

# **INTERNAL AFFAIRS BUREAU**



## **OPERATIONS MANUAL**

# **FRESNO POLICE DEPARTMENT**

(Revised August 2019 )

*Revised 8/2019*

<b>TABLE OF CONTENTS</b>	
<b>MISSION STATEMENT</b>	<b>5</b>
<b>GOALS AND OBJECTIVES</b>	<b>5</b>
<b>ORGANIZATIONAL CHART</b>	<b>6</b>
<b>BUREAU DESCRIPTION</b>	<b>7</b>
<b>INTERNAL AFFAIRS LIEUTENANT DUTIES</b>	<b>7</b>
<b>IA INVESTIGATION CASES</b>	<b>7</b>
<b>INQUIRY AND INFORMAL/COMPLAINT FORMS</b>	<b>8</b>
<b>COMPLAINT FORMS REQUESTS</b>	<b>8</b>
<b>MEETINGS</b>	<b>8</b>
<b>OFFICER INVOLVED SHOOTINGS//IN CUSTODY DEATHS</b>	<b>9</b>
<b>EARLY ALERT SYSTEM</b>	<b>9</b>
<b>RISK CLAIMS</b>	<b>9</b>
<b>TRAINING</b>	<b>9</b>
<b>STATISTICS</b>	<b>9</b>
<b>STATE OF CALIFORNIA BILLING</b>	<b>10</b>
<b>IA DOCUMENTATION PURGE</b>	<b>10</b>
<b>PITCHESS MOTIONS</b>	<b>10</b>
<b>RELEASE OF IA INFORMATION, FILES, STATISTICS ETC.</b>	<b>10</b>

<b>INTERNAL AFFAIRS SERGEANT AND OFFICER DUTIES</b>	<b>11</b>
<b><i>IA INVESTIGATION TASKS</i></b>	<b>11</b>
<b><i>PREPARATION OF IA INVESTIGATION FILE FOLDER</i></b>	<b>13</b>
<b><i>PREPARATION OF IA INVESTIGATION HARD COPY FILE FOLDER</i></b>	<b>13</b>
<b><i>SERVING NOTICE OF PROPOSED DISCIPLINARY ACTIONS</i></b>	<b>14</b>
<b><i>SKELLY PROCEDURE</i></b>	<b>14</b>
<b><i>SERVING NOTICE OF PROPOSE DISCIPLINARY ACTIONS - TERMINATION</i></b>	<b>14</b>
<b>SERVING FINAL ORDER</b>	<b>15</b>
<b>TRAINING</b>	<b>15</b>
<b>EARLY ALERT SYSTEM</b>	<b>15</b>
<b>RISK CLAIMS</b>	<b>16</b>
<b>OFFICER INVOLVED SHOOTINGS AND IN-CUSTODY DEATH CALL OUTS</b>	<b>16</b>
<b>INTERNAL AFFAIRS SENIOR SECRETARY DUTIES</b>	<b>16</b>
<b>MAIL</b>	<b>16</b>
<b>DATA ENTRY</b>	<b>16</b>
<b>COLLISION REVIEWS AND PURSUIT CRITIQUES</b>	<b>16</b>
<b>USE OF FORCE</b>	<b>17</b>
<b>RISK CLAIMS</b>	<b>17</b>
<b><i>INQUIRY AND INFORMAL COMPLAINT FORMS (ICF)</i></b>	<b>17</b>
<b>OFFICER INVOLVED SHOOTING</b>	<b>17</b>

*Revised 8/2019*

<b>INTERNAL AFFAIRS INVESTIGATION CASES</b>	<b>18</b>
<b>REQUESTS FOR RELEASE OF INFORMATION</b>	<b>19</b>
<b><i>PUBLIC RECORDS ACTS (PRA) REQUEST FOR INFORMATION</i></b>	<b>19</b>
<b>DISCIPLINE LETTERS</b>	<b>19</b>
<b>TRACKING</b>	<b>19</b>
<b>PITCHES MOTIONS</b>	<b>20</b>
<b>SKELLY PACKETS</b>	<b>20</b>
<b>MEETINGS</b>	<b>20</b>
<b>BILLING STATE OF CALIFORNIA</b>	<b>20</b>
<b>STATE OF CALIFORNIA AUDITS</b>	<b>20</b>
<b><i>PURGING/DESTRUCTION OF INTERNAL AFFAIRS FILES AND DOCUMENTS</i></b>	<b>21</b>
<b>BACKGROUND INVESTIGATIONS</b>	<b>21</b>
<b>CLOSING AND THIRTY (30) DAY LETTERS</b>	<b>22</b>
<b>ADMINISTRATIVE LEAVE-MODIFIED DUTY LOG</b>	<b>22</b>
<b><i>OFFICE OF INDEPENDENT REVIEW (OIR) DUTIES</i></b>	<b>22</b>
<b>OTHER IA SR. SECRETARY DUTIES</b>	<b>22</b>
<b>OFFICE OF INDEPENDENT REVIEW RECOMMENDATIONS</b>	<b>23</b>

