

RECOMMENDATION SUBMISSION AND RESPONSE FORM

2020 Discipline and Accountability #5

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

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

SCPRC RECOMMENDATION

Identify and reject applicants for hire or lateral transfer if background investigation (or personnel file, including information made accessible pursuant to A.B. 1421) reveals gross UOF or a pattern and practice of UOF. SPD must seek and obtain this information before they hire.

SCPRC RECOMMENDATION RATIONALE

B. HIRING: 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's current policy on background investigations is G.O. 255.10, dated 6-14-2001)

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: 49:35
- Staff Report: https://sacramento.granicus.com/MetaViewer.php?view_id=21&meta_id=631887
 - Page 6 and 7

This is the Department's current practice. This information is included as part of the Background investigation in accordance with POST Guidelines.

All applicants are interviewed to identify violent tendencies and impulse control issues. All candidates must report if they have ever been in violation of a work policy or had any sort of discipline at work, which would apply to any lateral officer who had exhibited gross use of force. All applicants are also asked if they have ever been in a physical altercation or hostile confrontation at work. Other work-related questions include whether or not they had ever had a complaint made against them, if they ever left a job in lieu of being fired, or ever caused an injury to someone at work due to improper behavior.

Lastly, we review Internal Affairs, Training, and Personnel files for all lateral candidates.

Any allegation of excessive force, whether sustained or not, is brought to the attention of the Background's Sergeant, Personnel Captain, and Chief of Police.

OTHER CITY DEPARTMENTS

N/A

APPENDIX

California Commission on Peace Officer Standards and Training, Background Investigation Manual:

- <https://post.ca.gov/background-investigation-manual-guidelines-for-the-investigator>
- https://post.ca.gov/portals/0/post_docs/publications/background-investigation-manual/Background_Investigation.pdf

As of January 1, 2022, Senate Bill 2 was enacted and authorizes the California Commission on Peace Officer Standards and Training to decertify peace officers.

- https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB2