

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM: ANTHONY MATA**
CHIEF OF POLICE

SUBJECT: SEE BELOW

DATE: September 18, 2022

APPROVED

Memo #2022-047

SUBJECT: DUTY MANUAL REVISION: C 1730 ALLEGATIONS OF FELONY OR MISDEMEANOR OFFENSES INVOLVING DEPARTMENT MEMBERS – CRIMINAL INVESTIGATION AND IA RESPONSIBILITY

BACKGROUND

A review of the Duty Manual discovered revisions were necessary to ensure proper notifications are made regarding criminal allegations involving Department members.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*.

C 1730 ALLEGATIONS OF FELONY OR MISDEMEANOR OFFENSES INVOLVING DEPARTMENT MEMBERS - CRIMINAL INVESTIGATION AND IA RESPONSIBILITY:

Revised 09-18-22

When ~~an credible or verifiable~~ allegation against a Department member is received that includes elements of a felony or misdemeanor crime, or once such evidence is uncovered during the investigation of an allegation, the following procedure will be followed:

- The Department member receiving the allegation shall notify their immediate supervisor ~~is responsible for ensuring that IA is notified without delay.~~ This responsibility continues even if the assertion is against the Department member receiving the allegation.

Example: A subject is being booked into jail and makes an allegation that the officer stole their money. The officer will notify their sergeant without delay.

- The immediate supervisor shall conduct a preliminary investigation to gather the facts relevant to the allegation.

ALL DEPARTMENT PERSONNEL

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- The immediate supervisor shall immediately notify IA and will provide them with the facts of the allegation. The credibility of the allegation and any required documentation will be determined in consultation with IA.

- IA is responsible for reviewing the circumstances and the Assistant Chief of Police will determine whether a criminal investigation should be initiated. In the event the Assistant Chief of Police determines that a criminal investigation will be conducted, the Deputy Chief of the appropriate Bureau is notified.

- At the direction of the Chief of Police, the IA Commander will have responsibility of placing the Department member on administrative leave. Such determination is made in consultation with the Chief of the Bureau of Investigations and the Department member's Bureau Chief or the Division Commander. Such detachment is in accordance with Civil Service rules and Department policy concerning Administrative Leave.

- In the event the criminal allegation is credible and has the potential to impact the safety or financial health of the community and/or other City employees (examples include, but are not limited to, alleged sexual misconduct, assault or battery, and theft or bribery), the Chief of Police or their designee will have the responsibility of immediately notifying the City Manager and the City Manager's Office of Employee Relations.

ORDER

Effective immediately, all Department personnel shall adhere to the above Duty Manual section.



Anthony Mata
Chief of Police

AM:SD:MB