



Office of Independent Review

Quarterly Report Second Quarter 2015

**Richard Rasmussen
Police Auditor**

Purpose of the Office of Independent Review

The Office of Independent Review (OIR) is responsible for ensuring that complaints about the conduct of the Fresno Police Department (FPD) are thoroughly investigated to enhance community trust. The OIR monitors ongoing investigations conducted by the FPD Internal Affairs (IA) unit and, when completed performs a comprehensive audit of the process. Each audit report will focus on evaluating the adequacy, thoroughness, quality and accuracy of the investigative report. The OIR assists in strengthening the relationship between the community and the police department by promoting greater transparency and collaboration.

By design, the OIR is independent from the FPD allowing it to work as a conduit in the community. As such, the OIR meets regularly with members from local groups to listen to the public's interest and perspective.

The OIR is scheduled to release four quarterly reports per year to increase transparency, public awareness and understanding.

Purpose of the Report

The objective of the OIR, in preparing this report is that the constituents of the City of Fresno see transparency by all parties involved in the review of complaints.

The following report is intended to show a detailed summary of all complaints submitted to the FPD during the second quarter of 2015. The OIR does not conduct its own investigation but is given full access, monitors and contributes to the existing IA investigation. Once IA has completed its investigation the file is submitted to the OIR for audit.

The second quarter report reflects all complaints made to the IA Unit of the FPD, along with the recommendations made by the OIR between the dates of 04/01/2015 – 06/30/2015. The report is reflective of complaints that are handled within the Inquiry Complaint Form (ICF) system, as well as those more serious allegations which are immediately assigned within the IA Pro system. Some complaints begin as ICFs and once that investigation is concluded, mutate to become full IA investigations. As the tables within this report reflect, some cases are still pending with the IA Unit and will be audited upon completion of IA's own examination of those cases. Also, within this report are separate tables that list pending cases in previous quarters; these tables will detail if the cases have since been audited or continue in a pending status.

Additionally, recommendations are always communicated to the FPD within the audit, regarding the case that generated the recommendation. Other, broader recommendations and/or "trends" are also communicated to the FPD as they are identified weeks prior to the OIR Quarterly Report being published. This is an effort to ensure that the FPD is aware of issues and is able to react, address or consider each item, and is done so in the most time effective manner possible. The FPD has been extremely responsive to these notifications and has offered clarifying information or language, prior to the reports being published.

Trends/Issues Identified and Relayed to the Police Department

OIR is exceptionally pleased to report that due to increased emphasis by FPD command staff and increased use of de-escalation tactics by officers that up until the middle of this quarter, it had been seven and half months since the previous Officer Involved Shooting. It cannot be overemphasized of just how difficult this accomplishment has been to achieve in that officers are faced daily with situations that would allow for the use of “deadly force”. The ability of the officers to control these situations, which often arise in an instant, is something to be applauded.

OIR received a recommendation from a retired police officer who felt that it would be beneficial for the FPD to conduct an “exit interview” upon retirement. Although this retiree also felt that this office, OIR, and/or the Mayor’s office may gain insight on issues within the department by conducting such interviews, that is simply not feasible, logistically speaking, and at least in the case of OIR, is well outside this office’s scope of oversight. OIR would not be supportive of a program that calls for OIR, the Mayor’s Office or the City Manager’s office, conducting exit interviews of retiring officers. OIR is supportive of the FPD establishing such a protocol to gain greater insight into areas of concern, that retirees may be aware of, but have not communicated previously, due to their perception of possible retribution, as indicated by the writer in his email to OIR.

OIR recommends that the FPD once again remind officers that “chasing” individuals who are riding bicycles, while in a police car, is generally not the right approach. A police car, in chase with a bicycle, could come into contact with the rider/bike and result in the death of the rider. In a case reviewed this quarter, C was being stopped for an equipment infraction, hardly something serious enough to place the rider, the officer and the citizenry in any type of danger. The officers involved in this matter used the word “chase” indicating they felt that they needed to pursue this subject with a police car.

OIR recommends that an immediate communication be sent to every officer once again fully explaining the use of temporary storage lockers for evidence, especially high value evidence, narcotics and firearms. This notification should spell out the policy related to properly booking all evidence into the secure confines of the evidence room. It is recommended that the exact time tables involving both procedures be laid out to ensure that evidence is maintained along with the “chain of custody” so vital to prosecution.

In a recent case, OIR did not know what to make out of an officer’s stated concerns over pressure affecting his decisions, which resulted in careless report preparation and failure to properly book evidence. In any case, OIR did not give those stated excuses any consideration but the FPD may want to consider finding out if there is an over emphasis on statistics versus following the policies and procedures manuals. It should seem self-evident that policies and procedures are established for multiple reasons but by not following them, officers can expect scrutiny from their supervisors, from IA, in cross examination at trials and if egregious enough, in civil court.

On June 8, 2015, OIR submitted to the City Manager a full review of the Hiring and Promotional process of the FPD. Since that date, a series of conversations have been held amongst involved parties, including the FPD and the City Attorney’s office. Overall, this review found that the policies and procedures involved in the hiring and promotional process within the FPD is done fairly, in a very transparent manner, and with great emphasis on finding the right person for the position being filled. OIR noted that the vast majority of this process is managed by elements of the personnel department with two specific employees leading a comprehensive, fair and detailed process. A few

recommendations were made to enhance this already solid program but those are still being vetted by the City Attorney's office, and others, to ensure they are feasible under the myriad of governing policies that oversee these processes. This review was conducted by OIR but was led by the newly appointed Director of Internal Audits within the office of OIR. OIR Internal Audits Unit has begun a systemic review of FPD units and it is expected that by the end of this quarter, the first review will be completed and reported upon within this report.

