

INTERNAL AFFAIRS SERGEANTS

DAVID CHANDROO
OMAR ORTEGA
KAMON HARRIS
RICHARD MADDEN
ELIZABETH MONTOYA
LINNEA QUINONES
DANIEL WILSON

Myths and Truths

1. Rumor or myth you heard about IA

Pink, green or yellow card

2. Something you want to know related to IA

White card

Why do we have an Internal Affairs Unit?

Mission Statement:

To enhance the confidence of the public and our department employees, we produce thorough and impartial administrative investigative services.

- - In 1974, 832.5 PC was enacted Fulfill all the legal requirements
- Central hub to store files, ensure proper access or protection of files
- Protect employee rights

- Checks and Balances of SDSO
- Public trust

Internal Affairs Unit

- 1 Lieutenant
- 7 Sergeants
 - 4 LE and 3 Detentions
- 3 Professional Staff
- **1**960

What we <u>DO</u> Investigate

On-duty misconduct allegations

Off-duty criminal allegations

Off-duty, non-criminal conduct with a nexus to the department

What we do <u>NOT</u> Investigate

- Complaints with no nexus to the department
- Complaints not involving department members
- Matters with more appropriate methods of resolution (see next slide)

INTERPERSONAL CONFLICT

- Internal Affairs is an investigative unit, not a mediation tool or first option for resolving workplace differences or performance deficiencies
- Bring matters to supervisors as necessary
- Use appropriate tools and resources (Human Resources/Employee Relations)

Statistics: 2022

- 811 Complaints
 - 549 resolved with correspondence letter
 - 111 letter to file
- 112 IA cases opened
 - Policy or law violations
 - IA Investigations vs Command 58 / 54
 - 4000+ employees

Command Investigations

- Traffic Collisions
- Minor Procedural Violations
- Reporting Procedures
- Sick Leave Abuse
- Failure to Meet Standards
- Use of Force
- CLETS Violations

Command Investigations

Professional staff supervisors conduct IA Investigations too.

- Medical
- Inmate Processing Division
- Food Services
- Crime Lab

Confidentiality

- Who can the accused talk to about the investigation?
 - Order not to disclose Be specific to your investigation.

■ When can the accused employee talk about the investigation?

Other questions?

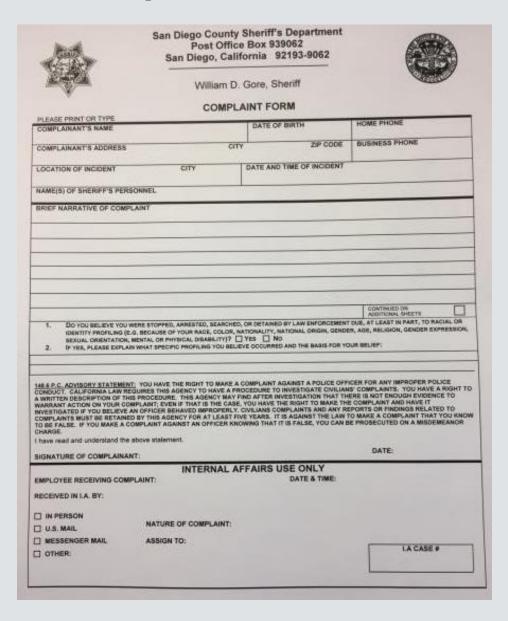
Take a break!