## **MISSION STATEMENT**

The mission of the Internal Affairs Bureau is to effectively and efficiently investigate allegations of misconduct by members of the Fresno Police Department. Internal Affairs will conduct all investigations in a fair and unbiased manner and will provide a basis for an appropriate administrative response.

## **GOALS AND OBJECTIVES**

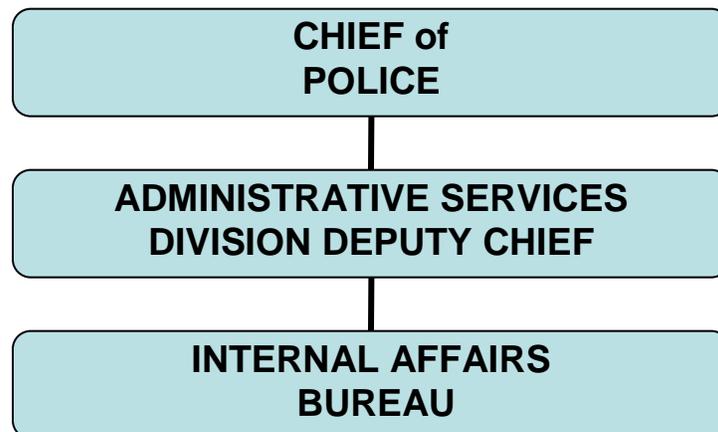
### **Goal**

To search for the truth by way of fair and timely inquiries into allegations of police misconduct.

### **Objectives**

1. Completion of Internal Affairs (IA) cases within 90 days from assignment date.
2. Completion of risk claims within four (4) working days.
3. Assign all incoming complaints for investigation within three (3) days of receipt.
4. Notify complainants of IA investigations if not completed within 30 days.
5. Meet with the FPOA 's Legal Defense Representatives at least once a year.

## ORGANIZATIONAL CHART



## **BUREAU DESCRIPTION**

The Internal Affairs Bureau is comprised of one Lieutenant, *five* Sergeants, *one officer* and one Senior Secretary. The bureau works under the office of the Administrative Services Division Commander and has responsibility for investigating citizen complaints and allegations of misconduct brought forth by the department.

## **INTERNAL AFFAIRS LIEUTENANT DUTIES**

Internal Affairs (IA) Lieutenant receives IA cases to be investigated after the Chief of Police or the Administrative Services Division Commander reviews the case and determines an investigation should be conducted by the Internal Affairs Bureau.

IA Lieutenant has the authority to report directly to the Chief of Police. The IA Lieutenant shall decide on a case-by-case basis the need for immediate notification to the Chief of Police.

### **IA INVESTIGATION CASES**

IA Lieutenant assigns IA cases to IA sergeants and *officer*, reviews the completed IA Investigation Memos and file documents. If necessary, the IA Lieutenant will request additional information or request corrections. Once the IA investigation file is approved by the IA Lieutenant, IA Lieutenant initials the IA Memo and forwards the case to the IA Sr. Secretary to prepare for staffing.

IA Lieutenant reviews all IA investigation files coming back from staffing and forwards to IA Sr. Secretary. *IA sergeants prepare discipline letters for the IA investigations they conducted and the IA Sr. Secretary prepares discipline letters for IA investigations conducted by field supervisors.* If the cases do not require discipline, the IA Lieutenant forwards the case to the IA Sr. Secretary to close out.

### **INQUIRY AND INFORMAL /COMPLAINT FORMS (ICF)**

IA Lieutenant reviews all ICFs submitted to Internal Affairs through IA Lieutenant determines if ICF entry is an Inquiry or an Informal Complaint and writes the determination in the Routing. IA Lieutenant also enters the finding and determines if the entry is Criminal or Non-Criminal as well as whether it is a Felony or Misdemeanor; and if it involves Bias-Based Profiling, *to meet legal reporting requirements*. IA Lieutenant then approves or disapproves each ICF entry. If ICF is approved, IA Lieutenant forwards to IA Sr. Secretary for releasing database. If ICF is not approved, IA Lieutenant routes it back to the field to handle concerns.

