# PERFORMANCE AUDIT OF THE SAN DIEGO POLICE DEPARTMENT'S DATA ANALYSIS

SDPD Can Improve Operational Data Analysis and Procedures for Accepting Citizen Complaints

**Office of the City Auditor**

**City of San Diego**

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## Performance Audit of SDPD's Data Analysis
SDPD Can Improve Operational Data Analysis and Procedures for Accepting Citizen Complaints

## Why OCA Did This Study

The San Diego Police Department's (SDPD) mission is to maintain public safety by providing the highest quality police services to all of the City's communities. SDPD is the largest General Fund department, accounting for a third of both funds and employees. However, SDPD also has a low officer-to-resident ratio compared to other major city police departments. Therefore, complete and accurate data collection, analysis, and reporting are essential to monitoring SDPD's activities and ensuring SDPD delivers the most efficient, effective, and equitable services possible to promote the well-being of the community.

## What OCA Found

**Finding 1:** We found that SDPD has policies and procedures, system controls, supervisory review, and outside agency review to help ensure reported crime and Racial and Identity Profiling Act (RIPA) data is complete, reliable, and secure. However, we found there may be some minor variations in the completeness of the data reported by officers.

**Finding 2:** We found that SDPD can better use its existing data to internally evaluate and improve its operations and enable evidence-based decision making. Surveyed commanders in SDPD's Patrol and Neighborhood Policing Divisions reported that they regularly use data analysis tools for tactical purposes, but they do not generally receive or use data analysis to evaluate operations. For example, SDPD could gain valuable information for improving police services by evaluating the effects of community-based policing efforts on crime levels and the impact of response times on the likelihood of a crime report or arrest.

**Finding 3:** We found that SDPD's complaint process requires accepting, investigating, and reporting complaints, including anonymous and third-party complaints. However, we found that SDPD's complaint forms are not as readily accessible as Best Practices require, and the Community Review Board on Police Practices' (CRB) online complaint form embedded on SDPD's website includes statements and requirements that may inadvertently discourage the submission of anonymous or third-party complaints. Having readily available complaint forms and informing potential complainants of other ways to file complaints—including anonymously and on another's behalf— would help ensure all potential complaints are accepted. Additionally, there is an inherent risk that sergeants may not always follow procedure, and we found this risk is increased for the complaint process due to several recent changes to the complaints procedure and practices. This could result in some complaints being incorrectly classified and documented, preventing SDPD and the public from identifying and addressing potential misconduct.

## What OCA Recommends

SDPD largely follows best practices regarding crime reporting, crime data analysis, and procedures for filing complaints against officers. We identified a few ways that SDPD could further improve its policies and procedures to ensure that it is maximizing the quality of its data, use of that data for evidence-based decision making, and ensuring all potential complaints against officers are accepted.

We make 9 recommendations to improve crime reporting, RIPA reporting, data analysis, and the complaint process. SDPD agreed to implement all of them.

Key recommendations include:
- Have an independent third party validate the data reliability of SDPD's crime report systems.
- Update crime report procedures and training materials.
- Ensure RIPA data collection guidance and training align with all requirements.
- Require regular data analysis of Department operations, such as community-based policing efforts or the effects of response times on call outcomes.
- Conduct outreach and surveys of officers, sergeants, and commanders to improve data analysis reports and tools.
- Establish review access to allow the CRB to review all formal and informal investigations, including calls resolved without filing a formal complaint.
- Keep complaint forms in all vehicles and ensure forms do not inadvertently discourage anonymous or third-party complaints.

For more information, contact Kyle Elser, Interim City Auditor at (619) 533-3165 or cityauditor@sandiego.gov

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September 28, 2020

Honorable Mayor, City Council, and Audit Committee Members
City of San Diego, California

Transmitted herewith is a performance audit report on the San Diego Police Department's Data Analysis. This report was conducted in accordance with the City Auditor's Fiscal Year 2020 Audit Work Plan, and the report is presented in accordance with City Charter Section 39.2. The Results in Brief are presented on page 1. Audit Objectives, Scope, and Methodology are presented in Appendix B. Management's responses to our audit recommendations are presented after page 103 of this report.

We would like to thank staff from the San Diego Police Department for their assistance and cooperation during this audit. All of their valuable time and efforts spent on providing us information is greatly appreciated. The audit staff members responsible for this audit report are Zoya Ahmed, Joseph Picek, Stephen Gomez, Danielle Knighten, and Andy Hanau.

Respectfully submitted,

Kyle Elser
Interim City Auditor

cc:     Honorable City Attorney Mara Elliott
        Kris Michell, Chief Operating Officer
        Jeff Sturak, Assistant Chief Operating Officer
        Matthew Helm, Chief Compliance Officer
        David Nisleit, Police Chief
        Albert Guaderrama, Executive Assistant Chief
        Sandra Albrektsen, Assistant Chief
        Jeffrey Jordon, Captain
        Mike Holden, Captain
        Kenneth So, Deputy City Attorney
        Andrea Tevlin, Independent Budget Analyst

**OFFICE OF THE CITY AUDITOR**
**600 B STREET, SUITE 1350 ● SAN DIEGO, CA 92101**
**PHONE (619) 533-3165 ● FAX (619) 533-3036**

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# Results in Brief

Complete and accurate data is essential for the San Diego Police Department (SDPD) to inform the public of the City of San Diego's (City) safety, enable oversight of operations, and allow SDPD to analyze and evaluate operations to enable evidence-based operational decision making. SDPD's mission is to maintain public safety by providing the highest quality police services to all of the City's communities. The value placed on SDPD's mission is reflected in the resources dedicated to it, as SDPD is the largest General Fund department, accounting for over a third of the General Fund budget and employees. As such, the efficient, effective, and equitable operation of the department is important for the City, residents, taxpayers, and visitors.

SDPD is required to collect and report data on many aspects of its operations, including crimes reported, Racial and Identity Profiling Act (RIPA) stop data, and complaints against officers. State and federal regulations define SDPD's crime reporting requirements. State regulations established by RIPA require SDPD report data on all stops and searches conducted by SDPD with the ultimate objective to eliminate racial and identity profiling. Although RIPA expanded stop reporting and made it a statewide requirement, SDPD had been collecting and analyzing stop data since 2000.

Law enforcement organizations recommend best practices for conducting analysis of data to evaluate operations and make evidence-based operational decisions. State law requires SDPD establish a procedure for accepting and investigating complaints, and best practices from the RIPA Board and law enforcement organizations recommend that the procedure maximize transparency in order for citizens to feel their complaints will be heard.

**Finding 1: SDPD Has Internal Controls that Should Help Ensure Reliable Crime Data and RIPA Reports for All Stops, but Minor Inconsistencies Could Affect Future Reporting Requirements and RIPA Completeness**

We found that SDPD has policies and procedures, system controls, supervisory review, and outside agency review to help ensure reported crime and RIPA data is complete, reliable, and secure. However, we found there may be some minor variations in the completeness of the data reported by officers. Specifically, for crime data, we found that although according to current reporting standards, SDPD's system of internal controls should help ensure complete and accurate crime data reporting, SDPD will be transitioning to a new reporting standard that will require additional information, and there is a risk that officers may file reports in a way that does not comply with this new standard. In addition, for RIPA data, we found that due to conflicting guidance and training, some officers may not be completely reporting the data according to RIPA requirements.[1] The potential minor variation in completeness of crime data may create inefficiencies or delay SDPD's planned transition to the new reporting standard. Additionally, the potential minor variation in completeness of RIPA data may result in some reports being out of compliance with one RIPA requirement.

Since reviewing a draft of this report, SDPD has modified its RIPA guidance and instructed Division Commanders to provide training that clarifies the requirements. To address the issues described above, we recommend SDPD improve training to help ensure officers fill out all crimes in reportable fields to facilitate transition to a new reporting standard, and improve training and documentation on RIPA reporting to help ensure all police stop and detention results are reported.

