



COMMUNITY POLICE REVIEW COMMISSION

City of Arts & Innovation

February 8, 2019

To: Mr. Al Zelinka, Riverside City Manager

From: Robin Jackson, Community Police Review Commission Chair

Per Riverside Police Department (RPD) Policy 1009 Personnel Complaints, the Community Police Review Commission (CPRC) is required to provide you with the results of our biannual audit of police personnel complaints. The following information will provide you some background, the results of the audit and recommendations for future audits.

History

In May 2017, the Riverside Press Enterprise newspaper published an article about the Riverside Police Department withholding complaint cases from the Community Police Review Commission. According to RPD Chief Diaz, the unintentional withholding of complaints occurred during a restructuring of their entire police policy manual. Sometime in 2015, the RPD adopted the standardized policy program provided by Lexipol. They are a reputable company assisting several law enforcement agencies with policies and training that are continually updated per state mandates. The program change led to Internal Affairs procedural changes not conducive to working with an oversight entity, namely the CPRC.

The CPRC was unaware of the error created by the policy changes and did not realize certain cases had not been forwarded to us. From the point of discovery in 2017, RPD and the CPRC diligently worked to correct the situation. The police department began generating case numbers for all complaint cases regardless of category or potential findings. The CPRC extended its hours through several monthly meetings to accommodate a review of previously unseen complaint cases dating back to 2015. The backlogged cases were actively reviewed, completed by early 2018 and forwarded to the City Manager's Office for review.

In the meantime, Chief Diaz and his administrative team worked to draft a revision to [Policy 1009](#) separating this particular policy from the standard version found in Lexipol. As their efforts would directly impact the CPRC, we requested and were accepted to be part of the process for creating the revised policy. The CPRC formed an ad hoc committee to meet with the Chief's team and the resulting policy can be located at RPD Policy 1009 Personnel Complaints. It has been minimally modified since its original creation but the entire RPD Policy Manual shows the most recent version dated December 31, 2018. Most of the policy reflects how the police department interacts with its employees. The following key points were the direct result of the CPRC's involvement:

- 1) RPD will endeavor to complete its investigation of complaint cases within 120 days.
- 2) Understanding some cases could be lengthy in their review, if they are unable to complete the case within the 120 days, RPD will send a letter to the complainant updating them about the status of the complaint.
- 3) Both RPD and CPRC will institute audit procedures to ensure that complaint cases are handled in a thorough and timely manner.
 - a) The audit team will be comprised of the CPRC Chair and Manager along with the RPD Internal Affairs lieutenant or designee.
 - b) The team will meet twice a year to ensure compliance of the complaint policy.
 - c) The CPRC will select no less than 30% of completed cases to review every six months.
- 4) The CPRC will prepare a report summarizing the results and forward it to the City Manager's Office, the Chief of Police and the CPRC.

Summary of CPRC Audit of 2018 RPD Complaint Cases

The audit occurred on January 30, 2019.

Those present included: CPRC Chair Robin Jackson, CPRC Vice Chair Artemese Evans, CPRC Manager Carlie Myers, and Independent Consultant Frank Hauptmann, CPRC Administrative Assistant Mercedes Daems, and RPD Internal Affairs Lieutenant Bryan Dailey assisted by his team.

Duration of Meeting: 3 1/2 hours for the entire team (both RPD and CPRC staff spent a considerable amount of time prior to the meeting time in preparation for the audit and post meeting time to make subsequent revisions.)

A routine biannual review will survey a minimum of no less than 30% of completed cases. But the goal of this meeting was to not only audit cases, but rather to develop the procedures necessary to complete these audits. At this meeting, Lt. Dailey had worked with his team to produce a spreadsheet of all 2018 cases with pertinent categories. The opening spreadsheet was extremely helpful in building an expanded version with more categories to track the timelines of all complaint cases. Both the CPRC and RPD teams worked together to develop the attached spreadsheet.