### **COMPLAINT FORM REQUESTS**

IA Lieutenant receives mail from members of the public and from inmates wanting to file complaints. The IA Lieutenant directs the IA Sr. Secretary to mail complaint forms to them.

IA Lieutenant receives completed complaint forms by mail, from the Duty Office, and sometimes from City council members. IA Lieutenant reviews the complaints and either assigns the complaint forms to an IA Sergeant or forwards them to the Duty Office to enter into and then send to the proper field personnel for handling.

### **MEETINGS**

IA Lieutenant attends meetings with Administrative Services Division (ASD) Deputy Chief to update on the status of the IA investigations.

IA Lieutenant conducts Briefings with IA Sergeants, *IA Officer* and IA Sr. Secretary to discuss the status of open cases, and/or the sharing of related information.

IA Lieutenant attends FPOA Legal Defense Program meetings at least once a year to discuss current issues.

### **OFFICER INVOLVED SHOOTINGS/IN-CUSTODY DEATHS**

IA Lieutenant is advised by the Duty Office when an Officer Involved Shooting or an In-Custody Death takes place. The IA Lieutenant ensures an IA Sergeant is available and arrives at the scene of the incident for proper IA investigation. IA Lieutenant also contacts OIR for preliminary brief of the incident.

IA Lieutenant enters OIS data into *Major Cities Chiefs (MCC)* database, completes DOJ Use of Force reporting form for deaths while in custody (AB 71) and updates FPD OIS webpage through City Hall Webmaster.

IA Lieutenant meets with IA Sergeants to discuss the status of the investigations to ensure they are being handled promptly and *completed within six months*.

IA Lieutenant reviews Open OIS and In-Custody Death logs to check current status and see if a meeting with other FPD members is needed in order to expedite the completion process.

### **EARLY ALERT SYSTEM**

IA Lieutenant reviews the Early Alert reports automatically generated and assigns to an IA Sergeant or *IA officer* for review and memo preparation.

### **RISK CLAIMS**

IA Lieutenant reviews the Risk Claims received, assigns to an IA Sergeant or *IA Officer* for completion, signs off on the completed Risk Claims, and forwards to IA Sr. Secretary.

### **TRAINING**

IA Lieutenant arranges training for IA Sergeants and *IA Officer* upon approval of the ASD Deputy Chief, coordinates new officer and new sergeant orientation concerning IA investigations, and arranges for District training, if requested.

### **STATISTICS**

IA Lieutenant directs the IA Sr. Secretary to research and gather statistics for quarterly, semi-annual and annual reports.

IA Lieutenant will provide the Chief's office with a quarterly report that outlines IA cases and outcomes department wide for Chief's distribution.

*Revised 8/2019*

### **STATE OF CALIFORNIA BILLING**

IA Lieutenant attends a meeting once a year with the cost recovery program representative and City of Fresno Finance staff. The meeting is to discuss billing and any new changes the State of California may have for the following year. The IA Lieutenant then provides new information or changes to the IA Sr. Secretary in preparation for the end of year State of California billings. The IA Sr. Secretary may attend this meeting in lieu of the IA Lieutenant as so designated.

### **IA DOCUMENTATION PURGE**

IA Lieutenant reviews the purge logs prepared by the IA Sr. Secretary and approves/signs the purge memos prior to sending to the City Attorney's office for purge approval.

*IA Lieutenant reviews the Use of Force Purge lists prepared by the IA Sr. Secretary. IA Lieutenant signs each page of Use of Force Purge lists and returns to the IA Sr. Secretary for approval to purge.*

### **PITCHESS MOTIONS**

IA Lieutenant receives Pitchess Motion documents from the City Attorneys' office and signs them prior to being filed in court.

### **RELEASE OF IA INFORMATION, FILES, STATISTICS ETC.**

IA Lieutenant reviews and approves requests by City Attorney's office, outside counsel, and other law enforcement agencies prior to directing IA Sr. Secretary to release information or files.