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[1] Specifically, an FAQ document stated that officers should only fill out a single outcome of a stop, while RIPA requires that officers fill out all outcomes of a stop. SDPD stated that all other training consistently instructed officers to fill out all outcomes of a stop, but the training documents provided did not specify reporting all stops with the exception of the RIPA form included in **Appendix F**. However, this form is not generally used for filing reports, and the web application generally used does not include a statement about reporting all outcomes.

**Finding 2: SDPD Can Improve Its Use of Existing Data to Evaluate Its Operations and Maximize Evidence-Based Decision Making**

We found that SDPD can better use its existing data to internally evaluate and improve its operations and enable evidence-based decision making. Surveyed Commanders in SDPD's Patrol and Neighborhood Policing Divisions reported that they regularly use data analysis tools for tactical purposes, such as researching information about a location or person. However, surveyed SDPD Commanders reported that they do not generally receive or use data analysis to evaluate operations, for example evaluating the effects of community-based policing efforts on crime levels and evaluating the impact of response times on the likelihood of a crime report or arrest.

As a result, SDPD may not be maximizing its ability to improve its operations and the equity of service by using its data to evaluate operations. Using data analysis to evaluate operations could improve SDPD's operations by prioritizing the most effective and equitable activities for reducing crime and improving the quality of life for San Diego residents and visitors.

To improve its use of data analysis for operational evaluation and evidence-based decision making, we recommend SDPD add a requirement for additional data analysis of operations, the Crime Analysis Unit conduct additional outreach with Commanders to determine their data analysis needs, and the Crime Analysis Unit survey all officers and Commanders for their information needs.

**Finding 3: SDPD Complies With State Law by Having a Complaint Procedure, but the Process Can Be Improved for Accepting Complaints Against Officers and Informing the Public of Its Complaints Process**

In addition to crime and RIPA data, SDPD tracks and reports on complaints against officers. In order to provide officer accountability and transparency to the public, law enforcement agencies, such as SDPD, are required by state law to establish a procedure for receiving and investigating complaints. The complaint procedures should provide maximum transparency in order for citizens to feel their complaints can be heard.

SDPD has a lower complaints against officers rate in comparison to the law enforcement agencies of other cities. SDPD's complaint procedures largely follow best practices. We recommend that SDPD further strengthen its procedures to address internal control deficiencies that could inadvertently discourage anonymous and third-party complaints, and address

the inherent risk that supervisors may not follow the most current procedures.

SDPD has made a variety of improvements to its complaints process, and we found that SDPD's complaint process requires accepting, investigating, and reporting complaints, including anonymous and third-party complaints. However, complaint forms are not as readily accessible as RIPA Board best practices recommend, and the Community Review Board on Police Practices' (CRB) online complaint form embedded on SDPD's website includes statements and requirements that may inadvertently discourage the submission of anonymous or third-party complaints.

Further, although SDPD's policy of requiring Sergeants to respond immediately to complaints can be beneficial when a complainant agrees to file the complaint in person, also making complaint forms readily available and informing potential complainants of other ways to file complaints—including anonymously and on another's behalf—would help ensure all potential complaints are accepted. Additionally, we found that while there is an inherent risk that Sergeants may not always follow procedure, this risk is increased due to several recent changes to these procedures and practices, which may lead to misunderstandings by some department members. As a result, some complaints may not be appropriately documented and reviewed. Currently, the CRB does not have the ability to review all complaint calls for compliance with procedures; this access would allow the CRB to act as a detective control to help mitigate this risk through independent audits. Combined, these issues may potentially lead to fewer complaints being filed and reported.

SDPD and the CRB recently expanded access for the CRB to review category 2 complaints. To further improve the complaint process and help ensure potential complainants are aware of all potential venues for filing complaints, we recommend SDPD give the CRB the ability to review all complaint calls; establish procedures for officers to inform a complainant of all potential ways to file a complaint and keep complaint forms in vehicles; and work with the CRB to revise the online complaint form to

ensure that potential complainants are aware that complaints can be filed anonymously.

We made a total of nine recommendations to improve crime reporting, RIPA reporting, data analysis, and the complaint process. SDPD agreed to implement all of them.

# Background

**Introduction**

Crime data, Racial and Identity Profiling Act (RIPA) stop data, and data on complaints against officers are important types of data for compliance and transparency of law enforcement agencies. Crime data is one of the key metrics by which the San Diego Police Department (SDPD), City Council, and the public can evaluate the safety of the City. Although crime rates are not entirely under the control of SDPD, crime rates are a major outcome SDPD intends to affect through its efforts.

SDPD is required by state law to report complete and accurate crime data. California state law, California Department of Justice (DOJ) regulations, and federal reporting guidelines all provide the requirements for SDPD's data collection and reporting.

In addition to crime data, SDPD is required by state law to collect stop data according to RIPA. The Racial and Identity Profiling Advisory Board (RIPA Board) further recommends that law enforcement agencies analyze the stop data to understand and address policing disparities.

SDPD is also required by state law to report on complaints against officers. Prior to 2015, this data was reported to the DOJ and published in aggregate for the state, which did not allow analysis of individual law enforcement agencies. However, RIPA required that the DOJ publish disaggregated complaints data, making complaints data for each department visible.[2] SDPD also uses the year-over-year change in complaints as a key performance indicator.

In addition to regulatory compliance, complete and accurate data can help law enforcement agencies to analyze and evaluate their operations. By making evidence-based operational decisions, law enforcement agencies can maximize their efficiency and effectiveness by using strategies and tactics with demonstrated results. This is especially important in a police

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[2] This change added new requirements for departments to report types of profiling alleged, the disposition of complaints, and it changed how the DOJ publishes the data. Whereas the DOJ previously published complaints data at the state level, it now publishes the data at the agency level.

department with low staffing compared to other major cities, where optimal use of scarce resources is necessary in the event of unexpected emergencies or other resource constraints.

In accordance with the Office of the City Auditor's Fiscal Year (FY) 2020 Audit Work Plan, we conducted a performance audit of the San Diego Police Department's Data Analysis. The overall objective of this audit was to assess the reliability and completeness of data reported by SDPD. In order to achieve this objective, we:

- Reviewed SDPD's system of internal controls around crime and RIPA stop data collection, review, and reporting to the DOJ,

- Reviewed SDPD's use of crime data for operational evaluation and decision making; and

- Reviewed SDPD's policies and procedures for receiving and reporting on complaints against officers.

Although our audit scope included a data reliability test of SDPD's crime data, we were unable to complete the test at this time. As part of its emergency operations procedures for the COVID-19 emergency declared by the Mayor on March 12, 2020, SDPD enacted physical security measures to restrict access of any non-essential personnel, including all non-SDPD personnel, to all SDPD locations. To address this scope impairment, we will review the results of an FBI quality assurance review conducted as part of SDPD's National Incident Based Reporting System (NIBRS) certification. If the certification is not complete by December 31, 2020, we will conduct a data reliability test when we are able to access SDPD facilities.