Richard Rasmussen
Police Auditor

OIR Review of Hiring and Promotional Practices

Community Engagement Unit Policy

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Rick Rasmussen, Independent Reviewer
Mark Scharman, Independent Auditor

DATE: June 8, 2015

TO: BRUCE RUDD, City Manager

FROM: OFFICE OF INDEPENDENT REVIEW

SUBJECT: REVIEW OF FRESNO POLICE DEPARTMENT HIRING AND PROMOTIONAL PROCESSES

In the first quarter of 2015, the Office of Independent Review (OIR) was charged with putting forth a number of initial recommendations that could be implemented in order to detect and prevent unprofessional and or criminal conduct from occurring within the Fresno Police Department (FPD). One of the recommendations was that the OIR conduct a review of the personnel practices and policies related to the hiring and promotional processes of all police series positions within FPD.

This review request is timely given the arrest of a deputy chief as well as the level of attrition and the number of vacancies at many levels within FPD, in particular within the command staff. It should be noted that even the best practices and policies will not identify nor stop someone who is incredibly motivated or determined. However with review, a new or updated policy does allow FPD to become more secure and better able to deter, detect unprofessional or illegal activity by any employee.

OIR consulted with Jeff Cardell and TJ Miller with the department of Personnel Services. These meetings were very informative and OIR found Personnel staff to be most professional in representing the city administration. It is clear that much thought, skill, experience and understanding of state and federal laws and policies have been the basis for hiring and promoting police officers within FPD for years. This is a professional and fair process which includes recognizing the importance and value of diversity. The policy and past practices and promotional announcements reviewed were found to meet and in most cases exceed best practices and national standards.

National Prospective on Increasing Organizational Leadership Through the Police Promotional Process:

Police departments and their design differ from any other type of organization, on a municipal level. Although often compared with the military, police departments have been referred to as having “hyper-bureaucratic military organizational attributes-those of formal rank, formal hierarchy, and a chain of unquestioned command”. Only until a few years ago, the term police management, designated only for those holding a title, described what those in the profession believed to constitute leadership. However, more recent years have shown that managers are not necessarily leaders. Rather those placed into managerial roles should possess leadership skills, behaviors, and knowledge. Employing such a concept could improve officer’s connection with the department and aid in succession planning when promoting future leaders within the department.

So, how do officers obtain a police leadership position, and what measures their leadership behaviors and skills? Are the right people placed into these positions, and can these individuals' lead larger numbers of officers in the future? For the past few decades, some police research has dealt with such topics as leadership styles of those in positions of authority. Other studies have focused on leadership as it pertains to gaining organizational commitment. Little research, however, has examined the promotional process and how it can impact organizational leadership and commitment.

In today's world, a need exists to research and create changes to both the design of police departments and the process to promote future leaders. Police departments all over this country are facing a changing environment at a faster than normal pace and should have a structure flexible enough to handle such situations. This begins with who the FPD is hiring, training and promoting up the rank structure.

One of the most important responsibilities of the Chief of Police is preparation and training of the command staff; this begins with promotions. It is so important that the process of promotion is credible and that the people taking the tests believe it is credible and the results, honorable. In this way the results are validated by all, even when the result of any one individual was less than expected.

Deputy Police Chief:

Bargaining Unit 9-Police Management; this position is an unclassified position in which incumbents serve at the will of the Chief of Police. The selection process includes a candidate's work history, involvement in the community and organizational commitment, and a one-on-one interview with the Chief of Police to determine potential candidates who can perform in the capacity of Deputy Police Chief.

As previously stated, the Chief of Police has the responsibility to promote quality personnel. Promoting a Deputy Police Chief is critical because it must be someone who can assume command of the entire department when the Chief of Police is not available for a variety of reasons. The promotion should not be based on perceived reasons, friendships, sponsorships etc. This position is unclassified, meaning the process is not under the supervision of the department of Personnel Services, nor does Civil Service have jurisdiction but Fresno policy allows for consultation with the City Manager and community leaders. A trend nationally is that City Managers have the final say in this type of promotion after being provided the names of the top three highest candidates presented from the Chief of Police.

1. OIR recommends that the City Manager has the final decision upon consultation with the Chief of Police on promotions of the unclassified position of Deputy Police Chief.
2. OIR recommends that those applying for consideration to compete for a Deputy Police Chief position be required to fill out a financial disclosure background document. This standard is no more detailed than that of a brand new recruit seeking an entry level position. (This request needs further discussion in terms of confidentiality as well as approval from the City Attorney Office.)
3. OIR recommends that any potential conflicts of interest be identified within the interview of the candidate by the Chief of Police. Any such issues must be resolved to the satisfaction of the Chief of Police before further consideration for the position.

Police Commander:

Upon recommendation by the Chief of Police that consideration is given to the creation of a new rank of Police Commander, and upon acceptance of this new rank, OIR makes the following recommendations:

This rank would be an at-will position, appointment made by the Chief of Police, following an exam process similar to the rank of Captain. OIR recommends further study in terms of rank order, command responsibilities and costs. OIR also recommends the following be included in any process for this position.