*IA Lieutenant may receive Public Records Act (PRA) requests. All Internal Affairs released PRA requests should be coordinated by the City Attorney's Office prior to any release of information.*

## **INTERNAL AFFAIRS SERGEANT AND OFFICER DUTIES**

- *Check and respond to emails*
- *Check voicemail and return phone calls*
- *Review calendar appointments each day*
- *Open and review [REDACTED] entries*
- *Type Notice of Proposed Disciplinary Actions for your IA investigations*
- *Type Final Order for your IA investigations*
- *Review and approve Skelly packets*
- *Attend weekly IA Briefings*
- *Occasionally sign Pitchess Motions when IA Lt. not available*
- *Complete Risk Claims*
- *Complete Early Alert Memos*
- *Provide customer service to citizens, complainants, other agencies etc.*
- *Attend FPOA Legal Defense Program meetings usually once a year*

### **IA INVESTIGATION TASKS**

- *[REDACTED], open file folder for the IA investigation*
- *Review assigned internal affairs cases.*
- *Identify the witnesses and the accused FPD members.*
- *Review documents.*
- *Review audio.*
- *Research if Body Camera captured incident.*
- *Attach Body Camera video [REDACTED]*
- *Research information.*
- *Review Receipt of Complaint.*
- *Review prior interviews/statements.*
- *Review Radio Traffic and Dispatch Calls.*
- *Print and review reports.*
- *Identify Additional Witnesses.*
- *Check Report Writer system.*
- *Check Automated Vehicle Locator (AVL) .*
- *Obtain photographs.*
- *Research of video exists of place where incident took place.*
- *Contact the place where incident took place and get video footage copy*
- *Make queries in Record Management System (RMS).*
- *Review complainant's prior entries.*
- *Make criminal history queries.*

Revised 8/2019

- *Check if the complainant has submitted risk claims.*
- *Visit the scene of the incident if necessary.*
- *Obtain medical release(s) if needed.*
- *Coordinate and schedule IA interview appointments.*
- *Coordinate with a second IA Sergeant/Officer to be present during scheduled IA interviews.*
- *Schedule the IA Conference Room for the date and time of interviews  
Room Name in Outlook is "PD-Annex-2E-FOD-Conf"*

After conducting the IA investigation interviews complete the following tasks:

- Listen to recorded interview statements.
- Synopsize the interviews.
- Consult with the City Attorney for legal advice, *when necessary, through IA commander.*
- Determine the allegations and possible findings.
- Type the IA Investigation Memo.
- Print out reports and list them in the IA Memo as exhibits.
- Print a draft copy of the IA Memo for proof reading.
- Put the file together.
- Go into \_\_\_\_\_ and rename all the documents with the Exhibit #s to make sure they match the IA Memo. This allows for proper labeling when the items are linked into \_\_\_\_\_ and allows easy access and review by OIR.

*Other Tasks To Be Performed as Needed:*

- *Pull up Personnel Photos from HRP (abiding by Dept's photo line-up admonishment) to assist in determining the identity of accused/witnesses.*
- *Compel accused personnel to participate in a physical line-up to determine their identity during an administrative investigation.*
- *Photograph an employee during an administrative investigation to document any injuries sustained by the employee.*
- *Meet with other IA personnel to discuss the case, other perspectives, ideas, opinions, concepts, etc.*

### **PREPARATION OF IA INVESTIGATION [REDACTED] FILE FOLDER**

- Open up the [REDACTED] file folder containing the IA investigation documents.
- Download all interviews recorded on a digital recorder onto the [REDACTED] file folder for the specific IA investigation.
- Label the recorded interviews with the following:  
IA case number, Name of the interviewee, Exhibit #
- Check that every document in the hard copy IA file folder is saved in the [REDACTED] file folder for that specific investigation.
- Review all document titles to make sure they describe the document, avoid using long document titles or titles such as (201810161021) except for photos.
- Rename all documents in the computer file to match the IA Memo Exhibits list (i.e. IA Memo, Exhibit 1, Exhibit 2, Exhibit 3 etc.).
- Delete any items not necessary or not included in the IA investigation.
- If you want to keep documents that are not included in the IA hard copy file folder, move them into a new folder and call it "Miscellaneous." Items in "Miscellaneous" will not be linked by the IA Sr. Secretary into

### **PREPARATION OF IA INVESTIGATION HARD COPY FILE FOLDER**

- Go to Activity Time Log on left side of IA file folder and complete the fields
- Enter the actual time spent reviewing IA documents to prepare the initial notice to employee(s) (i.e. 2 hours, 45 minutes etc.)
- On Right Side of IA file folder, place:
  - IA Memo (use watermark "Draft" on IA Memo until IA Lt. reviews and approves final draft of IA Memo)
  - Exhibits
  - IA history (only for member's with sustained findings)
  - Interview statements on CD/DVD/Thumb drive (in small manila envelope)
- Submit IA file with IA Memo marked "Draft" to IA Lt.
- Make revisions (if any) as requested by IA Lt.
- Remove the watermark "Draft" from the IA Memo when final version approved by IA Lt.
- Print the IA Memo without the "Draft" watermark and initial the memo
- Submit final approved IA hard copy file to IA Lt.