The Complaint

	Post Office	San Diego County Sheriff's Department Post Office Box 939062 San Diego, California 92193-9062 William D. Gore, Sheriff		
	William D.			
	COMPL	AINT FORM		
PLEASE PRINT OR TYPE	27-87010000	DATE OF BIRTH	HOME PHONE	
COMPLAINANT S NAME			The same of the same	-
COMPLAINANT'S ADDRESS	CIT	у ДР СООЕ	BUSINESS PHONE	
LOCATION OF INCIDENT	CITY	DATE AND TIME OF INCIDENT		
NAME(S) OF SHERIFF'S PER	ESONNEL			
BRIEF NARRATIVE OF COM	PLAINT			
	S1891			
				_
1 Boyou and For Woo	WITH STOPPED ARRESTED, SEARCHED	OR DETAINED BY LAW ENFORCEMENT	CONTINUED ON ACCIDIONAL SHEETS DISP, AT LEAST IN PART, TO R	ACIAL OR
IDENTITY PROFILING (WERE STOPPED, ARRESTED, SEARCHED C.G. BECAUSE OF YOU'R RACE, COLOR, N. (RENTAL OR PROPILED AND SELECTION OF THE PROPILED AND SELEC	ATIONALITY, NATIONAL ORIGIN, GENDE	ACCITIONAL SHEETS TOKE, AT LEAST IN PART, TO R IN, AGE, RELIGION, GENDER EX	ACIAL OR OPRESSION.
SEXUAL CREMTATION BY YES, PLEASE EXPL	E.G. BECAUSE OF YOUR RACE, COLOR, N. K. MENTAL OR PHYSICAL DRAMBLTY?? [LIN WHAT SPECIFIC PROFILING YOU BELIE	ATIONALITY, NATIONAL ORIGIN, GENER JYES NO EVE OCCUMBED AND THE BASIS FOR YO	ADDITIONAL SHEETS DUE, AT LEAST IN PART, TO R IR, AGE, RELIGION, GENDER EX JUR SELIEF:	
SEXUAL CREATATION 2. IF YES, PLEASE EXPL. 148.8 P.C. ADVISORY STATEMED CONDUCT. CALIFORNIA LAW IN WARRANT ACTION ON YOUR CI WARRANT ACTION ON YOUR CI WASTE OF YOUR SELECTED.	E.G. BECAUSE OF YOUR RACE, COLOR, K. IN MENTAL OF PHYSICAL DRABLITY? C. IN WHAT SPECIFIC PROPILING YOU BELL INT. YOU HAVE THE RIGHT TO MAKE A REQUIRES THIS AGENCY TO HAVE A PRICE PROCEDURE. THIS AGENCY MAY FOR PAYLANT, EVEN IF THAT IS THE CASE AN OFFICER BEHAVIOR IMPROPERLY. IN OR STATE OF THE SHADE OF THE CASE TO BY THIS AGENCY POR A TLEAST FOR THE STATE OF THE CASE TO BY THIS AGENCY POR A TLEAST FOR THE STATE OF	ATOMALTY, METIGAL CHIDIN, GENE J'YES Mo IVE OCCURRED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF NICOMPLIANT AGAINST A POLICE OFF NICOMPLIANT SAGRISTICATE CIVILIAN INDIVIDUAL THE ROST TO MARKE THE CONFLANCE COMPLIANTS AND ANY RE CONFLANCE COMPLIANTS AND ANY RE	COMPLANTS OR HONOR SHEET COMPLANT OR HO	A RIGHT TO ICE TO
IDENTITY PROFILENCE OF SEXUAL CREATATION OF SEXUAL CREATATION OF SEXUAL CREATATION ON YOUR CONVENTION OF THE SEXUAL COMPLANTS MUST BE RETAIN TO SEX FALSE. IF YOU MAKE A CHARGE.	E.G. BECAUSE OF YOUR RACE, COLOR, N. INN WHAT SPECIFIC PROPILING YOU BELL INN WHAT SPECIFIC PROPILING YOU BELL INN WHAT SPECIFIC PROPILING YOU BELL INN. YOU HAVE THE RIGHT TO MAKE A EQUINES THIS ABONCY TO HAVE A PR INST PROCEDURE. THIS AGENCY TO HAVE A PR INST PROCEDURE. THIS AGENCY TO BE CASE INST PROPILING THE PROPILING TO BE CASE IN THIS AGENCY FOR AT LEAST FOR COMPLAINT AGAINST AN OFFICER KNO IN SHOW STATEMENT.	ATOMALTY, METIGAL CHIDIN, GENE J'YES Mo IVE OCCURRED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF NICOMPLIANT AGAINST A POLICE OFF NICOMPLIANT SAGRISTICATE CIVILIAN INDIVIDUAL THE ROST TO MARKE THE CONFLANCE COMPLIANTS AND ANY RE CONFLANCE COMPLIANTS AND ANY RE	EDDITIONAL SHEETS EDDITIONAL SHEETS A LEAST IN PART, TO SI, A ABE, RELIGION, GENDER ED TUR BELIEF: EDET FOR ANY IMPROPER PO ES COMPLANTS: YOU HAVE ERE IS NOT ENOUGH EVICEN E COMPLANTS AND HAVE IT FORSTS OR THEORIGIS RELAT OR MAKE & COMPLANT SHEAT OR MAKE SHEAT OR MAKE SHEAT OR MAKE SHEAT O	A RIGHT TO ICE TO