1. OIR recommends that those applying for consideration to compete for a Police Commander position be required to fill out a financial disclosure background document. This standard is no more detailed than that of a brand new recruit seeking an entry level position with FPD. (This request needs further discussion in terms of confidentiality as well as approval from the City Attorney Office.)
2. OIR recommends that any potential conflicts of interest be identified within the interview of the candidate by the Chief of Police. Any such issues must be resolved to the satisfaction of the Chief of Police before further consideration for the position.

Police Captain:

Bargaining Unit 9 – Police Management; this is a classified position. The Department of Personnel Services is charged with this promotional testing process. Upon review, OIR findings are that this process is done in a very fair and reliable way. The Department of Personnel Services uses Donnoe & Associates as a resource for testing procedures and identifies desired characteristics for the position of Police Captain as well as a job description.

1. OIR recommends that those applying for consideration to compete for a Police Captain position be required to fill out a financial disclosure background document. This standard is no more detailed than that of a brand new recruit seeking an entry level position with FPD. (This request needs further discussion in terms of confidentiality as well as approval from the City Attorney Office.)
2. OIR recommends that any potential conflicts of interest be identified within the interview of the candidate by the Chief of Police. Any such issues must be resolved to the satisfaction of the Chief of Police before further consideration for the position.

Police Lieutenant:

Bargaining Unit 9 – Police Management; this is a classified position. The Department of Personnel Services is charged with this promotional testing process. Upon review, OIR findings are that this process is done in a very fair and reliable way. The Department of Personnel Services uses Donnoe & Associates as a resource for testing procedures and identifies desired characteristics for the position of Lieutenant as well as a job description.

1. OIR recommends that those applying for consideration to compete for a Police Lieutenant position be required to fill out a financial disclosure background document. This standard is no

more detailed than that of a brand new recruit seeking an entry level position with FPD. (This request needs further discussion in terms of confidentiality as well as approval from the City Attorney Office.)

2. OIR recommends that any potential conflicts of interest be identified within the interview of the candidate. Any such issues must be resolved to the satisfaction of the Chief of Police before further consideration for the position.
3. OIR recommends that because the promotional process for Lieutenant requires a written exam, the Department of Personnel Services should provide the exact study material from which the written exam questions will be amassed. These study materials should be provided free of charge to each candidate. While this will take more time and have a minimal associated cost, it is far less time consuming and is far less expensive than delays for appeals and or litigation.
4. OIR recommends that following the application closing date, the Department of Personnel Services hold a candidate meeting to explain in detail the testing process and allow for any questions up front from candidates as to the process only and what they should expect. Although time consuming, it defends against appeals and or litigation. This allows for candidates to realize that the process is fair and credible and the results honorable.

OIR wants to point out that under current policy, only officers holding the rank of Lieutenant and/or Captain can be considered for promotion to Deputy Chief. It is reasonable and likely that the ranks of Deputy Chief produce the next Chief of Police, or so history would indicate. So, it is crucial, not only for the sake of good day-to-day leadership, but for the purpose of secession planning that the Department promotes only those employees who have the background and expertise to someday lead the Department.

Police Sergeant:

Bargaining Unit 4 – Police Basic; this is a classified position. The Department of Personnel Services is charged with this promotional testing process. Upon review OIR findings are that this process is done in a very fair and reliable way. The Department of Personnel Services uses Donnoe & Associates as a resource for testing procedures and identifies desired characteristics for the position of Sergeant as well as a job description.

1. OIR recommends that any potential conflicts of interest be identified within the interview of candidate. Any such issues must be resolved to the satisfaction of the Chief of Police before further consideration for the position.
2. OIR recommends that because the promotional process for Sergeant requires a written exam, the Department of Personnel Services should provide the exact study material from which the written exam questions will be amassed. These study materials should be provided free of charge to each candidate. While this will take more time and have a minimal associated cost, it is far less time consuming and is far less expensive than delays for appeals and or litigation.
3. OIR recommends that following the application closing date, the Department of Personnel Services hold a candidate meeting to explain in detail the testing process and allow for any questions up front from candidates as to the process only and what they should expect.

Although more time consuming, it defends against appeals and or litigation. This allows for candidates to feel that the process is fair and credible and the results honorable.

4. OIR recommends that consideration be made for the creation of a Community Engagement Unit made up of the top eligible Sergeant candidates. Once a candidate is in the unit and with satisfactory service, he/she will be guaranteed a promotion even if another sergeant testing process is held. This kind of unit allows for the Chief of Police to mentor and teach the departmental vision and core values. FPD currently has a great opportunity to promote several to the rank of Sergeant; this unit would focus on teaching the Chief's policies, philosophy and expectations.

Furthermore, it also allows for promotion from the unit, rather than direct promotion from all of the various police units. By creating this pool of candidates from a single unit, with a focus on mentorship, all candidates will be imbued with the core values of the entire department, rather than relying solely upon the experience each person has gathered on their own.

This special unit would also be devoted to grassroots problem solving within the community. The unit would attend monthly community council meetings within the city's council districts. While officers share and receive a lot of information at these meetings, it is daily interaction with residents that foster the trust necessary to tackle public safety issues together. This also allows for a better understanding for potential leaders of FPD to hear and see the community from a different perspective, rather than meeting them following a call for service.

