



2022
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 2022.

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 2022, 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.

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 2022, there were a total of 948 allegations regarding police misconduct and 125 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 six critical incidents that occurred in 2022 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 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 2022, OPSA fully reviewed 100% of the complaints filed against the Sacramento Fire Department and 52% of the complaints filed against the Sacramento Police Department. Of the completed investigations reviewed by OPSA, 24 investigations for police and six investigations for fire required further review.

Review Finding Options

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

Table 1: SPD Further Review Results

Month	Recommendation/Disagreement	Outcome
January	Disagreement on disposition	Discussed -Revised
January	Disagreement on disposition	Discussed - Agree
January	Recommendation of additional allegation	Discussed - Revised
February	Recommendation of additional allegation	Discussed - Revised
March	Disagreement on disposition	Discussed - Agree
March	Disagreement on disposition	Discussed - Agree
May	Disposition Incorrect	Discussed – Revised
May	Allegation should be sustained	Discussed – Further Investigation, Disagree/Recommendation Under Consideration
June	Disposition Incorrect	Discussed – Revised
June	Disposition Incorrect	Discussed – Revised
June	Disposition Incorrect	Discussed-Further Investigation, Agree/Recommendation Accepted

August	Allegation Should Be Sustained	Discussed – Further Investigation, Disagree/Recommendation Under Consideration
August	Disposition Incorrect	Discussed – Further Investigation, Agree
September	Additional allegation needed	Discussed – Further Investigation Agree/Recommendation Accepted
September	Disposition Incorrect	Discussed-Further Investigation, Agree/Recommendation Accepted
September	Disposition Incorrect	Agree
October	Allegation Should Be Sustained	Discussed – Further Investigation, Agree
October	Allegation Should Be Sustained	Discussed – Further Investigation, Agree
October	Allegation Should Be Sustained	Discussed – Further Investigation, Agree
October	Additional Allegation	Discussed-Further Investigation, Agree/Recommendation Accepted
November	Allegation Should Be Sustained	Discussed – Further Investigation, Agree
November	Allegation Should Be Sustained	Discussed – Further Investigation, Agree
November	Allegation Should Be Sustained	Discussed – Further Investigation, Agree
December	Allegation Should Be Sustained	Discussed – Further Investigation, Disagree/Recommendation Under Consideration

Table 2: SFD Further Review Results

Month	Recommendation/Disagreement	Outcome
August	Incomplete case investigation - further investigation needed	Discussed - Revised
August	Incomplete case investigation - further investigation needed	Discussed - Revised
August	Incomplete case investigation - further investigation needed	Discussed - Revised
August	Incomplete case investigation - further investigation needed	Discussed - Revised
October	Amended allegation	Discussed-Further Investigation, Agree/Recommendation Accepted
December	Disposition Incorrect	Discussed-Further Investigation, Agree/Recommendation Accepted

2022 Police Case Review

OPSA documented 306 complaints of misconduct filed against the Sacramento Police Department with a total of 948 allegations. Of those complaints, 900 allegations were filed with SPD and 48 allegations were filed directly with OPSA. There were 340 complaint investigations completed during the year, closing a total of 1017 allegations. Of those completed investigations, 203 complaints were originally filed in 2022 and the remaining 137 complaints were from older 2020 and 2021 cases. A total of 145 allegations were Sustained and referred to Police Command Staff for disciplinary action.

2022 Fire Case Review

OPSA documented 70 complaints of misconduct filed against the Sacramento Fire Department with a total of 125 allegations. Of those complaints, 113 allegations were filed with SFD and 12 allegations were filed directly with OPSA. There were 71 complaints investigated and completed by the Sacramento Fire Department's Professional Standards Unit giving dispositions to 125 allegations. Of those completed investigations, 55 complaints were originally filed in 2022 and the remaining 16 complaints were from older 2019 and 2021 cases. A total of 56 allegations were Sustained and referred to Fire Command Staff for disciplinary action.

OPSA Audits/Inspections

During the routine review of police misconduct complaint cases, OPSA oversight practitioners discovered an initial pattern of Fourth Amendment violations of Sacramento community members, specifically Black and Hispanic community members, during police-citizen interactions. An initial assessment of the pattern observed found apparent issues with improper search and seizure which demonstrated a lack of understanding of what officers learn from training on the law and the actual application of that training in the field. With such a limited amount of information, oversight practitioners could not make a conclusive determination of whether a systemic problem within the police department existed. Therefore, a determination was made that an external audit would be conducted to obtain a conclusive finding of whether there is a systemic problem or only isolated incidents were discovered.

The objective of this audit was to determine whether there is a systemic problem in the Sacramento Police Department (SPD) regarding officers engaging in pattern or practice of unreasonable stops, searches, and seizures that violate the Fourth Amendment rights of Sacramento community members, specifically Black and Hispanic community members, during police-citizen interactions. If the audit deemed any conduct to be unlawful policing, an evaluation of organizational practices contributing to the unlawful conduct would be performed. Although the audit was initiated in October of 2022, the completion of the audit occurred in March of 2023.

Table 3: SPD Cases Reviewed by OPSA

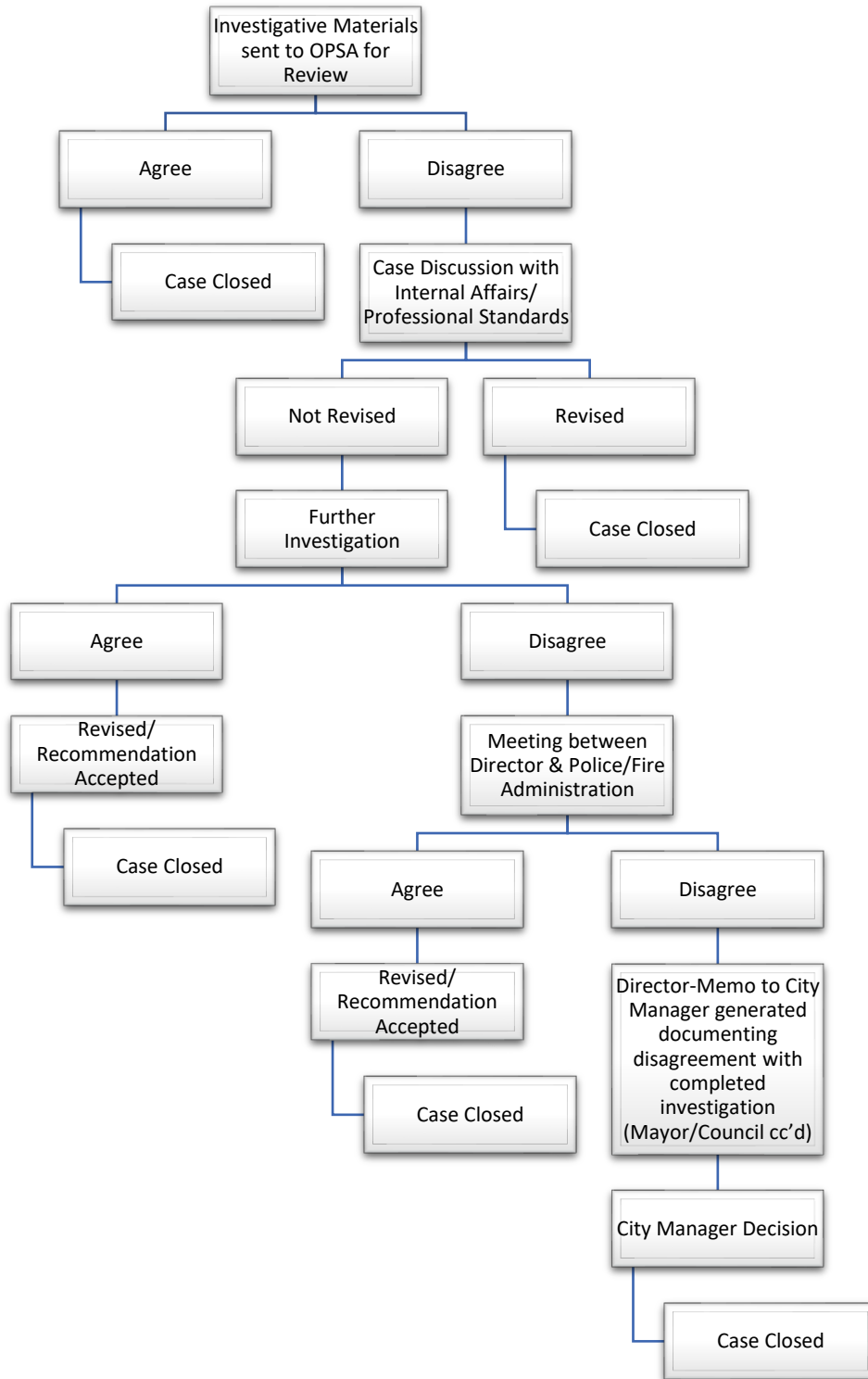
	Annual Totals
Reviewed	177
Not Reviewed	163

Chart 1: Cases Reviewed vs. Not Reviewed by OPSA



Chart 1 reflects OPSA conducted a full formal review of 52% of all complaints filed against SPD. After an initial screening by the Director, the remaining 48% of cases did not receive additional OPSA review. OPSA fully reviewed 100% of all complaints filed against SFD. Note that one case can include multiple allegations against multiple officers.

