

City of Sacramento

City Council Report

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7/26/2022

Discussion Item 21.

Title: Office of Public Safety Accountability 2021 Annual Report [Oral Report]

File ID: 2022-01349

Location: Citywide

Recommendation: Receive and file.

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Attachments:

1-Description/Analysis

2-OPSA 2021 Annual Report

Description/Analysis

Issue Detail: The Office of Public Safety Accountability (OPSA) 2021 Annual Report presents statistics, information, and recommendations regarding oversight of the City's public safety offices, the Sacramento Police Department and the Sacramento Fire Department.

In 1999, the Mayor and City Council established the Office of Police Accountability for the purpose of monitoring the investigations of citizens' complaints concerning misconduct by employees of the Sacramento Police Department. In 2004, the office's scope of responsibility was expanded to include the Sacramento Fire Department and the Office was renamed the Office of Public Safety Accountability. (City Council Resolution R2004-0611) Generally, the OPSA tracks and monitors high-profile or serious complaints to conclusion, reviews completed investigations, and advises Mayor and Council of any deficient investigations. The OPSA is required to prepare related reports for the Mayor and City Council. (Sacramento City Code section 2.22.040.)

Annual Report Summary: Every year, OPSA staff compiles an Annual Report based on, complaint

intake and investigations, critical incident case reviews, commission activity, community outreach and other office oversight functions. This oversight helps ensure transparency and accountability and improving the public's trust of the city's Public Safety Departments.

The attached full report includes statistics related to the complaints and details on critical incidents. Additionally, the report includes recommendations OPISA made to the Sacramento Police Department and Sacramento Fire Department.

Policy Considerations: The OPISA 2021 Annual Report has recommendations, that if accepted by the Chief of Police and Chief of the Fire Department, would impact policy and procedures of each department.

Economic Impacts: None.

Environmental Considerations: None.

California Environmental Quality Act (CEQA): This action is not a "project" subject to CEQA because it involves only organizational or administrative activities that will not result in direct or indirect physical changes in the environment (CEQA Guidelines §15378(b)(5)).

Sustainability: Not applicable.

Commission/Committee Action: None.

Rationale for Recommendation: None.

Financial Considerations: None.

Local Business Enterprise (LBE): Not applicable.



2021 Annual Report



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Mayor and City Council

Please find attached, for your review and comment, the Office of Public Safety Accountability's annual report covering calendar year 2021.

Summary

The City of Sacramento's Office of Public Safety Accountability (OPSA) encompasses oversight practitioners responsible for the investigation, review, and audit of allegations of misconduct involving the Sacramento Police Department (SPD) and the Sacramento Fire Department (SFD) personnel. OPSA ensures that investigations have been completed fairly, thoroughly, and objectively.

The Office of Public Safety Accountability continues its efforts in the improvement of policing and better serving the interests of the public. The goals and objectives of the office involves creating meaningful opportunities for the community to influence decisions that impact them, incorporating innovative and progressive ideas to resolve issues, explaining challenges and limitations, and ensuring outcomes meet goals while remaining inclusive and accessible.

Throughout 2021, OPSA remained invested in strengthening community trust and supporting and promoting constitutional policing while navigating the COVID-19 global pandemic as well as the complexity of societal ills negatively impacting communities around the world. OPSA continued working remotely in alignment with local and federal guidelines and social distancing recommendations for the containment of the coronavirus. OPSA continued fulfilling its core mission of providing independent and impartial public safety oversight for the Sacramento Police Department (SPD) and the Sacramento Fire Department (SFD) by executing the roles and responsibilities of the office ensuring timely communication with complainants and community stakeholders, as well as strengthening the process in the thorough review of completed investigations.

Mayor Darrell Steinberg and the Sacramento City Council passed a motion on July 1, 2020, authorizing the creation of an Inspector General (IG) position in the Office of Public Safety Accountability to expand the oversight ability of the Office of Public Safety Accountability to increase transparency and accountability of the police department. This position entails full independence and authority to investigate officer-involved shootings and use-of-force incidents that result in serious bodily injury or death. A nation-wide recruitment process was conducted for the IG position. Dwight White, a Chicago native, was selected and accepted the offer to become the City of Sacramento's 1st Inspector General transitioning to the city and officially taking office on March 29, 2021.

The annual report provides a comprehensive review of the Office of Public Safety Accountability performance in tracking and monitoring internal investigations, reviewing completed investigations, as well as statistical data for all misconduct allegations involving the City of Sacramento public safety personnel. In 2021, there were a total of 707 allegations regarding police misconduct and 167 allegations regarding fire misconduct reported directly to the Office of Public Safety Accountability, through SPD Internal Affairs Division, or SFD Professional Standards Unit. Additionally, the report outlines misconduct allegation findings regarding the completed police and fire as well as any reported discipline. The report also provides summaries of the four critical incidents that occurred in 2021 which were all officer-involved shootings.

Note: OPSA utilized the best available case data at the time of reporting to prepare this report. Case work is dynamic and has multiple moving parts.

About the Office of Public Safety Accountability

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.

Background

In 1998, a Blue Ribbon Citizens' Committee appointed by the City Manager examined concerns regarding the Sacramento Police Department (SPD). The Committee recommended significant changes in the processing and investigation of community complaints of police misconduct. As a result, in 1999, the Mayor and City Council established the Office of Police Accountability.

The Committee additionally recommended giving the City Manager the authority to extend the Office's scope and review responsibilities. In 2004, the City Manager, with the approval of the Mayor and City Council, expanded the scope of responsibility of the Office to include the Sacramento Fire Department (SFD). The name was changed to the Office of Public Safety Accountability (OPSA).

OPSA's charter is to provide civilian oversight to the City's Police Department and Fire Department complaint process and become a liaison between the City and its diverse communities. The goals of OPSA are to promote trust, transparency, and accountability in the City's most critical public service departments.

OPSA provides fair and impartial civilian oversight of the Police and Fire Departments' complaint process. OPSA is charged with receiving complaints from the community, auditing departmental investigation results, and independently conducting investigations into allegations of police or fire employee misconduct. Additionally, OPSA issues recommendations concerning community relations outreach, public safety departments' policy and procedures, the training needs of their personnel, and individual case resolution, as needed.

In November 2016, Council approved an ordinance which provided greater community input and participation by sun-setting the Sacramento Community Police Commission and replacing it with the Sacramento Community Police Review Commission (SCPRC), with staff support provided by OPSA. The ordinance also expanded the role and authority of OPSA by increasing the office's budget to hire additional staff. Further, the reporting chain was changed so that the OPSA Director reports to the Mayor and City Council, rather than the City Manager. The provisions of the ordinance went into effect in 2017 and resulted in the OPSA's growth from an office of one to an office of four.

On July 1, 2020, the Sacramento City Council passed a motion authorizing the creation of an Inspector General (IG) position in the Office of Public Safety Accountability, further expanding the office. The IG position entails full independence and authority to investigate officer-involved shootings and use-of-force incidents that result in serious bodily injury or death.

To safeguard the public trust, OPSA works closely with community members and its leaders, maintains a close working relationship with Police and Fire Command staffs, the Sacramento Police Officers Association (SPOA) and the Sacramento Area Fire Fighters Local 522. OPSA functions with complete and necessary independence, which is key to success in providing fair, objective, and impartial oversight

service to the City and its communities, all while maintaining a professional relationship with the Sacramento Police and Fire Departments.

Responsibilities

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

- A. Audit all citizen complaint investigations of the police department and fire department, as the director deems necessary.
- B. Monitor all citizen complaint investigations conducted by the police department and fire department.
- C. Request the police department and fire department perform further investigation in those citizen 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.
- K. Monitor or independently investigate any other matter as directed by the city council pursuant to section 34 of the charter.
- L. Serve in a public information capacity, including providing public information, excluding disclosure of any information that is confidential or legally protected, on pending investigations as directed by the city council; and making presentations in community forums.
- M. Respond to critical incidents involving police or fire personnel and provide a report to city council regarding the details and concerns of those incidents.

Public Access to the City's Complaint Process

Members of the public can file a misconduct complaint against Sacramento Police or Fire Department employees through OPSA or directly to the Police or Fire Department. Complaints made to OPSA can be filed by email, postal mail, telephone, in person or online using the Public Safety Complaint Form on the website. OPSA maintains a comprehensive, independent database of complaints received from the community. OPSA also collects data points to identify potential systemic issues and provide early warning of complaint trends.