Entry Level Testing Process Recommendations:

1. OIR recommends for the Police Cadet, Recruit, Lateral, which are defined as continuous open until filled positions, place greater emphases on recruiting veterans of honorable service. The diversity of this pool combined with their pre-existing understanding of policing, chain of command and potential advancement, along with a verifiable history of honorable service would provide a great employment pool of men and women to serve, and have a long career with, the FPD. Nationally this is being emphasized both in the public and private sector.
2. OIR recommends that the panel interview process include citizens and business members within the City of Fresno, which may include members of community councils. The community must feel a part of the police department to support and represent those that protect them. In other words, by adding a community member to the current makeup of the panels will not only bring "buy in" from the community it also will bring a different prospective to the panels themselves.
3. OIR recognizes that filling vacant position within FPD has a great sense of urgency, but this process needs to be detailed and deliberate and cannot be hurried. FPD needs to recruit and hire the very best, believing this process is the start of a long and lasting professional career with FPD. Nationally there have been discussions among some police departments and city councils that in an effort to speed up the process and save money, to only conduct background investigation on 50% of applicants by drawing names. This practice, not used in Fresno, is dangerous and creates a great deal of liability for a city. OIR believes this could create a tremendous amount of turnover, which is very costly to FPD and potentially leading to embarrassing conduct within the profession. The hiring process is important, and competitive, and as such, it cannot be hurried.

Summary:

After a thorough review of the promotional and hiring process within the FPD, OIR finds that it is done fairly, professionally, and without bias. The personnel professionals have ensured that the written and oral evaluations are done in a manner that gives the same opportunity for advancement to every qualified applicant. They have gone to great lengths to prepare a written examination which tests on the specific knowledge, skills and abilities that each position requires of its applicants. Oral boards are staffed with highly experienced, diverse and in most cases include non-FPD professionals. As suggested above, inclusion of community leaders and members at the sergeant promotional events will not only provide great community involvement, but will establish community buy-in on those select individuals, who make up the pool of eligible candidates for further promotions. As suggested, the establishment of the Community Engagement Unit from the list of eligible sergeants will ensure that the first level of supervision will reflect the vision of the Chief of Police and department while establishing a grassroots relationship with community that is vital within the command ranks of any police department.

As noted above, OIR recommends that the policy that allows the Chief of Police to consult with the City Manager on Deputy Police Chief promotions be reviewed to place the ultimate decision on the City Manager. History shows that the promotion to Chief of Police comes from the ranks of Deputy Police Chiefs and in the FPD this has certainly been the rule, rather than the exception. Current policy allows for the promotion of current Captains and Lieutenants to the rank of Deputy Chief and this policy is sound. It may be worthwhile to allow for outside law enforcement professionals to apply for a Deputy Police Chief position since similar outsiders can, and do, apply for the position of Chief of Police, when those openings occur. Since the history of the FPD shows that most, but not all, Chiefs of Police came from within the Department, it may merit study to allow for lateral applicants to be allowed to compete to ensure that the city attracts the best and the brightest to the department. This is the approach of initial hiring process and so, it should be considered when promoting to the highest ranks of the department.

As noted above, applicants to become police officers are required to provide financial history data. This rule is universal within law enforcement and is in place to ensure that all applicants are sound in their own personal finances since many officers will be engaged in operations that use the public's money. It only makes sense that those officers who opt to apply to hold the rank of Lieutenant and above once again submit the same financial data that they did upon initial hire since their scope of oversight will increase exponentially upon promotion.

The hiring practices of the FPD are sound with no observed deviations from standards within the profession.

Lastly, as it relates to the actual promotion of any specific individual to a specific job opening, the Chief of Police has traditionally followed the rankings of the candidates as forwarded to him by the eligibility list. Policy allows the Chief of Police to select someone off of the ranked list, not necessarily in the order of finish as decided by the personnel process. OIR notes that over the past five promotional events, the Chief has promoted the applicants in the order of their finish within the overall process.

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Rick Rasmussen, Independent Reviewer
Mark Scharman, Independent Auditor

DATE: June 8, 2015

SUBJECT: Fresno Police Department, Community Engagement Unit

The Fresno Police Department has a special unit devoted to grassroots problem-solving within the community. The Community Engagement Unit (CEU) has officers who attend monthly community council meeting within the City's policing districts. While CEU officers share and receive a lot of information at these meetings, it is daily interaction with residents that fosters the trust necessary to tackle public safety issues together.

If there is a problem in an assigned district/neighborhood—from graffiti to loud parties, drug dealers to gangs, CEU officers are ready to connect with law enforcement and community resources necessary to address the issue.

Proposed Policy:

The Community Engagement Unit (CEU) will be staffed with the future leaders of our police department, providing the unit with some of the best and brightest in our organization.

These future leaders will understand the importance of developing quality and trusting relationships with all community members and organizations and work diligently to solve and address neighborhood concerns. The supervisor will work closely with these officers to provide them with the necessary training, skills and resources to accomplish their tasks and develop them for future leadership roles within the department.

As these officers promote and move throughout the department, the knowledge and skills they have acquired will be implemented and shared with other department members; consequently spreading the vision of community-oriented policing and practicing the philosophy and core values of the Chief of Police.

- Supervisor of the CEU is made up of one veteran Police Sergeant and selected by the Chief of Police
- CEU is comprised of Police Officers on the eligible Sergeant roster. They are not promoted yet. This assignment is a mandatory full time transfer position in order to be considered for promotional position to the rank of Sergeant.
- Each officer is assigned a policing district and is responsible to monitor and follow up on areas of concern or complaint within that district.