Review Process Chart



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 six officer-involved shootings and initiated independent investigations.

Table 4: SPD Officer-Involved Shooting Incidents

INCIDENT	CALL FOR SERVICE	DATE	LOCATION	STATUS
Officer-involved Shooting (OIS)	Reckless Driving	04/14/2022	44 th Street & 23 rd Avenue	Editing Phase
Officer-involved Shooting (OIS)	Armed Subject	07/02/2022	5600 block of Gilgunn Way	Report Writing Phase
Officer-involved Shooting (OIS)	Felony Warrant	07/17/2022	16 th Street and A Street	Report Writing Phase
Officer-involved Shooting (OIS)	Armed Subject	08/10/2022	100 Block of Dragonfly Circle	Report Writing Phase
Officer-involved Shooting (OIS)	Assault	08/27/2022	2500 Block of Del Paso Boulevard	Evidence Gathering Phase
Officer-involved Shooting (OIS)	Felony Warrant	10/11/2022	6800 Block of Di Lusso Drive	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.

Chart 2 - SPD Cases Reviewed by the Inspector General

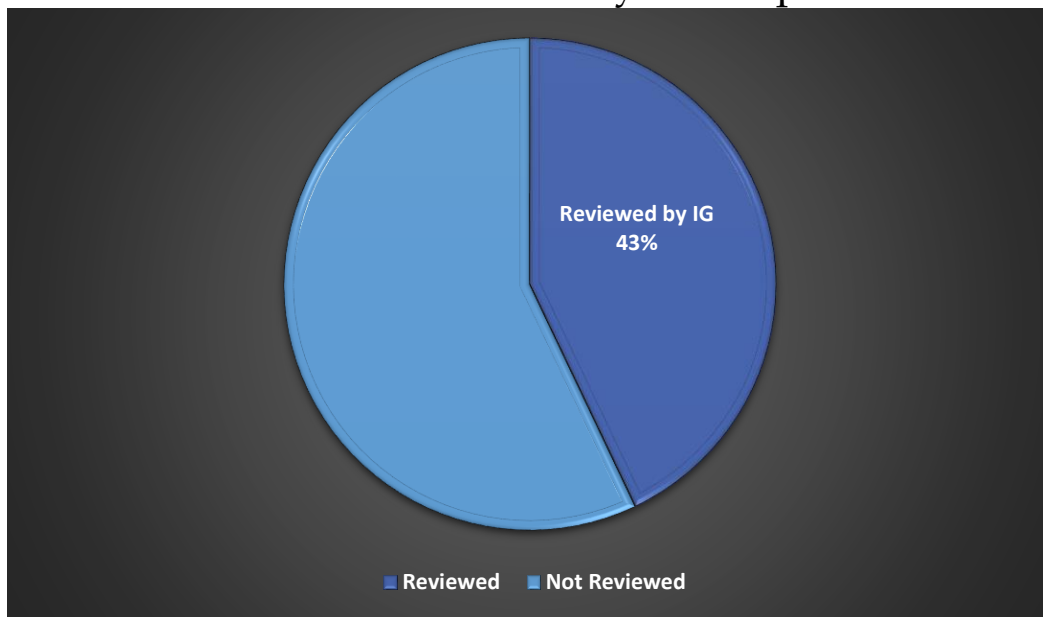


Chart 2 shows the percentage of 2022 police misconduct cases personally reviewed by the Inspector General (IG). The IG reviewed 146 of the 340 SPD complaint cases.

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 16.

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 19. When there is a violation of policy, disciplinary action is issued by the department's administration and those actions can be found in Chart 8 on page 21. 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 1/17/23). 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

Chart 3: SPD & OPSA Allegation Comparison 2016-2022

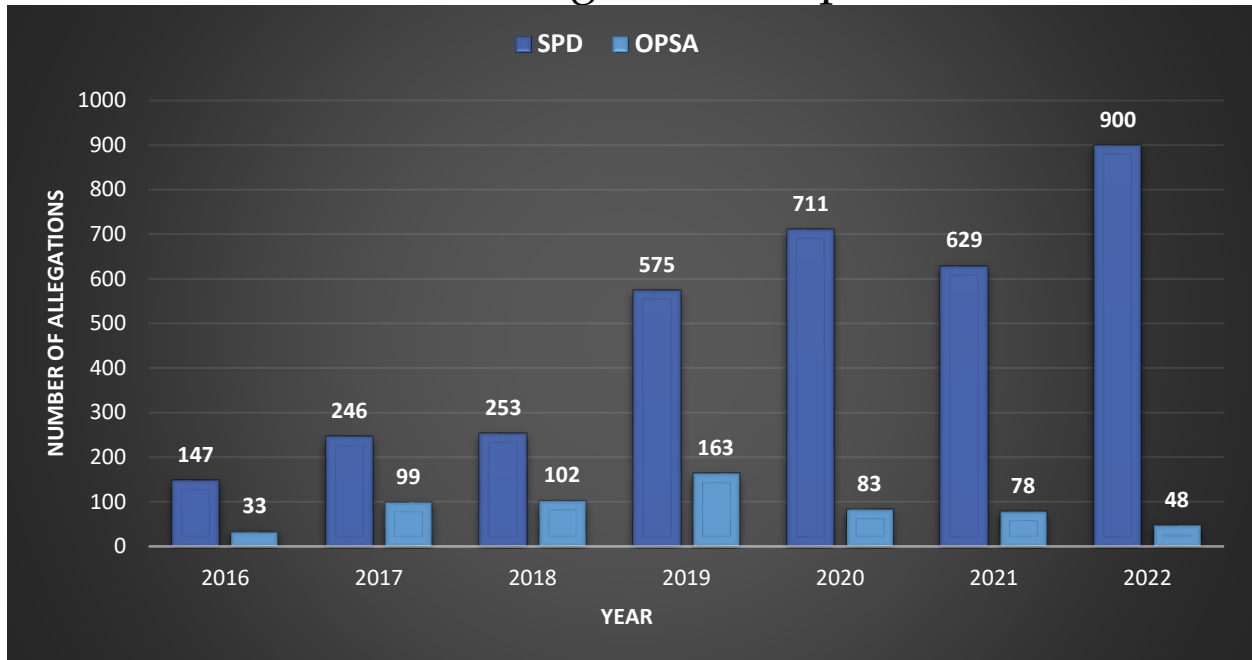


Chart 3 compares the total complaint allegations received by OPSA and SPD from 2016 through 2022. The significant increase from 2016 to 2019 correlates with complaint documentation changes that resulted from DOJ recommendations.

