



# INTERNAL AFFAIRS YEAR END SUMMARY

## Santa Monica Police Department

Report Date: July 21, 2020

### Personnel Complaints

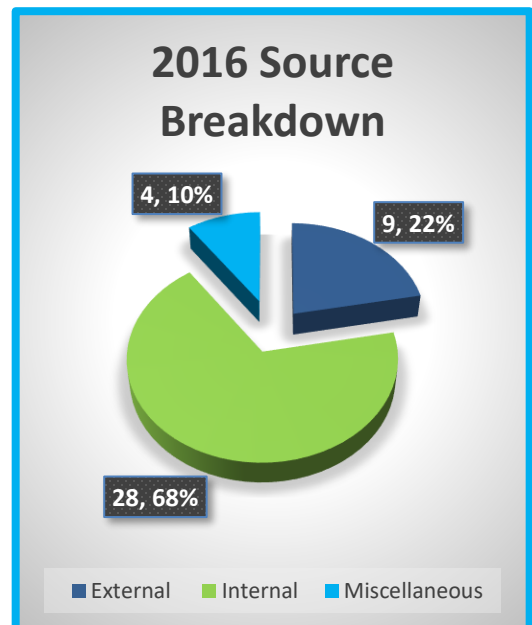
2016 Report Year†

The Internal Affairs Unit separates personnel complaints based on the source, into three categories of the complaint. Complaints reported by community members are designated as External Complaints, while acts of misconduct observed or reported within the Department to SMPD supervisors are Internal Complaints. When a supervisor or citizen reports allegations of personnel misconduct that do not rise to the level of any policy violation, the complaint or complaints are categorized as the third category of Miscellaneous Complaints.

	Complaints Received in 2016		Sworn		Non-Sworn		Total Employees	
		Δ 2015		Δ 2015		Δ 2015		Δ 2015
External	9	-33.3%	9	-11.11%	4	0.00%	13	-7.69%
Internal	28	-71.4%	22	-63.64%	7	-128.57%	29	-79.31%
Total	37	-62.16%	31	-48.39%	11	-81.82%	42	-57.14%
Miscellaneous	4							

To thoroughly investigate all complaints, Internal Affairs administrative cases may require up to a year to complete an investigation. Due to this lengthy process, statistical reporting will cover only calendar years in which all investigations received in that reporting period have been closed by the Internal Affairs Unit. This report will compare the most recent completed investigations for 2016 year as well as any extended trends and comparisons where possible. As an example, the table above shows the percentage change in the 2015 report year to 2016 year.

In 2016, the Internal Affairs Unit received 9 External Complaints and 28 Internal Complaints for a total of 37 Personnel complaints, a significant drop from the previous year. The Internal Affairs also received 4 Miscellaneous Reports, with all four being external sources of perceived employee misconduct that failed to reach the level of a policy violation. The 37 combined Personnel Complaints involved 42 sworn or non-sworn subject employees and required IA to conduct 57 interviews of member of the public, witness employees, and the subject employees.



The pie chart provides a visual comparison of the three sources of investigations received by the Internal Affairs Unit for the 2016 report year.

† Report period is January 1 to December 31

§ Percentages reflect the change from the previous report year

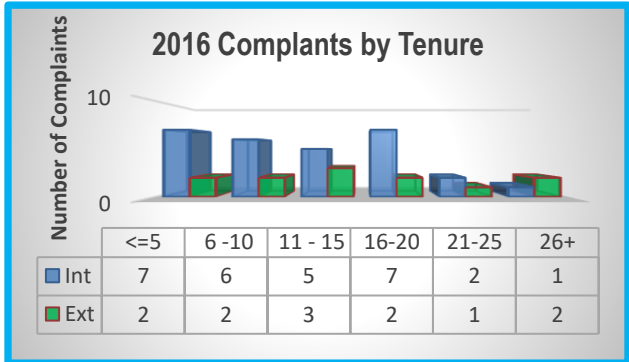
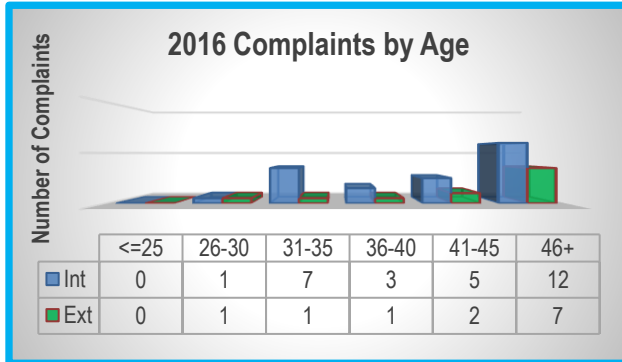


