

# RECOMMENDATION SUBMISSION AND RESPONSE FORM

2020 Discipline and Accountability #11

DISCUSSED BY SCPRC	
RECEIVED BY SPD	02/08/2021
RETURNED TO SCPRC	

APPROVED AND IMPLEMENTED		PENDING FURTHER REVIEW	
APPROVED AND PENDING		SPD UNABLE TO IMPLEMENT	
PARTIAL IMPLEMENTATION		DENIED	X

## SCPRC RECOMMENDATION

3. Establish a general matrix for progressive discipline to inform peace officers of disciplinary consequences associated with sustained complaints; ensure fair and consistent administration of discipline; and set forth a benchmark for future disciplinary measures. Moreover, this recommendation seeks to provide transparency and awareness to all officers of the consequences of “causes of discipline” set forth in Rule 12.2 subsections (a) through (x), which may lead to a Notice of Disciplinary Action as provided for in Rule 12.4, and to establish a mandatory minimum baseline for multiple sustained complaints.
- Including establishing mandatory minimum progressive discipline baseline for taking corrective action (i.e., suspension for “x” days, no discretion) for specific offenses:
    1. Failure to deescalate (Current SPD policy on de-escalation: G.O. 580.02)
    2. Intentionally turning off body camera (Current SPD policy on body camera: G.O. 525.07 dated 1-16-2019 (Section F))
    3. Use of city equipment, i.e., CLETs machine for unauthorized purposes (G.O. 410.09)
    4. Theft of property
    5. Discourteous to public
    6. Drunk/intoxicated while on duty
    7. Substance abuse (after department or court ordered treatment)
    8. Battery on spouse or co-habitant
- Basis for the above recommendation includes, but is not limited to, the following:
- CA Attorney General Press Release, July 8, 2020, found at <https://www.oag.ca.gov/news/press-releases/attorney-general-becerra-issues-second-report-review-sacramento-police>.
  - Attorney General Review of Sacramento Police Department 2020 Report, found at <https://oag.ca.gov/system/files/attachments/press-docs/SPD%20Report%20Phase%20II.pdf>.
  - Rule 12.2 Causes of Discipline.
  - Rule 12.3 Definition of Discipline (when any action below is taken against and employee for misconduct pursuant to Rule 12.2.).

## SCPRC RECOMMENDATION RATIONALE

C. DISCIPLINE: The Commission understands that some of these recommendations are already in practice at SPD. Nonetheless, the Commission recommends that SPD explicitly incorporate these items into its General Orders.

## SPD RESPONSE

Sacramento City Council Meeting (Item #2) on 06/01/2021, presented by Deputy Chief Lester:

- 2:30 PM City Council (Special Meeting): <https://sacramento.granicus.com/player/clip/4964>
  - Minute Marker: 55:53
- Staff Report: [https://sacramento.granicus.com/MetaViewer.php?view\\_id=21&meta\\_id=631887](https://sacramento.granicus.com/MetaViewer.php?view_id=21&meta_id=631887)
  - Page 8 and 9

Discipline is determined based on the seriousness of the offense, the past history of the officer, and other factors in collaboration with City Labor and the City Attorney’s office.

Each investigation is unique and mitigating factors should be considered in the issuing of discipline to ensure accountability and mitigate misconduct.

OTHER CITY DEPARTMENTS

N/A

APPENDIX

N/A