Chart 4: SPD Complaint Comparison 2020-2022

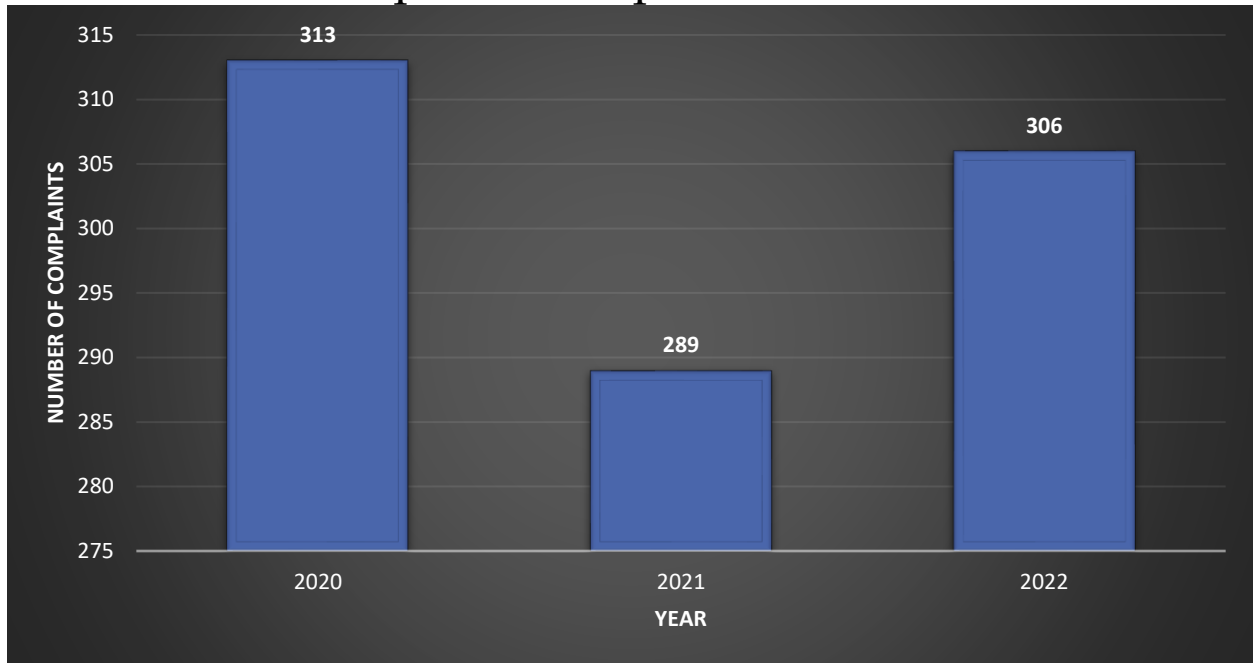


Chart 4 compares the total complaints concerning SPD from 2020 through 2022 – prior to 2020, complaint cases were tracked alternatively.

Chart 5: SPD Allegation Breakdown 2022

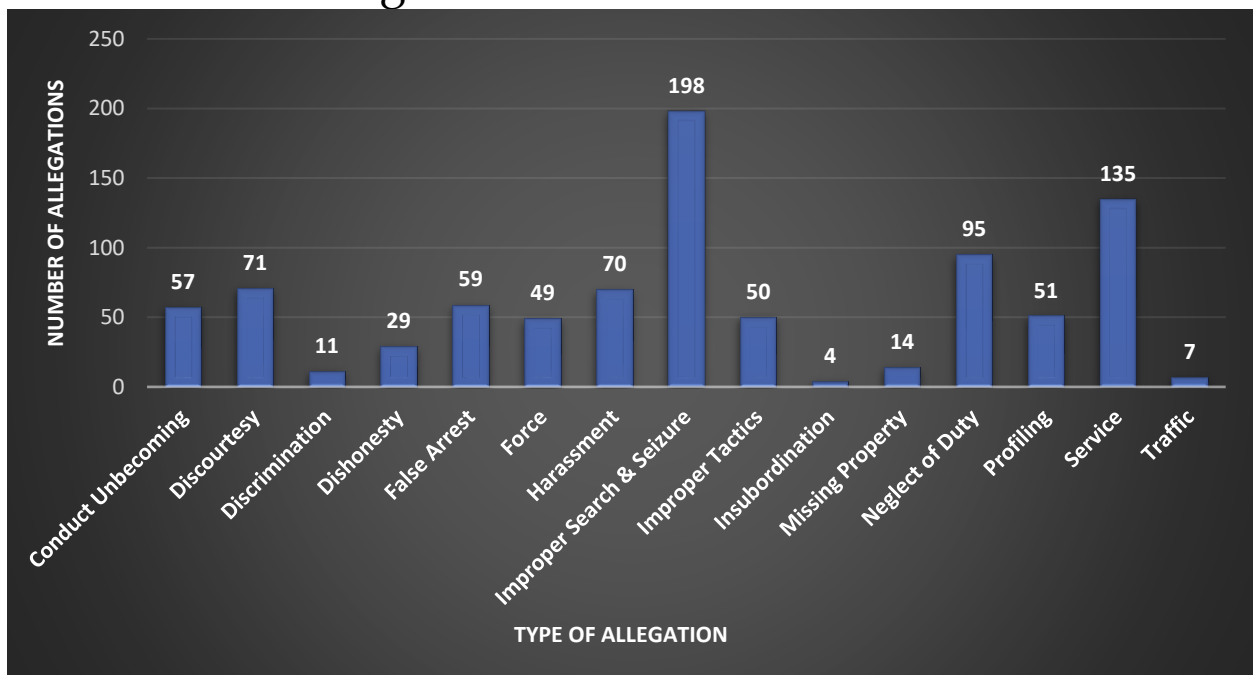


Chart 5 identifies the 900 misconduct allegations that were filed directly with SPD against police personnel during this reporting period.

Chart 6: OPSA Allegation Breakdown 2022

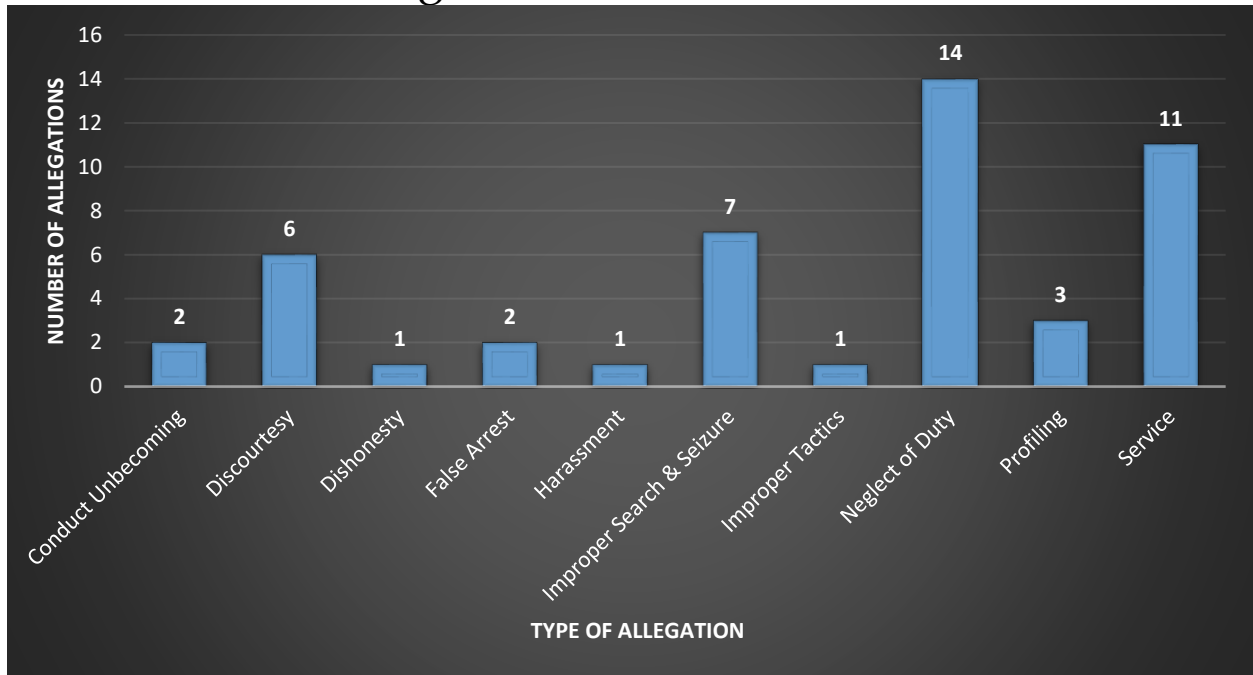


Chart 6 identifies the 48 misconduct allegations that were filed with OPSA against police personnel during this reporting period. These allegations were evaluated with OPSA receiving the preliminary complaint information and discussed or forwarded to SPD for investigation, as needed. Note: one investigation 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.

