



Director - LaTasha Watson
Inspector General - Dwight White
October 9, 2023

A dark blue silhouette of the Sacramento skyline, including various buildings and the two towers of the Golden Gate Bridge, set against a light blue background.

**Office of Public Safety Accountability (OPSA):
External Audit Report**

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**Audit of the Sacramento Police Department
(SPD): Misconduct Complaint Cases**

Office of Public
Safety Accountability
(OPSA)

*The Mission of the Office of
Public Safety Accountability is to
improve the relationship between
the City's public safety
departments
and the community they
protect and serve.*

*We promote trust, excellence,
transparency and accountability
through independent and
impartial oversight of complaints
related to public safety employee
misconduct.*



Under the direction, control and supervision of the City Council, the Director **shall** have the following authority and responsibility as related to the Sacramento Police Department and Sacramento Fire Department:

2.22.030 Duties and functions of office.

The Office shall:

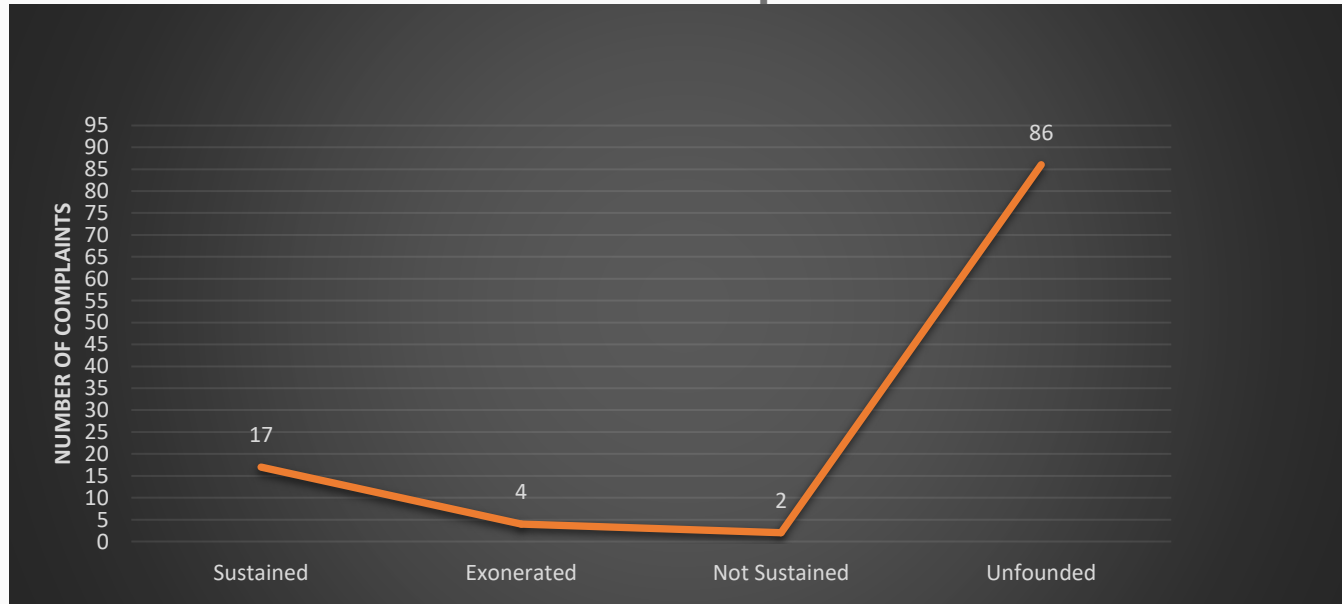
- A. **Audit all complaint investigations of the police department and fire department, as the director deems necessary.**
- B. Monitor all complaint investigations conducted by the police department and fire department.
- C. Request the police department and fire department perform further investigation in those complaint cases that require additional investigation as determined by the director.
- D. Receive all documents, reports, or any other item necessary to monitor or audit a complaint investigation.
- E. Assist the city council, or any duly appointed committee of the council, in performing its investigative functions under section 34 of the charter.
- F. As needed, request the city council, or any duly appointed committee of the council, to issue subpoenas as provided in section 34 of the charter. The city council may, by resolution, establish the procedures for the request, issuance, and service of those subpoenas.
- G. Perform such other inquiries and investigations as prescribed by council resolution.
- H. Accept and document complaints directly from citizens as an alternative procedure for citizen complaints concerning public safety personnel, using a complaint form distinct from that used by the police department or fire department. All such complaints shall be promptly forwarded to the respective public safety department for investigation.
- I. Provide complainants with timely updates on the status of investigations, excluding disclosure of any information that is confidential or legally protected.
- J. Explain how the complaint process works to all complainants.