- The officer with the least seniority, (by rank of the Sergeant roster), acts as an alternate for the rest, but upon one's promotion to Sergeant, then this officer fills that district vacancy. The next name on the eligibility roster is notified of transfer to CEU as the alternate.
- This assignment is a day shift assignment, in uniform, with occasional afternoon shifts for attendance at the assigned community council meetings or other events as needed.
- This assignment does not have a time limit. Once in the unit, with satisfactory service, promotion is guaranteed from this assignment.
- Training on various subject will occur weekly, under the direction of the supervisor, who may also assigned unit members to make arrangements for the training or conduct the training themselves. All training records will be maintained by the unit.
- With the approval of the supervisor and chain of command, members within the CEU unit can be available to file in as an acting sergeant for patrol allowing for patrol sergeants to have time off with coverage. This cannot be more than three days in a row. All arrangements and requests will be made from patrol, through the unit supervisor who will give the assignment to one of the CEU members. The acting sergeant role is intended to allow for training CEU members and for coverage in patrol. No CEU members will be allowed to be an acting sergeant in any other division within FPD.
- This policy does not change any civil service rules and regulations relating to the testing procedures or promotion policy. The members of the unit are tested, ranked and certified to the eligibility roster by civil service. Nor does it preclude the Chief of Police to exercise an ability to not promote in rank order, so long as it comes from the members of the unit, or as in past practices, rank order.

Quarterly Report Data Second Quarter 2015

**OFFICE OF INDEPENDENT REVIEW
CITY OF FRESNO
QUARTERLY REPORT
SECOND QUARTER 2015
April 1, 2015 – June 30, 2015
Report Issued July 20, 2015**

| Glossary | |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unfounded | The reported incident did not occur. |
| Exonerated | The employee's actions were reasonable under the circumstances. |
| Not Sustained | There is insufficient evidence to support a conclusion as to whether or not the employee violated policy. |
| Sustained | The employee's action(s) are in violation of the policy or procedure of the Police department. |
| AU | The case has been audited by the Office of Independent Review |
| AD | The Office of Independent Review has declined to review the case due to the subject; for example an interdepartmental complaint or a case where the OIR cannot add value to the investigation. |
| Pending | The case is still in the process of being investigated |
| "S" | "S" defines the Subject Officer, when there are multiple officers, the letter "S" is followed by a number (S, S1, S2). |
| Blue Category | Firearm Discharge |
| Yellow Category | Improper Use of Force |
| Green Category | Vehicle Accident |

**The following cases were pending in the previous 2014, 2nd quarter.
The pending incidents are in the process of formal IA investigations.
Once the investigations are completed they will be sent to the OIR for review.**

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|-----------------------------------|--------------------------|------------------------------------|----------------------------|----------------------------|---------------|-----------------------------------------|
| 14-0052 | 05/21/2014 | Yes | (S,S1) Within Policy | (S,S1) Within Policy | AU | (S,S1) Officer Involved Shooting |
| 14-0058 | 06/19/2014 | Yes | (S,S1) Within Policy | (S,S1) Within Policy | AU | (S, S1) Officer Involved Shooting |

The following cases were pending in the previous 2014, 3rd quarter.
 The pending incidents are in the process of formal IA investigations.
 Once the investigations are completed they will be sent to the OIR for review.

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|--------------------|---------------|---------------------|---------------|-----------------|---------|---------------------------|
| 14-0069 | 07/15/14 | Yes | Within Policy | Within Policy | AU | Officer Involved Shooting |
| 14-0084 | 09/17/2014 | Yes | Pending | Pending | Pending | Officer Involved Shooting |
| 14-0088 | 09/23/2014 | Yes | Pending | Pending | Pending | Officer Involved Shooting |

The following cases were pending in the previous 2014, 4th quarter.
 The pending incidents are in the process of formal IA investigations.
 Once the investigations are completed they will be sent to the OIR for review.

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|--------------------|---------------|---------------------|-------------|-----------------|---------|---------------------------------------------------------|
| 14-0096 | 10/20/2014 | Yes | Pending | Pending | Pending | Officer Involved Shooting |
| 14-0119 | 12/19/2014 | No | Pending | Pending | Pending | Insubordination, Criminal Acts/Failure to Obey All Laws |

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**The following cases were pending in the previous 2015, 1st quarter.
The pending incidents are in the process of formal IA investigations.
Once the investigations are completed they will be sent to the OIR for review.**

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|--------------------|---------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15-0001 | 01/09/2015 | Yes | (S, S1, S2) Sustained, (S,S1, S2) Sustained, (S, S1) Sustained, (S, S2) Sustained, (S1) Sustained, (S1) Sustained, Sustained | (S, S1, S2) Sustained, (S,S1, S2) Sustained, (S, S1) Sustained, (S, S2) Sustained, (S1) Sustained, (S1) Sustained, Sustained | AU | (S, S1, S2) Unreasonable Force, (S,S1, S2) Force Reporting Procedure 300D, (S, S1) Report Preparation 300E, (S, S2) Report Preparation 502B, (S1) Medical Attention, (S1) Property/ Evidence Handling |
| 15-0006 | 01/13/215 | Yes | (S, S1) Unfounded, (S1) Exonerated | (S, S1) Unfounded, (S1) Exonerated | AU | (S, S1) Search/Seizure Issues, (S1) Unreasonable Force |
| 15-0011 | 01/23/2015 | Yes | Exonerated | Exonerated | AU | Unreasonable Force |
| 15-0012 | 01/23/2015 | No | Exonerated, Unfounded | Exonerated, Unfounded | AU | Professionalism/ Discourteous Treatment, Unreasonable Force |
| 15-0013 | 02/02/2015 | Yes | Exonerated | Exonerated | AU | Unreasonable force |
| 15-0014 | 02/05/2015 | Yes | Exonerated, Unfounded, Unfounded | Exonerated, Exonerated, Unfounded | AU | Unreasonable force, Prisoner's Property, Professionalism |
| 15-0016 | 02/11/2015 | No | Pending | Pending | Pending | Racial/Bias, Arrest Authority, Failure to provide info |

The following cases were pending in the previous 2015, 1st quarter. The pending incidents are in the process of formal IA investigations. Once the investigations are completed they will be sent to the OIR for review.