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The graphs below provide a breakdown of complaints by age and by tenure for 40 of the 42 (two remain unknown) employees involved in Internal and External Complaints. In the chart on the left the comparison of age to the number complaints shows the age of the older employee to be a factor. While the chart on the right shows how the tenure of the employee impacts the frequency of complaints.



The Internal Affairs Unit receives a wide range of allegations in the complaints reported, as shown in the IA Investigation Details in the following pages. For statistical reporting purposes, the Internal Affairs Unit has categorized these complaints into five types of allegations:

- Neglect** When an employee fails to complete acts or responsibilities that are within the normal scope of the employee's job duties.
- Cubo** When an employee acts in a behavior deemed inappropriate for the employee's position and the Department. (Conduct unbecoming an officer)
- UOF** When it is alleged an employee used excessive force.
- TA** When an employee was involved and believed to be responsible for a preventable traffic collision. (Traffic Accident)
- Policy** When an employee has committed a policy violation that does not meet the above categories.

Allegation	INTERNAL	% (int)	%(total)	EXTERNAL	% (Ext)	%(total)
Neglect	0	0.0%	0.0%	3	50.0%	7.5%
Cubo	4	11.8%	10.0%	1	16.7%	2.5%
UOF	3	0.0%	7.5%	0	0.0%	0.0%
TA	20	58.8%	50.0%	0	0.0%	0.0%
Policy	7	20.6%	17.5%	2	33.3%	5.0%
	<b>34</b>		<b>85.0%</b>	<b>6</b>		<b>15.0%</b>

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### Corrective Action

Section 1020.7 of the Santa Monica Police Department Policy Manual classifies allegation dispositions into four outcomes of unfounded, exonerated, not sustained, and sustained. These dispositions are defined as:

**Unfounded** When the investigation discloses that the alleged act(s) did not occur or did not involve Department personnel.

**Exonerated** When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

**Not-Sustained** When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

**Sustained** When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

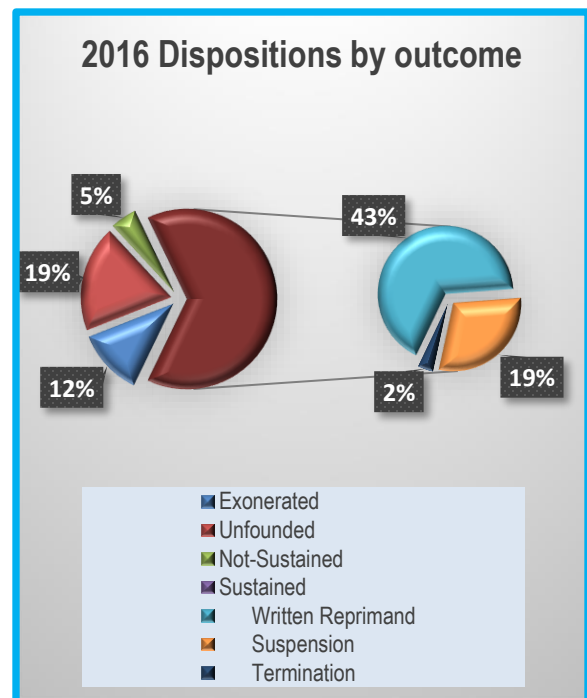
### Investigation Outcomes

In 2016, the 42 employees involved in the 37 Internal Affairs investigations had final dispositions as:

- 5 Exonerated
- 8 Unfounded
- 2 Not-Sustained
- 27 Sustained

Of the four types of dispositions, only Sustained outcomes include some form of discipline. The 27 sustained dispositions had imposed corrective action consisting of:

- 18 Written Reprimands
- 8 Suspensions for total of 220 hours
- 1 Termination



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The table below shows more detail as to the type (source of the complaint), number of employees involved, the allegation of misconduct identified, the policies ultimately violated or not violated based on the outcome of each case and the disposition and outcome after the Internal Affairs investigation. IA cases with multiple employees, will list multiple outcomes only if outcomes were not the same for each involved employee.