### **SERVING NOTICE OF PROPOSED DISCIPLINARY ACTIONS**

*IA Sergeants or IA officer will serve Proposed Disciplinary Actions to accused member, in the Internal Affairs office. The accused members are to be instructed to read the letter, initial each page of the letter and sign and date the letter. Accused members are to be given a complete copy of the letter and all exhibits. Accused members should be advised of the 10 day deadline (if sworn) or 7 day deadline (if non-sworn) to schedule a Skelly meeting with the staff member noted on the Record of Service. Accused members should also be advised of the Skelly procedure.*

### **SKELLY PROCEDURE**

*IA member serving accused member is to advise accused member of the Skelly process and give the Skelly packet to the accused member at time of serving the Notice of Proposed Disciplinary Action. If there are multiple accused members involved in the IA investigation, a Skelly packet will not be prepared until the accused member returns to IA with the signed Release Forms. IA serving member is to advise the accused member how the Release Form process works. The IA Sr. Secretary will attach a detailed instruction sheet for accused member to follow.*

### **SERVING NOTICE OF PROPOSED DISCIPLINARY ACTIONS- TERMINATION**

*If the member has been on Administrative Leave pending a letter of intent for possible termination of employment, the member will continue to stay on Administrative Leave until final order is served.*

*If the member has not previously been placed on Administrative Leave, the IA serving member will need to follow Procedure 312. Per Procedure 312, when IA personnel serve a Notice of Proposed Disciplinary Action letter to terminate a member, the member's peace officer powers may be suspended and their duty weapon may be collected. IA personnel should consider collection of the member's issued property, to include firearms, radio, body camera, Taser, etc., at the time the Notice of Proposed Disciplinary Action letter to terminate is served. Service may occur at the Internal Affairs office, the district station or other appropriate location as determined by the IA commander.*

*Once the IA member has been served the Notice of Proposed Disciplinary Action for Termination of Employment, the IA serving member will complete an Administrative Leave Memo and email the memo to the IA Senior Secretary to advise Personnel and FPD staff of the FPD member's placement on Administrative Leave.*

### **SERVING FINAL ORDER**

*When an accused member is being served a final order the accused member is to be instructed to read the letter, initial each page of the letter and sign and date the letter. Accused members are to be given a complete copy of the letter and all exhibits. Accused members should be advised how the discipline process works. The IA Sr. Secretary will advise the accused member's commander of the discipline served and will track the process until the discipline and/or training have been completed. IA member shall ensure any remaining Department property is collected.*

### **TRAINING**

Internal Affairs members conduct IA orientation/training to new officers and newly promoted sergeants. The training consists of the following:

- Explaining the Receipt of Complaint process.
- Reviewing the steps to be taken in order to conduct the IA investigation.
- Advising what information may need to be collected and gathered at the scene.
- Instructing the proper procedures for investigating and completing the ICF forms.
- Providing IA Manual to each new sergeant.
- Briefly reviewing key information in the IA manual for conducting investigations.
- Familiarizing them with the proper format to use when writing the document.

IA Sergeants will train new sergeants to use the \_\_\_\_\_ software in order to make data entries, link documents and route through the chain of command.

### **EARLY ALERT SYSTEM (EAS)**

\_\_\_\_\_ The IA Sergeants/Officer will review the alerts, research the entries, and complete an EAS memo to the Administrative Services Division (ASD), Deputy Chief. The memo will document each entry with a synopsis of each item. The memo notifies the ASD Deputy Chief when an FPD member has met the EAS threshold for alerts.

If the EAS alert \_\_\_\_\_ does not meet FPD Early Alert System criteria, a memo advising the IA Lieutenant the results of the EAS review and the reason(s) why the EAS did not meet FPD criteria. Once the EAS documentation is completed it is given to the IA Sr. Secretary to close out and purge the EAS data \_\_\_\_\_

### **RISK CLAIMS**

IA Sergeants/*Officer* will be assigned Risk Claims coming in from Risk Management. They will review the claim and research reports and other documents. They *will* prepare a memo addressed to the IA Lieutenant in response to the risk claim. The IA Lieutenant will review the memo, approve it and forward it to IA Sr. Secretary to send back to Risk Management.