IDENTITY PROFILENCE OF SERVICE OF YES, PLEASE EXPL. 148.5 P.C. ADVISORY STATEMED CONDUCT. CALIFORNIA LAW AWINTEN DESCRIPTION ON YOUR CALIFORNIA LAW AWINTEN DESCRIPTION ON YOUR COMPLAINTS BUST SE RETAIN DISEASE. IF YOU MAKE A CHANGE. IF YOU MAKE A CHANGE IT THAN read and understand the SIGNATURE OF COMPLAINA	E.G. BECAUSE OF YOUR RACE, COLOR, K. INNERTAL OF PRISCAL, DESABLUTY? C. INN WHAT SPECPIC PROPILING YOU BELE INTO YOU HAVE THE RIGHT TO MAKE A EQUIPMENT THE ARGENCY TO HAVE A PR INTERNAL AND INTERNAL SPECIAL PROPILING. THE ARGENCY WAY F ORPLANT AS BEHAVIOR DEPOCEMENT OR SPECIAL PROPILING AND A TLEAST RICORPLANT AGAINST AN OPPOCEMENT INTERNAL A INTI- INTERNAL A.	ATOMALTY, NATIONAL ORIGIN, GRINE J'YES No THE OCCUMENTED AND THE BASIS FOR YO THE OCCUMENTED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF COMPLIANT COMPSTIGATE CIVILIAN THE INVESTIGATION THAT THE YOU HAVE THE RIGHT TO MAKE THE YOUNG THAT IT IS FALSE, YOU GAN B FFAIRS USE ONLY	COMPLANTS OR HONOR SHEET COMPLANT OR HO	A RIGHT TO ICE TO
IDENTITY PROFILENCE OF SEXUAL CHRISTATION OF YOUR CHRISTATION OF SEXUAL SEXUAL CHRISTATION OF SEXUAL CHRISTATION OF COMPLAINATE OF COMPL	E.G. BECAUSE OF YOUR RACE, COLOR, K. INNERTAL OF PRISCAL, DESABLUTY? C. INN WHAT SPECPIC PROPILING YOU BELE INTO YOU HAVE THE RIGHT TO MAKE A EQUIPMENT THE ARGENCY TO HAVE A PR INTERNAL AND INTERNAL SPECIAL PROPILING. THE ARGENCY WAY F ORPLANT AS BEHAVIOR DEPOCEMENT OR SPECIAL PROPILING AND A TLEAST RICORPLANT AGAINST AN OPPOCEMENT INTERNAL A INTI- INTERNAL A.	ATOMALTY, NATIONAL CHIRD, GENER J'YES ' MO INE COCURRED AND THE BASIS FOR YO INE COCURRED AND THE BASIS FOR YO COMPLAINT AGAINST A POLICE OFF COCEDURE TO INVESTIGATE CIVILIAN IND AFTER INVESTIGATION THAT IN CIVILIANS COMPLAINTS AND ANY TO CIVILIANS COMPLAINTS AND ANY TO CIVILIANS COMPLAINTS AND ANY TO CIVILIANS TO BASIS. YOU GAME TO SERVE AND ANY TO CIVILIANS TO BE ALSE, YOU GAME THAT IT IS FALSE, YOU GAME	COMPLANTS OR HONOR SHEET COMPLANT OR HO	A RIGHT TO ICE TO
IDENTITY PROFILENCE OF SECULAL CHRISTIATION 2. IF YES, PLEASE EXPLAINED TO THE PROPINCY OF THE	E.G. BECAUSE OF YOUR RACE, COLOR, K. INNERTAL OF PRISCAL, DESABLUTY? C. INN WHAT SPECPIC PROPILING YOU BELE INTO YOU HAVE THE RIGHT TO MAKE A EQUIPMENT THE ARGENCY TO HAVE A PR INTERNAL AND INTERNAL SPECIAL PROPILING. THE ARGENCY WAY F ORPLANT AS BEHAVIOR DEPOCEMENT OR SPECIAL PROPILING AND A TLEAST RICORPLANT AGAINST AN OPPOCEMENT INTERNAL A INTI- INTERNAL A.	ATOMALTY, NATIONAL ORIGIN, GRINE J'YES No THE OCCUMENTED AND THE BASIS FOR YO THE OCCUMENTED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF COMPLIANT COMPSTIGATE CIVILIAN THE INVESTIGATION THAT THE YOU HAVE THE RIGHT TO MAKE THE YOUNG THAT IT IS FALSE, YOU GAN B FFAIRS USE ONLY	COMPLANTS OR HONOR SHEET COMPLANT OR HO	A RIGHT TO ICE TO
IDENTITY PROFILED O SEXUAL CREMITATION 2. IF YES, PLEASE EXPL IN 18.5 P.C. ACVISORY STATEMED CONDUCT. CALIFORNIA LAW IN A WHITTEN DESCRIPTION OF WARRANT ACTION ON YOUR O' MAYES THATE OF YOU BETAIN TO BE FALSE. IF YOU MAKE A CHARKSE. IT IN 19.5 THAT OF COMPLAINA EMPLOYEE RECEIVING COM RECEIVED IN I.A. BY:	E.G. BECAUSE OF YOUR RACE, COLOR, K. INNERTAL OF PRISCAL, DESABLUTY? C. INN WHAT SPECPIC PROPILING YOU BELE INTO YOU HAVE THE RIGHT TO MAKE A EQUIPMENT THE ARGENCY TO HAVE A PR INTERNAL AND INTERNAL SPECIAL PROPILING. THE ARGENCY WAY F ORPLANT AS BEHAVIOR DEPOCEMENT OR SPECIAL PROPILING AND A TLEAST RICORPLANT AGAINST AN OPPOCEMENT INTERNAL A INTI- INTERNAL A.	ATOMALTY, NATIONAL ORIGIN, GRINE J'YES No THE OCCUMENTED AND THE BASIS FOR YO THE OCCUMENTED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF COMPLIANT COMPSTIGATE CIVILIAN THE INVESTIGATION THAT THE YOU HAVE THE RIGHT TO MAKE THE YOUNG THAT IT IS FALSE, YOU GAN B FFAIRS USE ONLY	COMPLANTS OR HONOR SHEET COMPLANT OR HO	A RIGHT TO ICE TO