A complete objective, scope, and methodology statement is found in **Appendix B**.
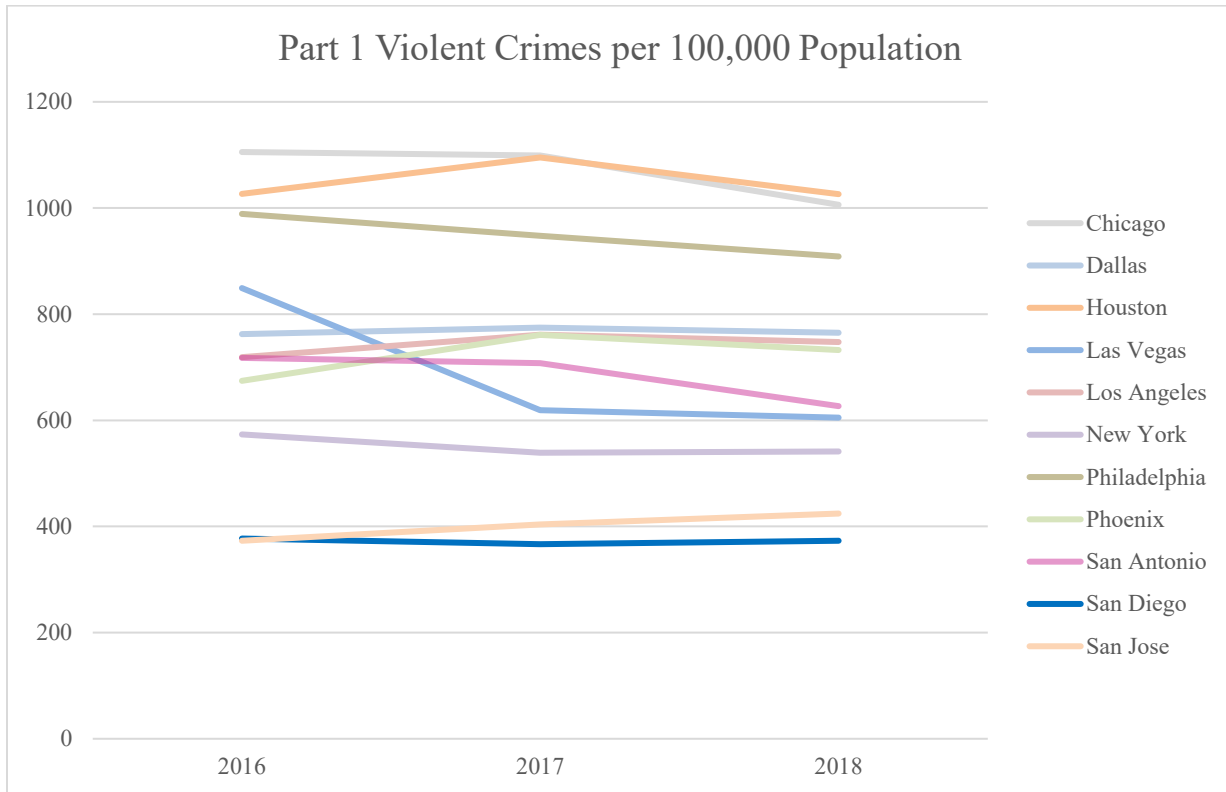
*San Diego is Among the Safest Major Cities in the US, and Residents Indicated They Are Generally Satisfied with SDPD Services*

San Diego is among the safest major cities in the United States according to the FBI's crime statistics. During Calendar Year (CY) 2016 to CY2018, San Diego consistently had one of the lowest Part 1 violent crime rates for cities over one million residents.

**Exhibit 1** shows San Diego's Part 1 violent crime rate in comparison to other major cities.[3]

***Exhibit 1:***

**San Diego Has One of the Lowest Part 1 Violent Crime Rates for Cities Over 1 Million Population**

Part 1 Violent Crimes per 100,000 Population



Legend: Chicago, Dallas, Houston, Las Vegas, Los Angeles, New York, Philadelphia, Phoenix, San Antonio, San Diego, San Jose

Source: OCA generated from FBI crime data.

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[3] Part 1 violent crimes are defined by the FBI's Uniform Crime Reporting (UCR) Program as murder, rape, robbery, and aggravated assault. UCR also includes Part 1 property crimes, which are burglary, larceny-theft, and motor vehicle theft. As part of UCR reporting, law enforcement agencies also report on arsons. See Finding 1 for more details on reporting requirements.

*SDPD is the Largest General Fund Department, but Its Staffing is Low Compared to Other Major Cities in the US*

Public safety is a central part of the City's responsibility to its residents, and SDPD's portion of the City's General Fund budget reflects this priority. SDPD is the largest General Fund department in the City, accounting for about one-third of both General Fund expenditures and employees. **Exhibit 2** compares the budget and full time equivalent (FTE) positions for SDPD and the total of all General Fund departments.

*Exhibit 2:*

**SDPD Accounts for One-Third of the General Fund**

|  | *FY17 Budget* | | *FY18 Budget* | | *FY 19 Budget* | | *FY 20 Budget* | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | *FTE* | *Dollars* | *FTEs* | *Dollars* | *FTEs* | *Dollars* | *FTEs* | *Dollars* |
| *SDPD* | 2,644.01 | $442.7m | 2,653.01 | $472.9M | 2,657.01 | $477.7M | 2,655.14 | $546.9M |
| *General Fund* | 7,530.69 | $1.321B | 7,527.43 | $1.418B | 7,614.12 | $1.459B | 7,676.51 | $1.575B |
| *SDPD as Percentage of General Fund* | 35% | 34% | 35% | 33% | 35% | 33% | 35% | 35% |

Source: OCA generated based on SDPD and General Fund budget documents

However, even with such a large share of the City's budget and staffing, SDPD has a lower officer-to-resident ratio compared to large cities around the country. According to the FBI's Law Enforcement Employment data for 2008 to 2018, San Diego had an average of 1.37 officers per 1,000 population, which had declined to 1.21 in 2018. By comparison, the average for all cities with populations over 500,000 was 2.5 officers per 1,000 population. However, the City is closer to the average for California cities with populations over 500,000, which is 1.84 officers per 1,000 population. In terms of total employment (officers and civilians), San Diego had an average of 1.85 employees per 1,000 population. By comparison, the average for all cities with populations over 500,000 was 3.2 employees per 1,000 population. The average for California cities over 500,000 was 2.4 employees per 1,000 population. SDPD's civilian employment percentage of 26 percent was slightly higher than state and national averages of 23 percent and 22 percent respectively.

For an organization with low staffing relative to the population it serves, it is important to maximize the efficiency of services. Such efficiency considerations become even more important as the City faces economic challenges related to the COVID-19 emergency.

**SDPD Data Reporting Must Meet Regulatory Requirements, and It Is Also a Component of SDPD's Key Performance Indicators for Oversight**

Complete and reliable crime data is important for meeting regulatory requirements, pursuing grants, managing SDPD operations, and enabling oversight by City Council and the public.

SDPD is required by law to report certain crime data to the California Department of Justice (DOJ). The DOJ sets regulations on the type and format of data law enforcement agencies must submit. Additionally, California's Racial and Identity Profiling Act (RIPA) requires law enforcement agencies submit information on all stops or detentions. This data is reported by the RIPA Advisory Board for the State of California, and SDPD contracted with the Center for Policing Equity to conduct additional analysis for SDPD.

The DOJ requires law enforcement agencies to submit crime statistics according to the FBI's Uniform Crime Reporting (UCR) Program's requirements. The DOJ uses this data for its own purposes and submits the data to the FBI. The UCR reporting requirements define the types of crimes to report and how agencies count crimes. Although the UCR Program warns against using crime data to compare between agencies, grant funding for law enforcement frequently uses crime data, and SDPD uses its crime rate in comparison to other major cities as a key performance indicator.

SDPD reports its Part 1 violent crime rate and Part 1 violent crime clearance rate as a key performance indicator in its budget. It also reports San Diego's rank in Part 1 violent crime rates among the 30 largest US cities.

Additionally, internal and external data reporting is a key component of managing operations. Law enforcement best practices also encourages the use of evidence-based operational decisions.

**Crime Data Begins with Officers Filing Reports, Goes through Multiple System Checks and Reviews, and Is Reported by the Crime Analysis Unit**

SDPD's process for collecting, aggregating, and reporting crime data includes multiple data validation checks by both system and manual controls. For reporting crime data to the DOJ, SDPD uses data from the Automated Regional Justice Information System (ARJIS), which acts as a clearinghouse for San Diego area law enforcement agencies. As a result, data reported to the DOJ has been validated multiple times to ensure compliance with state and federal regulations.

The process for reporting crime data begins with the filing of a crime report by officers in the field. The data then goes through automated checks, supervisory review, and external review by ARJIS. This reporting process turns field reports into summary statistics to be reported to the DOJ for compliance with state and federal regulations.