### **OFFICER INVOLVED SHOOTINGS AND IN-CUSTODY DEATH CALL OUTS**

IA Sergeants rotate responses to OIS and In-Custody Death incidents. The IA sergeants then prepare an OIS/ICD Notification Memo documenting the preliminary information requested on the memo. The IA sergeant going out on the call will be assigned the OIS/ICD investigation.

IA Sergeants will be scheduled to attend the IA OIS Review Meetings along with the Deputy Chief(s), Captain(s) and/or Lieutenant(s). The meetings are held in person at the Crime View Center.

## **INTERNAL AFFAIRS SENIOR SECRETARY DUTIES**

### **MAIL**

IA Sr. Secretary does the daily mail run to PDHQ and the mail run to City Hall when *IA* files need to be picked up or delivered to the City Attorney's Office, Personnel and/or City Manager's Office.

IA Sr. Secretary is responsible for opening, logging, and distributing incoming mail as well as logging outgoing mail.

### **DATA ENTRY**

IA Sr. Secretary enters data [REDACTED] for Risk Claims, Officer Involved Shootings, and Internal Affairs investigation cases.

### **COLLISION REVIEWS AND PURSUIT CRITIQUES**

IA Sr. Secretary reviews all entries in [REDACTED], cleans up the data and, tracks them until the completed documentation is forwarded [REDACTED]. *The IA Sr. Secretary will transfer the entries [REDACTED] and close them out.*

The IA Sr. Secretary types closing memos to the FPD members involved in the collisions and pursuits.

### **USE OF FORCE**

IA Sr. Secretary receives UOF data entries from [REDACTED] and releases them [REDACTED]. IA Sr. Secretary cleans up the data entries and closes them out [REDACTED].

### **RISK CLAIMS**

IA Sr. Secretary enters risk claims data [REDACTED], and forwards the claims to IA Lieutenant to assign. IA Sr. Secretary will complete the data entry and scan and link the documents [REDACTED] when they are completed. The hard copy documents are then mailed back to Risk Management.

### **INQUIRY AND INFORMAL COMPLAINT FORMS (ICFs)**

IA Sr. Secretary receives Inquiry and Informal Complaint data entries from [REDACTED]. IA Sr. Secretary reviews them to check for completion, then forwards the entries to IA Lieutenant for review and disposition. The IA Lieutenant will forward the entries back to IA Sr. Secretary for releasing [REDACTED]. IA Sr. Secretary releases the entries [REDACTED], cleans up the data and closes them out.

### **OFFICER INVOLVED SHOOTINGS**

IA Sr. Secretary maintains and revises the OIS Call Out list. IA Sr. Secretary is also responsible for entering the initial OIS data entries [REDACTED], including assigning the IA #s and sending routings to the Office of Independent Review to advise of the newly assigned OIS cases.

IA Sr. Secretary maintains and revises OIS logs for open and closed OIS, In-Custody Death, and Lethal force cases.

IA Sr. Secretary is responsible for *sending the completed hard copy IA file to the Chief of Police and sending electronic copy of the IA OIS investigation entry to staff members via [REDACTED] for simultaneous staffing.* IA Sr. Secretary also schedules the OIS Review meetings to take place between *the Chief of Police, IA sergeant who investigated the OIS, district commanders and Deputy Chiefs.*

Once the OIS cases are ready for closing, the IA Sr. Secretary ensures all documents are scanned [REDACTED], closes out the cases [REDACTED], types closing letters to the involved members and files the hard copy IA files.

If the OIS investigation involved a fatal shooting, the IA Sr. Secretary sends the IA Lieutenant an email when the OIS case is closed out. The IA Lieutenant advises the ASD Deputy Chief so the family member(s) can be contacted and advised that the OIS Internal Investigation has been completed.

Revised 8/2019

## **INTERNAL AFFAIRS INVESTIGATION CASES**

IA Sr. Secretary is responsible for releasing new IA cases [REDACTED]. Once the case is [REDACTED], IA Sr. Secretary will clean up the entries, assign an IA # to the case, create a hard copy file folder, copy the scanned documents [REDACTED] into the assigned IA Sergeant's

IA Sr. Secretary sends routings to the Office of Independent Review and to the IA Sergeant who will be assigned to the case, *notifying them of the newly assigned IA investigation.*

IA Sr. Secretary will run IA history reports to place in the hard copy file and start the tracking of the IA cases from beginning to completion. *The IA Sr. Secretary will perform the following tasks:*

1. Track all IA cases *assigned* to IA members and those assigned to field supervisors.
2. Log the current status on each case [REDACTED]
3. Determine next action on each IA file coming back to IA.  
Close out completed IA cases [REDACTED]
5. Advise Personnel, Business Office, Retirement Office and Finance of all terminations served upon FPD members terminated by Internal Affairs.
6. Type closing letters to FPD members.
7. Type closing letters to complainants.
8. File the hard copy IA files.
9. Track and do follow up on the discipline to include:
  - a. Advising staff to schedule training as mandated per served final orders.
  - b. Coordinate with the Business Office to deduct suspension hours from the accused member's accounts.
  - c. Track Suspension dates and ensure completion of entire suspension.
  - d. Ensure fines are paid to the Business Office.
  - e. Track ongoing required meetings per served final orders.
  - f. Request written documentation advising when training has been completed.

