete information about the IAD process. Members and employees shall not fail to follow any of the procedures for accepting, referring, or forwarding a complaint.</p> | 47 |
| 398.77 | <p>REFUSAL TO SUPPLY NAME AND SERIAL NUMBER – Upon request, members and employees shall supply their names and serial numbers to any person who seeks such identification.</p> | 33 |
| 398.80 | <p>TRUTHFULNESS – Members and employees are required to be truthful at all times whether under oath or not, except when necessary in the performance of official duties.</p> | 12 |
| Misc. | <p>Internally generated complaint. See IAD Commander for details.</p> | 0 |

IAD Allegations



Updated: 01/04/17