Chart 7: SPD Allegation Dispositions

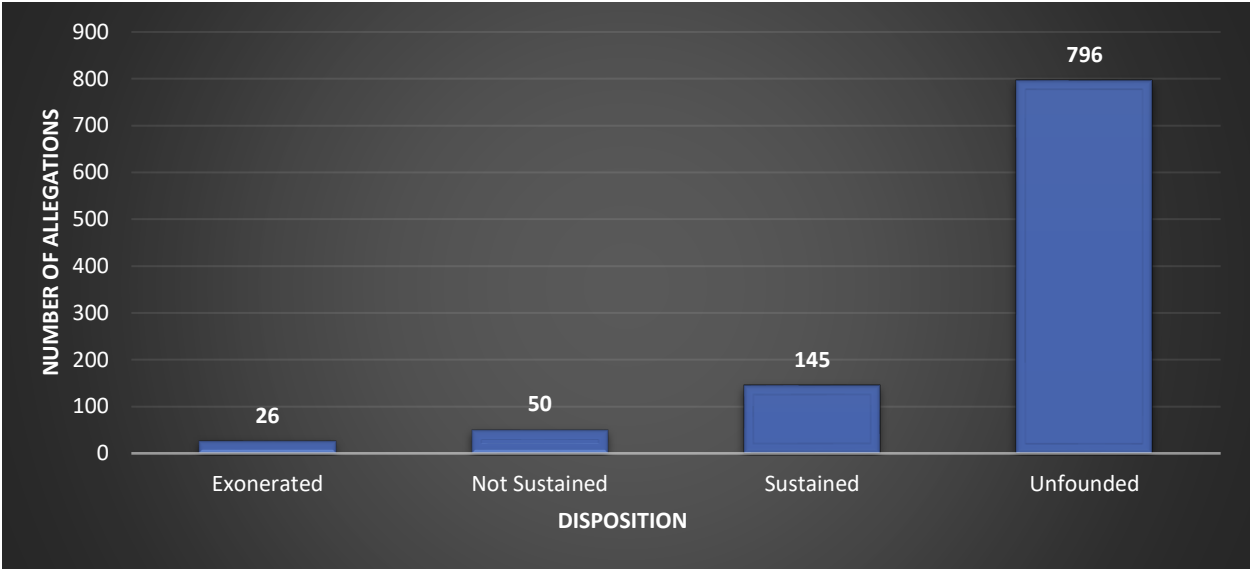


Chart 7 shows that of the 340 completed misconduct cases with a total of 1017 allegations, 145 of the allegations were Sustained and referred to Police Command Staff for disciplinary action against employees.

Chart 8: SPD Dispositions by Allegation

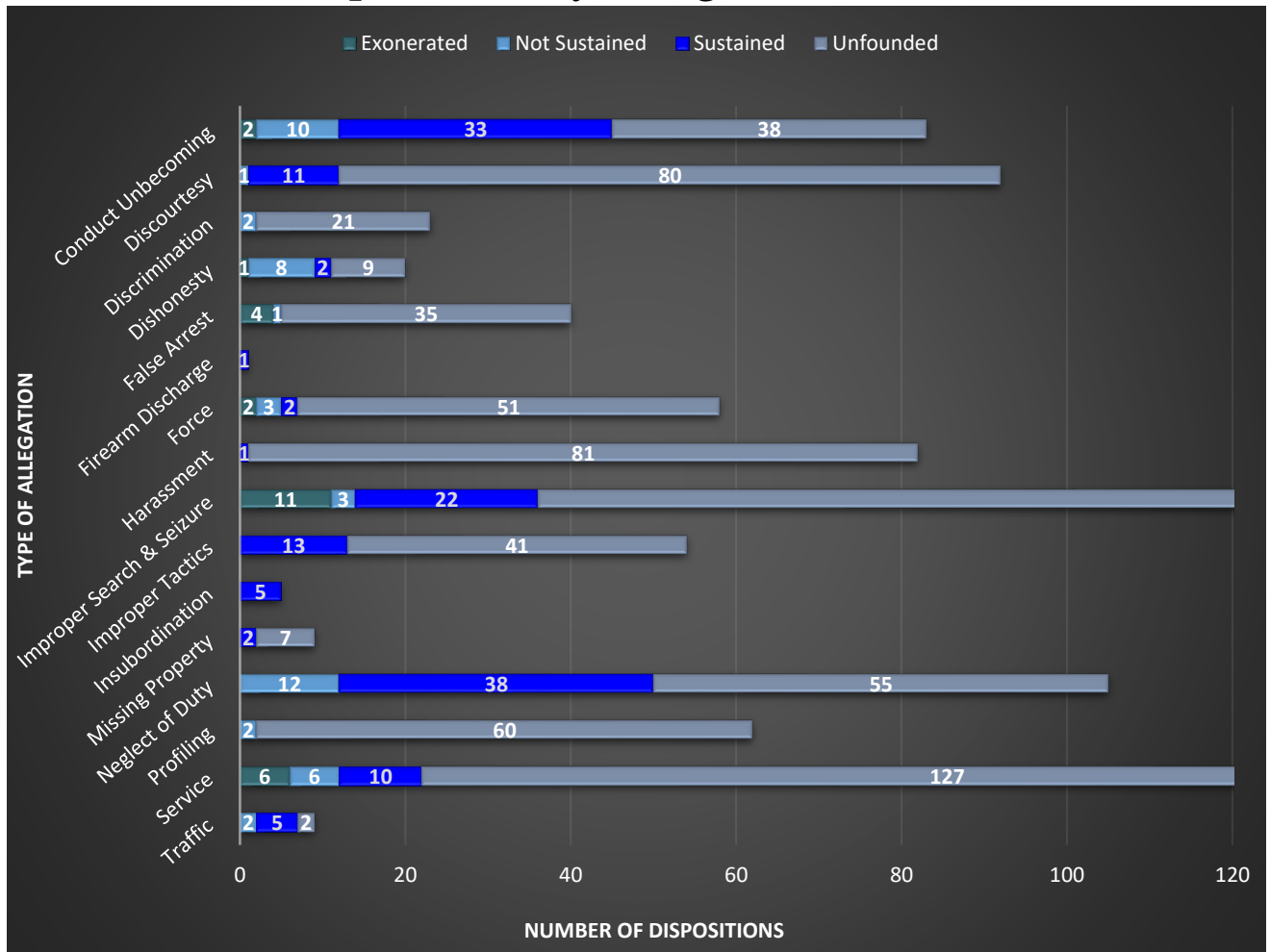


Chart 8 shows the dispositions of the 1017 allegations closed out in 2022. Of those completed investigations, 203 complaints were originally filed in 2022 and the remaining 137 complaints were from older 2020 and 2021 cases.

Chart 9: SPD Discipline from Completed Investigations

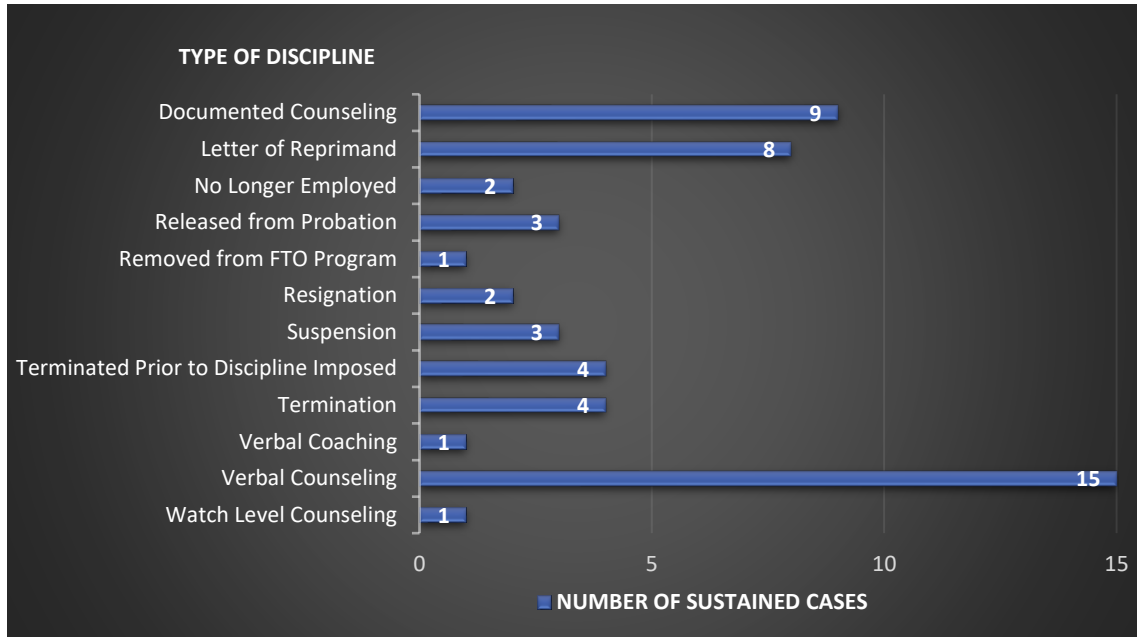


Chart 9 reflects the discipline imposed from misconduct investigations completed in 2022 according to data provided by Internal Affairs. Note: One case can result in multiple disciplinary actions against multiple employees.