## **REQUESTS FOR RELEASE OF INFORMATION**

IA Sr. Secretary receives requests from FPD members, City Attorney's Office, outside counsel, citizens and other Law Enforcement Agencies for information. IA Sr. Secretary reviews the requests, determines what approvals are needed, researches the information to be provided, submits to IA Lieutenant if approval is needed and provides approved information to the requestor(s).

Any requests for the IA History of a member, for the purposes of special unit selection, shall not include corrective measures taken as a result of a sustained allegation (Letter of Counseling or Documented Oral Reprimand).

## **PUBLIC RECORDS ACTS (PRA) REQUEST FOR INFORMATION**

***All PRA requests received by Internal Affairs must be emailed to City Attorney's Office for review and response. The City Attorney's Office will determine what information is going to be released. The City Attorney's Office will contact Internal Affairs for the files/documents necessary to respond to the PRA request. The City Attorney's Office will release the information as determined appropriate.***

***Internal Affairs will notify the involved Fresno Police Department member(s) of the PRA request(s) when Internal Affairs is made aware of them.***

## **DISCIPLINE LETTERS**

IA Sr. Secretary types the *Notice of Proposed Disciplinary Action* letters for discipline and final orders of discipline for *IA investigations conducted by field supervisors*. The IA Sr. Secretary submits *the letters prepared in IA* for review, approvals and signatures to all appropriate signers and tracks the letters as they go through the signature process.

IA Sr. Secretary ensures final orders of discipline are distributed to all appropriate personnel.

## **TRACKING**

IA Sr. Secretary tracks Skelly appointments, Pitchess Motions, letters to be served, monitors demotions, tracks late or missing collision reviews, pursuits, risk claims *use of force, early alerts*, and IA Cases.

### **PITCHESS MOTIONS**

IA Sr. Secretary monitors upcoming Pitchess Motions, researches the files needed for a Pitchess Motion, creates lists of the Pitchess files being sent to the City Attorney's Office, maintains a master Pitchess Motion list of all files that go out of the IA office, monitors the return of the files to IA office and files the cases when the files are returned to IA office.

### **SKELLY PACKETS**

IA Sr. Secretary prepares Skelly packets and Release Forms, submits them for review and approvals, and contacts the FPD accused members when the Skelly packets are ready for pick up.

IA Sr. Secretary is responsible for sending Skelly packet copies to City Attorney's Office if the packets require redactions.

### **MEETINGS**

IA Sr. Secretary attends weekly IA briefings and the FPOA Legal Defense meetings.

IA Sr. Secretary schedules IA briefing meetings and OIS Review meetings.

### **BILLING STATE OF CALIFORNIA**

IA Sr. Secretary is responsible for entering labor data and into Excel Spreadsheet when IA investigations are closed out. IA Sr. Secretary then proofs, edits, and gathers other data to be billed and prepares and submits billings for the State of California reimbursements.

### **STATE OF CALIFORNIA - AUDITS**

IA Sr. Secretary assists State auditors when they conduct audits in regards to the State reimbursement billings.

### **PURGING/DESTRUCTION OF INTERNAL AFFAIRS FILES AND DOCUMENTS**

*The IA Sr. Secretary is responsible for purging IA files and documents as scheduled on the Internal Affairs Retention Schedule. The purging process requires the IA Sr. Secretary to run reports of expired cases/documents, prepare lists of the files to be purged and submit for review and approval according to the necessary approvals listed in the IA Retention Schedule.*

*The Internal Affairs Retention Schedule is as follows:*

*Collision Reviews, Pursuit Critiques, Inquiry/Complaints, Informal Complaints, Internal Affairs investigation files, and Risk Claims are submitted for purge approval at five (5) years from closed date.*

*Use of Force entries are submitted to the IA Lieutenant for purge approval at five (5) years from closed date.*

*Early Alert System (EAS) entries are purged immediately upon being completed and closed out [REDACTED].*