Audit Overview

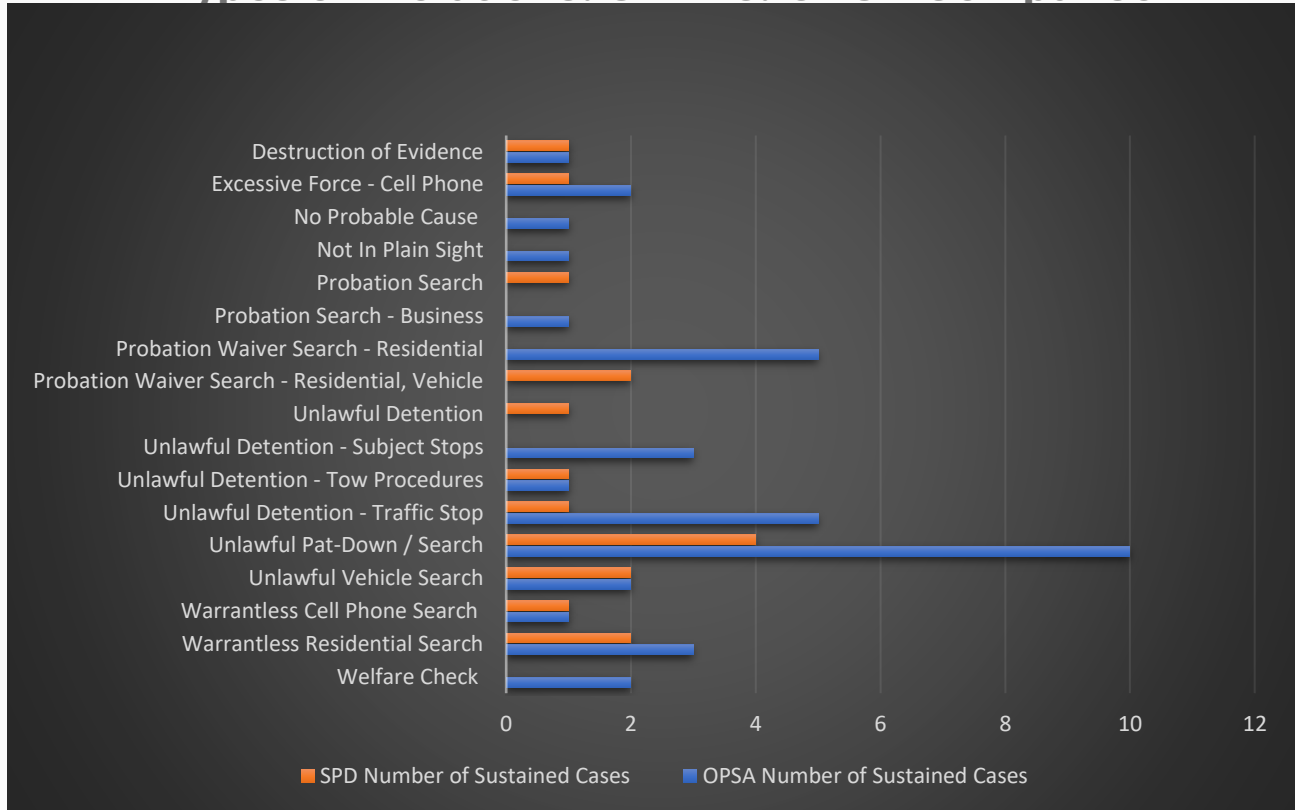
- Ascertain whether there is a systemic problem or isolated incidents in SPD reference officers engaging in pattern or practice of unreasonable stops, searches, and seizures violating community members' Fourth Amendment rights, specifically Black and Latino community members
- Review of 109 completed misconduct complaint cases
- June 1, 2020 through June 30, 2023