IDENTITY PROFILEND (SEXUAL CHRINTATION 2. IF YES, PLEASE EXPL IN SES, P.C. ADVISORY STATEMED CONDUCT, CALIFORNIA LAW IN WHITE AND ADVISORY STATEMED CONDUCT, CALIFORNIA LAW IN WHITE ADVISORY STATEMED CONDUCT, CALIFORNIA LAW IN WHITE ADVISORY STATEMED CONDUCT, CALIFORNIA LAW IN CONTROL OF COMPLAINA EMPLOYEE RECEIVING COM RECEIVED IN LA. BY: IN PERSON	E.G. BECAUSE OF YOUR RACE, COLOR, K. INNERTAL OF PRISCAL, DESABLUTY? C. INN WHAT SPECPIC PROPILING YOU BELE INTO YOU HAVE THE RIGHT TO MAKE A EQUIPMENT THE ARGENCY TO HAVE A PR INTERNAL AND INTERNAL SPECIAL PROPILING. THE ARGENCY WAY F ORPLANT AS BEHAVIOR DEPOCEMENT OR SPECIAL PROPILING AND A TLEAST RICORPLANT AGAINST AN OPPOCEMENT INTERNAL A INTI- INTERNAL A.	ATOMALTY, NATIONAL ORIGIN, GRINE J'YES No THE OCCUMENTED AND THE BASIS FOR YO THE OCCUMENTED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF COMPLIANT COMPSTIGATE CIVILIAN THE INVESTIGATION THAT THE YOU HAVE THE RIGHT TO MAKE THE YOUNG THAT IT IS FALSE, YOU GAN B FFAIRS USE ONLY	COMPLANTS OR HONOR SHEET COMPLANT OR HO	A RIGHT TO ICE TO
IDENTITY PROFILEND (BESUAL CHRINTATION IF YES, PLEASE EXPL IF YES, PLEASE EXPL IN THE P. C. ADVISORY STATEMED DONOLICY, CALIFORNIA LAW IS LIMITED DESCRIPTION OF SIX MARKANT ACCOUNT OF SELECY MARKANT ACCOUNT OF SELECY MARKANT SIX SIX SIX SIX CHARGE THAN CHARGE OF COMPLAINA EMPLOYEE RECEIVING CON RECEIVED IN LA. BY: IN PERSON U.S. MAIL	E.G. BECAUSE OF YOUR RACE, COLOR, K. INNERTAL OF PHYSICAL, DESABLUTY? C. INN WHAT SPECPIC PROPILING YOU BELE INNERTAL OF PROPILING YOU BELE INNERTAL OF PROPILING YOU HAVE A PR INTERNAL AND INTERNAL AND PROCESS HAVE BY SHOULD SHAW ON THE THE ADDRESS HAVE BY SHAW OF HOME SHAW ON SHOP OF THE ADDRESS HAVE BY SHOW SHAW OF THE ADDRESS HAVE BY SHAW OF THE ADDRESS	ATOMALTY, NATIONAL ORIGIN, GRINE J'YES No THE OCCUMENTED AND THE BASIS FOR YO THE OCCUMENTED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF COMPLIANT COMPSTIGATE CIVILIAN THE INVESTIGATION THAT THE YOU HAVE THE RIGHT TO MAKE THE YOUNG THAT IT IS FALSE, YOU GAN B FFAIRS USE ONLY	TEME, AT LEAST TO ME, AND A SECURITY OF THE ADDRESS OF THE AND A SECURITY OF THE ADDRESS OF THE ADDRESS OF THE ADDRESS OF THE ADDRES	ED TO TYPE YOUR SHOWN
IDENTITY PROFILENCE OF SEXUAL CHRISTATION OF YOUR CHRISTATION OF SEXUAL SEXUAL CHRISTATION OF SEXUAL CHRISTATION OF COMPLAINATE OF COMPL	E.G. BECAUSE OF YOUR RACE, COLOR, K. IN MENTAL OF PHYSICAL IDEASHLUTY? C. IN WHAT SPECIFIC PROFILING YOU BELL IN YOU KAYE THE RIGHT TO MAKE A COURSES THE ADENCY TO HAVE A PR LED SPECIAL THAT IS THE CASE OMPLAINT: EVEN IS THAT IS THE CASE IN OFFICER RING TO SHOW STREET INTERNAL A I	ATOMALTY, NATIONAL ORIGIN, GRINE J'YES No THE OCCUMENTED AND THE BASIS FOR YO THE OCCUMENTED AND THE BASIS FOR YO COMPLIANT AGAINST A POLICE OFF COMPLIANT COMPSTIGATE CIVILIAN THE INVESTIGATION THAT THE YOU HAVE THE RIGHT TO MAKE THE YOUNG THAT IT IS FALSE, YOU GAN B FFAIRS USE ONLY	COMPLANTS OR HONOR SHEET COMPLANT OR HO	ED TO TYPE YOUR SHOWN