Critical Incidents

April 14th, 2022

Officer Involved Shooting – 44th Street & 23rd Avenue

On April 14, 2022, at approximately 6:42 p.m., Sacramento Police Department officers attempted to stop a vehicle driving recklessly in the area of 44th Street and 14th Avenue. The vehicle failed to stop and led officers on a vehicle pursuit. As officers were pursuing the vehicle, the suspect exited his vehicle and fired a handgun at the officers' vehicle, striking it at least two times.

One officer exited the patrol vehicle and returned fire at the suspect. The suspect re-entered his vehicle and once again fled from the officers. The suspect was not struck by gunfire during the shooting. One officer sustained a minor injury during the shooting, but no officers were struck by gunfire.

Officers pursued the suspect and numerous outside agencies and resources, including the Sacramento Sheriff's Office helicopter (STAR), responded to assist. Officers followed the suspect throughout the City and County of Sacramento before officers lost sight of the suspect. A short time later, officers located the suspect vehicle abandoned in the City of Folsom. A large area search was conducted by officers from multiple agencies including the Folsom Police Department, Sacramento County Sheriff's Office, and Sacramento Police Department.

During the area search, officers located the suspect near the Natomas Light Rail Station in the City of Folsom where he was taken into custody. During the arrest, the suspect was found to be in possession of a handgun and ammunition.

The suspect was identified as 34-year-old Jose Borrego.

Borrego will be booked for related charges at the Sacramento County Main Jail.

This incident is being investigated by the Sacramento County Sheriff's Office Homicide Unit, the Sacramento Police Department's Internal Affairs Division and Professional Standards Unit. A response and investigation into the incident will also be conducted by the Sacramento Police Department's Force Investigation Team which will focus on policy, tactics, and training as it relates to the use of force.

This incident falls under the City Council's policy on Police Use of Force as well as SB 1421. As a result, the video and audio associated with this incident will be released to the public within 30 days. Detectives are in the process of identifying and retrieving video associated with this incident. The Office of Public Safety Accountability and the Sacramento County District Attorney's Office are providing oversight by monitoring the investigation.

July 2nd, 2022

Officer-Involved Shooting - 5600 Block of Gilgunn Way

On July 2, 2022, shortly before 12:15 a.m., Sacramento Police Department patrol officers responded to a residence in the 5600 block of Gilgunn Way for a report of an individual threatening to kill his wife, who was also on scene. Additional information revealed the individual was armed with a knife, and the wife had locked herself inside a bathroom in the residence.

When officers arrived on the scene, they contacted the individual, a 75-year-old male who was observed to be armed with two knives. Officers communicated with the individual for over 10 minutes and utilized verbal de-escalation techniques in an attempt to disarm him. Eventually, the individual, who remained armed, moved inside the bathroom, and assaulted his wife. The victim was heard screaming as officers entered the residence. Officers confronted the individual and one officer fired their duty weapon.

Officers rendered medical aid until the suspect was transported to a hospital for treatment, where he was pronounced deceased. The victim was not injured, and no officers were injured during this incident.

This incident is being investigated by the Sacramento Police Department's Homicide Unit, Internal Affairs Division, and Professional Standards Unit. 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 Officers are providing oversight by monitoring the investigation.

This incident falls under the City Council's policy on Police Use of Force as well as SB 1421. As a result, the video and audio associated with this incident will be released to the public within 30 days. Detectives are in the process of identifying and retrieving video associated with this incident.

July 17th, 2022

Officer Involved Shooting - 16th Street and A Street

On July 17, 2022, around 10:36 p.m., Sacramento Police Department patrol officers responded to the area of 16th Street and A Street to attempt to arrest a 42-year-old man who was known to have a felony warrant for a violation of Post Release Community Supervision (probation). When officers located that suspect in the area, they attempted to gain his voluntary cooperation by talking to him but, he refused to follow officers' commands.

As officers continued to talk to the suspect, he walked away from officers, reached under a tarp, and concealed his hands under a blanket. While his hands were concealed, he began to advance towards officers, telling them to drop their weapons. Officers backed up as the suspect continued to walk towards them while ignoring commands.

As the suspect approached the officers, one of them fired their duty weapon, striking the suspect. The suspect then fled from officers on foot. Officers were able to take the suspect into custody in the area of 16th Street and C Street where they rendered emergency medical aid.

The suspect sustained non-life-threatening injuries and was transported to an area hospital by the Sacramento Fire Department. After receiving medical clearance, the suspect will be booked for his felony warrant and other charges, if applicable. No officers were injured during the incident.

This investigation remains active. At this point, no weapons have been located in the immediate area of the incident.

This incident is being investigated by the Sacramento Police Department's Homicide Unit, Internal Affairs Division, and Professional Standards Unit. 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.

This incident falls under the City Council's policy on Police Use of Force as well as SB 1421. As a result, the video and audio associated with this incident will be released to the public within 30 days. Detectives are in the process of identifying and retrieving video associated with this incident.

August 10th, 2022

Officer-Involved Shooting - 100 Block of Dragonfly Circle

On August 10, 2022, just before 1 a.m., Sacramento Police Department patrol officers responded to the 100 block of Dragonfly Circle based on information that a male was armed with a sword and had barricaded himself in his residence with his wife and children. Additional information was received from the wife that she was not being allowed to leave with her children.

Officers from the Crisis Negotiation Team and SWAT responded to assist at the scene. For several hours, numerous attempts were made to de-escalate the hostage situation. During this time, officers learned that the male was holding his family inside a bedroom. At approximately 7:30 a.m., as negotiations continued, sounds of distress from the wife and threats from the male were heard from inside the home.

SWAT officers quickly entered the residence to rescue the hostages. They encountered the male holding a long sword raised next to his wife and children. One officer fired their duty weapon, striking him.

Officers immediately rendered emergency medical aid, and the male was transported to a hospital by the Sacramento Fire Department. The male is currently in stable condition and, after receiving medical clearance, will be booked into the Sacramento County Main Jail on false imprisonment charges. No hostages or officers were injured during this incident.

This incident is being investigated by the Sacramento Police Department's Homicide Unit, Internal Affairs Division, and Professional Standards Unit. 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.

This incident falls under the City Council’s policy on Police Use of Force as well as SB 1421. As a result, the video and audio associated with this incident will be released to the public within 30 days. Detectives are in the process of identifying and retrieving video associated with this incident.

August 27th, 2022

Officer-Involved Shooting - 2500 Block of Del Paso Boulevard

On August 27, 2022, just before 7:30 p.m., a Sacramento Police Department patrol officer was hailed by an assault victim in the 2500 block of Del Paso Blvd. The victim said they were assaulted by a female and provided the officer with a description of that female. Multiple officers responded to the area in search of the female assault suspect.

As the officers were searching the area minutes later, they located the suspect matching the description provided by the victim. The suspect fled from the officers on foot for several minutes. An officer followed the suspect in a vehicle as she fled. As a second officer arrived in the Del Paso/Rio Linda Blvd Alley area, he told the suspect to stop.

The suspect did not stop and charged the officer. The suspect abruptly pulled out a knife and attacked the officer, stabbing him in the upper arm. The female fell to the ground; however, she continued brandishing the knife at the officers. An officer-involved shooting then occurred. Officers rendered emergency medical aid to the suspect. Despite these life-saving measures, the suspect was pronounced deceased on the scene.