**SDPD Complaints Data is Required by State Law and is a Component of SDPD's Key Performance Indicators for Oversight**

In addition to crime data, complete and accurate complaints data is important for meeting regulatory requirements and for effectively managing SDPD operations. California law requires law enforcement agencies to create a process for accepting complaints against officers. Law enforcement agencies are also required to submit data on complaints received to the DOJ. Although the DOJ previously reported complaints at an aggregated level, RIPA changed the reporting requirement to disaggregate data, so it is now possible to compare departments.

The 2019 RIPA Board Annual Report provided disaggregated complaint data for some of the largest law enforcement agencies in the state because these agencies were the first required to report RIPA data. San Diego's complaints are among the lowest, and they are especially low on a per-capita or per-officer basis. Although this may indicate that SDPD is performing well, it may also indicate that SDPD's complaints reporting is somehow incomplete. We examined this possibility in **Finding 3**.

SDPD also reports percentage change in complaints against officers as a key performance indicator. As with crime data, complaints are an important measure of operations, and

complaints data should be used to analyze and evaluate operations.

*SDPD Recently Implemented a New Crime Reporting System, NetRMS, to Allow It to Comply with Changing Reporting Standards*

In order to prepare for a new reporting standard, SDPD implemenetd a new crime report management system, NetRMS, in 2017.[4] SDPD began with a pilot effort with the Centralized Telephone Report Unit using NetRMS to complete auto theft reports in 2017, and the phased implementation for Patrol Division and the rest of SDPD took place in 2018 through 2019. SDPD received a grant from the federal government to assist in the deployment of NetRMS, a commercial crime report management system that meets new reporting standards to ensure SDPD can continue to contribute to the FBI's UCR Program. The UCR Program will only accept data according to the new format after January 1, 2021.

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[4] SDPD refers to this as a records management system (RMS), but we refer to it as a crime report management system here to distinguish it from the many other records systems used by SDPD.

**Reliable Crime Data Enables the Use of Analysis and Evaluation of SDPD Operations to Maximize Efficiency, Effectiveness, and Equity of SDPD Operations**

Reliable crime data enables analysis and evaluation of SDPD operations, which can allow evidence-based decision making to improve the efficiency, effectiveness, and equity of operations. SDPD can use reliable data to determine which activities produce the most efficient and effective results. However, the principles of evidence-based policing are a complement to other policing models, not a replacement. Determining the appropriate desired outcomes to analyze with data is an important consideration in integrating crime data analysis into operational analysis and decision making. SDPD balances multiple outcomes, including crime rates, clearance rates, officer safety, community engagement, public trust, and resident satisfaction. The actions that maximize one outcome may not maximize another.

Complete complaints data enables analysis and evaluation of SDPD operations by SDPD Command, City Council, and the public. It is important for SDPD Command, City Council, and the public to have an accurate understanding of all complaints to understand what activities are generating complaints. While this is most important for serious complaints, even complaints that arise due to dissatisfaction or misunderstandings can provide valuable information for understanding police-community relations.

For example, if SDPD were to discover that a certain policy is resulting in a great deal of community dissatisfaction—even though no officer is violating the policy—it could provide SDPD the opportunity to reach out to the public on the importance of the policy or to revise the policy to prevent such dissatisfaction. Furthermore, complete reporting of all complaints—whether formally investigated, informally investigated, or mere misunderstandings—ensures transparency for oversight and the public.

**Recent Events Highlight the Importance of Transparancy and Accountability**

Recent national and local attention to police accountability further emphasize the importance of transparently evaluating SDPD's activities and complaints against officers. Completely and accurately recording and reporting on crimes and complaints against officers are one component of such transparency.

In addition to recording and reporting on outcomes, SDPD can use its data to evaluate the efficiency, effectiveness, and equity of its operations. For example, evaluation of specific policing strategies, such as community-oriented policing, and tactics, such as specific use of force procedures, would allow SDPD to determine which strategies and tactics best advance its goals.

It is also important to note that although crime statistics are an important measure of SDPD's effectiveness, they are not the only measure of their effectiveness. SDPD's mission and values include not only improving public safety, but also ensuring trust in the department and ensuring everyone has the opportunity to thrive. Therefore, in any use of police data to evaluate performance, SDPD must carefully consider the outcome it intends to affect, including measures of community trust and satisfaction with police services in addition to crime statistics.

# Audit Results

## Finding 1: SDPD Has Internal Controls that Should Help Ensure Reliable Crime Data and RIPA Reports for All Stops, but Minor Inconsistencies Could Affect Future Reporting Requirements and RIPA Completeness

**Finding Summary**

Complete and accurate crime data is important for law enforcement agencies to inform the public of the City's safety, enable oversight of operations, and allow the agencies to analyze and evaluate operations to enable evidence-based operational decision making.

The San Diego Police Department (SDPD) is required to keep and submit certain data on crimes and clearances to the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). SDPD is also required to submit Racial and Identity Profiling Act (RIPA) data to the DOJ.

We found that SDPD has policies and procedures, system controls, supervisory review, and outside agency review to help ensure reported crime and RIPA data is complete, reliable, and secure. However, we found there may be some minor variations in the completeness of the data reported by officers. Specifically, for crime data, we found that although according to current reporting standards, SDPD's system of internal controls should help ensure complete and accurate crime data reporting, SDPD will be transitioning to a new reporting standard that will require additional information. In addition, for RIPA data, we found that due to conflicting guidance and training, some officers may not be completely reporting the data according to RIPA requirements. Specifically, an FAQ document stated that officers should only fill out a single outcome of a stop, while RIPA requires that officers fill out all outcomes of a stop. SDPD stated that all other training consistently instructed officers to fill out all outcomes of a stop, but the training documents provided did not

specify reporting all stop outcomes with the exception of the RIPA form included in **Appendix F**. However, this form is not generally used for filing reports, and the web application generally used does not include a statement about reporting all outcomes.

The potential minor variation in completeness of crime data may create inefficiencies or delay SDPD's planned transition to the new reporting standard. Additionally, the potential minor variation in completeness of RIPA data may result in some reports being out of compliance with one RIPA requirement. Since reviewing a draft of this report, SDPD has modified its RIPA guidance and instructed Division Commanders to provide training that clarifies the requirements.

To address the issues described above, we recommend SDPD improve training to help ensure officers fill out all crimes in reportable fields to facilitate transition to a new reporting standard, and improve training and documentation on RIPA reporting to help ensure all police stop and detention outcomes are reported.

*Crime and RIPA Data Allow SDPD, City Council, and the Public to Monitor SDPD's Activity and Contribute to Research on Policing in California and the USA*

Crime data is widely used by law enforcement administrators, government policy makers, social science researchers, the media, and private citizens. Similarly, Racial and Identity Profiling Act (RIPA) data is used to assess racial and identity profiling in California.

SDPD's crime data must meet standards set by the State of California, which are based on federal guidelines. Reported crime data is used by SDPD as part of its key performance indicators, by the California Department of Justice (DOJ) to report on crime in California, and by the Federal Bureau of Investigation (FBI) to report on crime in the United States. Crime data is also often considered by the federal government in administering law enforcement grants. Additionally, the reliability of crimes and clearances data is necessary for many of the other required reports.

California's Racial and Identity Profiling Act of 2015 (RIPA) requires nearly all California law enforcement agencies to collect,

maintain, and analyze demographic data on all detentions and searches. The Racial and Identity Profiling Advisory Board (RIPA Board) provides public reports with the ultimate objective to eliminate racial and identity profiling and improve and understand diversity in law enforcement through training, education, and outreach.

*SDPD is Required to Keep and Submit Certain Data to the DOJ and FBI*

SDPD is required to keep and submit certain data on crimes and clearances to the DOJ and the FBI. Specifically, state and federal regulations, including the California Penal Code and the FBI Uniform Crime Reporting (UCR) Program set minimum reporting requirements for law enforcement agencies in California, including SDPD. SDPD is also required to submit RIPA data to the DOJ. The requirements for this data reporting are described below.