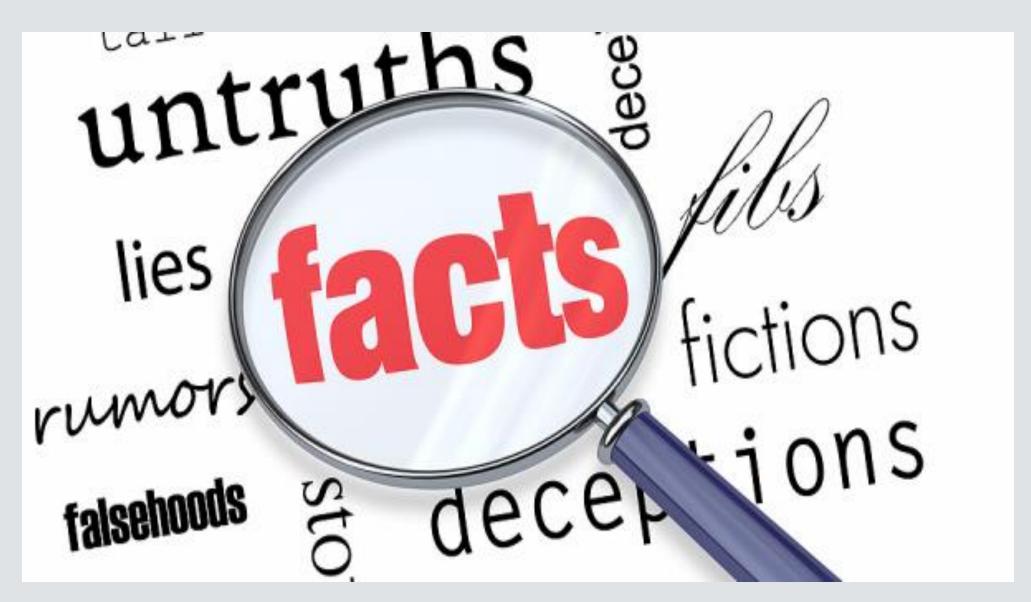
- The complainant?
- The accused?
- What are the allegations?
- When did it happen?
- Where did it happen?
- When was it reported?