Audit Overview

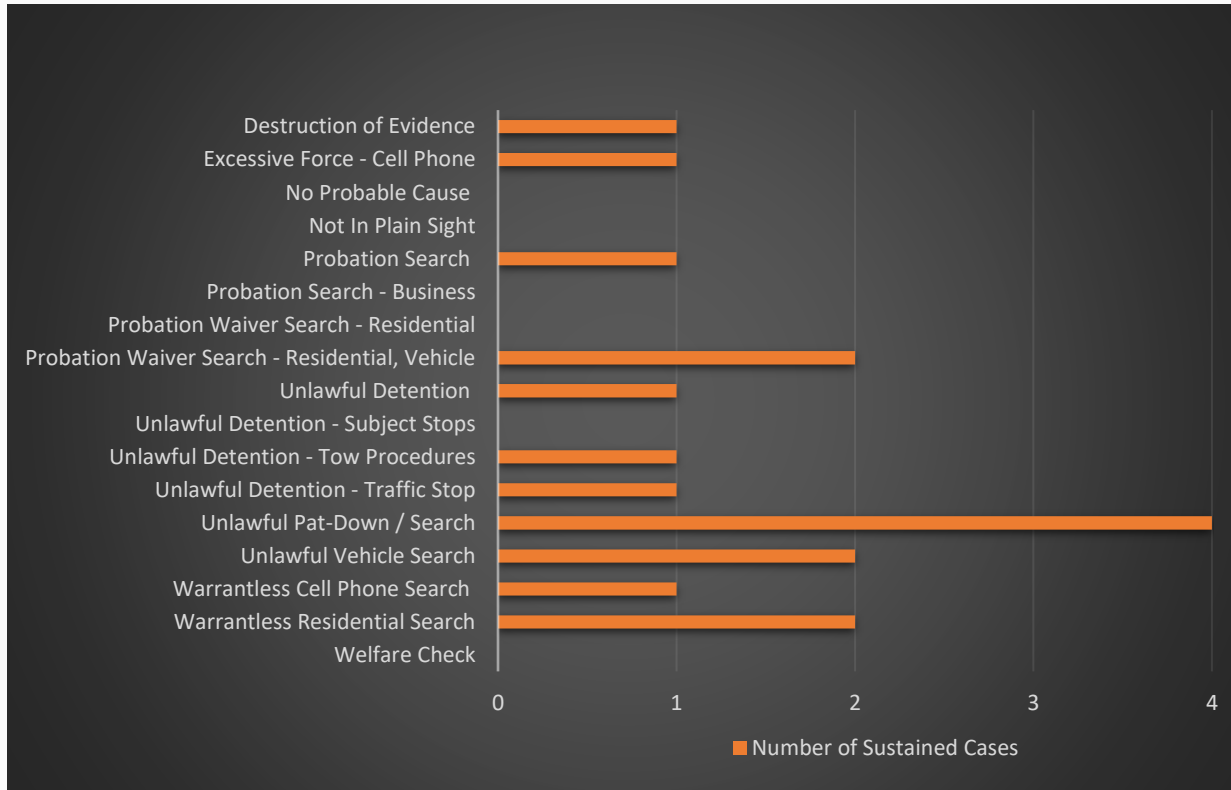
SPD Case Dispositions



Types of Violations: SPD vs. OPSPA Comparison

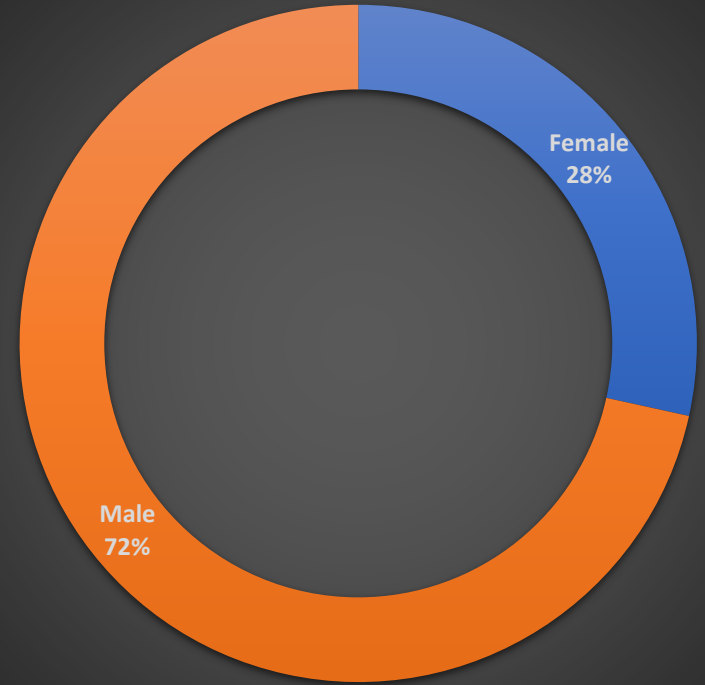
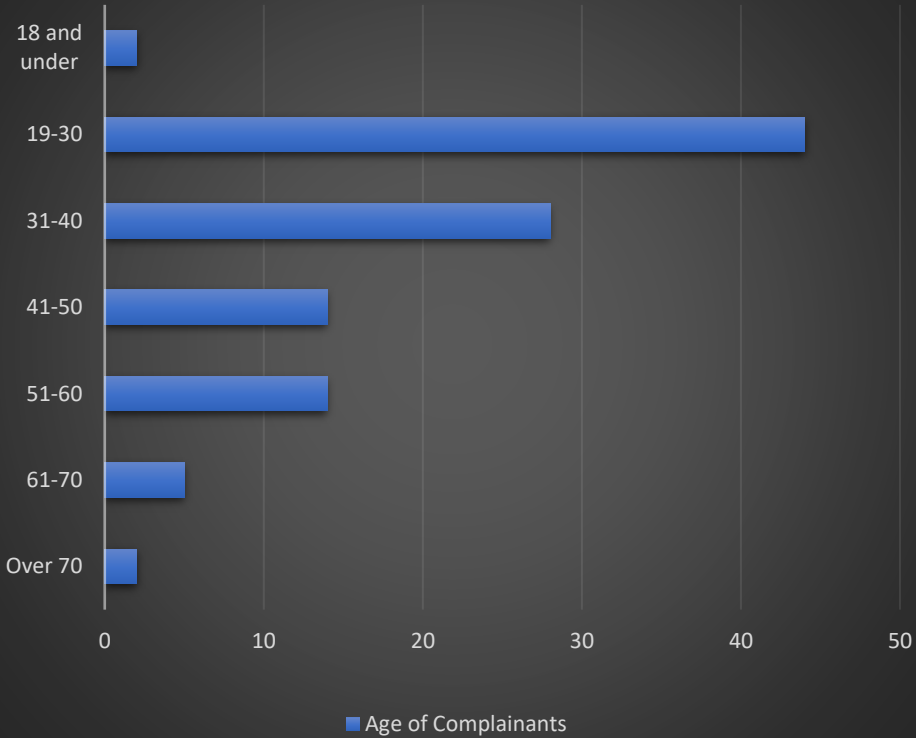


