



INFORMATION REPORT

COUNCIL MEETING

9/10, 2019

DATE: August 19, 2019

TO: Mayor and Members of the City Council

DEPARTMENT: City Council – Public Safety Committee

SUBJECT: Public Safety Committee Report of Police Department Professional Standards Unit Investigations for Fiscal Years 2017/2018 and 2018/2019

The City Council's Public Safety Committee (PSC) is charged with reviewing public safety issues, including City policies and procedures and the Independent Police Auditor function. Annually, the PSC completes a review of the Santa Cruz Police Department (SCPD) Professional Standards Unit (PSU) investigations and issues a final written report. On behalf of the PSC, the attached report has been prepared for the City Council regarding its review of the SCPD PSU investigations during the 2017/2018 and 2018/2019 Fiscal Years.

As background, the SCPD PSU investigations are initiated through either citizen complaints or internally generated questions regarding police conduct. The SCPD PSU's then investigates those complaints and issues findings. The findings are subsequently reviewed by a Deputy Police Chief and the Independent Police Auditor. The Independent Police Auditor's findings on each case are then forwarded to the City Manager's Office. Each summer, the PSC reviews the cumulative investigations from the preceding twelve (12) months. Typically, the PSC issues a report to the City Council in December of each year. Unfortunately, due to work load challenges and the late installation of the PSC members, the annual report was not issued. Therefore, the 2017 and 2018 reviews are combined into the attached bi-annual report.

In June 2019, the PSC, which included Councilmember Drew Glover (Chair), Councilmember Chris Krohn (Vice Chair), and Councilmember Donna Meyers, conducted its review of the fifteen (15) completed investigations which took place during the 2017/2018 and 2018/2019 Fiscal Years and discussed them with the Independent Police Auditor and SCPD staff. The attached report is a summary of the PSC's review of the cases.

Submitted by:

Drew Glover
Councilmember and Chair, Public Safety Committee

Attachment:
2017 and 2018 Public Safety Committee Report of Police Department Professional Standards Unit Investigations

Santa Cruz City Council Public Safety Committee
Review of Police Complaints for 2017 and 2018
Fiscal Years 2017/2018 and 2018/2019 Final Report
June 11, 2019

The Santa Cruz City Council Public Safety Committee (PSC) held its annual review of the Santa Cruz Police Department (SCPD) Professional Standards Unit (PSU) investigations on Tuesday, May 21, 2019 at a Special Closed Session Meeting. Committee members (Councilmember and Committee Chair Drew Glover, Councilmember and Committee Vice Chair Chris Krohn, and Councilmember Donna Meyers) heard a review of investigations that were completed during 2017 and 2018 by the City's Independent Police Auditor. The PSC received two years' of review of investigations due to the PSC not holding a meeting to hear the Independent Police Auditor review report for 2017 investigations.

As part of the review process, the PSC met with Independent Police Auditor Robert Aaronson as well as SCPD representatives, including Internal Affairs Sgt. Wes Morey, Deputy Police Chief Rick Martinez, and Police Chief Andy Mills.

Meeting Summary

The background report prepared for the PSC provided a history of the SCPD PSU investigations completed during 2017 and 2018. Since the PSC did not meet the previous year to receive the annual Independent Police Auditor report, this meeting covered two annual reports. The last two years encompassed the SCPD transitioning from the former Police Chief Kevin Vogel and Deputy Police Chief Steve Clark to the current management. The SCPD during this period was focused on new staffing and approaches to public safety including transitioning to the neighborhood policing model.

During the May 21, 2019 PSC meeting, the cases reviewed addressed a range of issues. In total fifteen (15) cases were reviewed by the Independent Police Auditor. One of the most significant cases involved an investigation of an officer who had engaged in multiple counts of sexual harassment of fellow officers, which had already been made public through media reports. A second case reviewed was the loss/misplacement of a short-barreled assault rifle by an officer of the SCPD. The weapon has yet to be located and recovered. The SCPD recognized the severity of each of these incidents, and the Independent Police Auditor recognized the SCPD's efficiency and professionalism. With respect to the sexual harassment case, it is notable that the investigation and prosecution took place in less than four months. Officer David Gunther, former President of the Police Officers Association, was fired by the SCPD and is serving a sentence. The Independent Police Auditor noted the severity of the harassment case, and he recommended required improvements in response to the weapon incident. The Independent Police Auditor report also noted cases that included failure to collect evidence in a timely manner, issues with the way investigations were conducted, and complaints of use of force by SCPD officers. In several cases, the Independent Police Auditor found the level of engagement to be warranted to the incident occurring. Many of these cases involved domestic disputes and several occurred while the individuals were under the influence of drugs or alcohol. Clearly, the abuse of alcohol, more than anything else, helped fuel several of the negative outcomes in many of these cases. The Independent Police Auditor investigations concluded that the SCPD has in place protocols and procedures to identify and train officers on performance shortcomings. However, there was concern raised by PSC members, and shared by the Independent Police Auditor, about allowing officers to resign before investigations are completed because some of those officers seek employment in law enforcement later.

Conclusion

The PSC expressed appreciation to both Mr. Aaronson and the representatives from the SCPD for their work and their analysis of the complaints included in the report and in discussion at the PSC meeting. In accepting the 2017 and 2018 investigatory reports, the PSC recognizes that the SCPD PSU, and others involved, administers the work in a proficient and professional manner. The PSC acknowledged the essential role that the SCPD PSU plays to adequately and thoroughly investigate complaints and inquiries.

The next PSC meeting will be held on June 24, 2019 at 5:30 p.m. and will be an open session.

Santa Cruz City Council Public Safety Committee

Councilmember Drew Glover, Committee Chair

Councilmember Chris Krohn, Committee Vice Chair

Councilmember Donna Meyers