

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: SEAN MCGLYNN, CITY MANAGER
SUBJECT: INDEPENDENT REVIEW OF THE POLICE DEPARTMENT'S
INTERNAL AFFAIRS' INVESTIGATIONS OF SPECIFIC
INCIDENTS OF USE OF FORCE BY OFFICERS THAT
OCCURRED DURING COMMUNITY PROTESTS IN MAY AND
JUNE 2020

AGENDA ACTION: STUDY SESSION

RECOMMENDATION

It is recommended by the City Manager that Council hold a Study Session to receive information, ask questions, and provide feedback to staff regarding the oversight conducted by the OIR Group, an independent firm, regarding the Police Department's internal affairs' investigations of specific incidents of use of force by officers that occurred during community protests in May and June 2020.

EXECUTIVE SUMMARY

The City contracted with an independent firm, the OIR Group, to conduct oversight of internal affairs' investigations conducted by the Professional Standards Team of the Santa Rosa Police Department regarding specific incidents of use of force by SRPD officers during protests that occurred between May 30, 2020 and June 5, 2020.

This study session is provided for Council's information. Council will have the opportunity to ask questions, discuss, and provide feedback to staff.

BACKGROUND

In 2019, the City conducted an RFP for an independent police auditor ("IPA") seeking a highly qualified firm to provide, among other things, an independent review of the Santa Rosa Police Department's (SRPD) administrative investigations and review of its training, policies and procedures. Several firms applied. Three firms were identified as the having the most expertise. Other demands prevented the City moving forward with selecting an IPA at that time. That process is moving forward now.

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During May and June of 2020, there were several protest activities and civil unrest throughout the City of Santa Rosa. The City sought a highly qualified firm to conduct oversight of administrative investigations to be conducted by the Professional Standards Team (the Team) of SRPD regarding specific incidents of use of force by SRPD officers during protests that occurred between May 30, 2020 and June 5, 2020.

The three top firms from the IPA RFP were reviewed to oversee these investigations. The OIR Group was selected from that group and a contract was entered into on September 18, 2020.

PRIOR CITY COUNCIL REVIEW

None

ANALYSIS

Between May 30, 2020 and June 5, 2020, SRPD responded to large demonstrations which led to civil unrest, violence, and property damage within the city. The unlawful activity required a large police response over several days. Following the demonstrations, several persons filed complaints alleging that SRPD officers used excessive force or committed other types of inappropriate conduct.

When such complaints are filed, the Team conducts internal affairs investigations into the allegations to determine what happened and to take appropriate corrective disciplinary action against officers, as appropriate.

To provide an independent review, the OIR Group was retained to conduct oversight of the Team's investigations. Staff from the OIR Group participated fully in all of the investigations, which included developing questions for witnesses and subject officers, attending interviews, and reviewing relevant documents and videos. Staff reviewed the reports prepared by the Team and the conclusions reached by the Team and the Chief as to whether policies were violated, whether discipline should be imposed and the level of discipline.

The OIR Group will present its report as to the adequacy and objectivity of the investigations and whether it agrees with the findings and disciplinary decisions of the Team and the Chief.

FISCAL IMPACT

This item does not have a fiscal impact on the General Fund.

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ENVIRONMENTAL IMPACT

This study session is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15061(b)(3) and 15378 in that there is no possibility that this action may have significant effects on the environment, and that no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

NOTIFICATION

Not applicable

ATTACHMENTS

- Attachment 1 – Report

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