The officer who was stabbed was transported to an area hospital where he underwent surgery and is currently recovering.

This incident is being investigated by the Sacramento Police Department's Homicide Unit, Internal Affairs Division, and Professional Standards Unit. An 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.

This incident falls under the City Council’s policy on Police Use of Force as well as SB 1421. As a result, the video and audio associated with this incident will be released to the public within 30 days. Detectives are in the process of identifying and retrieving video associated with this incident.

October 11th, 2022

Officer-Involved Shooting - 6800 Block of Di Lusso Drive

On October 11, 2022, just after 12:00 p.m., Sacramento Police Department detectives were at a residential apartment complex in the 6800 block of Di Lusso Drive in Elk Grove. The detectives were attempting to locate 32-year-old Terry Sharp, who was wanted for a felony fraud warrant originating from Orange County (CA) and was a person of interest in an active assault investigation in the City of Sacramento.

Around 12:10 p.m., detectives located Sharp in the complex's parking lot and attempted to arrest him. When the detectives made contact with Sharp, he began manipulating a firearm that he was holding. Detectives told him to drop the gun multiple times. Sharp refused their commands while continuing to hold the gun and an officer-involved shooting occurred.

Officers rendered emergency aid before medical personnel transported Sharp to an area hospital for treatment. He remains in police custody as he receives medical treatment. Detectives recovered Sharp's firearm at the scene.

This incident is being investigated by the Elk Grove Police Department's Investigation Bureau, the Sacramento Police Department's Internal Affairs Division, and Professional Standards Unit. Sacramento Police Department Force Investigation Team will also conduct an investigation into the incident. The investigation will focus on policy, tactics, and training regarding 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.

This incident falls under the City Council's policy on Police Use of Force as well as Senate Bill 1421. As a result, the video and audio associated with this incident will be released to the public within 30 days.

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.

Chart 10: SFD Complaint Comparison 2016-2022

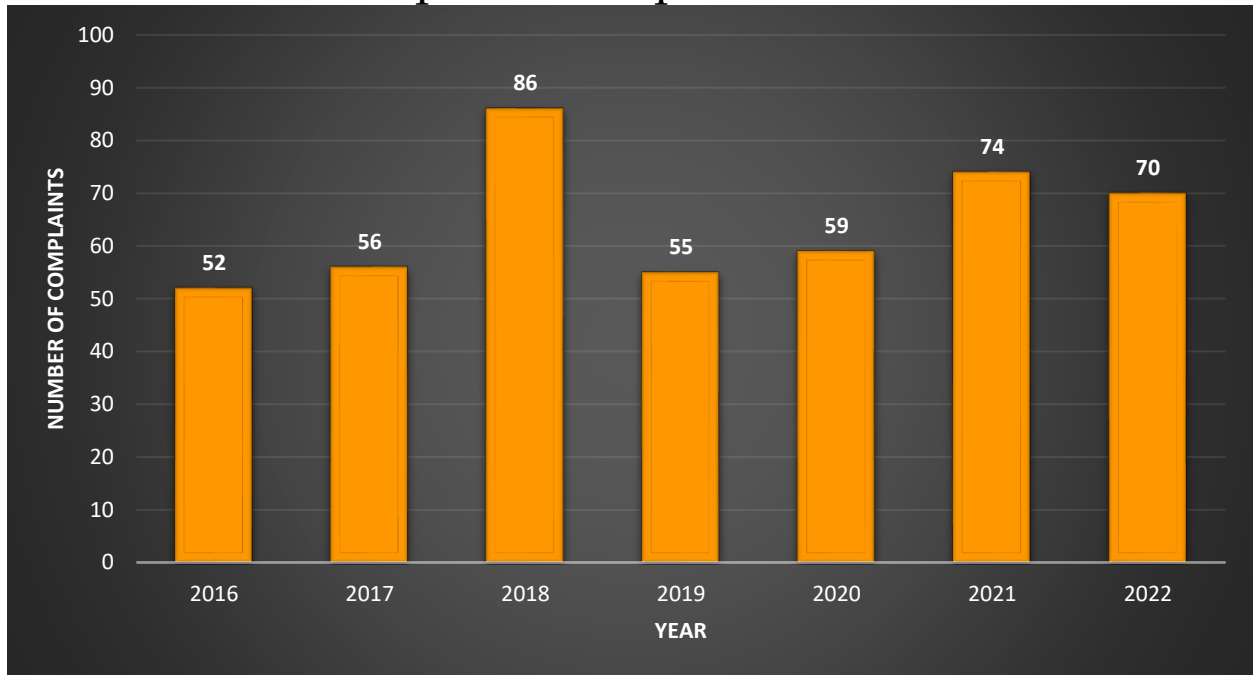


Chart 10 compares the total complaints concerning SFD from 2016 through 2022.

Chart 11: SFD Allegation Comparison 2016-2022

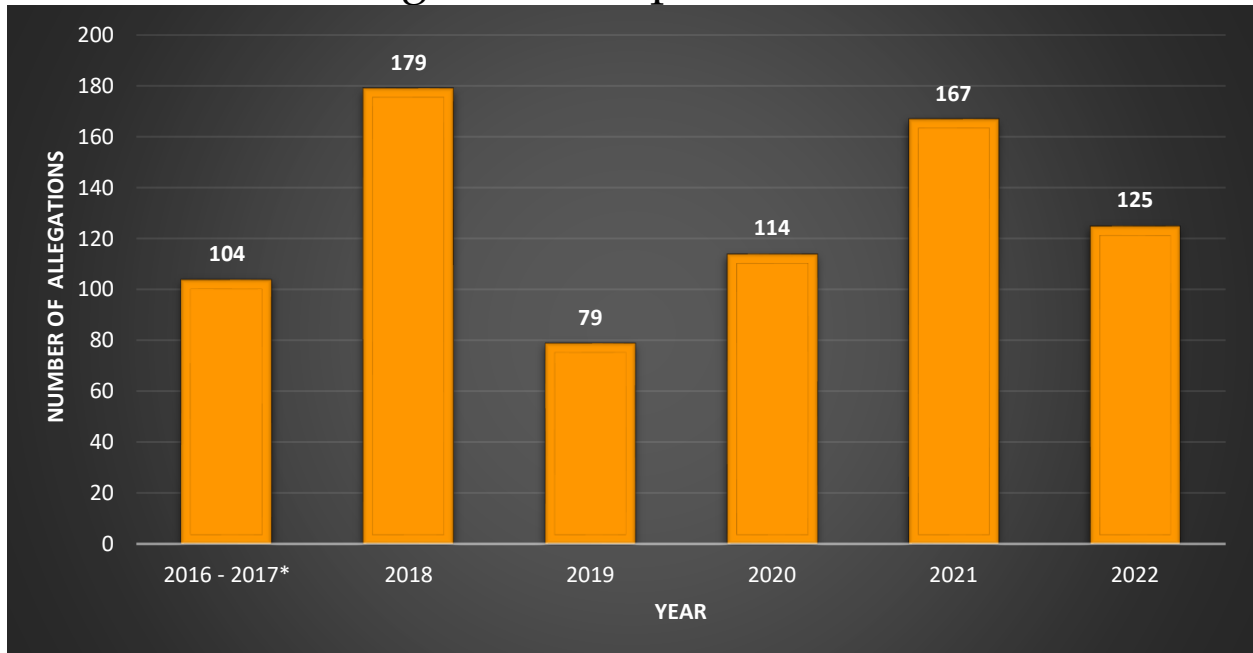


Chart 11 compares the total complaint allegations received by SFD from 2016 through 2022. *This data includes 2016 and the first 6 months of 2017. Note: one investigation could include multiple allegations.

