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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.

Purpose

The City of La Mesa City Council adopted Ordinance (?) 2020-2881, which established the Community Police Oversight Board (CPOB) and defined the scope of its powers and duties under La Mesa Municipal Code (LMMC) Section 2.30.100. The CPOB is tasked with, among other duties pursuant to LMMC Section 2.30.100(b), to initiate and review audits prepared by the Independent Police Auditor of all incidents of use of force involving; accidental discharge of weapons, officer-involved shootings, officer-involved deaths, or officer-involved interactions resulting in serious bodily injury.

In addition, the CPOB may, pursuant to LMMC Section 2.30.100(c) initiate and review audits prepared by the Independent Police Auditor of Internal Affairs investigations and disposition of any complaints of misconduct by the La Mesa Police Department or its officers. The CPOB is further tasked with issuing public semi-annual public reports to the City Council and City Manager on the number and types of complaints reviewed and the CPOB's responses, investigative findings, analysis of police data, police progress on CPOB recommendations and other updates relevant to the mission of the CPOB.

The purpose of this quarterly report is to provide the community with updates regarding the review of complaints, apprise the CPOB of these incidents, and offer recommendations to the La Mesa Police Department. This report is intended to satisfy certain reporting requirements outlined in LMMC Section 2.30.110.

Explanation of findings

The following is a list of the potential findings for investigated 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 allegation was confirmed and is a LMPD policy violation

Exonerated: The actions of the officer did occur and were within 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 still kept maintaining a record of all complaints.

This report is for the third quarter of 2022. It will include information for cases from the first and second quarter and will reflect their updated status as of the end of the third quarter.

Complaints & I/A's initiated in the 1st quarter of 2022:

LMPD Complaint No. 2022-01

Date Filed: 01-07-2022

Synopsis: The complainant said between the years of 2017 and 2019 he contacted the LMPD two dozen times for various crimes and incidents at his residence. He said the officers who responded refused him police services, were rude, and were unprofessional towards him. He added officers also improperly impounded his property, gave inaccurate courtroom testimony, and threatened people at his residence with arrest. He believes there was a department directive to deny police services to him.

Allegation: Complainant is alleging discourtesy, discrimination, false arrest, poor service, search/seizure, and racial and identity profiling.

LMPD Finding: Informational Documentation Only – Referred to the IPA

IPA Finding: IPA has met with Complainant to resolve his concerns

LMPD Complaint No. 2022-02

Date Filed: 01-21-2022

Synopsis: According to the complainant, she was placed in protective custody for a mental health evaluation, 5150. During this incident the complainant, who was at home at the time, was patted down and handcuffed. She questioned the need for this given her stable employment history and that she was agreeing to going in for an evaluation. She was placed in the back of a patrol car for close to three hours while officers completed paperwork. She says during this time she lost feeling in her left thumb, which became swollen and bruised.

Allegation: Complainant is alleging discourtesy and false arrest.

LMPD Finding: Informational Documentation Only

IPA Finding: Administratively Declined

LMPD Complaint No. 2022-03

Date Filed: 02-13-2022

Synopsis: The complainant alleges the police refuse to do anything about the crimes she has been the victim of, nor allow her to press charges against the suspects in these crimes.

Allegation: Complainant is alleging discrimination and poor service.

LMPD Finding: Unfounded
IPA Finding: Audit Pending

LMPD Complaint No. 2022-06

Date Filed: 02-23-2022

Synopsis: The complainant alleges discrimination during a mental health detention. Based on the information provided, police management sent multiple emails to the complainant to gather additional information. The complainant has not responded, and police management does not have a record of the incident described.

Allegation: Complainant is alleging discrimination.

LMPD Finding: Unfounded
IPA Finding: Administratively Declined

Complaints & I/A's initiated in the 2nd quarter of 2022:

LMPD Complaint No. 2022-04

Date Filed: 03-16-2022

Synopsis: The complainant has provided a very limited description of the events leading to his complaint. He reports that his constitutional rights were violated, and officers refused to assist him when his first amendment rights were violated. He has not offered information about being discriminated against, falsely arrested, wrongfully searched, or racially profiled.

Allegation: Complainant is alleging discrimination, false arrest, search/seizure, and racial profiling.

LMPD Finding: Unfounded
IPA Finding: Audit Pending

LMPD Complaint No. 2022-07

Date Filed: 03-22-2022

Synopsis: The complainant wrote a letter from jail wishing to speak about the circumstances related to his interaction with police. After police management spoke to the subject, it was determined it was not a complaint against our officers.

Allegation: Complainant is alleging excessive force.

LMPD Finding: Administratively Handled

IPA Finding: Administratively Declined

LMPD Complaint No. 2022-05

Date Filed: 03-24-2022

Synopsis: Internal Affairs investigation involving off duty conduct. This incident involves an investigation of a potential criminal issue by an outside law enforcement agency.

Allegation: Potential criminal act.

LMPD Finding: Pending
IPA Finding: Not yet referred

Complaints & I/A's initiated in the 3rd quarter of 2022:

LMPD Complaint No. 2022-08

Date Filed: 07-12-2022

Synopsis: The complainant alleges he was racially profiled by officers, detained for jaywalking, and forced into a crime scene where he was arrested. The officers used force by putting a knee on his back injuring his rib cage.

Allegation: Complainant is alleging discourtesy, discrimination, excessive force, false arrest, and poor service.

LMPD Finding: Pending
IPA Finding: Pending

LMPD Complaint No. 2022-09

Date Filed: 09-01-2022

Synopsis: Allegation of excessive force and improper search. Complainant was stopped for a registration violation during a grant detail operation. Vehicle was eventually towed for displaying false registration tabs. Complainant alleges illegal search without consent and excessive force when an officer placed their hands on him during a pat down. He was released at the scene on a citation.

Allegation: Complainant is alleging excessive force and an improper search

LMPD Finding: Pending
IPA Finding: Pending

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

The La Mesa Police Department continues to respond to complaints received in the first three quarters of 2022 in a timely manner and has done a good job of processing those complaints in a professional manner.

- The auditor recommends the LMPD make ongoing use of its new IA tracking and reporting software, LEFTA, by uploading documents when received, and as completed. While the case may still be under investigation by the LMPD, the auditor has the responsibility to be aware of the progress of the case and to review the initial complaint form(s). LEFTA should serve as the repository of documents, recordings (interviews and body worn camera), complaints and other evidence and information used to complete the investigation, including cases in progress.