*Purge Logs are destroyed three (3) years from the date the purge took place.*

*IA Sr. Secretary is responsible for manually deleting approved purge files [REDACTED] [REDACTED] IA Sr. Secretary destroys hard copy documents approved for purging by placing in the shredder bin.*

*Time Logs are pulled from IA files and kept for future State of California audits that may eventually take place. The Time Logs are destroyed after a State of California audit takes place.*

*Items not approved for purging, are given a new purge date, to take place one year from the date of the last purge date.*

*Retained IA files are pulled from the normal filing system and placed in the Retained file cabinets in numerical order until they are approved for purging.*

### **BACKGROUND INVESTIGATIONS**

*IA Sr. Secretary receives requests for background investigations and researches for information. IA Sr. Secretary reviews requests and determines the proper approvals and signatures needed prior to releasing information to background investigators.*

### **CLOSING AND THIRTY (30) DAY LETTERS**

IA Sr. Secretary types letters to complainants every 30 days until the IA investigation is completed.

Once the IA and the Informal Complaint investigations are completed, the IA Sr. Secretary will send a letter to the complainant notifying them of the completion of the investigation and the findings of the misconduct alleged by the complainant. This letter is to be sent within 30 days of the completion of an IA investigation or Informal Complaint.

### **ADMINISTRATIVE LEAVE-MODIFIED DUTY LOG**

IA Sr. Secretary prepares and maintains a weekly log of FPD members placed on administrative leave or modified duty due to IA related investigations. IA Sr. Secretary distributes the weekly confidential log to the Chief of Police, Deputy Chiefs, City Hall Personnel, City Attorney's Office and other member's as approved.

### **OFFICE OF INDEPENDENT REVIEW (OIR) DUTIES**

IA Sr. Secretary prepares quarterly reports *and stats and* submits to the OIR for OIR reporting.

### **OTHER IA SR. SECRETARY DUTIES**

IA Sr. Secretary assists in researching information, updating IA Manual, updating IA Operations Manual, maintaining and distributing complaint forms and brochures, filing, ordering supplies, making request for repairs, answering main IA phone line, and assisting visitors to the IA office.

IA Sr. Secretary is responsible for entering personnel changes and additions

IA Sr. Secretary creates and implements new procedures due to new or changing policies or software.

## **OFFICE OF INDEPENDENT REVIEW (OIR) RECOMMENDATIONS**

The 2010 year end Office of Independent Review report listed a series of recommendations for adoption by the Fresno Police Department. The following recommendations that were specifically for the Internal Affairs Bureau are now incorporated into the Internal Affairs Bureau Operations Manual:

- The IA investigators shall provide a conclusion to the officer involved shootings that is supported by specific facts.
- While interviewing members involved in officer involved shootings, the IA investigators shall obtain detailed and specific facts related to the officer's justification for continuing to discharge their firearm.
- The IA investigators shall carefully review synopsis statements to ensure they contain all salient and critical factors from the original recorded statements or interviews.
- When the interviewer is only using an audio recording device to record the interviewee, the interviewer will verbally describe any physical action demonstrated by the interviewee so as to capture the physical action on the audio recording.
- All pertinent documents, diagram sketches, and other information should be part of the Internal Affairs investigation file.
- The IA investigators shall refrain from asking leading questions or questions that have the answer within the question.
- All potential witnesses are to be interviewed. If for any reason a witness can't be contacted, the IA investigator shall document the reason(s) why the witness was not contacted.
- The IA investigators shall make it a routine to canvass the area for potential witnesses or other evidence (i.e. video cameras) and document their findings in the IA investigation file.
- If the Department becomes aware of any video recording(s) of an incident being investigated, the video recording(s) should immediately be obtained for review and used in the IA investigation.

- If video evidence is obtained after the interviews have already been completed, documentation should be included in the IA investigation file indicating whether or not witnesses were or were not re-interviewed and why.
- The IA investigators shall provide an in-depth summary of the salient facts from video evidence and provide an evaluation as to its evidentiary value.
- The Department shall review, enforce, and follow protocols, concerning the appropriate conduct and representation by the Fresno Police Officer's Association (FPOA) legal representatives during Internal Affairs interviews.
- When the IA investigators are reviewing witness statements, any conflicting or differing statements should be reported, evaluated, and resolved to accurately determine what occurred.
- Major cases of alleged misconduct shall be handled by Internal Affairs Bureau and not assigned to field Sergeants to investigate.
- The IA investigators shall ensure that all digital recordings are included as part of the IA investigation file.