Office of Public Safety Accountability

Under the direction, control, and supervision of the City of Sacramento Mayor and City of Sacramento City Council, the Office of Public Safety Accountability tracks and monitors any internal investigation, reviews completed investigations, and advises the Sacramento Police Chief and the Sacramento Fire Chief of deficient investigations involving misconduct allegations against public safety personnel. OPSA receives all police and fire complaints, regardless of where the complaints are filed. After OPSA conducts a preliminary review of each alleged complaint, a determination is made as to whether the case will or will not be reviewed. OPSA documents the determination by sending a review form to the Sacramento Police Department Internal Affairs Division and Sacramento Fire Department Professional Standards Division indicating whether the case will be reviewed or not reviewed. For all cases selected for oversight review, OPSA receives access to all investigative materials utilized to render a finding prior to discipline being imposed.

During 2021, OPSA fully reviewed 100% of the complaints filed against the Sacramento Fire Department and 64% of the complaints filed against the Sacramento Police Department. Of the completed investigations reviewed by OPSA, one fire investigation and two police investigations were sent back for further review.

2021 Police Case Review

In 2021, OPSA documented 289 complaints of police misconduct with a total of 707 allegations. The following tables show the breakdown of the 633 allegations filed with SPD and 74 allegations filed directly with OPSA. There were 242 complaint investigations completed during the year, closing a total of 706 allegations. Of those, 128 complaints were originally filed in 2021 and the remaining 114 complaints were from older 2019 and 2020 cases. A total of 279 allegations were Sustained and referred to Police Command Staff for disciplinary action.

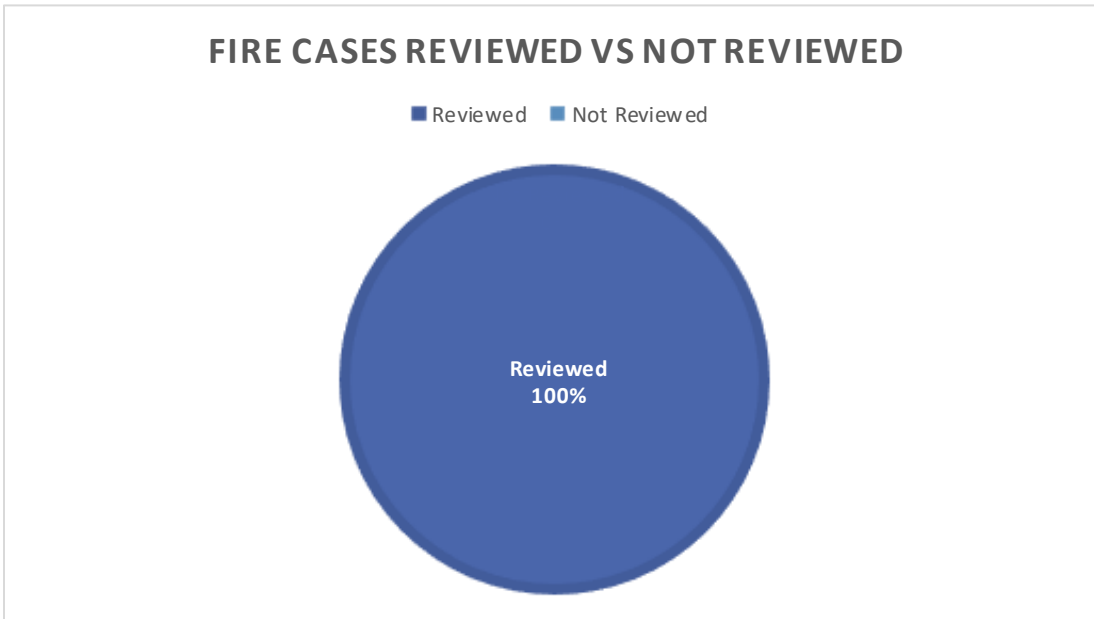
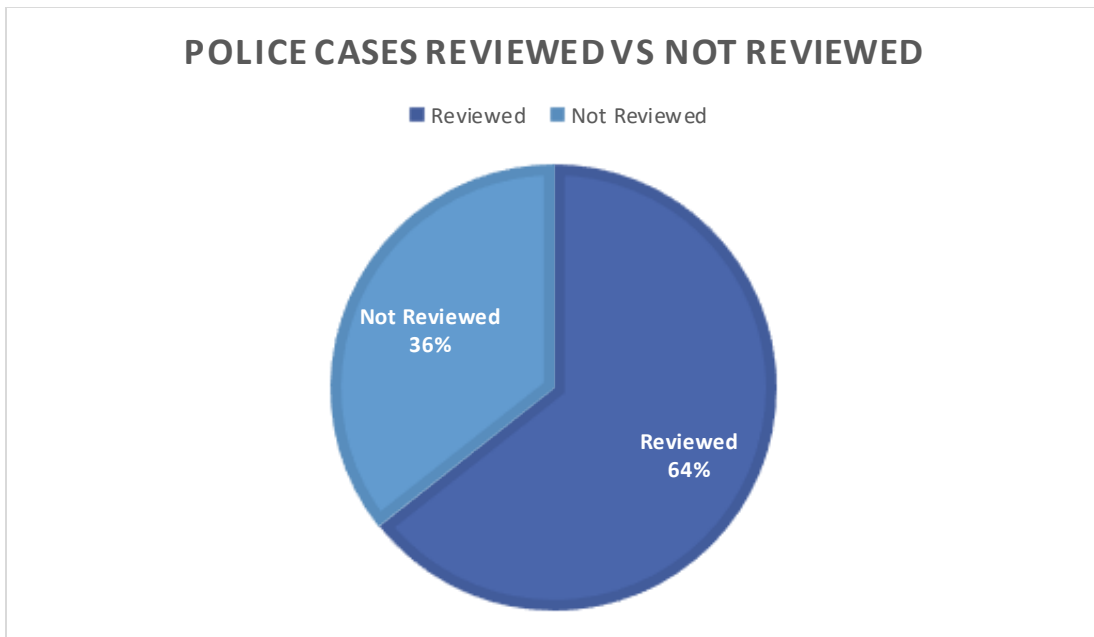
2021 Fire Case Review

There were 74 misconduct complaints filed against the Sacramento Fire Department with a total of 167 allegations during 2021. Of those 2021 cases, 69 cases were investigated and completed by the Sacramento Fire Department's Professional Standards Unit giving dispositions to 157 allegations. 55 of those allegations were Sustained and referred to Fire Command Staff for disciplinary action.