### 2016 Investigation Details

Status	Emp	Allegation	Policy	Narrative	Dispo	Outcome
Internal	1	TA	340.3.6 (c) Safety 340.3.6 (e) Safety	Preventable collision	Sustained	40 hours
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	Policy	314.2.3(d)2 Pursuit Initiation 314.2 Officer Responsibilities 314.3.6 (b) Pursuit Driving Tactics 314.7.3 Capture of suspect	Violation of policy while involved in a vehicle pursuit.	Sustained	20 hours
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (c) Safety 340.3.6 (e) Safety	Preventable collision	Sustained	10 hours
Citizen	1	Cubo	340.3.2 (k) Conduct	Rude and unprofessional	Not sustained	n/a
Citizen	1	Policy	340.3.5 (aa) Performance	Rude and unprofessional	Unfounded	n/a
Internal	1	Policy	340.3.6 (a) Safety 340.3.6 (f) Safety	Taser accidental discharge.	Sustained	Written Reprimand
Citizen	1	Cubo	340.3.2 (k) Conduct	Yelled at complainant in an aggressive manner	Unfounded	n/a

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Internal	1	Policy	340.3.6 (f) Safety	Taser accidental discharge	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety 1022.2 Wearing of Safety Restraints	Preventable collision	Sustained	40 hours
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Citizen	1	UOF	300.2 Use of Force policy	Use of excessive force	Unfounded	n/a
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Unfounded	n/a
Internal	2	Policy	1022.3 Transporting Prisoners 340.3.5(c) Performance 902.3(b) Pat Down Searches	Violation of department policy	Sustained	20 hours
Citizen	1	Cubo	340.3.5(g) Performance	Use of inappropriate and derisive language	Sustained	20 hours
Internal	1	Policy	340.3.5(o) Performance 340.3.5(z) Performance 340.3.5(aa) Performance	Domestic Violence	Not-Sustained Exonerated Not-Sustained	n/a
Citizen	1	Crime, Policy	340.3.5 (n) Performance 340.3.5 (o) Performance 350.3.5 (z) Performance 350.3.5 (aa) Performance	Committed a theft.	Sustained	Termination
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	TA	340.3.6 (c) Safety 340.3.6 (e) Safety	Preventable collision	Sustained	10 hours
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand

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Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Internal	1	Cubo	340.3.2 (k) Conduct	Conduct while off duty	Not-Sustained	n/a
citizen	1	UOF		Use of force		
Internal	1	Policy	312.3(d) Safe Handling of Firearms 340.3.6(f) Safety	Accidental discharge of a firearm.	Sustained Sustained	40 hours
Internal	1	Policy	300.2.1 Use of Force 300.2.2(a)(k) Reasonableness of Force 303.1.1(a) Shooting Policy	Discharge of a firearm.	Exonerated Exonerated Exonerated	n/a
Citizen	5	UOF	340.3.5(u) Performance 300.2.1 Use of Force 300.4.2 Medical Attention for Injuries	Use of force	Exonerated Exonerated Unfounded	n/a
Internal	1	TA	340.3.6 (e) Safety	Preventable collision	Sustained	Written Reprimand
Citizen	1	Conduct	340.3.2(k) Conduct	Rude, combative and retaliatory to complainant	Unfounded	n/a

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### Investigation Disposition Yearly Comparison

	2015	% change from previous year	2016	% change from previous year
Exonerated	6	33.3%	5	-20.0%
Unfounded	8	0.0%	8	0.0%
Not-Sustained	1	-300.0%	2	50.0%
Sustained	51	9.8%	27	-88.9%

### Corrective Action Imposed Comparison

	2015	% change from previous year	2016	% change from previous year
Written Reprimand	32	-9.4%	18	-77.8%
Termination	1	100.0%	1	0.0%
Demotion	0	0.0%	0	0.0%
Suspension	18	38.9%	8	-125.0%
Total Suspension Hours	678	51.3%	220	-208.2%

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