Types of Violations: SPD Sustained Case Violations

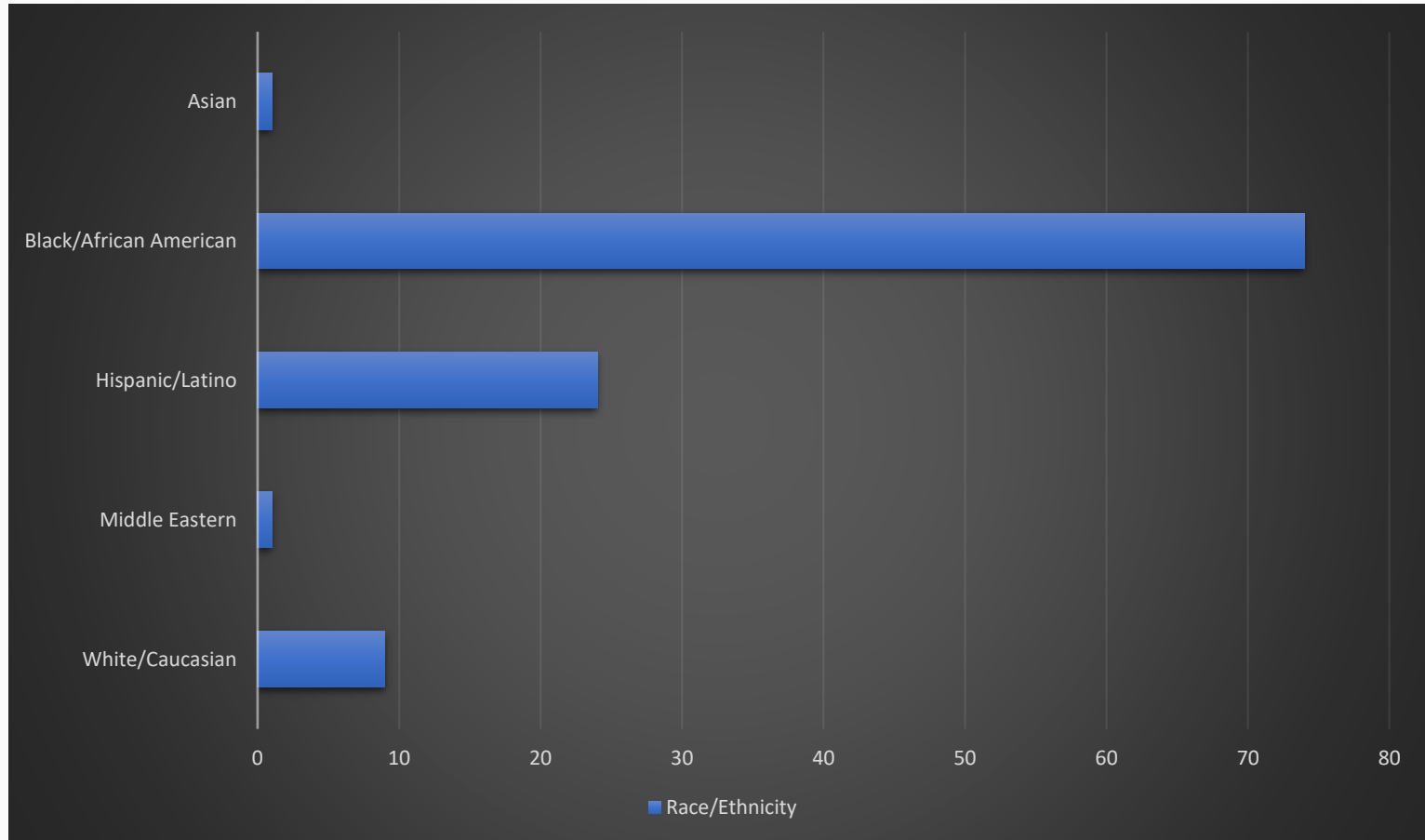


Statistical Findings: Complaint Demographics

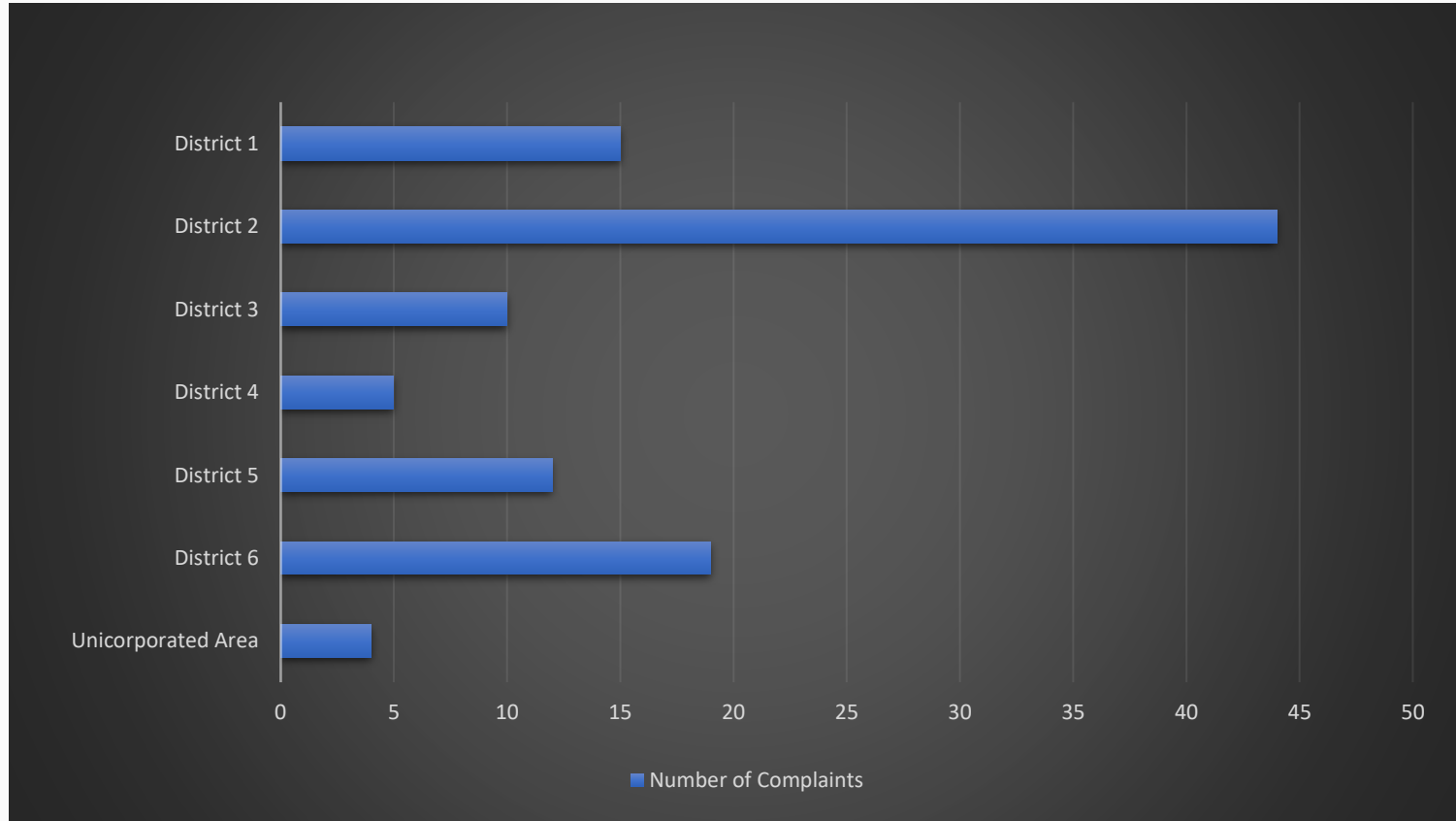
Complaint Demographics: Complainant's Age & Gender