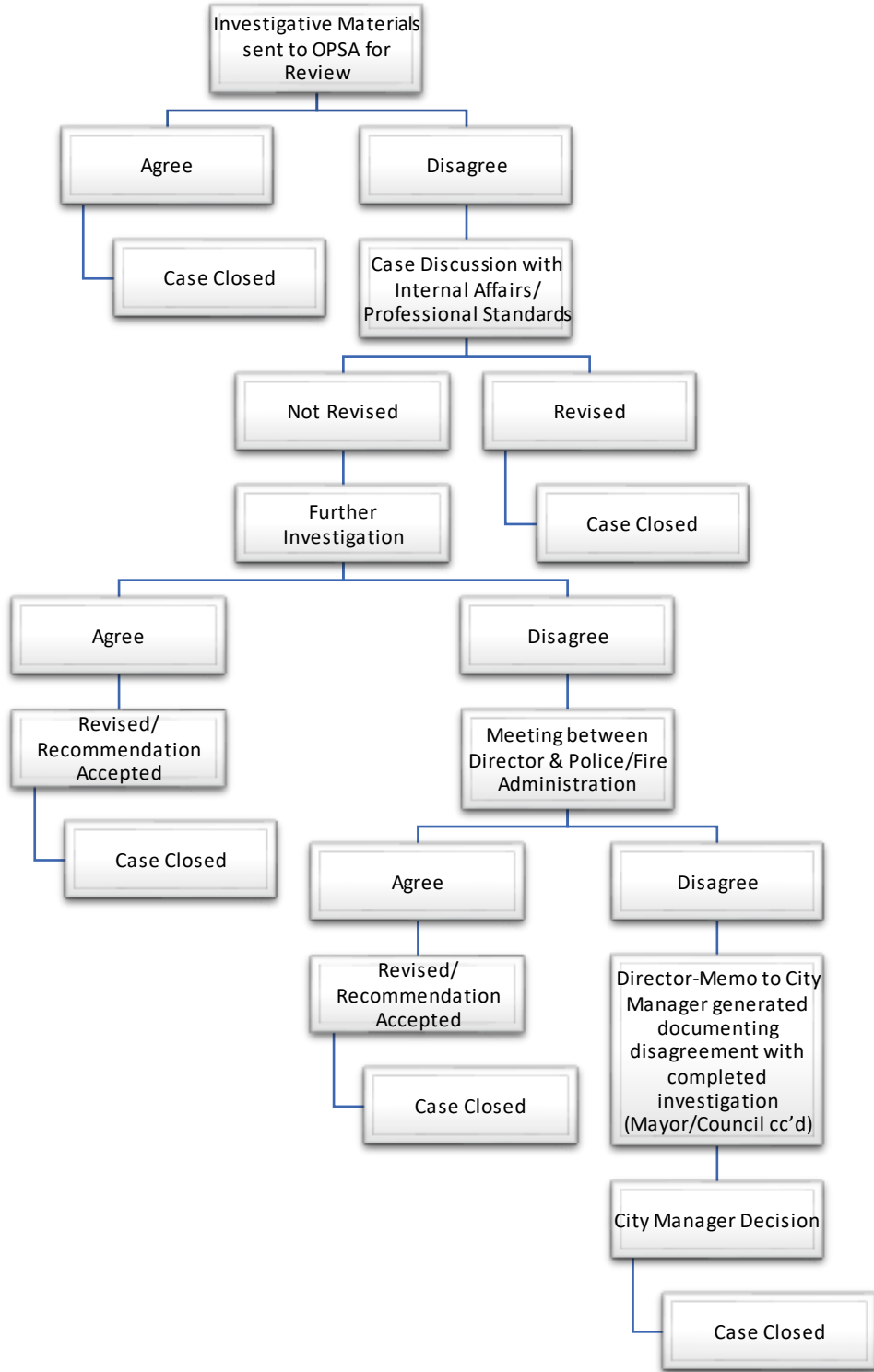
Table 1: SPD Cases Reviewed by OPSA

	Annual Totals
Reviewed	186
Not Reviewed	103

Table 1 reflects that OPSA conducted a full formal review of 64% of all complaints filed against SPD. After an initial screening by the Director, the remaining 36% of cases did not receive additional OPSA review. Note that one case can include multiple allegations against multiple officers.



Review Process Chart



Review Finding Options

- Agree
- Discussed – Revised
- Discussed – Not Revised, Memo Sent
- Discussed – Further Investigation, Agree/Recommendation Accepted
- Discussed – Further Investigation, Disagree/Memo Sent

Further Review Results

Month	Case Type	Recommendation/Disagreement	Outcome
March	Fire	Disagreement on disposition.	Discussed – Revised
July	Police	Allegation should be sustained	Discussed/Further Investigation/Agree*/Memo Sent (*legality issue)
July	Fire	Allegation should be sustained	Discussed/Agreed

Office of Public Safety Accountability – Inspector General

Critical Incident Response

Under the direction of the Director of the Office of Public Safety Accountability (OPSA), the newly established Inspector General (IG) conducts concurrent independent investigations of officer-involved shootings, deaths while in police custody, and police use-of-force incidents resulting in serious bodily injury. Upon completion of the investigations, the IG will report the respective findings, conclusions, and recommendations to the City of Sacramento City Council, the Sacramento Community Review Police Commission (SCRPC), and the public.

Upon completion of the initial onboarding process with the City of Sacramento, the new IG began his primary responsibility of serving in an on-call capacity responding to critical incidents involving the City of Sacramento public safety personnel. In this reporting period, the IG responded to two officer-involved shootings and initiated independent investigations.

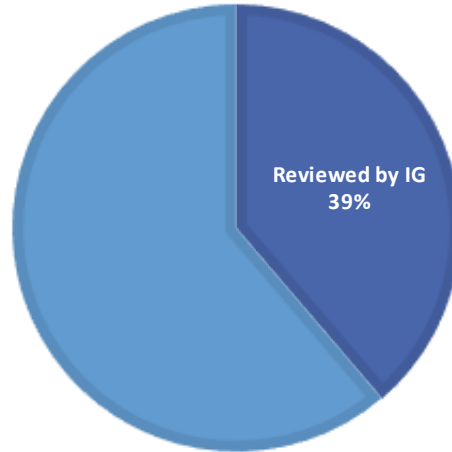
INCIDENT	CALL FOR SERVICE	DATE	LOCATION	STATUS
Officer-involved Shooting (OIS)	Welfare Check	09/06/2021	3700 block of Redding Road	Report Writing Phase
Officer-Involved Shooting (OIS)	Armed Subject	11/28/2021	6200 block of Lemon Hill Ave.	Evidence Gathering Phase

Police Case Review

In addition to critical incident response and conducting independent investigations, the IG is responsible for the inspection, review, and research of all aspects of complaint investigations regarding allegations of misconduct by public safety personnel. The chart below depicts the total number of cases in which the IG reviewed during this reporting period.

SPD CASES REVIEWED BY THE INSPECTOR GENERAL

■ Reviewed ■ Not Reviewed



This chart shows the percentage of 2021 police misconduct cases personally reviewed by the Inspector General. He reviewed 112 of the 289 SPD complaint cases. The Inspector General began reviewing cases May 29th, 2021. Before his appointment, cases were reviewed by other OPSA personnel.

Outreach & Events

The Office of Public Safety Accountability continues to focus on reaching out to our community to inform them about the work of the office. OPSA ensures that community concerns are being heard and considered by the City's Public Safety Departments. By providing information to the community regarding the complaint process and by making public safety policies and implementation of those policies more transparent, more trust can be built. Despite limitations for in person events due to COVID 19 restrictions, OPSA engaged with the community at the following events:

- Conversations to Provide Resolution to Community Concerns (CPR) – 2/21/2021
- Sacramento Police Department LGBTQ+ Community Town Hall – 2/22/2021
- AAELC Food for the Soul 2021 – 2/24/2021
- Panel with Mayor - Extraordinary Women Leading at The City of Sacramento – 3/30/2021
- Sacramento County District Attorney Citizen's Academy – 4/27/2021
- SFD Academy Presentation on the role of the Office of Public Safety Accountability – 6/1/2021
- Curtis Neighborhood Association – 6/9/2021
- 2021 State of the City Address – 6/30/2021
- Sacramento Latino Community Roundtable – 9/11/2021
- HBSComply Law Enforcement Dialogue – 9/21/2021
- Rotary Club of Sacramento – 10/19/2021

Sacramento Police Department

Complaint Process

When a member of the public makes a complaint against a public safety employee, there must be a policy violation as well as behavior that falls into at least one of the allegation definitions listed on page 15.

OPSA lists all complaint allegations made in this report. One misconduct complaint investigation can have several allegations listed and more than one officer accused. Once the complaint is received, the Internal Affairs Division (IAD) starts a preliminary investigation into the complaint. The complainant is interviewed to determine which policies the employee may have violated. Often the IAD investigator will review body worn camera footage to determine if the video can resolve the complaint in the preliminary stages. If there are no violations of policy seen, the IAD investigator will explain to the complainant why the officer's behavior does not violate policy and may offer to watch the body worn camera footage with the complainant.

The Internal Investigations Manual published effective August 1, 2019, requires that all complaints be investigated and documented on a Personnel Complaint Form (SPD 330). OPSA receives notification of all complaints received by SPD and continues to send complaints submitted to OPSA to IAD for investigation.

For completed complaint investigations, each allegation of misconduct receives a disposition and complaint dispositions are documented on a Personnel Complaint Disposition Form (SPD 332). Even frivolous complaints will be given a disposition of "Unfounded" and tracked by both IAD and OPSA. The disposition types and definitions can be found on page 18. When there is a violation of policy, disciplinary action is issued by the department's administration and those actions can be found in Table 7 on page 20. OPSA has broad authority to review investigations upon completion, agree or disagree with the findings of the investigation, request the further investigation to be performed, as well as make recommendations regarding future investigations, policies, and practices.

Police Complaint Classifications and Allegations

Complaints are allegations of misconduct against any Department employee involving a violation of any law, rule, regulation, policy, or other improper job performance.

The following is a list of complaint classifications and their definitions (SPD Internal Investigations Manual updated 8/1/2019). More than one classification can be attached to a complaint.

CONDUCT UNBECOMING AN EMPLOYEE –

Behavior that is malicious, criminal, brings discredit upon the department, or fails to follow ordinary and reasonable rules of good conduct while on or off duty.

DISCOURTESY – Rude or abusive actions directed towards another person.

DISCRIMINATION – Actions or misconduct due to the race, ethnicity, nationality, gender, age, religion, gender identity or expression, sexual orientation, or mental or physical disability of any person.

DISHONESTY – Knowingly giving false or misleading information.

FALSE ARREST – Removal of personal liberty without proper authority or legal justification.

FIREARM DISCHARGE – Anytime a firearm is discharged in violation of Department policy.

FORCE – Any unreasonable amount of force, ranging from any physical contact to use of any weapon.

HARASSMENT – Any unsolicited or unwarranted employee action or conduct that reasonably appears meant to annoy, threaten, intimidate, or alarm any person.

IMPROPER SEARCH AND SEIZURE – A detention, arrest, search, or seizure of an individual's person or property that is unlawful or in violation of Department policy.

IMPROPER TACTICS – Procedures utilized by an employee that are different from approved practices or procedures.