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|--------------------|---------------|---------------------|----------------------------------------|----------------------|----------------------------------------|---------------------------------------------------------------------|
| 15-0017 | 02/23/2015 | No | (S, S1) Unfounded | (S, S1) Unfounded | AU | (S, S1) Unreasonable Force |
| 15-0018 | 02/23/2015 | Yes | Exonerated, Unfounded, Unfounded | AU | Exonerated, Unfounded, Unfounded | Unreasonable Force, Professionalism, Failure to Obey All Laws |
| 15-0019 | 02/24/2015 | Yes | Pending | Pending | Pending | Unreasonable force |
| 15-0021 | 02/26/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0024 | 03/11/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0025 | 03/11/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0029 | 03/18/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |

The following cases did have or are in the process of formal IA investigations. Each of these cases occurred during the 2015, 2nd quarter. Once the investigation is completed it is sent to the OIR for review.

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|--------------------|---------------|---------------------|-----------------------------------------|-----------------|---------|----------------------------------------------------------------|
| 15-0032 | 04/01/2015 | No | (S) Unfounded, (S1) Not Sustained | AD | AD | (S, S1) Court Procedure |
| 15-0033 | 04/01/2015 | No | Pending | AD | AD | Dept Property |
| 15-0034 | 04/02/2015 | No | Resolved ICF | Pending | Pending | Conduct Unbecoming |
| 15-0035 | 04/10/2015 | No | Pending | Pending | Pending | Professionalism |
| 15-0036 | 04/14/2015 | Yes | Pending | Pending | Pending | Unreasonable Force, Entry Procedures, General Responsibilities |

The following cases did have or are in the process of formal IA investigations. Each of these cases occurred during the 2015, 2nd quarter. Once the investigation is completed it is sent to the OIR for review.

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|---------------------------|----------------------|----------------------------|----------------------------------------------------------------------------|------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 15-0037 | 04/14/2015 | Yes | Pending | Pending | Pending | Unreasonable Force, Professionalism |
| 15-0038 | 04/16/2015 | No | Pending | AD | AD | Performance |
| 15-0039 | 04/16/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0040 | 04/20/2015 | No | Pending | AD | AD | Performance, Arrest Procedures, General Responsibilities |
| 15-0041 | 04/21/2015 | No | Pending | Pending | Pending | Discrimination |
| 15-0042 | 04/22/2015 | No | (S, S1) Unfounded, (S1) Not Sustained, (S1) Sustained | AD | AD | (S,S1) Sexual Relations, (S1) Domestic Violence, (S1) Discretion |
| 15-0043 | 04/28/2015 | No | Pending | AD | AD | Performance |
| 15-0044 | 04/30/2015 | No | Not Sustained, Not Sustained, Exonerated, Exonerated, Sustained, Sustained | AD | AD | Professionalism, Discretion, Discretion, Supervisory Responsibilities, Radio/MDS Procedures, Professionalism/ Discourteous Treatment |
| 15-0045 | 05/01/2015 | No | Sustained | AD | AD | Vehicle Collisions |
| 15-0046 | 05/06/2015 | No | Pending | AD | AD | Discretion, Professionalism |
| 15-0047 | 05/07/2015 | No | Not Sustained | AD | AD | Sexual Harassment |
| 15-0048 | 05/12/2015 | No | Pending | AD | AD | General Responsibilities |
| 15-0049 | 05/13/2015 | No | Pending | AD | AD | Professionalism |
| 15-0050 | 05/13/2015 | No | Pending | AD | AD | General Call Handling |

The following cases did have or are in the process of formal IA investigations. Each of these cases occurred during the 2015, 2nd quarter. Once the investigation is completed it is sent to the OIR for review.

| IA PRO CASE NUMBER | DATE ASSIGNED | USE OF FORCE YES/NO | FPD FINDING | OIR DISPOSITION | STATUS | SUMMARY |
|---------------------------|----------------------|----------------------------|--------------------|------------------------|---------------|------------------------------------------------------|
| 15-0051 | 05/19/2015 | No | Pending | Pending | Pending | Property – Lost/Damaged |
| 15-0052 | 05/19/2015 | No | Pending | AD | AD | Arrest Authority/ Procedures |
| 15-0053 | 05/19/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0054 | 05/19/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0055 | 05/19/2015 | Yes | Pending | Pending | Pending | Unreasonable Force |
| 15-0056 | 05/21/2015 | No | Pending | Pending | Pending | Vehicle Operations, Search Issues, Arrest Procedures |
| 15-0057 | 05/27/2015 | Yes | Sustained | AD | AD | K-9 Bite/Performance |
| 15-0058 | 05/28/2015 | No | Pending | AD | AD | Vehicle Collisions |
| 15-0059 | 05/29/2015 | No | Pending | Pending | Pending | Firearms – Care, Qualification, Use |
| 15-0060 | 05/29/2015 | No | Pending | Pending | Pending | Discretion |
| 15-0061 | 06/02/2015 | No | Pending | Pending | Pending | Report Preparation |
| 15-0062 | 06/01/2015 | No | Pending | Pending | Pending | Criminal Acts/Failure to Obey all Laws |
| 15-0063 | 06/04/2015 | No | Pending | Pending | Pending | Racial/Biased Based Profiling |
| 15-0064 | 06/08/2015 | No | Pending | Pending | Pending | Performance |
| 15-0065 | 06/08/2015 | No | Pending | Pending | Pending | Criminal Acts/Failure to Obey all Laws |
| 15-0066 | 06/08/2015 | Yes | Pending | Pending | Pending | Officer Involved Shooting |
| 15-0067 | 06/16/2015 | No | Pending | AD | AD | Medical Attention-Failure to Provide |
| 15-0068 | 06/19/2015 | No | Pending | AD | AD | Vehicle Collisions |
| 15-0069 | 06/29/2015 | No | Pending | Pending | Pending | Performance, Discretion |