Chart 12: SFD Allegation Breakdown 2022

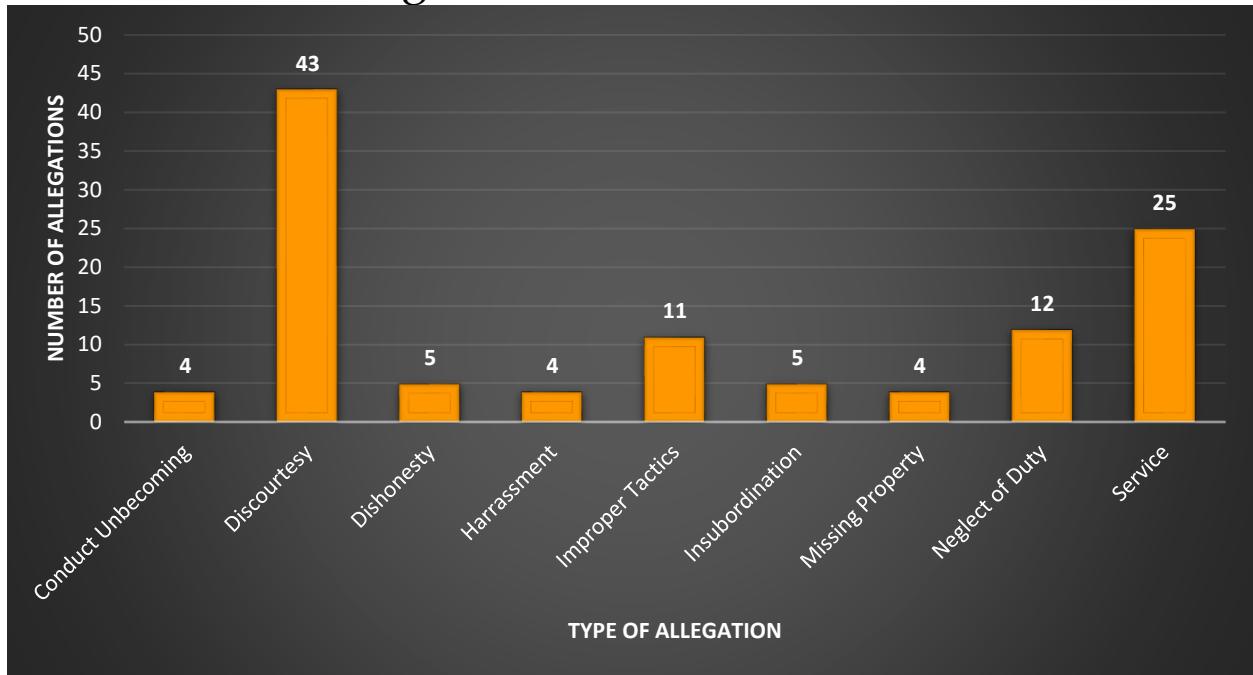


Chart 12 identifies the breakdown of the 113 misconduct allegations filed against SFD employees during the period of this report. Note: There may be multiple allegations per investigation.

Chart 13: OPSA Allegation Breakdown 2022

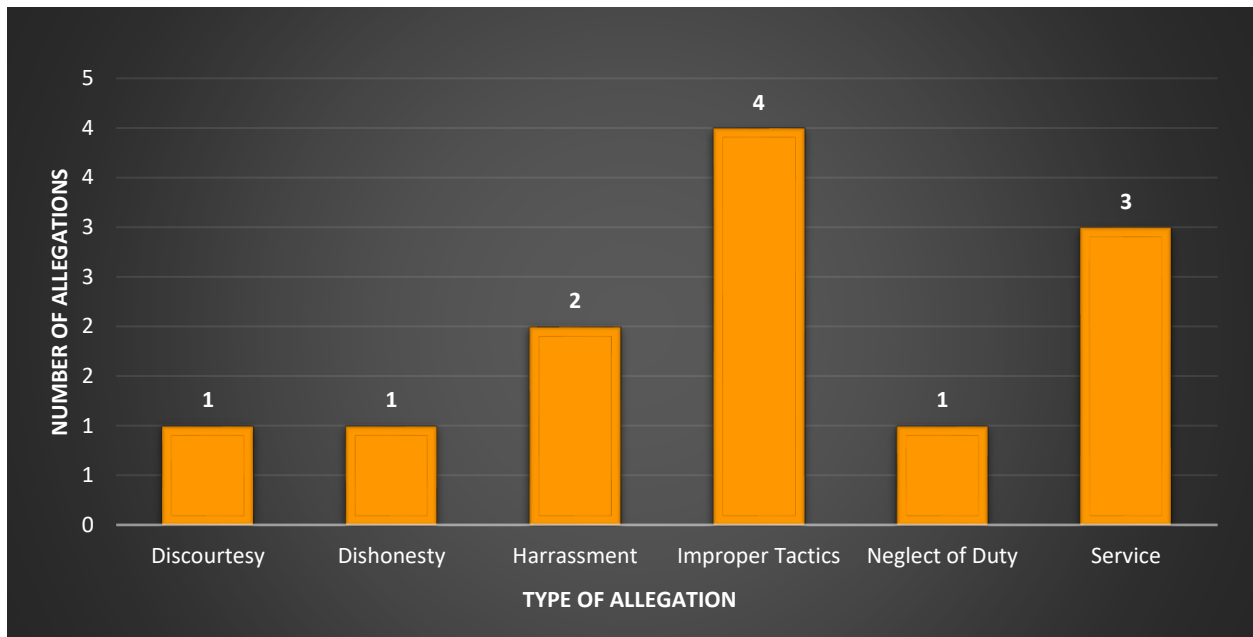


Chart 13 identifies the 12 misconduct allegations that were filed with OPSA against fire personnel during this reporting period. These allegations were evaluated with OPSA receiving the preliminary complaint information and discussed or forwarded to SFD for investigation, as needed. Note: one investigation could include multiple allegations

Chart 14: SFD Allegation Dispositions

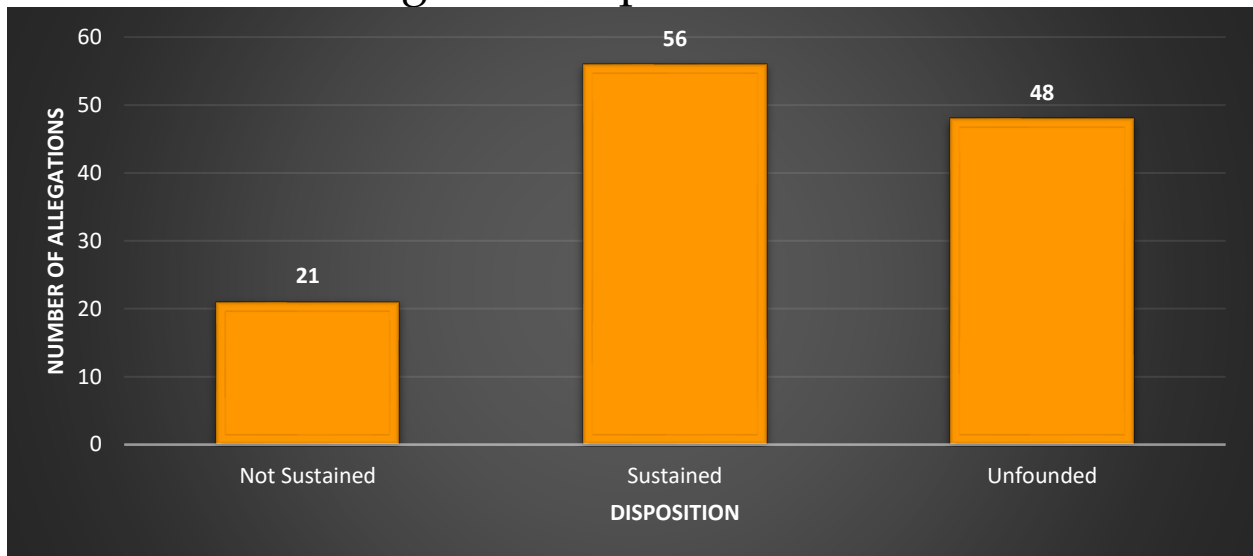


Chart 14 shows that of the 71 completed 2022 misconduct cases with a total of 125 allegations, 56 of the allegations were Sustained and referred to Fire Command Staff for disciplinary action against employees.