IN-CUSTODY DEATH – Administrative review of an in-custody death incident.

INSUBORDINATION – Failure or refusal to follow a lawful written or verbal order issued by a superior.

INTOXICATION – On-duty personnel under the influence of any intoxicant.

MISSING PROPERTY – Property that has been in the custody of an employee and becomes unaccounted for or missing. This also includes the misappropriation or theft of funds or property.

NEGLECT OF DUTY – The failure to perform a required duty.

OFFICER INVOLVED SHOOTING – Administrative review of an officer involved shooting incident.

PROFILING – The consideration or reliance on actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability when deciding to subject a person to law enforcement activities. However, an officer may consider or rely on characteristics listed in a specific suspect description.

SERVICE – The failure to adequately provide timely and required police action.

TRAFFIC – Improper or illegal driving by an employee.

WAGE GARNISHMENT – Failure to pay just debts

Table 2: Allegation Comparison 2016-2021 – Police

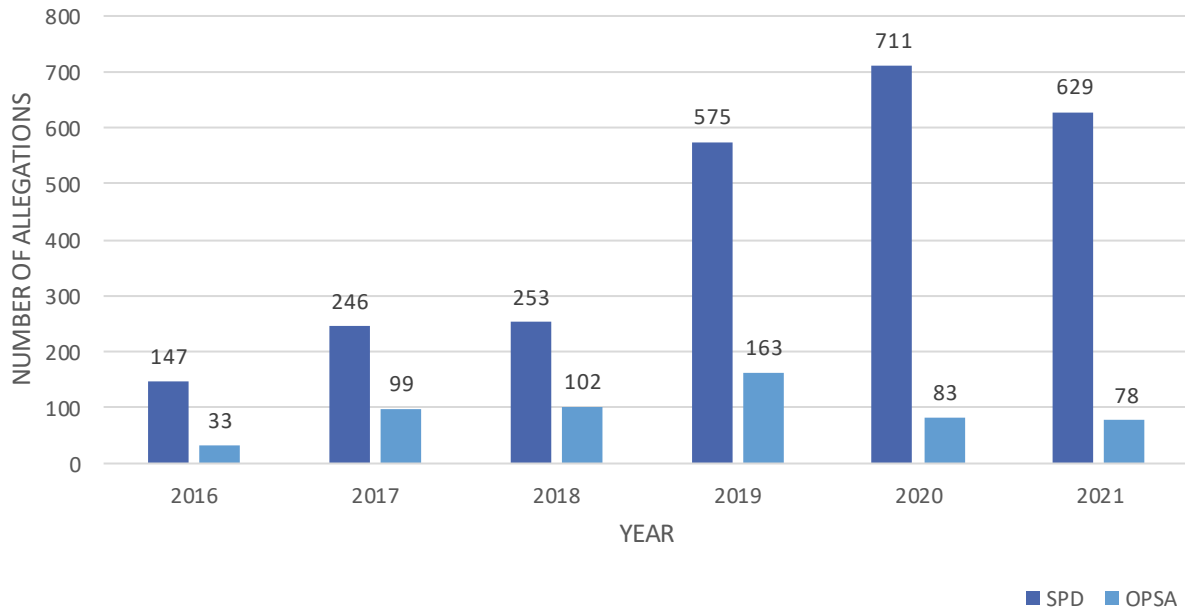


Table 2 compares the total complaint allegations received by OPSA and SPD from 2016 through 2021.

Table 3: Allegation Breakdown 2021 – SPD

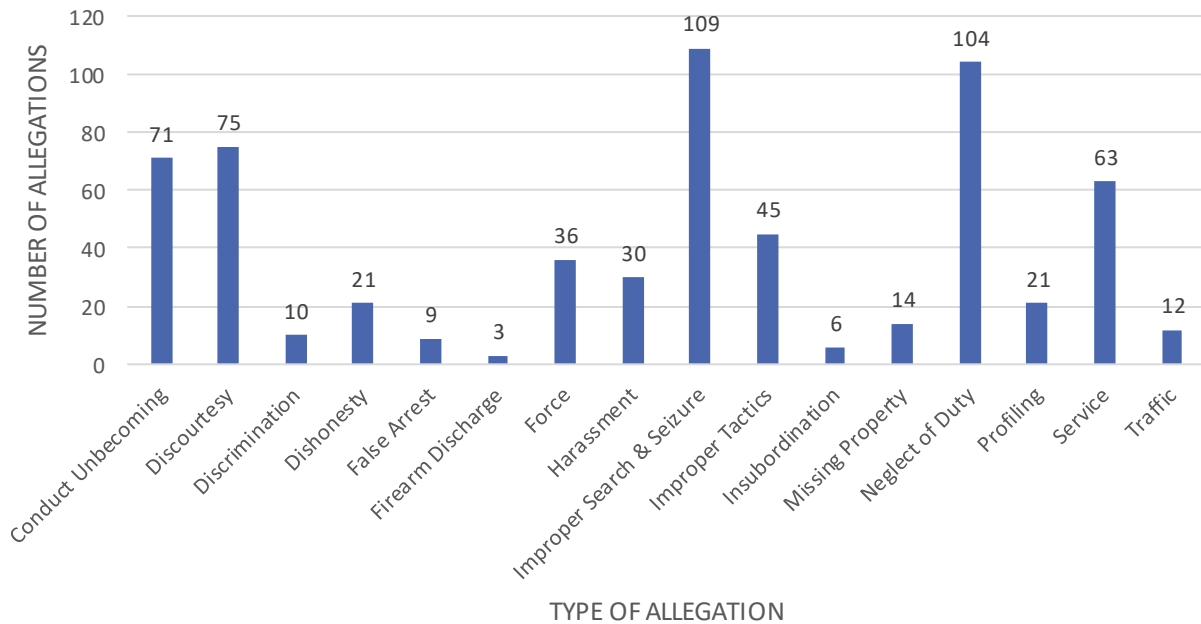


Table 3 identifies the 629 misconduct allegations that were filed directly with SPD against police personnel during this reporting period.

Table 4: Allegation Breakdown 2021 – OPSA

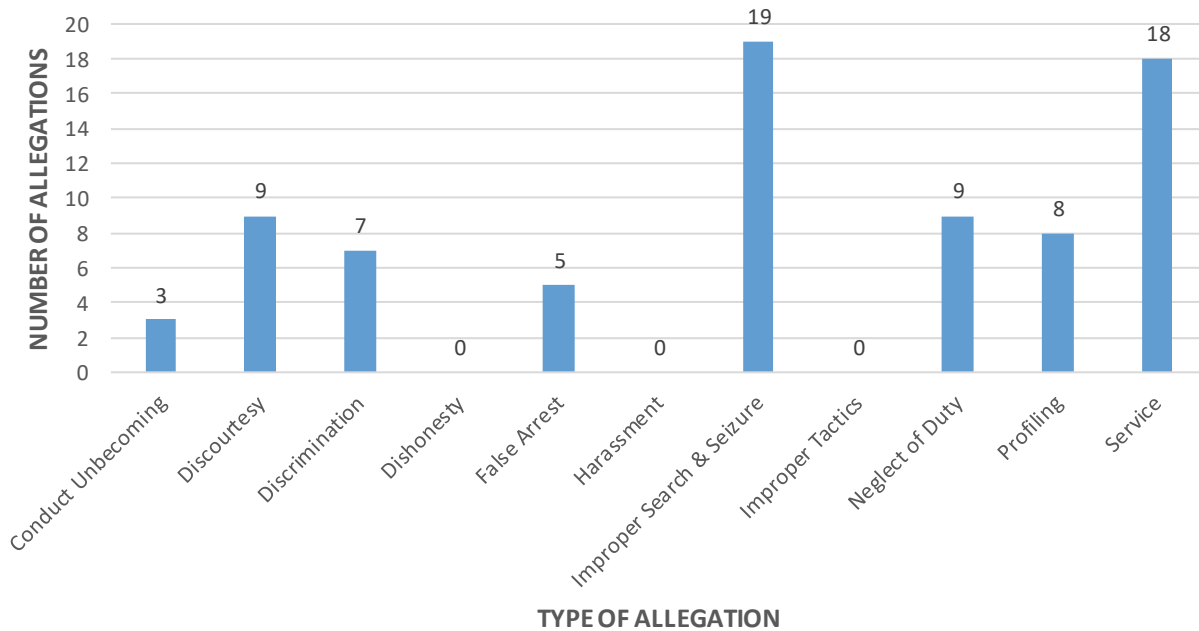


Table 4 identifies the 78 misconduct allegations that were filed with OPSA against police personnel during this reporting period. These allegations were evaluated with OPSA receiving the preliminary complaint information and discussed or forwarded to SPD for investigation, as needed. Note: one investigation could include multiple allegations.