AUDIT REPORTS PERFORMED IN THE SECOND QUARTER OF 2015

C14-0052

Allegation: Officer Involved Shooting

Audit Finding: (S, S1) Within Policy

FPD Finding: (S, S1) Within Policy

C14-0058

Allegation: Officer Involved Shooting

Audit Finding: (S, S1) Within Policy

FPD Finding: (S, S1) Within Policy

C14-0069

Allegation: Officer Involved Shooting

Audit Finding: Within Policy

FPD Finding: Within Policy

C15-0001

Allegation: (S, S1, S2) Unreasonable Force, (S,S1, S2) Force Reporting Procedure 300D, (S, S1) Report Preparation 300E, (S, S2) Report Preparation 502B, (S1) Medical Attention, (S1) Property/ Evidence Handling

Audit Finding: (S, S1, S2) Sustained, (S,S1, S2) Sustained, (S, S1) Sustained, (S, S2) Sustained, (S1) Sustained, (S1) Sustained

FPD Finding: (S, S1, S2) Sustained, (S,S1, S2) Sustained, (S, S1) Sustained, (S, S2) Sustained, (S1) Sustained, (S1) Sustained

C15-0006

Allegation: (S, S1) Search/Seizure Issues, (S1) Unreasonable Force

Audit Finding: (S, S1) Unfounded, (S1) Exonerated

FPD Finding: (S, S1) Unfounded, (S1) Exonerated

C15-0018

Allegation: Unreasonable Force, Professionalism, Failure to Obey All Laws

Audit Finding: Exonerated, Unfounded, Unfounded

FPD Finding: Exonerated, Unfounded, Unfounded

C15-0011

Allegation: Unreasonable Force

Audit Finding: Exonerated

FPD Finding: Exonerated

C15-0012

Allegation: Professionalism/ Discourteous Treatment, Unreasonable Force

Audit Finding: Exonerated, Unfounded

FPD Finding: Exonerated, Unfounded

C15-0013

Allegation: Unreasonable Force

Audit Finding: Exonerated

FPD Finding: Exonerated

C15-0014

Allegation: Unreasonable force, Prisoner's Property, Professionalism

Audit Finding: Exonerated, Exonerated, Unfounded

FPD Finding: Exonerated, Unfounded, Unfounded

C15-0017

Allegation: (S, S1) Unreasonable Force

Audit Finding: (S, S1) Unfounded

FPD Finding: (S, S1) Unfounded

**FRESNO POLICE DEPARTMENT
INTERNAL AFFAIRS BUREAU
2015
2nd QUARTER**

INCIDENT TYPE - INQUIRY/COMPLAINTS

The following reports were reviewed, however it was determined they did not warrant a full IA investigation.

| ICF | ICF # | COMPLETED | FINDINGS | ALLEGATIONS |
|------------|--------------|------------------|-----------------|--------------------------|
| ICF | 15-0086 | 4/7/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0087 | 4/7/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0088 | 4/7/2015 | UNRESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0089 | 4/7/2015 | UNRESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0090 | 4/7/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0091 | 4/7/2015 | RESOLVED | INVESTIGATION HANDLING |
| ICF | 15-0092 | 4/7/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0093 | 4/7/2015 | UNRESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0094 | 4/7/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0095 | 4/7/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0096 | 4/7/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0097 | 4/7/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0098 | 4/16/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0099 | 4/16/2015 | UNRESOLVED | GENERAL RESPONSIBILITIES |
| | | | | REPORT PREPARATION |
| ICF | 15-0100 | 4/16/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0101 | 4/18/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0102 | 4/18/2015 | RESOLVED | VEHICLE OPERATIONS |
| ICF | 15-0103 | 4/21/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0104 | 5/1/2015 | RESOLVED | VEHICLE OPERATIONS |
| ICF | 15-0105 | 5/1/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0106 | 5/1/2015 | RESOLVED | GENERAL RESPONSIBILITIES |