*SDPD is Required to Submit Crimes Data According to FBI's Uniform Crime Reporting Program Standards, which Currently Follow the Hierarchy Rule*

State law requires SDPD to submit crime data to the DOJ. The DOJ requires SDPD submit the crimes and clearances data according to the FBI's UCR requirements. The FBI's UCR Program collects data on crimes reported throughout the United States. The California DOJ operates the state's UCR Program, and the data is used for state and federal publications on crime throughout the state and country.[5] For more information on the UCR Program, see **Appendix D**.

The UCR Program has historically used a Summary Reporting System (SRS) that follows a Hierarchy Rule, where only the highest ranked offense is reported if an incident includes multiple offenses. This reporting system consists of eight Part 1 crimes: murder, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.[6] For example, if an individual breaks into a home to steal property, but a struggle

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[5] The DOJ Bureau of Criminal Information and Analysis Criminal Justice Statistics Center collects, analyzes, and develops statistical reports and information which provide valid measures of crime and the criminal justice process in California. A complete list of SDPD's required reports can be found in **Appendix C.**

[6] There are two exceptions to this: 1) if an arson occurs in addition to other Part 1 offenses, agencies report both the arson and the highest ranked other offense; and 2) if a theft includes both a vehicle and its contents, the agency is to report the motor vehicle theft and not the other property.

with the resident results in the resident's death, SDPD would only report a murder, because murder is a higher offense than burglary.

Agencies must then "score," or count, the number of offenses that occurred in the incident.[7] In the UCR Program, the offenses of criminal homicide, rape, and aggravated assault are crimes against the person. For these crimes, one offense is counted for each victim. Robbery, burglary, larceny-theft, motor vehicle theft, and arson are crimes against property. For these crimes, one offense is counted for each distinct operation or attempt, except in the case of motor vehicle theft for which one offense is counted for each stolen vehicle and one offense for each attempt to steal a motor vehicle. **Exhibit 3** shows the distinction for counting offenses.
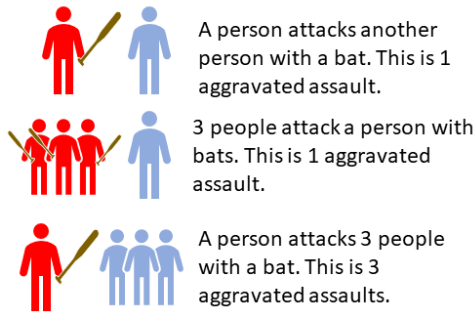
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[7] Generally, agencies score attempts to commit a crime as though the crimes were actually completed. The only exception to this rule applies to attempts or assaults to murder wherein the victim does not die; these offenses must be scored as aggravated assaults rather than attempted murders.
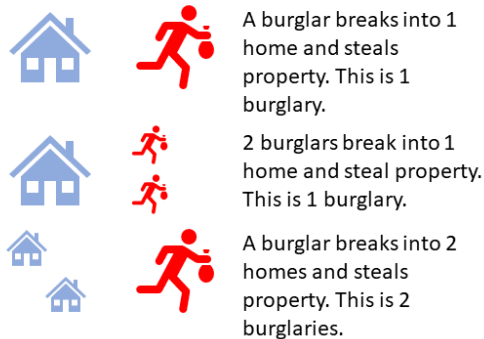
**SDPD Must Score the Number of Crimes that Occurred**

# Scoring crimes against persons and property

**Crimes against person: 1 crime for each victim**

A person attacks another person with a bat. This is 1 aggravated assault.

3 people attack a person with bats. This is 1 aggravated assault.

A person attacks 3 people with a bat. This is 3 aggravated assaults.

**Crimes against property: 1 crime for each act or attempt**

A burglar breaks into 1 home and steals property. This is 1 burglary.

2 burglars break into 1 home and steal property. This is 1 burglary.

A burglar breaks into 2 homes and steals property. This is 2 burglaries.

Source: OCA generated from FBI guidelines.

In addition to counting the number of crimes that occurred, agencies count the number of crimes cleared. For the UCR Program, an offense is cleared by arrest, or solved for crime reporting purposes, when at least one person is (1) arrested, (2) charged with the commission of the offense, and (3) turned over to the court for prosecution.

In certain situations, law enforcement is not able to follow the three steps to clear offenses known to them by arrest. Often, they have exhausted all leads and have done everything possible in order to clear a case. If agencies have enough evidence to make an arrest but cannot for matters beyond their control, they may clear a case by exception. Some examples of exceptional clearances include suicide of the offender, double murder, offender killed by police or citizen, or the victim refuses to cooperate. However, a victim refusing to cooperate is not sufficient to clear a crime exceptionally.

**Exhibit 4** shows a Return A, or the FBI form for law enforcement agencies to report their crimes and clearances according to the UCR Program. Because the Return A subtracts unfounded cases from the known cases, it is possible for a monthly Return A to

show negative cases. It is also possible for clearances to exceed the number of reported crimes, because crimes may be cleared in a different month than they are reported.

*Exhibit 4*

**Example of FBI Return A Crimes and Clearances Report Used by Law Enforcement**

**RETURN A - MONTHLY RETURN OF OFFENSES KNOWN TO THE POLICE**

1-720 (Rev. 3-08-06)
OMB No. 1110-0001
Expires 01-30-10

This report is authorized by law Title 28, Section 534, U.S. Code. Your cooperation in completing this form will assist the FBI, in compiling timely, comprehensive, and accurate data. Please submit this form monthly, by the seventh day after the close of the month, and any questions to the FBI, Criminal Justice Information Services Division, Attention: Uniform Crime Reports/Module E-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; telephone 304-625-4830, facsimile 304-625-3566. Under the Paperwork Reduction Act, you are not required to complete this form unless it contains a valid OMB control number. The form takes approximately 10 minutes to complete. Instructions for preparing the form appear on the reverse side.

| CLASSIFICATION OF OFFENSES | DATA ENTRY | 2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS) | 3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS | 4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS) | 5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6) | 6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE |
|---|---|---|---|---|---|---|
| **1. CRIMINAL HOMICIDE** | | | | | | |
| a. MURDER AND NONNEGLIGENT HOMICIDE (Score attempts as aggravated assault) If homicide reported, submit Supplementary Homicide Report | 11 | | | | | |
| b. MANSLAUGHTER BY NEGLIGENCE | 12 | | | | | |
| **2. FORCIBLE RAPE TOTAL** | 20 | | | | | |
| a. Rape by Force | 21 | | | | | |
| b. Attempts to commit Forcible Rape | 22 | | | | | |
| **3. ROBBERY TOTAL** | 30 | | | | | |
| a. Firearm | 31 | | | | | |
| b. Knife or Cutting Instrument | 32 | | | | | |
| c. Other Dangerous Weapon | 33 | | | | | |
| d. Strong-Arm (Hands, Fists, Feet, Etc.) | 34 | | | | | |
| **4. ASSAULT TOTAL** | 40 | | | | | |
| a. Firearm | 41 | | | | | |
| b. Knife or Cutting Instrument | 42 | | | | | |
| c. Other Dangerous Weapon | 43 | | | | | |
| d. Hands, Fists, Feet, Etc. - Aggravated injury | 44 | | | | | |
| e. Other Assaults - Simple, Not Aggravated | 45 | | | | | |
| **5. BURGLARY TOTAL** | 50 | | | | | |
| a. Forcible Entry | 51 | | | | | |
| b. Unlawful Entry - No Force | 52 | | | | | |
| c. Attempted Forcible Entry | 53 | | | | | |
| **6. LARCENY - THEFT TOTAL** (Except Motor Vehicle Theft) | 60 | | | | | |
| **7. MOTOR VEHICLE THEFT TOTAL** | 70 | | | | | |
| a. Autos | 71 | | | | | |
| b. Trucks and Buses | 72 | | | | | |
| c. Other Vehicles | 73 | | | | | |
| **GRAND TOTAL** | 77 | | | | | |

CHECKING ANY OF THE APPROPRIATE BLOCKS BELOW WILL ELIMINATE YOUR NEED TO SUBMIT REPORTS WHEN THE VALUES ARE ZERO. THIS WILL ALSO AID THE NATIONAL PROGRAM IN ITS QUALITY CONTROL EFFORTS.

