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A brief discussion about the terms and findings used in this report.

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A summary of complaints and findings is covered in this report.

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Trends identified and recommendations set forth by the Independent Police Auditor based upon reviews and audits of La Mesa Police Department complaints and personnel investigations.

BUILDING COMMUNITY TRUST THROUGH TRANSPARENCY

COMMUNITY POLICE OVERSIGHT BOARD

The CPOB shall function as a means of community participation and oversight by directing and reviewing audits, and by reviewing and recommending policies, practices and programs designed to bring about community policing that is sensitive, effective, and responsive to the needs of the City and its residents. The CPOB shall promote and encourage open communication and cooperation between the La Mesa Police Department and residents of the City.

Explanation of findings

The following is a list of the potential findings for investigating allegations of misconduct by sworn members of the La Mesa Police Department (LMPD). When the LMPD concludes the internal affairs process, they will have reached a finding for all allegations of misconduct in each case. In those cases where an allegation(s) is still being investigated, the summary will reflect the nature of the allegation and note the investigation is pending conclusion. It is important to not draw conclusions about any pending cases until the internal affairs investigation is completed.

Sustained: The alleged act was determined to have occurred and is a LMPD policy violation.

Exonerated: The alleged action(s) of the officer did occur and were within LMPD policy.

Unfounded: The allegation cannot be proven to have occurred or was proven to not have occurred.

Not Sustained: The allegation cannot be proven or disproven.

Not Yet Referred: The matter has not been sent to the Independent Police Auditor (IPA).

Administratively Declined: This matter does not meet IPA investigative guidelines.

Informational Documentation Only: A complaint was received by the PD, but no further investigation needed. For example, an anonymous complaint with insufficient information for follow-up. Or the reporting party refuses contact with investigators and insufficient information exists for follow-up. The original complaint information is still kept maintaining a record of all complaints.

Administratively Handled: A complaint was received by the PD but determined not to need investigation. For example, a complaint is initiated against LMPD officers, but it is subsequently determined no LMPD officers were involved in the matter, but officers/deputies from another agency. The original complaint information is kept, thus maintaining a record of all complaints, affording greater transparency.

Summary of Complaint: A brief summary of the allegations made by the complainant prior to an investigation being conducted by the La Mesa Police Department. This summary does not include any investigative outcomes, unless otherwise noted.

This report is for the Third Quarter of 2024. It will include information for cases which have had a change of status since the last quarterly report or remain in progress at the end of this quarter and new cases initiated in this quarter.

Complaints & I/A's initiated in the 3rd Quarter of 2023:

LMPD Complaint No. 2023-08

Date Filed: 08-06-2023.

Officers were searching for a burglary suspect who had a warrant for his arrest. They located him in an apartment complex parking lot. When they approached him, the suspect pointed a firearm at the officers and pulled the trigger, which due to a suspected weapon malfunction, did not fire. He then ran and one officer fired his duty weapon at the suspect resulting in the suspect's death.

IPA Observations/Comments: The IPA is monitoring the ongoing investigation. We recently completed a thorough examination of all evidence gathered by the LMPD. Our review of this matter leads us to conclude that the investigations into this officer involved shooting are proceeding at an appropriate pace and reflect best practices being used during the handling of this matter.

Allegation: Officer Involved Shooting

LMPD Finding: Pending

IPA Finding: Investigation Progress Review completed June 7, 2024. A complete audit is now in progress.

Complaints & I/A's initiated in the 3rd Quarter of 2024:

LMPD Complaint No. 2024-02

Date Filed: 07-12-2024.

Officers arrived to perform a wellness check because a neighbor was concerned as they hadn't seen the complainant in a week and the screen door was ajar. The officer was checking the exterior of the residence before attempting to contact the complainant at the door. The officer was able to contact the complainant. During his conversation with her, he used a medical term which the complainant disagreed with and felt the officer should not use medical terms when discussing issues with members of the public.

IPA Observations/Comments: The IPA spoke with the complainant who was dissatisfied with the finding of the department's investigation of the matter. The complainant was satisfied with the resolution of the matter after her discussion with the IPA.

Allegation: Bias

LMPD Finding: Unfounded

IPA Finding: Administratively Declined, after involvement.

LMPD Complaint No. 2024-03

Date Filed: 07-17-2024.

The officer was in the process of towing the complainant’s car for a 72-hour parking violation. The complainant moved his car. The complainant alleged the officer said “Well, if you are moving your car then I am going to issue you a citation.” He issued him a citation for no front plate. The complainant said there were numerous other cars on the street with no front license plate that were not issued a citation.

Allegation: Discourtesy

LMPD Finding: Pending
IPA Finding: Pending

LMPD Complaint No. 2024-04

Date Filed: 07-19-2024.

The officer placed the complainant on a mental health hold and transported her to Grossmont Hospital. The complainant said the handcuffs were too tight and caused physical injury (bruising). She told the officer the left cuff was too tight and was causing pain. She said she was also restrained, even though she was compliant. The complainant said she was left in handcuffs for more than 30 minutes at the hospital without having them loosened. She asked for them to be loosened "at least 4 times."

Allegation: Poor Service

LMPD Finding: Pending
IPA Finding: Pending

LMPD Complaint No. 2024-05

Date Filed: 09-07-2024.

Officers responded to a "man with a gun" call to an area where there was earlier a call for shots heard in the area. The officers detained all the people present. The complainant alleged the officers used "excessive force" causing her injury. However, after specific discussion about what physical actions were taken the only force, she described was handcuffing. She stated the handcuffing caused her a great deal of pain because of her per-existing disability. She alleged the officer discriminated against her based-on race (Indigenous) and disability status and caused her harm by handcuffing her inappropriately.

Allegation: Discrimination and Improper Handcuffing

LMPD Finding: Pending
IPA Finding: Pending

Trends/Issues Identified and to be Relayed to the Police Department

The LMPD saw four new IA cases in the third quarter of 2024. This was an increase as the department had only one IA case in the previous two quarters. However, despite this upward trend of cases for the third quarter, it does compare favorably to the third quarter of 2023, which registered five new cases. The department's efforts to reduce complaints also show progress when compared to last year when at the end of the third quarter for 2023, twelve IA cases had been registered, compared to five for the same time-period this year.

RECOMMENDATIONS

1. None