| | | | | |
|------------|----------------|------------------|-----------------|--------------------------------------|
| | | | | DISCRETION |
| | | | | REPORT PREPARATION |
| ICF | 15-0107 | 5/21/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0108 | 5/21/2015 | RESOLVED | REPORT PREPARATION |
| ICF | 15-0109 | 5/21/2015 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0110 | 5/21/2015 | RESOLVED | INVESTIGATION HANDLING |
| ICF | 15-0111 | 5/21/2015 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0112 | 5/21/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0113 | 5/21/2015 | RESOLVED | INVESTIGATION HANDLING |
| ICF | 15-0114 | 5/21/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0115 | 5/21/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| | | | | FAILURE TO PROVIDE BADGE/INFO |
| ICF | 15-0116 | 5/28/2015 | RESOLVED | FAILURE TO NOTIFY SUPERVISOR |
| ICF | 15-0117 | 5/28/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| | | | | DISCOURTEOUS TREATMENT |
| ICF | 15-0118 | 5/28/2015 | RESOLVED | ENTRY PROCEDURES |
| ICF | 15-0119 | 5/28/2015 | RESOLVED | TOW/IMPOUND ISSUES |
| ICF | 15-0120 | 5/28/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0121 | 5/28/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0122 | 5/28/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0123 | 5/28/2015 | RESOLVED | PRISONER'S PROPERTY |
| ICF | 15-0124 | 5/28/2015 | RESOLVED | INVESTIGATION HANDLING |
| ICF | 15-0125 | 5/28/2015 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0126 | 5/28/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0127 | 5/28/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0128 | 5/28/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| | | | | FAILURE TO PROVIDE BADGE/INFO |
| ICF | 15-0129 | 5/28/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0130 | 5/28/2015 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0131 | 5/28/2015 | RESOLVED | FAILURE TO OBEY ALL LAWS |
| ICF | 15-0132 | 5/28/2015 | RESOLVED | ARREST AUTHORITY/PROCEDURES |

| | | | | |
|-----|---------|-----------|------------|-----------------------------|
| ICF | 15-0133 | 5/28/2015 | RESOLVED | ABUSE OF AUTHORITY |
| ICF | 15-0134 | 5/28/2015 | RESOLVED | ARREST AUTHORITY/PROCEDURES |
| ICF | 15-0135 | 6/1/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| | | | | DISCRIMINATION |
| ICF | 15-0136 | 6/2/2015 | RESOLVED | RADIO MDS PROCEDURES |
| ICF | 15-0137 | 6/5/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0138 | 6/5/2015 | UNRESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0139 | 6/5/2015 | RESOLVED | FAILURE TO OBEY ALL LAWS |
| | | | | GENERAL CALL HANDLING |
| ICF | 15-0140 | 6/5/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0141 | 6/5/2015 | UNRESOLVED | OIS-DOG |
| ICF | 15-0142 | 6/5/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0143 | 6/5/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0144 | 6/5/2013 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0145 | 6/8/2015 | UNRESOLVED | FAILURE TO OBEY ALL LAWS |
| ICF | 15-0146 | 6/10/2015 | RESOLVED | VEHICLE OPERATIONS |
| ICF | 15-0147 | 6/10/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0148 | 6/30/2015 | RESOLVED | FAILURE TO OBEY ALL LAWS |
| ICF | 15-0149 | 6/30/2015 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0150 | 6/30/2015 | RESOLVED | INVESTIGATION HANDLING |
| ICF | 15-0151 | 6/30/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0152 | 6/30/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0153 | 6/30/2015 | RESOLVED | DISCOURTEOUS TREATMENT |
| ICF | 15-0154 | 6/30/2015 | RESOLVED | REPORT PREPARATION |
| ICF | 15-0155 | 6/30/2015 | RESOLVED | REPORT PREPARATION |
| ICF | 15-0156 | 6/30/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0157 | 6/30/2015 | RESOLVED | GENERAL CALL HANDLING |
| ICF | 15-0158 | 6/30/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0159 | 6/30/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0160 | 6/30/2015 | UNRESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0161 | 6/30/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |

| | | | | |
|-----|---------|-----------|------------|-----------------------------|
| ICF | 15-0162 | 6/30/2015 | RESOLVED | CONDUCT UNBECOMING |
| ICF | 15-0163 | 6/30/2015 | RESOLVED | ARREST AUTHORITY/PROCEDURES |
| ICF | 15-0164 | 6/30/2015 | RESOLVED | GENERAL CALL HANDLING |
| | | | UNRESOLVED | REPORT PREPARATION |
| | | | UNRESOLVED | ARREST AUTHORITY/PROCEDURES |
| ICF | 15-0165 | 6/30/2015 | UNRESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0166 | 6/30/2015 | RESOLVED | TOW/IMPOUND ISSUES |
| ICF | 15-0167 | 6/30/2015 | RESOLVED | GENERAL RESPONSIBILITIES |
| ICF | 15-0168 | 6/30/2015 | RESOLVED | ARREST AUTHORITY/PROCEDURES |
| ICF | 15-0169 | 6/30/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |
| ICF | 15-0170 | 6/30/2015 | RESOLVED | SEARCH/SEIZURE ISSUES |

2015 QUARTERLY REPORT FOR AUDITOR

| TYPE OF INCIDENT | 1/1/15 TO 3/31/15 | 4/1/15 TO 6/30/15 | 7/1/15 TO 9/30/15 | 10/1/15 TO 12/31/15 | TOTALS |
|-----------------------------|----------------------------------|----------------------------------|----------------------------------|------------------------------------|---------------|
| ACCIDENTAL DISCHARGE | 0 | 0 | N/A | N/A | 0 |
| OIS - ANIMAL | 2 | 1 | N/A | N/A | 3 |
| OIS - PERSON | 0 | 1 | N/A | N/A | 1 |
| VEHICLE COLLISIONS | 25 | 27 | N/A | N/A | 52 |
| VEHICLE PURSUITS | 22 | 21 | N/A | N/A | 43 |