Dispositions

Each allegation of misconduct shall receive one of the following dispositions:

- SUSTAINED:** Sufficient evidence supports the allegation against the employee(s).
- NOT SUSTAINED:** Sufficient evidence does not exist to clearly prove or disprove the allegation.
- EXONERATED:** The investigation clearly established that the alleged act occurred and was justified.
- UNFOUNDED:** The investigation clearly established that the alleged act did not occur, or the identified employee was not involved. This also includes frivolous complaints, which are found to be totally and completely without merit, or those for the sole purpose of harassing an employee.

Table 5: Allegation Dispositions – Police

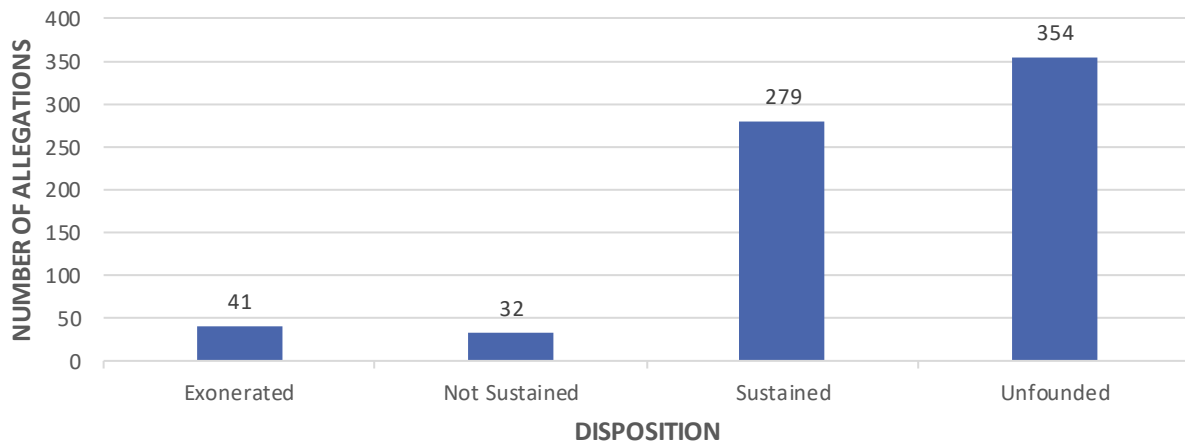


Table 5 shows that of the 242 completed misconduct cases with a total of 706 allegations, 279 of the allegations were Sustained and referred to Police Command Staff for disciplinary action against employees.

Table 6: Dispositions by Allegation – Police

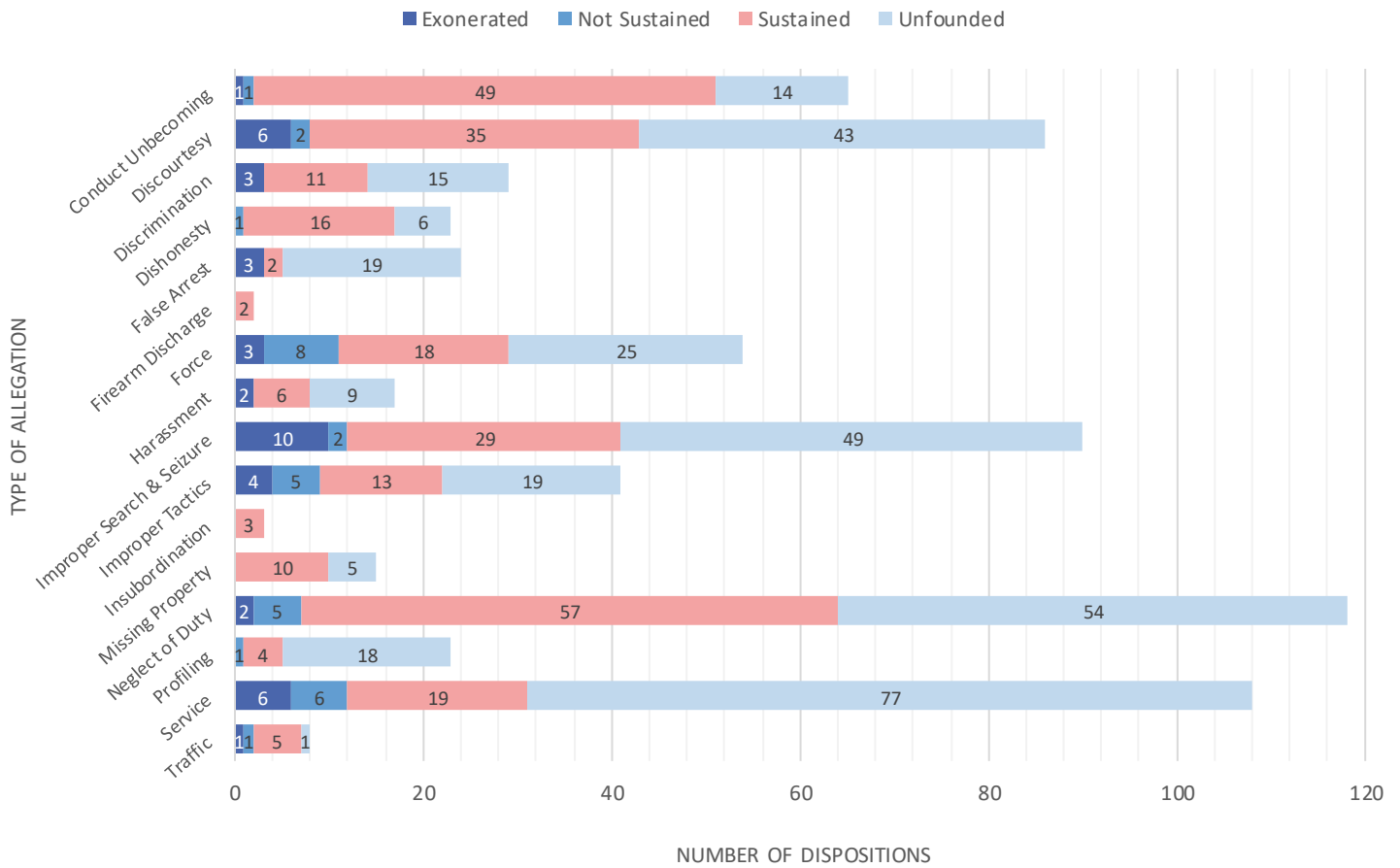


Table 6 shows the dispositions of the 706 allegations closed out in 2021. Of those 242 cases, 128 complaints were originally filed in 2021 and the remaining 114 complaints were from older 2019 and 2020 cases.

Table 7: SPD Discipline from Completed Investigations

Type of Discipline	Discipline Imposed
Documented Counseling	9
Letter of Reprimand	6
Released from Training	1
Resigned	1
Retraining	5
Suspension	5
Termination	3
Verbal Counseling or Coaching	17
Watch Level Counseling	4

Table 7 reflects the discipline imposed from misconduct investigations completed in 2021 according to data provided by Internal Affairs. Note: One case can result in multiple disciplinary actions against multiple employees.

Critical Incidents

February 15th, 2021

Officer Involved Shooting – 8500 Block of Fruitridge Road

On Monday, February 15, 2021, at approximately 9:53 p.m., Sacramento Police Department patrol officers responded to a residence in the East Sacramento area after a victim called to report that her ex-boyfriend, whom she has a restraining order against, had burned their vehicle, threatened to kill her, and was possibly armed.

Shortly after, an officer located the suspect, an adult male, driving in the area. He was the only occupant of the vehicle. Officers attempted an enforcement stop on the vehicle and the suspect fled, leading to a pursuit. As the pursuit continued, assisting officers attempted to deploy stop-sticks to safely disable the suspect vehicle.

The pursuit continued into an industrial lot in the 8500 block of Fruitridge Road where the vehicle abruptly came to a stop and officers initiated a high-risk felony stop. During the high-risk stop, two officers discharged their service weapons at the suspect striking him.

Officers formed a contact team and rendered medical aid until Sacramento Metro Fire Personnel arrived on scene to take over. The suspect was transported to a local hospital where he is listed in stable condition and is expected to survive.

Update: On February 24, 2021, SPD released additional information, including pertinent audio and video files.

- The suspect was released from the hospital and has since been booked into the Sacramento County Main Jail on charges including arson, stalking, evasion, and narcotics-related offenses.

March 23rd, 2021

Officer Involved Shooting – 5900 block of Tangerine Avenue

On March 23, 2021, at approximately 11:56 p.m., Sacramento Police Department patrol officers responded to the 5900 block of Tangerine Avenue after a member of the community called police dispatch to report sounds of gunshots in the neighborhood. An officer arrived on scene, in a marked patrol vehicle and in full police uniform and contacted an adult male suspect who was armed with a firearm. This contact resulted in an exchange of gunfire between the suspect and the SPD officer. The officer and the suspect were injured during this exchange, and the suspect fell to the ground within reach of his firearm.