Department Generated Complaint



- What does "department generated" mean?
- You may be asked to complete a department generated complaint
- Accused information
- Date, time & location of incident
- Summarize the allegation, DO NOT CITE POLICY

Your role as an Investigator



Where do you start?

- Review complaint form
- Research all potential policy violations
 - Rules of Conduct vs. Department Procedures
- Who do I need to interview?
- What evidence do I need to locate?
 - Reports
 - Logs
 - Deployments
 - BWC
 - Video surveillance footage

Investigation

■ Gather and review evidence

Conduct witness interviews

■ Conduct accused interview

Follow up as needed

■ Type investigative report

Witness Interviews

- Write questions/script
- Copies of documents and/or video
- Location of interview/phone interviews
- Order of witnesses
- Number of witnesses

Witness Interviews

- Employee vs. Civilian
 - Right to representation?
 - Right to refuse?

- All interviews are recorded
 - Four rules of conduct
 - Order not to disclose

DEMONSTRATION WITNESS

Accused Interview Questions

- Write questions/script
 - Did you ... vs. do you remember
 - Open ended vs Yes/No
 - o "Tell me about..."
 - "What do you remember about...."
 - Avoid "do you recall"? questions.
 - Ask the hard questions
 - Order of questions
 - Tone of questions

Accused Interview

- Copies of documents and/or video
- Location of interview
- Two supervisors
- Accused employee and representative
- POBOR

Accused Interview

- At time of interview
 - Document/video review

Miranda + Garrity = Lybarger

Four Rules of Conduct

4 Rules of Conduct

■ 2.15 Insubordination

Insubordination is the willful refusal to obey a reasonable and lawful order given and understood. A reasonable and lawful order given to a subordinate shall be followed regardless of the method of conveyance. The willful failure to obey orders constitutes grounds for discipline (including termination).

■ 2.38 Intervention

Employees shall not use their position, or knowledge gained by employment with this department, to intervene in, or interfere with any case, or investigation being handled by this Department, or any other agency.

■ 2.41 Departmental Reports

Employees shall submit all necessary reports on time and in accordance with established Departmental procedures. Reports submitted by employees shall be truthful and complete; no employee shall knowingly enter or cause to be entered any inaccurate, false, or improper information, nor omit pertinent information reasonably expected to be included.

2.46 Truthfulness

When asked by the Sheriff, the Sheriff's designee or any supervisor, employees will always answer questions, whether orally or in writing, truthfully and to the fullest extent of their knowledge. All written and verbal reports shall be truthful and complete.

DEMONSTRATION ACCUSED

Take a break!

Final Reports

1. *Investigation* Report

2. Synopsis, Analysis, Conclusion, Findings

Report

IA Website



Investigation Report

- Investigation
 - State the complaint
 - Information leading up to event
 - Facts

- Statements
 - Synopsize
 - Transcribe
 - Script

Synopsis, Analysis, Conclusions

One document which contains the key elements of your investigation as it relates to the allegations, evidence and the findings.

Synopsis

Brief overview of the facts in one short paragraph

• "On June 25, 2016, Deputy Smith was on duty and working at SDCJ. He was involved in a cell extraction and struck Inmate Rios in the head four times with a closed fist. Rios sustained a concussion and filed a complaint stating the force was excessive."

Analysis

- State allegations
 - "It is alleged Deputy Smith used excessive force during a cell extraction."
- Define applicable P&P violation (s)
 - "The following Department Policy and procedure is applicable...."
- Explain how you determined whether or not allegations occurred and nexus to department/accused

Conclusions

- Burden of proof
 - "Preponderance of evidence," is defined as "such evidence, when weighed with that opposed to it, has more convincing force and the greater probability of truth."

"In weighing the facts of this case, the evidence demonstrates....."

Findings

Sustained:

Evidence proves it happened

Not-sustained:

Unable to prove it happened

Unfounded:

Evidence proves it did not happen

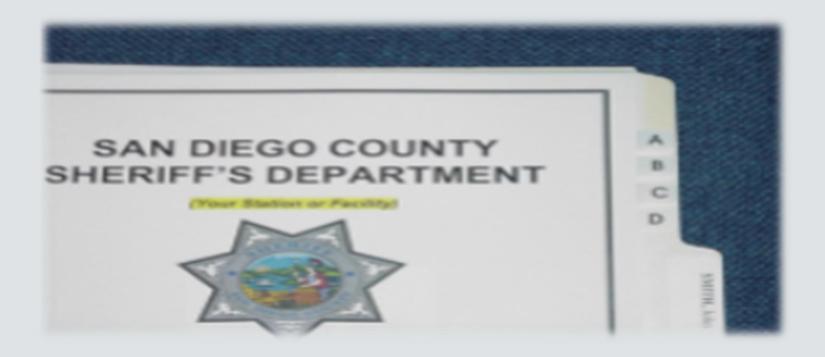
Exonerated:

It happened, but was not a policy violation

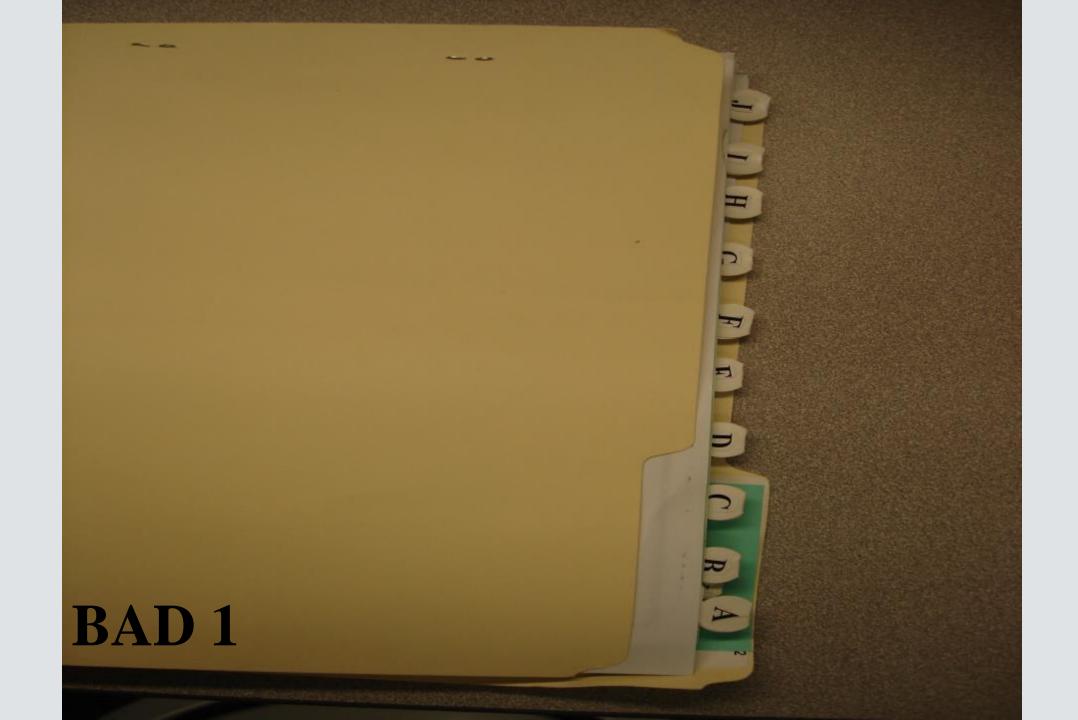
■ Resolved: (NOT USED ANYMORE)