☐ NO SUPPLEMENTARY HOMICIDE REPORT SUBMITTED SINCE NO MURDERS, JUSTIFIABLE HOMICIDES, OR MANSLAUGHTERS BY NEGLIGENCE OCCURRED IN THIS JURISDICTION DURING THE MONTH.

☐ NO SUPPLEMENT TO RETURN A REPORT SINCE NO CRIME OFFENSES OR RECOVERY OF PROPERTY REPORTED DURING THE MONTH.

☐ NO LAW ENFORCEMENT OFFICERS KILLED OR ASSAULTED REPORT SINCE NONE OF THE OFFICERS WERE ASSAULTED OR KILLED DURING THE MONTH.

☐ NO AGE, SEX, AND RACE OF PERSONS ARRESTED UNDER 18 YEARS OF AGE REPORT SINCE NO ARRESTS OF PERSONS WITHIN THIS AGE GROUP.

☐ NO AGE, SEX, AND RACE OF PERSONS ARRESTED 18 YEARS OF AGE AND OVER REPORT SINCE NO ARREST OF PERSONS WITHIN THIS AGE GROUP.

☐ NO MONTHLY RETURN OF ARSON OFFENSES KNOWN TO LAW ENFORCEMENT REPORT SINCE NO ARSONS OCCURRED.

DO NOT USE THIS SPACE

| | INITIALS |
|---|---|
| RECORDED | |
| EDITED | |
| ENTERED | |
| ADJUSTED | |
| CORRES | |

Month and Year of Report ___ Agency Identifier ___ Population ___

Prepared by ___ Title ___

Telephone Number ___ Date ___

Agency and State ___ Chief, Sheriff, Superintendent, or Commanding Officer ___

Source: FBI Uniform Crime Reporting Handbook.

*FBI's Uniform Crime Reporting Program Standards Will Soon Require Collection of Additional Data*

The FBI is transitioning to a National Incident-Based Reporting System (NIBRS) rather than the current summary system. This transition will result in additional data reporting requirements for SDPD. Specifically, NIBRS collects additional data on up to 10 offenses in a single incident. In addition to new data elements, NIBRS collects relationship information for crime incidents. For example, NIBRS requires reporting of how a victim is related to a suspect, such as family member, acquaintance, or no known relationship.

The UCR Program began accepting NIBRS data in 1989, and it will stop accepting SRS data and only accept NIBRS data starting on January 1, 2021.[8] Many other states have transitioned to NIBRS reporting already. However, California's UCR Program through the DOJ has not.  SDPD is seeking to report directly to the FBI according to the NIBRS standard by the January 1, 2021 deadline, with plans to submit NIBRS for all of 2020 to the FBI. The City was awarded a $2.6 million grant from the federal government in FY2016 to assist with this transition.

According to SDPD, California DOJ is not ready to accept NIBRS data yet, and continues to require California agencies to report UCR summary. Since SDPD is generally required to report to the FBI via California DOJ, the Department had to obtain permission from California DOJ to report NIBRS directly to the FBI. Permission was granted as long as SDPD continues to report UCR summary data to California DOJ and will continue with this reporting until the state is ready to accept the California version of NIBRS, called CIBRS.

*SDPD is Required to Collect Data on All Stops or Detentions per California's Racial and Identity Profiling Act*

California's Racial and Identity Profiling Act of 2015 (RIPA) established additional reporting requirements for California law enforcement agencies. RIPA requires law enforcement agencies to record information on all stops and searches regarding the reason for the stop, actions taken during the stop, the result of the stop, and demographic information about the individual stopped. RIPA notes that the data collection and reporting

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[8] For more on the UCR Program's history and changes, see **Appendix D**.

required is a minimum standard, and law enforcement agencies are allowed to collect additional information.

RIPA defines a stop as a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by the officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer and any interaction with a peace officer that results in a search.

SDPD developed trainings and guidance that encourage officers to interpret stops broadly. According to SDPD, Racial and Identity Profiling Act Training provided to sworn officers began on June 15, 2018 with a video that all sworn officers were required to view. It introduced them to RIPA's requirements and provided expectations. However, this video was insufficient to provide detailed operational instruction to officers on all of RIPA's comprehensive requirements, so line-up training followed.

SDPD stated that over 40 training sessions were conducted in June of 2018 at every command on all watches, with officers being told to select "all actions that apply" when collecting RIPA Data, as per the requirements stated in the California Code of Regulations (CCR). The CCR's are listed in the Department's Resource Library for officers to review. However, we reviewed SDPD's RIPA application training presentation, and it does not state that officers must select all actions that apply, nor does the accompanying screenshot of the RIPA report web application include such instructions.

Additionally, starting in July of 2018, approximately 337 supervisors were provided an hour of additional training during a two day "Command Training" session which instructed them on how to meet RIPA requirements. SDPD stated that the duty to select "all that apply" when answering data collection questions was discussed, and emphasized, in this session.

Command Training on RIPA was provided again for supervisors in July of 2019 to provide clarity and answer any questions from supervisors related to RIPA during their first year of data collection.

Exhibit 5 summarizes the information that officers have to collect for every stop or detention. See **Appendix F** for SDPD's data collection form, although SDPD mostly uses a web application to file RIPA reports.

*Exhibit 5:*

**SDPD Must Collect the Following Information for All Stops or Detentions**

| *Reporting Field* | *Completeness Required* | *Examples* |
|---|---|---|
| *Reason for Stop* | Primary only | Traffic violation<br>Reasonable suspicion<br>Known to be on parole<br>Known to have warrant |
| *Actions Taken During Stop* | All | Person removed from vehicle by order<br>Person handcuffed<br>Search of person conducted<br>Search of property conducted |
| *Search Information (if conducted)* | All | Basis of search<br>Contraband or evidence discovered |
| *Property Seized (if any)* | All | Basis of seizure<br>Type of property seized |
| *Result of Stop* | All | Warning<br>Citation<br>Arrest<br>Field interview |
| *Perception of Identity Characteristics* | All | Race<br>Gender<br>LGBTQ<br>Age<br>Limited English proficiency<br>Disability |

Source: OCA generated based on the California Racial and Identity Profiling Act.

When reporting the reason for the stop, officers are not to select reasons that are discovered during the stop. For example, if an officer stops someone for a traffic violation and learns that person has an outstanding arrest warrant during the stop, they would select traffic violation as the reason.

All of the reported identity characteristics are supposed to be as perceived by the officer. The officers are not to solicit the information from individuals during the stop, nor are they to use information from an individual's ID to inform their reporting.

Agencies are required to provide the reports to the California DOJ. Agencies may submit the information directly via a reporting system created by the DOJ or using a locally developed reporting system that transfers the data to the DOJ. San Diego uses a locally installed copy of a web application developed by the San Diego County Sheriff, as do the Riverside County Sheriff and San Bernardino County Sheriff.

*Due to the COVID-19 Emergency, We Were Unable to Conduct Data Reliability Testing of SDPD's Crime Report Data*

Although we planned to conduct data reliability testing of SDPD's crime report data in addition to our review of internal controls, we were unable to complete the testing due to the COVID-19 emergency.[9] The data reliability testing would have included a comparison of crime report narratives to the reported offenses to verify that reported crime data followed UCR's Summary Reporting System (SRS) guidelines.