Additional officers arrived and began communicating with the suspect to affect a peaceful surrender. During these communications the suspect attempted to reach for his firearm on multiple occasions. Crisis Negotiators and the SWAT team then arrived on scene and continued to negotiate with the suspect for a safe surrender. Unmanned Aerial Systems equipment (UAS) and an Explosive Ordnance Disposal (EOD) robot were also used to monitor, communicate with, and ultimately disarm the suspect. The EOD robot was able to move

the firearm out of the suspect's reach and SWAT officers were then able to make a safe approach and take the suspect into custody.

Shortly after, Sacramento Fire Department personnel transported the suspect to a local hospital, where he is currently receiving medical treatment for his injuries and is listed in stable condition. The suspect's firearm was recovered from the scene and is pictured below. The officer was also transported to a local hospital and is listed in stable condition.

Update: On April 2, 2021, SPD released additional information, including pertinent audio and video files.

- The suspect was released from the hospital and has since been booked at the Sacramento County Main Jail on several charges, including attempted murder. Subsequent investigation determined that prior to officers' arrival on scene, the suspect fired his gun at an occupied moving vehicle in the area.
- The officer's vest protected him from critical injury, and he has since been released from the hospital.

September 6th, 2021

Officer Involved Shooting – 3700 Block of Redding Road

On September 6, 2021, just before 8:15 p.m., Sacramento Police Department patrol officers responded to the 3700 block of Redding Avenue to conduct a welfare check on a known male subject in his 50's. The reporting party stated that the male had been sending suspicious and erratic phone messages to them. During the same time frame, other officers were investigating a report of threats that possibly involved the same subject.

As officers approached the residence, they observed the described subject arm himself with a rifle and load it. At that point, officers withdrew from the immediate area of the residence, established a perimeter, and attempted to contact the subject. Officers also began to evacuate some residences in the surrounding area.

As the incident progressed, officers from the SWAT and Crisis Negotiation teams responded to assist. Crisis Negotiation officers were able to make sporadic contact with the subject from the protection of an armored vehicle. Throughout the night, the male, who was observed to be in possession of multiple firearms, repeatedly shot at officers on scene, and struck the occupied armored vehicle multiple times.

Around 5:10 a.m., almost nine hours after the initial call, the man emerged from the residence armed with a rifle. Three officers fired and the subject appeared to be struck at least once.

Almost immediately, officers used an unmanned aerial system (UAS) to perform a visual check of the subject from a safe distance. Officers then approached and began to administer emergency medical aid. Despite the efforts of the responding officers, the male succumbed to his injuries and was declared deceased at the scene by fire personnel. Multiple firearms were located on scene, one of which is pictured below.

No officers were injured during this incident and no injuries have been reported in the surrounding community. This investigation is in its early stages and there are no further details to release at this time. As the investigation allows updates will be provided.

This incident is being investigated by the Sacramento Police Department's Homicide Unit and Internal Affairs Division. A response and investigation into the incident will also be conducted by the Force Investigation Team. The investigation will focus on policy, tactics, and training as it relates to the use of force. The Office of Public Safety Accountability and the Sacramento County District Attorney's Office are providing oversight by monitoring the investigation.

November 28th, 2021

Officer Involved Shooting – 6200 Block of Lemon Hill Avenue

On November 28, 2021, around 9 a.m., Sacramento Police Department (SPD) patrol officers responded to the 6200 block of Lemon Hill Avenue after multiple callers reported a man armed with a firearm who was seen pointing it at several different victims. A witness video captured the suspect, later identified as 19-year-old Jacob Armada, on the street pointing his firearm at an approaching vehicle as the vehicle backed away.

When officers arrived, they contacted witnesses who directed them to the last known location of Armada.

As they approached the apartment complex where he was last seen, the officers observed Armada walking up stairs to the second floor of an apartment breezeway. Officers began to exit their vehicles and give commands; Armada immediately turned and pointed his weapon at an officer, and they exchanged gunfire.

One officer reported being struck by gunfire. It was later discovered that a round pierced their uniform pants, nearly missing their leg. No other officers or community members were injured during this incident.

Armada fled, uninjured, from the scene, and a large perimeter was established to search for him. SPD Special Weapons and Tactics (SWAT), Crisis Negotiation, and Unmanned Aerial Systems (UAS) teams responded to assist with the search. Officers and deputies from outside agencies also responded to assist with the search, which lasted approximately eight hours.

As the incident progressed, officers received reports of a suspicious subject within the perimeter. After an eight-hour search with the assistance of multiple agencies' helicopters and unmanned aerial systems, SWAT officers were able to locate a subject who was hiding in a trash can within the perimeter. After multiple unsuccessful attempts asking for that subject to surrender, that individual was taken into custody with assistance from a police K9. Armada's gun was recovered from within the perimeter during the subsequent investigation.

Armada was transported to a local hospital to treat minor injuries sustained during his K9 apprehension and booked into the Sacramento County Main Jail for the attempted murder of police officers, assaulting a police K9, assault with a deadly weapon, and resisting arrest.

Sacramento Fire Department

Fire Complaint Allegations

COMPLAINT — Any complaint pertaining to SFD policies, rules, procedures, or employee conduct. Misconduct complaints include, but are not limited to, allegations of:

CRIMINAL OFFENSE

As statutorily defined.

CITY EQUIPMENT

Any misuse of City equipment.

CONDUCT UNBECOMING

Behavior that is malicious or criminal or a failure to follow ordinary and reasonable rules of good conduct and behavior. This includes any misconduct bringing discredit upon the SFD.

DISCOURTESY

Rude or abusive actions directed toward another person.

DISCRIMINATION

Allegations that the employee's actions or misconduct was due to race, sex, religion, physical disability, ethnicity, or sexual orientation of an individual.

DISHONESTY

Theft, misappropriation of funds, property of the City or others, or giving false, or misleading information.

HARASSMENT

Any action or conduct including, but not limited to, the making of threats of violence, physical intimidation, verbal abuse, derogatory comments, sexual demands, or an act of retaliation because of the sex, race, ancestry, physical handicap, medical condition, marital status, age, sexual preference, or any other protected characteristic of a citizen or employee.

EXCESSIVE FORCE

Includes attempted or actual intimidation as well as physical use of force.

IMPROPER TACTICS

Improper or unapproved procedures and techniques used by an employee, such as giving inappropriate advice or taking in appropriate action.

INSUBORDINATION

Failure or refusal to follow a lawful written or verbal order of a superior.

INTOXICATION

The use of intoxicants by on-duty personnel.

MISSING PROPERTY

Property missing, which has, at one time, been in the custody or control of a member of the SFD.

NEGLECT OF DUTY

The failure to perform a required duty.

SERVICE

The failure to provide adequate, timely and required action.

TRAFFIC

Improper or illegal driving by an employee.

WAGE GARNISHMENT

Failure to pay just debts.

Table 8: Complaint Comparison 2016-2021 – Fire

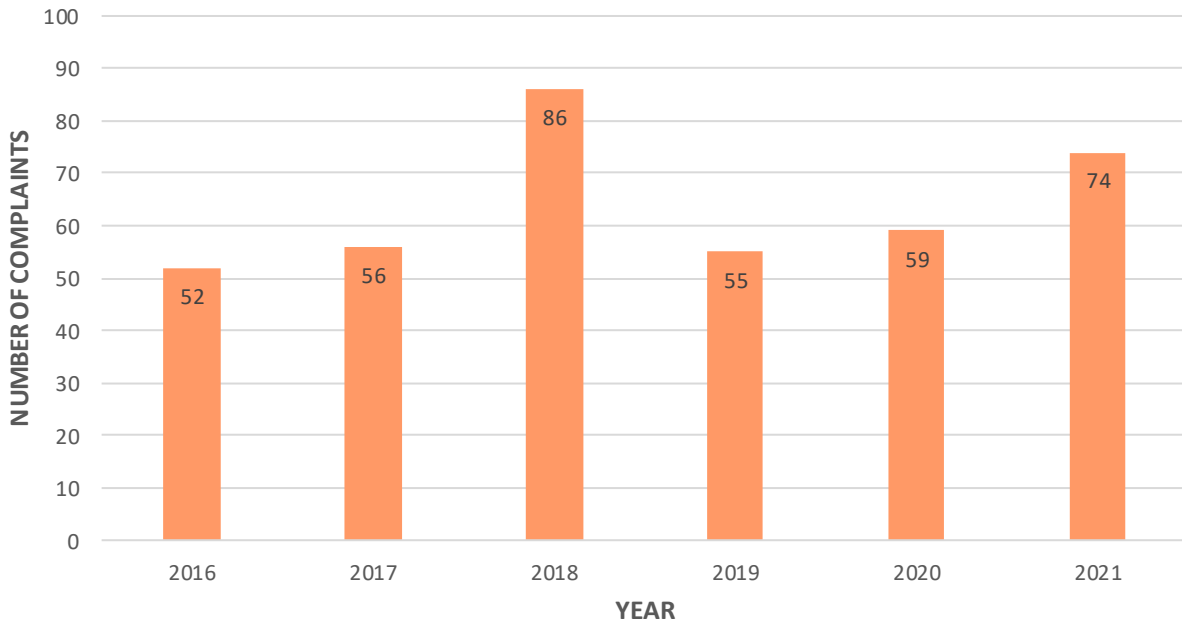


Table 8 compares the total complaints concerning SFD from 2016 through 2021.