Chart 15: SFD Dispositions by Allegation

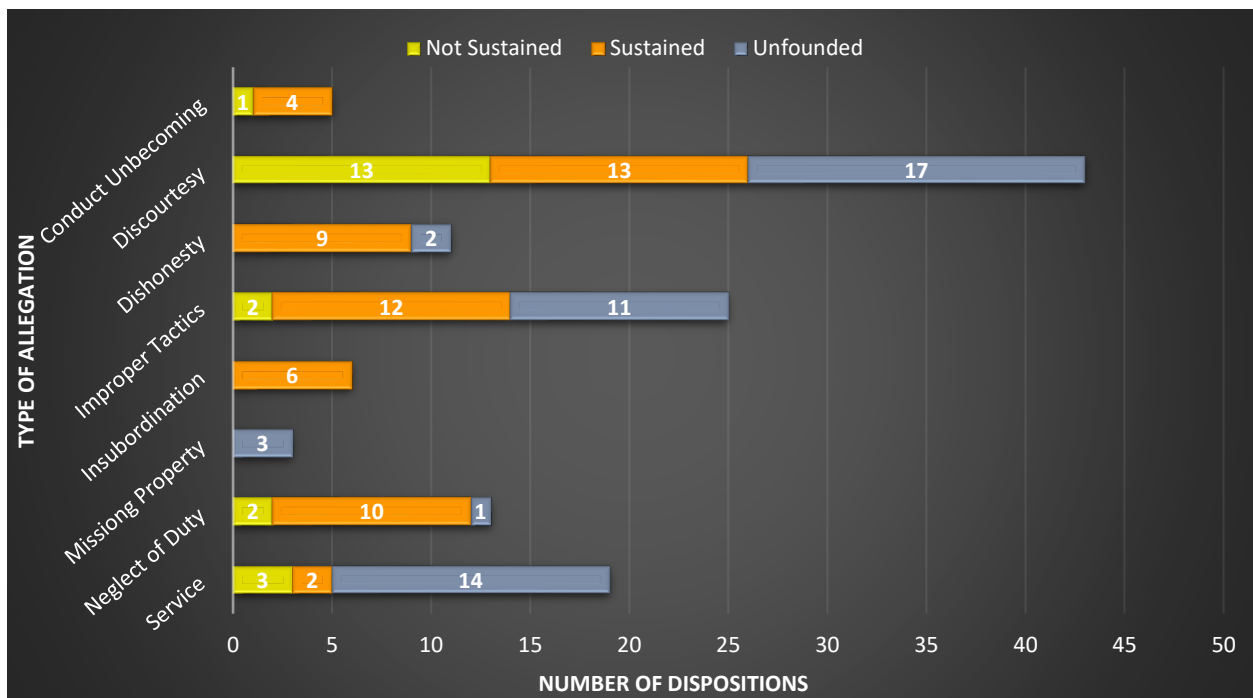


Chart 15 shows that allegations of Discourtesy were the most common complaint type made against Fire personnel in 2022.

Chart 16: SFD Discipline from Completed Investigations

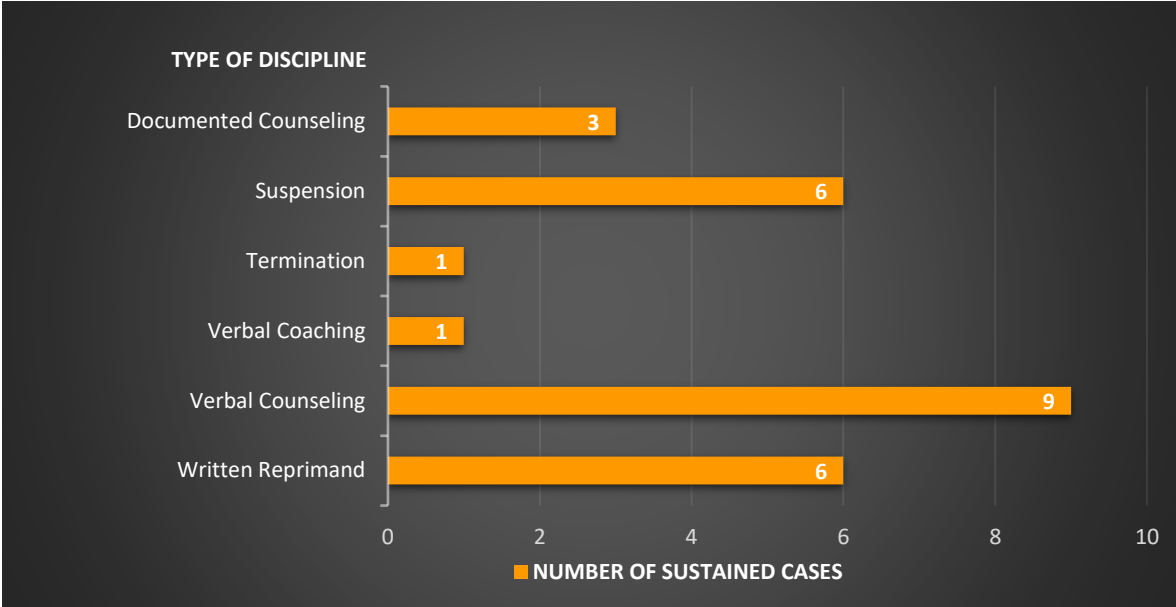


Chart 16 reflects the discipline imposed on 2022 misconduct investigations according to data provided by SFD PSU. Note that discipline imposed can be imposed upon multiple employees involved in a single incident.

Outside Jurisdiction

There were 19 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.

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:

- City of Modesto, California Forward Together: Panel of Accountability Models - January 20, 2022
- Sacramento Police Department, Community Advancement Academy - September 15, 2022

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 separate departmental policy for searches and seizures.*

Sacramento Fire Department (SFD)

General Recommendations

- The Sacramento Fire Department Professional Standards Unit must conduct internal investigations impartially and thoroughly to ensure the most accurate findings.

Policy Recommendations

- Sacramento Fire Department Professional Standards Division should update its operations manual from 2007. *

*Repeat recommendations that have not been acted upon by the departments.

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



OPSA DIRECTOR
DR. LATESHA WATSON

Dr. Watson joined the OPSA team in 2020. She is an accomplished police executive and leadership expert bringing more than 27 years of experience in the policing profession to the office. As a Deputy Chief of Police in Arlington Police Department, she became the youngest chief in tenure and age to obtain the rank in 2014. She also became the 1st female African American Chief of Police in the entire State of Nevada and in the City of Henderson, Nevada. She holds a Ph.D. in International Psychology with a concentration in systems and organizations, a Ph.D. in Management and Organizational Leadership, a Master's degree in Criminology, and a Bachelor's degree in Criminal Justice.



EXECUTIVE ASSISTANT
ALAYNA MAGDALENO

Mrs. Magdaleno is the most tenured OPSA team member in the office. She joined the team in 2018 bringing management experience from the banking industry to the office. She holds an Associate degree in General Studies.



OPSA SPECIALIST

MICHELE VALEROS

Mrs. Valeros joined the OPSA team in 2022. She has an extensive amount of experience in the law profession as a paralegal in the U.S. Attorney's Office and the U.S. Small Business Administration. In addition, she has experience conducting investigations with the San Joaquin County District Attorney's Office – Bureau of Investigations. She is also a professor instructing college courses for paralegal studies, criminal litigation and procedure, social justice, and ethics. She holds a Master's Degree in Forensic Science with a concentration in investigation, a Bachelor's degree in Pre-Law studies, and an Associate degree in Behavioral Science.



OPSA SPECIALIST

ANGELA STEVENS

Ms. Stevens joined the OPSA team in 2023. She brings specialized criminal law experience to the office as a defense attorney for the Commonwealth of Kentucky – Department of Public Advocacy handling cases in the felony, misdemeanor, and juvenile divisions. In addition, she has experience handling cases in the misdemeanor division of the Federal Defender's Office for the Eastern District of California. She obtained her law degree in 2020 from University of the Pacific - McGeorge School of Law.



OPSA INSPECTOR GENERAL

DWIGHT WHITE

Mr. White joined the OPSA team in 2021. He brings a wealth of knowledge conducting significant criminal investigations as a Certified Illinois Lead Homicide Investigator for the City of Chicago – Civilian Office of Police Accountability (COPA). He also has financial crimes investigative experience. He obtained his law degree in 2014 from the University of Illinois Chicago – School of Law, formerly The John Marshall Law School.

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.

City of
SACRAMENTO

Office of Public Safety Accountability

www.cityofsacramento.org/opsa