As part of SDPD's transition to NIBRS, the FBI conducts a data certification. This requires that submitted data have an error rate below 4 percent. The FBI also conducts a Quality Assurance Review, where an auditor reviews a predetermined number of incidents based on a random sampling methodology. For all records selected, the auditor then compares the completed incident reports to data reported to the FBI's UCR Program to determine if the law enforcement agency appropriately applied national standards and definitions.

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[9] During the final weeks of our audit fieldwork, the Mayor declared a state of emergency due to the novel coronavirus pandemic. As part of SDPD's procedures during this emergency, access to SDPD facilities was limited to essential SDPD personnel only. As a result, we were unable to access the computer systems necessary to conduct data reliability testing.

SDPD reported that it has provided 6 months of data with a 99.62 percent acceptance rate by the FBI. The FBI is currently reviewing the data for accuracy and completeness, and is expected to certify SDPD well before the deadline.

If SDPD's transition to NIBRS is completed by December 31, 2020, SDPD will report on the outcome of the FBI's data audit to the Audit Committee.

If SDPD does not anticipate transitioning by this date, we will place a follow-up memorandum on the FY2021 Audit Plan to conduct this final test and report to the Audit Committee and the public.

**SDPD Has Established Internal Controls that Should Help Ensure Complete and Accurate Reporting of Crime Data and RIPA Data**

Although we could not verify the accuracy of SDPD's crime data due to SDPD's restricted facility access policy for the COVID-19 emergency, we found that SDPD's policies and procedures, system controls, and supervisory review should help ensure crime data is complete, accurate, and reported in compliance with state and federal regulations under the current Summary Reporting System (SRS). Similarly, we found that SDPD has internal controls that should help ensure RIPA reports are filed for all police stops and detentions.

Specifically, we reviewed SDPD's policies and procedures related to recording crime data and filing RIPA reports, interviewed SDPD staff, and observed internal controls in the field, and found sufficient and appropriate evidence to support that:

- SDPD has adequate policies and procedures, as well as supervisory review and review by an outside entity, to help ensure crime data is completely and accurately recorded;

- SDPD's crime report management system, NetRMS, has adequate controls to help ensure complete, reliable, and secure data;

- The Crime Analysis Unit has adequate policies and procedures to help ensure all reports are issued in compliance with regulations; and

- SDPD has policies and procedures in place to help ensure Racial and Identity Profiling Act (RIPA) reports are filed for every stop, including monthly inspections/audits by supervisors.

*SDPD Has Internal Controls to Help Ensure that Officers Completely and Accurately Report Crime Data*

We found that SDPD has internal controls in place to help ensure that officers completely and accurately report crime data. Specifically, we reviewed SDPD's policies and procedures requiring complete reporting and observed the policies and procedures being followed during our ride-alongs with Sergeants at every Division.

We also reviewed SDPD's documentation on NetRMS user controls, including required fields and validations, to help ensure data is completely and accurately recorded. We observed these controls in the field during ride-alongs.
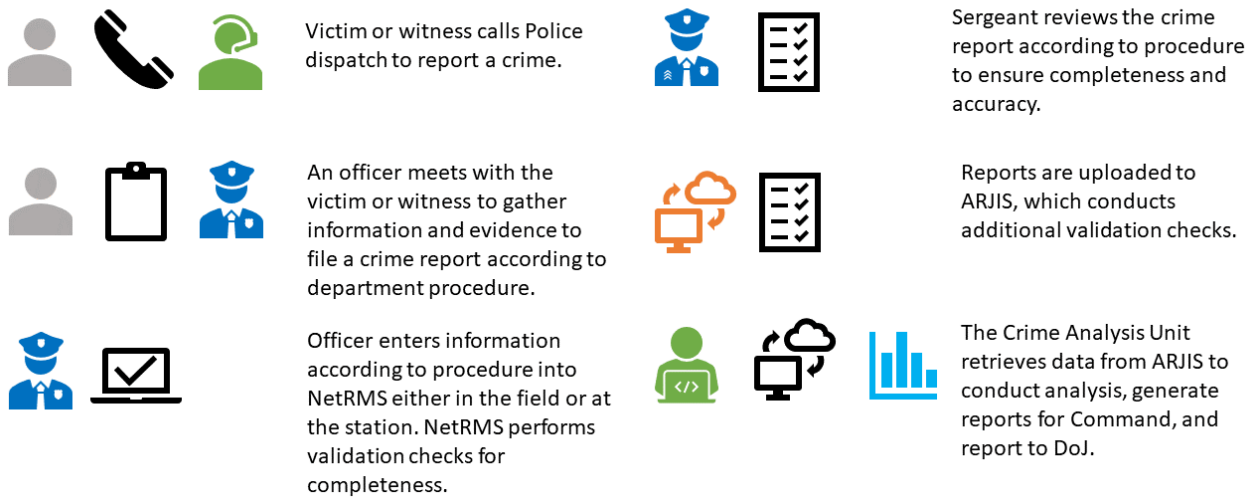
In addition, we reviewed the Crime Analysis Unit's policies and procedures for validating and submitting required reports to the California DOJ, and reviewed summary data and submitted reports for FY2017 to FY2019.

**Exhibit 6** shows SDPD's process of data entry, validation, review, and reporting that should help ensure complete and accurate crime data reporting.

**SDPD's Crime Data Goes through Multiple Validations and Reviews Before Reporting**

## Crime reporting process

Victim or witness calls Police dispatch to report a crime.

An officer meets with the victim or witness to gather information and evidence to file a crime report according to department procedure.

Officer enters information according to procedure into NetRMS either in the field or at the station. NetRMS performs validation checks for completeness.

Sergeant reviews the crime report according to procedure to ensure completeness and accuracy.

Reports are uploaded to ARJIS, which conducts additional validation checks.

The Crime Analysis Unit retrieves data from ARJIS to conduct analysis, generate reports for Command, and report to DoJ.

Source: OCA generated from interviews and systems documentation.

*SDPD Has Internal Controls to Help Ensure that Officers File a RIPA Report for All Stops, but There May Be Variation in Completeness of the Data*

SDPD has policies and procedures in place to help ensure complete Racial and Identity Profiling Act (RIPA) reporting, including monthly inspections/audits by supervisors. However, as further discussed below, there may be some variation in the completeness of RIPA data, especially stop outcome information, because some officers may only report the highest-level outcome of a stop.

Additionally, officers file RIPA reports at different times, including after a stop is complete, in batches throughout a shift, and all at the end of a shift. Although this complies with the legal requirements for reporting, it may affect the accuracy of the data as officers may have varying degrees of recollection of an individual's characteristics as time passes. SDPD stated that it has attempted to mitigate this issue by providing 7-inch computers to some of its officers so they can submit data on foot patrol or when they utilize ATVs on the beach. This equipment was provided via a grant, and San Diego is a one of the few cities that does not provide this type of equipment (smart phones/tablets/small computers) to all of its officers to facilitate data collection/reporting.

Although the Sergeants and officers we spoke with and observed during the ride-alongs expressed dedication to ensuring good data is recorded, some expressed concerns over the time needed to record information as well as the connection between information recorded and the officers' understanding of the information's purpose. For example, some Sergeants and officers expressed skepticism that the RIPA reporting would provide the information they believed it intended to provide. They noted that, since they often cannot observe identifying characteristics of individuals prior to a stop, the RIPA data is recorded after the stop and based on perceptions developed during the stop, in accordance with the law.

***Potential Minor Variations in Crime Data Reporting May Impact SDPD's Transition to the New Reporting Standard and Some Officers May Not Be Fully Reporting RIPA Data***

Although SDPD's system of internal controls should help ensure compliance with current crime data reporting standards, some officers reported filing crime reports in a way that may impact SDPD's compliance when it transitions to the FBI's new National Incident-Based Reporting System (NIBRS) reporting standard. In addition, we found that although RIPA requires officers to report all outcomes of a stop, SDPD's FAQ document advised filing reports with only one outcome of the stop.