Table 9: Allegation Breakdown 2021 – Fire

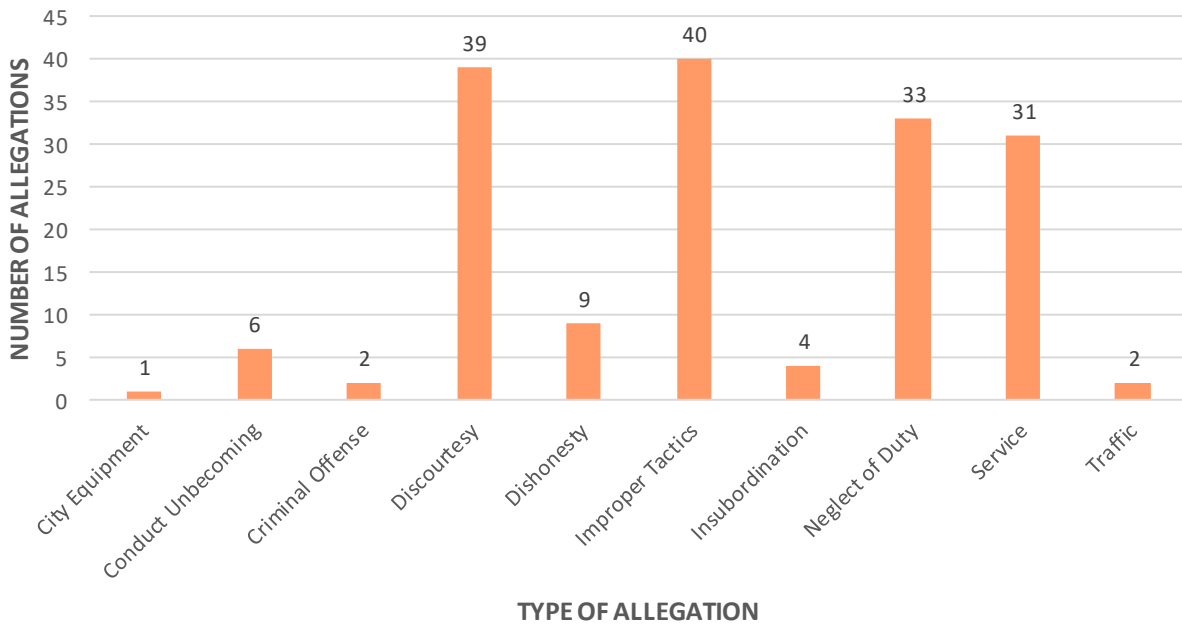


Table 9 identifies the breakdown of the 167 misconduct allegations filed against SFD employees during the period of this report. Note: There may be multiple allegations per investigation.

Table 10: Allegation Dispositions – Fire

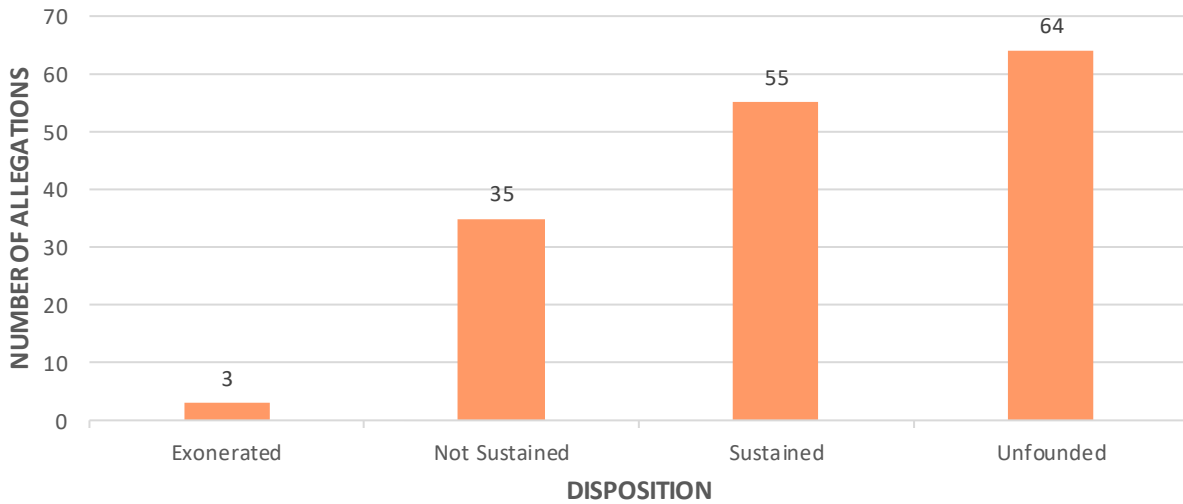


Table 10 shows that of the 69 completed 2021 misconduct cases with a total of 157 allegations, 55 of the allegations were Sustained and referred to Fire Command Staff for disciplinary action against employees.

Table 11: Dispositions by Allegation – Fire

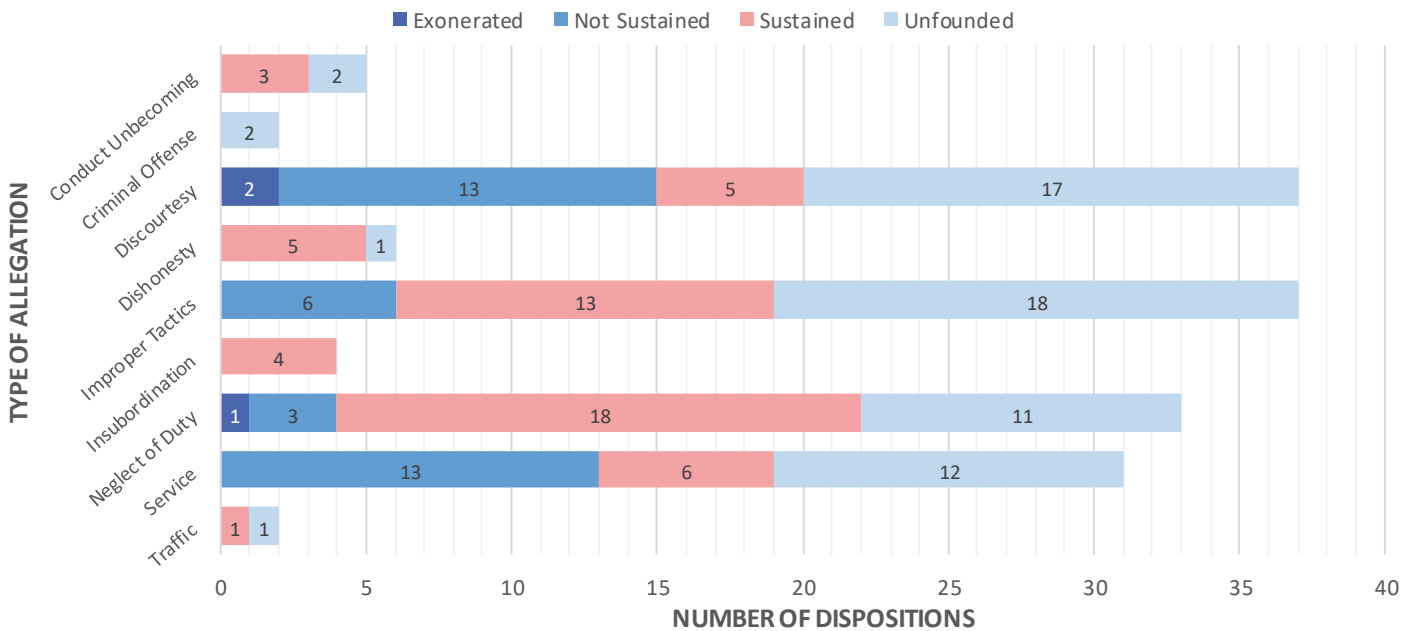


Table 11 shows that allegations of Discourtesy were the most common complaint type made against Fire personnel in 2021.