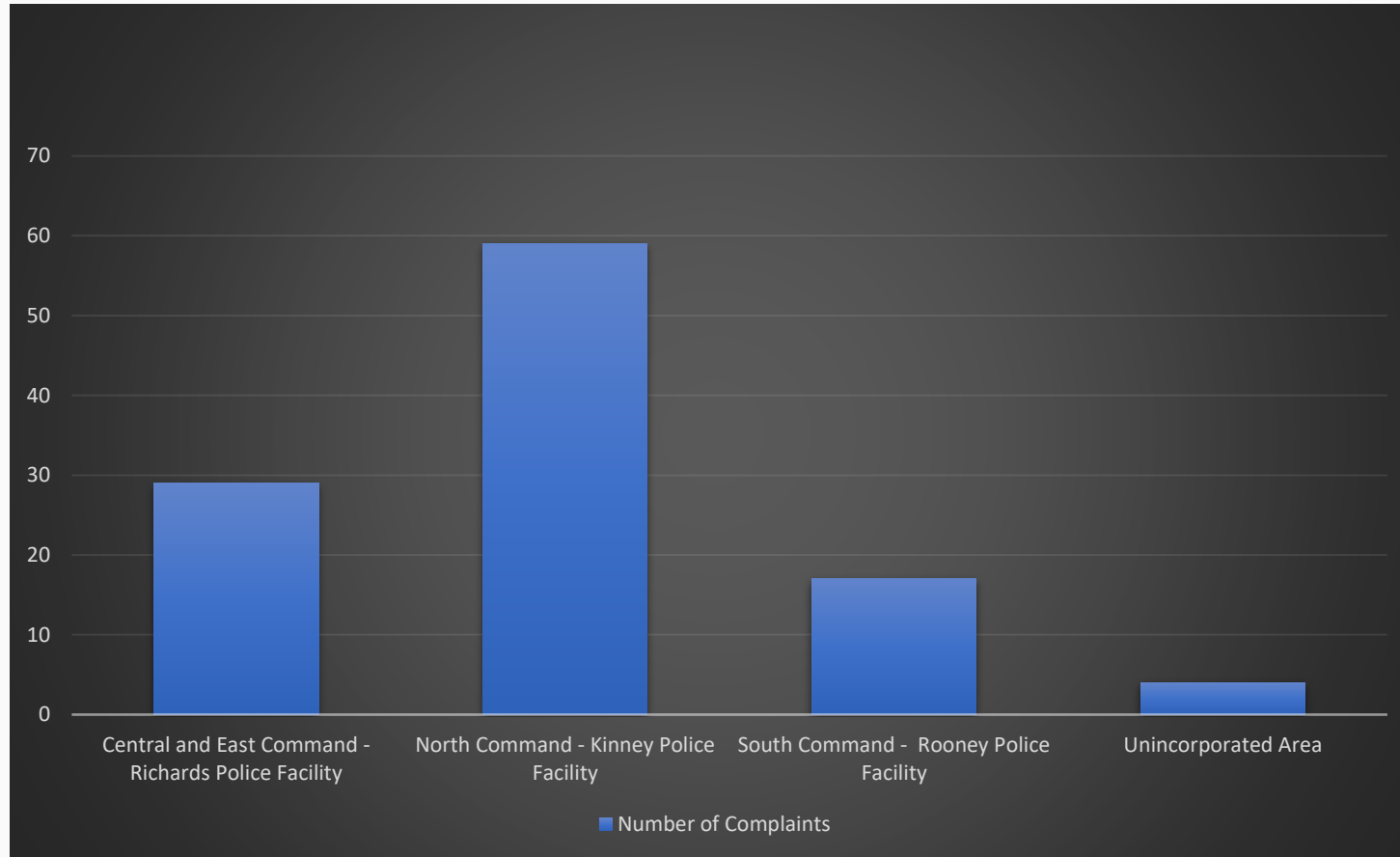
Complaint Demographics: Complainant's Race