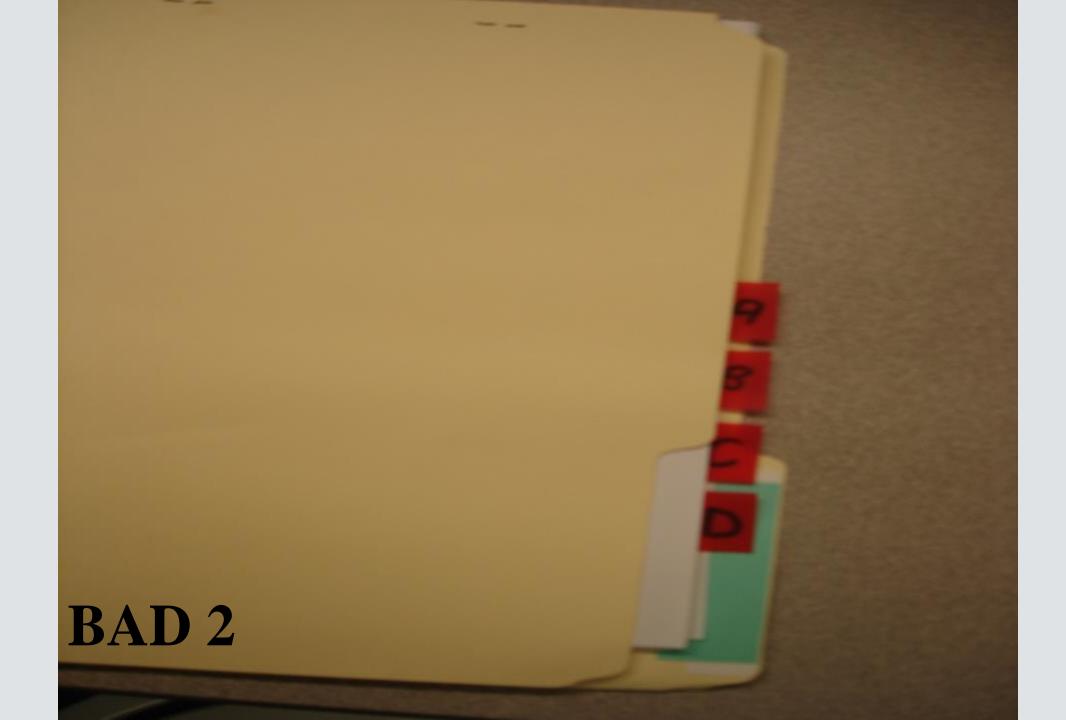
Retired, reassigned or deceased

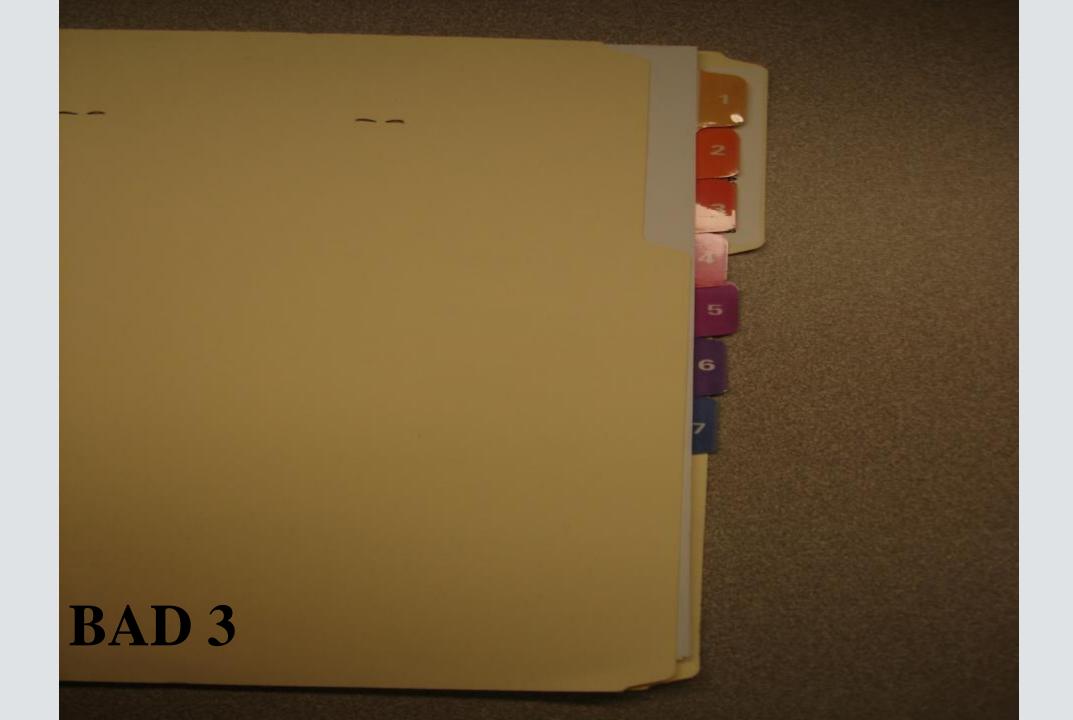
Assemble the Case

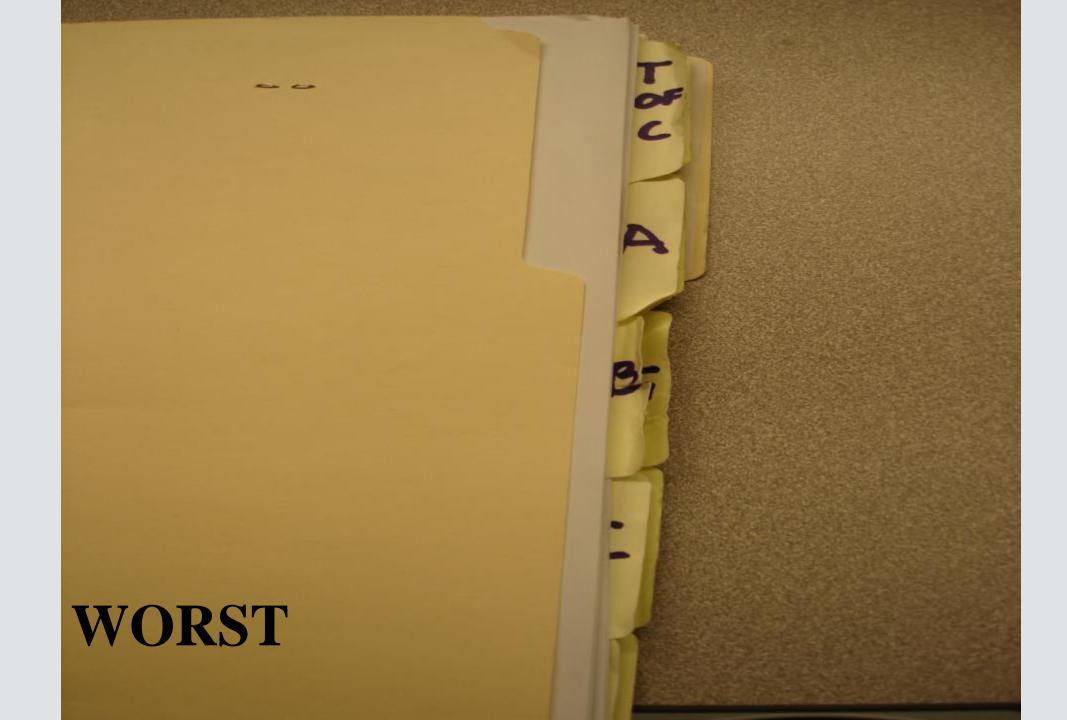


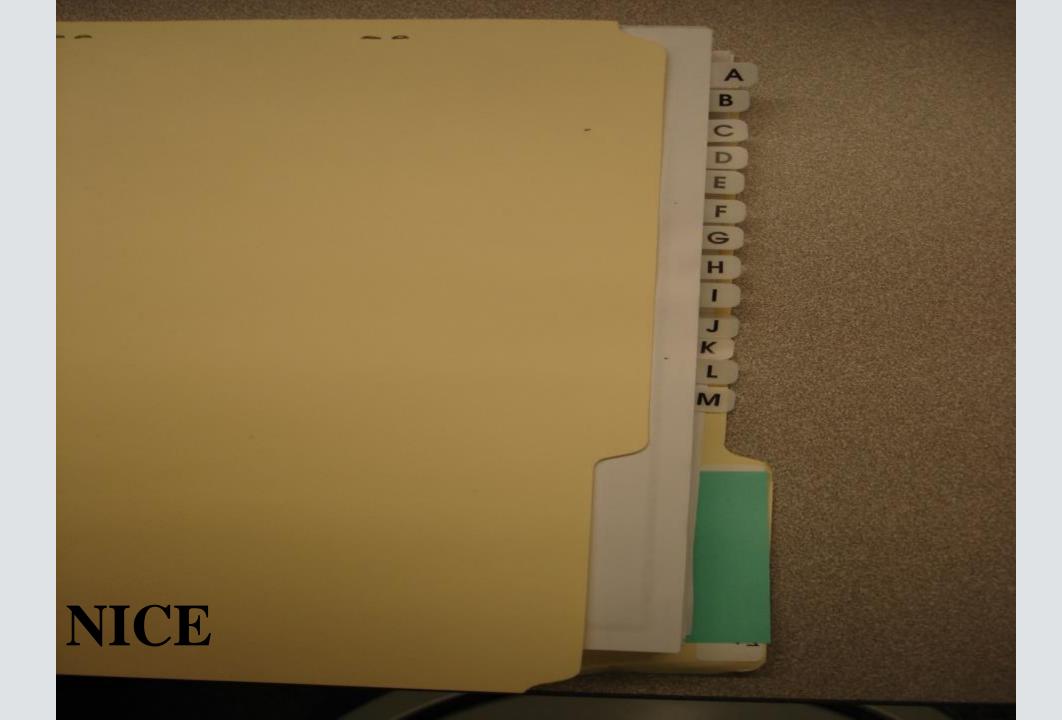
How to Assemble a Case











Things to Remember

■ Use IA Liaisons to assist

- Proofread
 - Then proofread again (use your second)

Your report is basis for discipline recommendation

What Happens Next?

Investigation is approved or returned for corrections

 Discipline recommendation by second-level supervisor

- Appeal Process
 - Skelly
 - Civil Service



Group Exercise

Instructions

■ What are you going to do?

Identify potential policy violations

■ What evidence can you collect?

■ Who will you interview?

Best Practices for Supervisors

- Be a resource for your employees
 - Training
 - Support
 - Discipline
- Resources
 - Peers
 - Supervisors
 - Mentors

Resources

- Internal Affairs Website
 - Examples/Templates
 - Liaisons
 - Call Office Staff (858) 974-2065