Table 12: SFD Discipline from Completed Investigations

Type of Discipline	Discipline Imposed
Documented Counseling	3
Letter of Reprimand	5
Suspension	2
Termination	1
Verbal Counseling/Coaching	4

Table 12 reflects the discipline imposed on 2021 misconduct investigations according to data provided by SFD PSU. Note that discipline imposed can be imposed upon multiple employees involved in a single incident.

Outside Jurisdiction

There were 28 complaints or inquiries reported to OPSA that were not attributed to misconduct allegations against Sacramento Police Department or Fire Department personnel. OPSA staff attempts to connect constituents with the proper agency or information to help resolve their issues regardless of it falling outside of the office's scope of authority and responsibility.

Annual Recommendations

Office of Public Safety Accountability (OPSA)

- OPSA must increase staffing in order to review 100% of misconduct allegations filed against Sacramento Police Department personnel.
- The City of Sacramento Human Resources Department – EEO Division and OPSA should improve information sharing specifically pertaining to misconduct allegations on public safety personnel investigated by EEO.
- OPSA must increase awareness and community engagement throughout the City of Sacramento.

Sacramento Police Department (SPD)

General Recommendations

- Sacramento Police Department internal investigations conducted by the Internal Affairs Division as well as internal investigations conducted by supervising personnel within an employee's assigned division must be investigated impartially and thoroughly to ensure the most accurate findings.
- The Sacramento Police Department must diligently work to ensure internal investigations are investigated in a timely manner, work to minimize delays, and decrease lengthy case backlogs.
- The Sacramento Police Department Internal Affairs Division must ensure that the Office of Public Safety Accountability receives all completed case investigations for review prior to closing the case and prior to any involved officer(s) receiving notification of case findings.

Policy Recommendations

- The Sacramento Police Department should implement a departmental policy requiring officers to provide the name and badge number during all citizen contacts.
- The Sacramento Police Department should implement a separate departmental policy for searches and seizures.

Sacramento Fire Department (SFD)

General Recommendations

- The Sacramento Fire Department Professional Standards Unit must continue to improve on the collection of demographic data during the intake process in the filing of complaints on personnel.

Policy Recommendations

- Sacramento Fire Department Professional Standards Division should develop an operations manual outlining the process for the investigation of complaints.

Frequently Asked Questions

WHAT IS THE OFFICE OF PUBLIC SAFETY ACCOUNTABILITY?

The Office of Public Safety Accountability (OPSA) is a Mayor and City Council established office whose main responsibilities are: (1) taking in complaints from members of the public against Sacramento Police (SPD) or Fire Department (SFD) employees,

(2) makes sure that SPD and SFD investigates those complaints thoroughly and fairly, and (3) recommends improvements to SPD and SFD policies and procedures.

WHY DOES OPSA MATTER?

OPSA helps keep SPD and SFD accountable to the communities they serve by auditing the investigations into claims of police or fire employee(s) misconduct to ensure that those investigations are fair and thorough. The work of OPSA has resulted in improved department policies and increased transparency.

IS OPSA PART OF THE POLICE DEPARTMENT? WHY SHOULD I TRUST OPSA?

No. OPSA is not part of the police department. The OPSA Director answers to the Mayor and City Council. The Chief of Police answers to the City Manager. The City Manager answers to the Mayor and City Council.

You should trust OPSA because the office is independent. OPSA is free to agree or disagree with the decisions of SPD.

WHAT CAN I DO IF I THINK A PUBLIC SAFETY EMPLOYEE DID SOMETHING WRONG?

One of the things you can do is file a Misconduct Complaint with OPSA.

WHAT IS A MISCONDUCT COMPLAINT?

A Misconduct Complaint is a statement from you explaining why you think a City of Sacramento public safety employee broke one (or more) of the rules that the employee is required to follow and requesting that the employee's conduct be investigated by the department. The SPD General Orders are the Police Department's policies governing every aspect of their day-to-day operations and actions. The SFD Manual of Operations contains all policies and procedures that fire personnel are required to follow.

WHAT IF I DON'T KNOW WHICH RULE THE EMPLOYEE MAY HAVE VIOLATED?

There are many rules SPD and SFD personnel are required to follow, and you do not need to know them. If you have a question about whether a certain kind of behavior by a public safety employee is against the rules, you can contact OPSA to ask.

DO I HAVE TO KNOW THE EMPLOYEE'S NAME OR BADGE NUMBER?

No, you do not. While it is useful information, if you do not have that information, you can still file your complaint.

CAN I FILE A COMPLAINT WITH OPSA AGAINST A PUBLIC SAFETY EMPLOYEE WHO IS NOT WITH THE SACRAMENTO POLICE OR FIRE DEPARTMENT?

No. OPSA can only process your complaint if it is about an SPD or SFD employee. Complaints about public safety employees employed by other law enforcement agencies cannot be filed with OPSA. However, OPSA will do its best to guide you to the proper authority.

WHO CAN FILE A MISCONDUCT COMPLAINT WITH OPSA?

Any member of the public can file a Misconduct Complaint about SPD or SFD personnel. You can file a Misconduct Complaint about something that happened to you or about something that happened to somebody else. You can live in Sacramento or outside the city. You can be a U.S. citizen, or you can be an immigrant – with or without papers. OPSA staff are fluent in English but can access a translation service to assist in taking your complaint if necessary.

You can also file a complaint if you are a defendant in a criminal case; but if the case is related to the complaint you want to tell us about, we recommend that you talk to your lawyer first.

HOW DO I FILE A COMPLAINT OR COMMENDATION?

You can file a complaint or commendation by email, regular mail, telephone, on our website, or in person.

Please provide as much information as possible regarding the incident, including:

1. Your contact information: Name, Address, Phone Number(s).
2. Incident information: Date, Time, Location.
3. Employee(s) involved: Name and Badge Number, if possible.
4. Unit involved: Fire Company, Fire Station, and/or Fire Vehicle, if possible.
5. Description of the incident: Please provide as much detail as possible.
6. Witness information: Name, Address, Phone Number(s) of any witnesses to the incident.

WILL I HAVE MORE PROBLEMS WITH POLICE OR FIRE IF I FILE A MISCONDUCT COMPLAINT?

No. SPD and SFD have strict rules that prohibit personnel from retaliating against complainants.

WHAT HAPPENS AFTER I FILE A MISCONDUCT COMPLAINT?

When a complaint is received by OPSA, it is reviewed by the Director or staff and then forwarded to Internal Affairs Division (IAD) of SPD or to the Professional Standards Unit (PSU) of SFD for a preliminary investigation. IAD or PSU reviews and categorizes the complaint. Sometimes a complaint can be resolved after speaking to the complainant. In other instances, a formal investigation is conducted. IAD has one year to complete that investigation.

OPSA reviews completed formal investigations for the final disposition as recommended by the Police or Fire Chief.

IAD or PSU notifies the complainant(s) of the case disposition(s). Throughout this process OPSA is available to the complainant to provide information and answer questions excluding disclosure of any confidential or legally protected information.

WHAT IF I DON'T HAVE A MISCONDUCT COMPLAINT AGAINST AN INDIVIDUAL EMPLOYEE, BUT I DON'T LIKE A PATTERN I SEE WITH THE POLICE OR FIRE DEPARTMENT?

You can file a policy complaint. Policy complaints are not requests for individual personnel to be investigated and disciplined. Instead, they are requests that SPD or SFD change its policies or procedures or adopt new ones. You can file a policy complaint with OPSA.

I HAVE BEEN CHARGED WITH A CRIME. WILL FILING A COMPLAINT AFFECT THE CRIMINAL CASE AGAINST ME?

No. The complaint you file with us is separate from your criminal case. OPSA cannot advise or represent you on any legal matter.

Meet the Office of Public Safety Accountability

The Office of Public Safety Accountability is a Mayor and City Council established office designed 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.

OPSA’s main responsibilities are to:

- (1) receive complaints and commendations from members of the public regarding City of Sacramento Police (SPD) or Fire Department (SFD) employees;
- (2) review SPD and SFD complaint investigations for thoroughness and fairness, and
- (3) make recommendations for improvements to SPD and SFD policies and procedures.

The Director has broad oversight authority to evaluate the overall quality of SPD and SFD personnel performance and the authority to encourage systemic change.

OPSA is available to conduct presentations to a wide spectrum of community groups, schools, neighborhood meetings, civic organizations, State and National professional agencies and associations to make sure OPSA is known throughout the Sacramento community as a resource and provide information on how the Office can be utilized.

If you are interested in scheduling a brief presentation, please contact us.



Call: (916) 808-7525



Online: <https://www.cityofsacramento.org/OPSA>



Mail: 915 I Street, Historic City Hall 3rd Floor
Sacramento, CA 95814

Due to COVID-19, OPSA staff is currently not available to meet constituents at the office.