Complaint Demographics: Complaints by Council District



Complaint Demographics: Complaints by SPD Command Area



Audit Findings & Recommendations

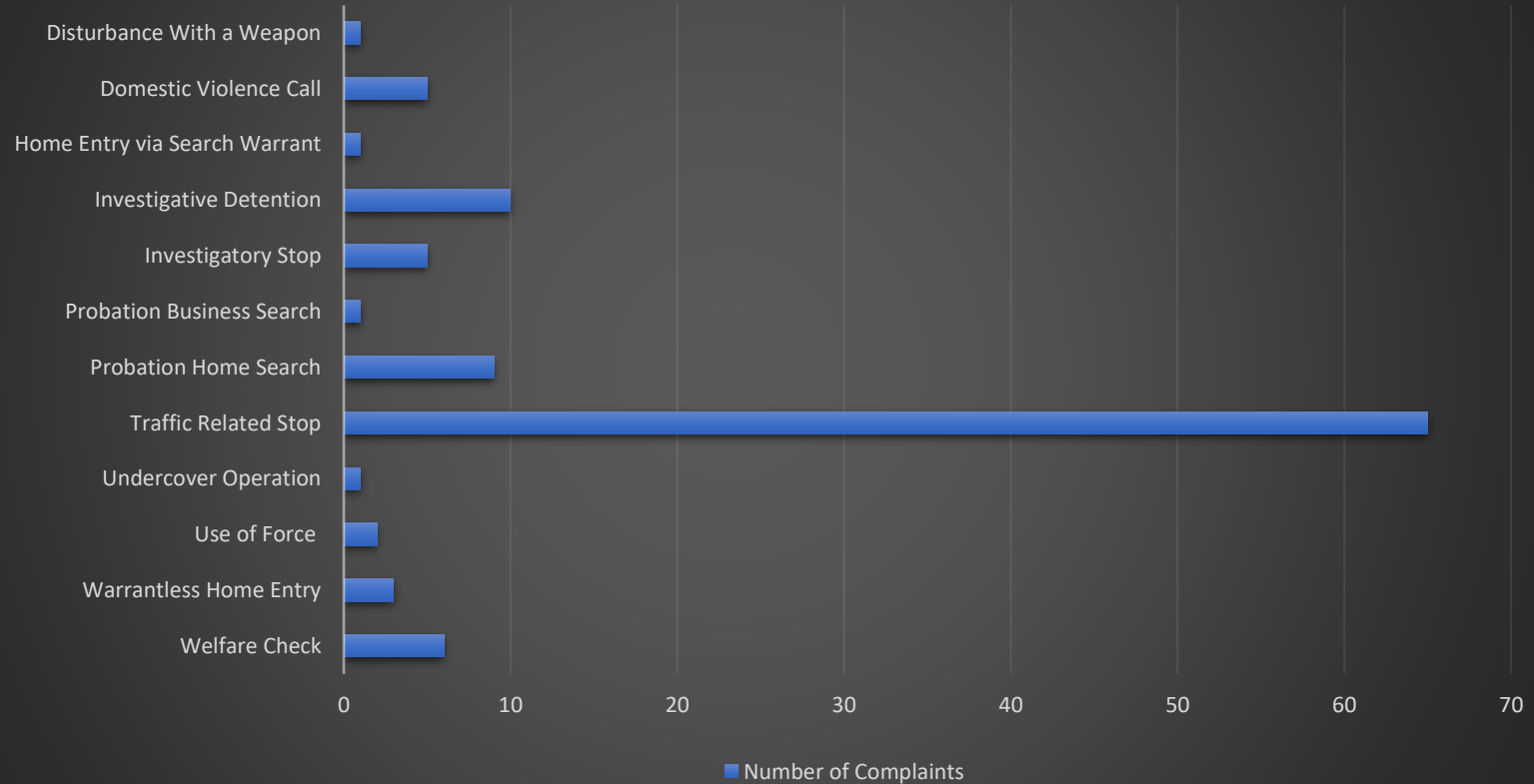
Key Findings & Recommendations: **Finding One**

Stops Based on Minor Traffic Infractions Such as Improper Window Tint with No Apparent Intention to Enforce the Vehicle Code or Ticket the Driver Amount to Pretextual Stops