Although the original idea was to select a particular number of cases to review, the spreadsheet allowed us, at a glance, to review the entire year. When the CPRC team noted lengthy case investigation timelines, we were able to ask Lt. Dailey to explain the excess time needed. Keeping police identities confidential, he was able to explain what circumstances created lengthy investigations. Vice Chair Evans and I were satisfied with the reasoning. Around mid-2018, RPD began sending 120-day letters to complainants of any cases whose

investigations had exceeded the 120- day time frame. Dates of sent letters were noted on the spreadsheet.

Vice Chair Evans, Independent Consultant Hauptmann and I then randomly selected a number of completed case files for review. Lt. Dailey provided the files but protected confidential information. We were able to review them and confirm the case files matched the timeline information located on the spreadsheets. Lt. Dailey answered any allowable questions we had about the cases. All complaint case files we reviewed satisfactorily met the policy goals.

At the meeting, both teams discussed ideas to better facilitate the next audit. Based on that feedback, we created a revised and more informative spreadsheet that can be utilized by both RPD and the CPRC.

Recommendations for Future Audits

Although I will be leaving the Commission at the end of February 2019, I think the following recommendations should be considered for subsequent audits.

- 1) The current policy states the audit will be handled by the CPRC Chair, the CPRC Manager and the Internal Affairs Lieutenant or designee. This is a very involved process and would have been difficult without assistance from others. The policy should be changed to include the Vice Chair (to assist with case selection and review), the Independent Consultant (to provide law enforcement guidance), the CPRC Administrative Assistant (to document the process and findings), along with the RPD Internal Affairs Lieutenant and at least one team member (to coordinate location of files and provide necessary information). The CPRC Manager's attendance would be optional. In other words, this requires a slightly larger team to facilitate it more efficiently.
- 2) Both RPD and CPRC should be using the exact same spreadsheet to make line-by-line comparisons easier to complete. It would be beneficial if RPD maintained a similar checklist in each complaint case file so when pulled for review, the checklist could be compared to the overall spreadsheet. It would allow us to ensure that the investigation tracked in a similar and timely manner. I realize RPD is in the process of changing how they handle IA files so this recommendation could be moot or revisited later.
- 3) Identify regularly scheduled biannual months for future audits. January/July works well because a January audit would allow an overview of the previous calendar year. It also gives sufficient time if the CPRC wishes to include audit information in their Annual Report.
- 4) The Chair and Vice Chair should receive the RPD/CPRC spreadsheet prior to the audit meeting. They would be responsible for selecting the cases ahead of time, forwarding file numbers to the Internal Affairs lieutenant, who could then pull the cases and ready them for review. This is not to say that the time between notifications would be excessive. An example would be to have the Chair notify the lieutenant in the morning to have cases readied for an afternoon audit. (As quick as Lt. Dailey was, he still had to

have cases pulled and reviewed for confidentiality prior to us accessing them for the audit review.) This would decrease the lag time waiting for access to reviewing cases.

- 5) Identify given information to be delivered in the report to the City Manager, the Police Chief and CPRC. This report should be the exception, rather than the standard. Although this process is new and could still be evolving during the second go around, eventually the audit information should be more statistical (number of cases reviewed, percentage of compliant cases, attached spreadsheet, etc.)
- 6) If RPD and the CPRC agree to any of the changes above, the policies of both would require updating.

Conclusion

The mission of the CPRC is to promote the public confidence in the professionalism and accountability of the sworn staff of the RPD. This recent CPRC/RPD audit was primarily about coming together to develop procedures for future audits of complaint cases. I believe both RPD and the CPRC are working toward the same goals of completing all complaint cases in a thorough and timely manner while being responsible to the complainant thus accomplishing our mission.

I would like to extend a sincere thank you to the audit participants. Thank you for allowing me the opportunity to serve the community. If you have any questions, please don't hesitate to contact me.

Sincerely,

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