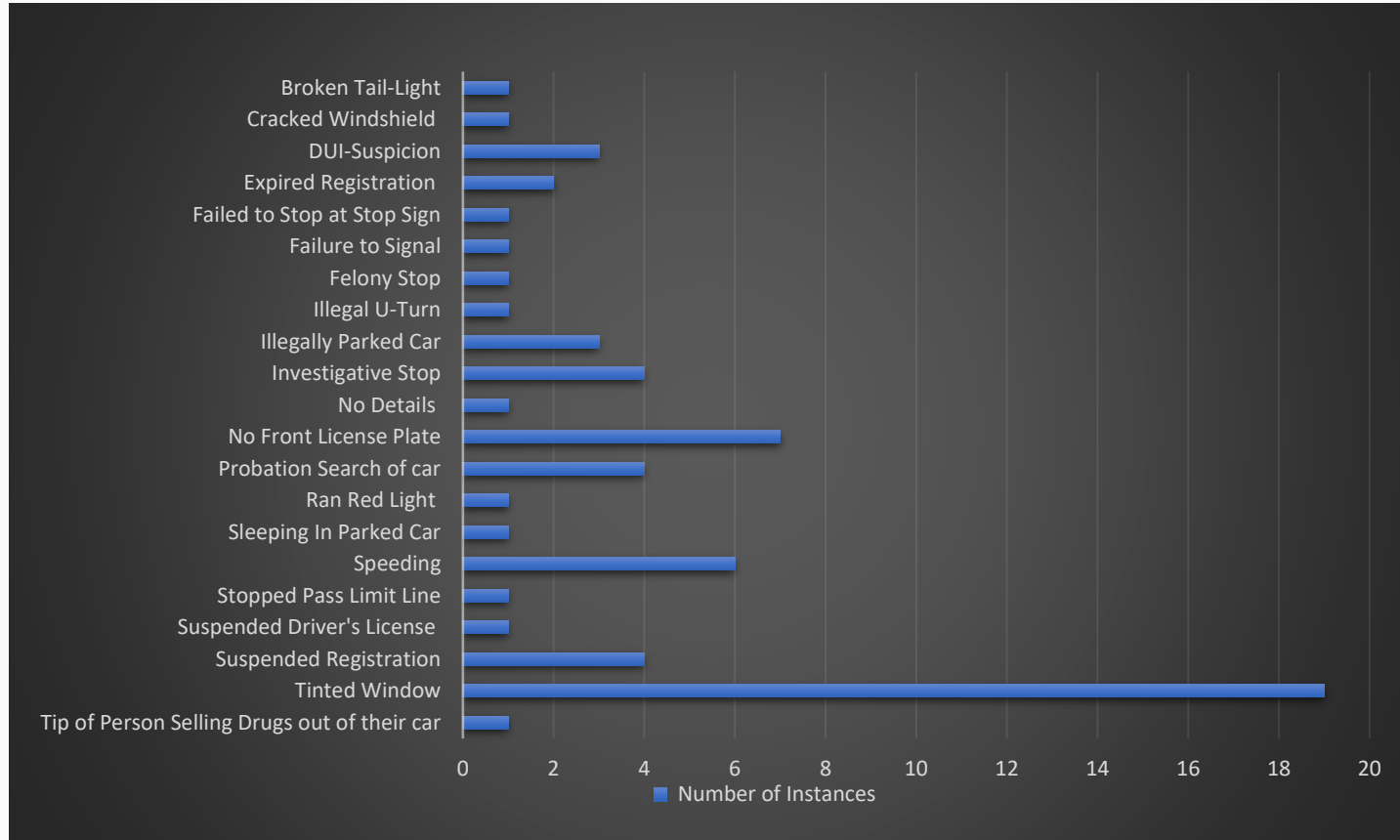
Recommendations

- Eliminate the practice of pretext stops or set clear restrictions on conducting them
- Develop a clear policy for conducting traffic stops

Complaint Demographics: Type of Police-Citizen Interaction



Traffic Stop Breakdown: Type of Traffic Violations



Traffic Violation Breakdown: Breakdown of Improper Window Tint Violations

Traffic Violation	Search	Guns	Drugs	Arrest	Citation	Duration	Race	Sex	Age	Beat
Improper Window Tint	no	no	no	no	no	15	Black	M	43	2B
Improper Window Tint	yes	no	no	no	no	17	Black	M	48	1B
Improper Window Tint	yes	no	no	no	no	1:30	Black	M	24	2A
Improper Window Tint	yes	no	no	no	tow	51	Latino	M	24	2A
Improper Window Tint	yes	no	no	no	no	6	Latino	M	29	2A
Improper Window Tint	yes	yes	yes	yes	tow	3:40	Latino	M	53	2C
Improper Window Tint	yes	no	no	no	no	19	Black	M	41	2A
Improper Window Tint	yes	no	yes	no	tow	1:00	Black	M	34	Arden
Improper Window Tint	yes	no	no	no	no	15	Black	M	43	2C
Improper Window Tint	yes	no	no	no	no	1:00	Black	M	20	2A
Improper Window Tint	yes	no	no	no	no	15	Black	M	29	2A
Improper Window Tint	yes	no	no	yes	no	46	Latino	F	30	1C
Improper Window Tint	yes	no	yes	no	yes	40	Black	F	28	1B
Improper Window Tint	yes	yes	no	yes	tow	3:00	Black	M	21	2C
Improper Window Tint	yes	no	yes	no	no	16	Black	M	31	2C
Improper Window Tint	yes	no	no	no	no	10	Black	M	20	2B
Improper Window Tint	yes	no	yes	no	yes	35	Black	M	20	5B
Improper Window Tint	yes	no	no	no	no	41	Black	M	53	6A
Improper Window Tint	yes	no	no	no	yes	19	Black	M	20	2B

Key Findings & Recommendations: **Finding Two**

SPD Does Not Have a Current, Stand-Alone Policy Regarding the Fourth Amendment and Includes Search and Seizure

Recommendations

- Draft a clear and stand-alone policy
- Update SPD search and seizure manual from 2007

Key Findings & Recommendations:

Finding Three

Automatic Pat Downs of Citizens are in Direct Conflict with the 1968 United States Supreme Court Decision, *Terry v. Ohio*

Recommendations

- Require officers to articulate why a citizen was stopped and why a pat down of the person was warranted in their reports
- Draft a clear policy on pat downs, investigatory stops, and investigative detentions
- Ensure continuous training to new recruits and police officers on investigatory stops, pat downs, reasonable suspicion, and Fourth Amendment fundamentals, in accordance with newly issued policy

Key Findings & Recommendations: **Finding Four**

Warrantless Entry into Citizens' Homes and Conducting Searches without Sufficient Legal Authority

Recommendations

- Draft a policy for conducting welfare checks that encompass warrantless entry into citizen's homes

Key Findings & Recommendations: **Finding Five**

Internal Reviews by Supervisors do not Consistently Identify Fourth Amendment Violations

Recommendations

- All misconduct complaint cases investigated by IAD & supervising personnel within assigned divisions must be investigated impartially and thoroughly
- All personnel need to receive the supplemental search and seizure training from Sacramento District Attorney's Office

Audit Summary

Audit Limitations

- Limited scope
- Office capacity
- Dependence on internal complaint information only
- Excludes incidents that were not reported by community members

Audit Update

Audit Update

- Initial audit presentation – June 20, 2023
- Follow-Up Council presentation – September 12, 2023
 - SPD presented implementation timeline
 - OPSA, City Attorney's Office, & SPD staffing requests approved
- Audit implementation concerns

Questions

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City of
SACRAMENTO