*Some Officers May Report Only the Highest Offense in Reportable Fields, Which May Impact SDPD's Compliance with Future Reporting Standards*

Specifically, we found that there may be some variations in how officers fill out reportable fields, or "top sheets," in the crime reporting system. This should not affect compliance with current reporting standards, but could impact SDPD's planned transition to the NIBRS reporting system.

SDPD plans to report directly to the FBI according to the NIBRS standard by the end of the year, including data back to January 1, 2020. The FBI will only accept NIBRS data beginning in 2021. However, the DOJ is not yet reporting on this new standard, so SDPD received permission to report NIBRS data directly to the FBI.

We found that some officers are not completing their crime reports in a manner that would provide complete information on the NIBRS format because they only record the highest-level offense in the reportable fields. As further discussed below, SDPD's report management system, NetRMS, has relationship

requirements that makes it challenging to report multiple offenses without causing errors in the system. The types of crimes documented within a case report determine the dynamic nature of writing a case report. Each offense category requires the documentation of information specific to the type of offense(s) being reported.

We reviewed SDPD's NetRMS training manual and found that it did not include a requirement that officers report all known offenses in the offense tab of the crime report. SDPD also provides a document with further details on NetRMS capabilities. This document indicates that officers "can enter as many offenses as necessary," but it does not state that they must enter all known offenses in the offense tab of the crime report. Additionally, we reviewed SDPD's report writing procedure, Department Procedure 6.04. SDPD's report writing procedure is not specific to NetRMS and does not contain any requirement that officers report all known offenses in reportable fields.

During our ride-alongs, officers and Sergeants from all Divisions reported that the transition to NetRMS was challenging, describing the new system as having a "learning curve." Some noted that new officers who were originally trained on NetRMS faced fewer difficulties than those who had to transition from the old system. Some of the difficulties included fields that did not have enough options to cover all issues, unclear error messages, and relationship requirements that make it difficult to enter multiple offenses.

One Sergeant—who supervised six officers—reported that their officers only enter a single, highest-level, offense and enter the remaining offenses in the report narrative. This allows officers to avoid creating additional errors by limiting the information on the top sheet, but the relevant information is still passed on to investigators and prosecutors through the report narrative. For example, although an incident may include both a burglary and murder, the reportable fields would only contain the murder, but the burglary would be reported in the narrative.

The practice of only including a single offense in the top sheet to avoid system errors creates the potential for officers to unintentionally report an offense in the top sheet that is not the

highest-level offense. For example, if an officer reported a burglary in the reportable fields but documented an aggravated assault in addition to the burglary in the report narrative. However, procedures require—and we observed—Sergeant reviews that should detect and correct such errors. Therefore, because only the highest-level offense is reported according to SRS, this practice should not affect reporting according to the current requirements. Some officers also reported that they can have difficulties filling out the reportable fields since federal reporting requirements may not align perfectly with state and local laws.

Officers reported that all relevant details on all known offenses are recorded in the narrative portion of the crime report, so investigators can complete the investigation and forward it to the City Attorney or District Attorney for prosecution. However, if this continues uncorrected when SDPD begins submitting data according to NIBRS, reports submitted without all offenses in reportable fields may not comply with the new standards.

**Requirements of SDPD's New Report Management System and Insufficient Training on the System May Impact Officers' Ability to File Complete and Accurate Reports**

SDPD's new crime report management system contains new relationship requirements, and training may not be adequate to allow officers to file reports without creating errors that prevent report submission. SDPD began deploying a new report management system, NetRMS, in July 2018. According to SDPD, the San Diego County Sheriff has used NetRMS for the past ten years, and SDPD used a phased implementation approach beginning with motor vehicle theft reports taken by phone. SDPD then conducted 7-hour trainings in each Division from July 2018 to September 2019. SDPD stated that once officers were trained on NetRMS, they began filing reports on NetRMS.[10]

Some officers reported that training on NetRMS may have been too limited, and the transition to the system has been slow. One supervisor also described difficulties assisting their officers with NetRMS errors because they were primarily trained on supervisor functionality rather than officer reporting needs. In order to help ensure full use of the NetRMS system, training

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[10] SDPD continues to use the legacy Criminal Records Management System (CRMS) for investigations of crime reports filed in Automated Field Reporting (AFR) prior to the NetRMS deployment.

should include not only one-time training events, but also ongoing training and available assistance.

The data validation requirements are not a shortcoming of NetRMS but a requirement for NIBRS reporting. NetRMS considers major elements of a crime that are incident-based reporting-related to determine whether errors are present. For example, a crime against property requires that property exists in the report. When an incident-based reporting-related error is present, NetRMS displays an error with the nature of the problem.

However, officers reported that these requirements created difficulties in filing reports, because the additional reporting requirements create errors that must be identified and fixed before submitting the report. As a result, some officers may not fill out the additional offenses in the "top sheets," but report all details in the narrative section.

SDPD reported that a high-level analysis of the violations included on SDPD crime reports shows that during the first six months of 2017, which was on the AFR and CRMS systems, approximately 22 percent of crime cases listed two or more violation sections. The same was found for data so far in 2020, which is on NetRMS. This would be comparable to the average of agencies reporting according to NIBRS for 2018 crime statistics. However, we were not able review the analysis or underlying data to confirm.

As with any new system deployment or procedure change, ongoing training and assistance is important for ensuring compliance with new requirements. The NetRMS system allows SDPD to report according to the FBI's NIBRS requirement, and initial training covered key components of the new system. Additional help materials provided by SDPD outline some of the requirements officers must meet when filing a report and how to fix common errors. Ongoing assistance and training with new systems allows SDPD to address potential difficulties and questions about using the new systems to its fullest benefit.

*SDPD Has Internal Controls to Help Ensure a RIPA Report is Filed for All Stops, but SDPD's FAQ Document Contradicts RIPA Requirements by Advising Officers to Only Report One Outcome of a Stop*

In addition to potential variations in crime data reports, we found that SDPD may have some variations in how officers file Racial and Identity Profiling Act (RIPA) reports. RIPA requires officers to collect data on all stops or detentions, including demographic information and information on the stop and its outcome. SDPD has developed trainings, policies and procedures, and uses a data collection system to help ensure officers enter information on all stops. However, we found that some officers may not be reporting all outcomes of a stop, as required by state regulations.

As a result of a stop, it is possible that there are multiple reportable outcomes. For example, it is possible that someone stopped for speeding receives a speeding ticket and also receives a warning for a broken taillight.

However, SDPD's FAQ document for RIPA reporting (FAQ document) provides guidance that is contradictory to RIPA requirements. Specifically, SDPD's FAQ document advises officers to only report a single outcome of a stop or detention. On our ride-alongs, one officer reported they cannot fill out multiple outcomes, but we observed other officers filling out multiple outcomes of stops.

SDPD's FAQ document is a resource available to officers when learning and using the RIPA reporting system. The FAQ document states that "It is important that only one selection be made for Result of Stop to provide clarity to the data collected." In contrast, the RIPA law requires, "When reporting this data element, the officer shall select all of the following data values that may apply."

SDPD stated that some internal reviews found officers who periodically selected mutually exclusive items. This happens when an officer selects multiple stop outcomes in the "Results of Stop or Detention" that cancel each other out. For instance, selecting "no action" and "field interview card completed" cannot exist together for the same RIPA entry, nor can "custodial arrest" and "non-criminal/caretaking transport." These internal reviews sparked concerns, additional in-person training, and the RIPA FAQ document.

SDPD stated that it has tried to make it clear to officers that RIPA reporting must be accurate and meet legal requirements. Where errors have been noted, training has been offered and entries were corrected during data validation. In a handful of cases, where data was suspected of being purposely submitted in error or avoided altogether, internal affairs investigations were initiated.

SDPD stated that at least 5,000 RIPA entries have been reviewed in the first two years of the program, and the entries reviewed frequently have multiple outcomes in the "Results of Stop or Detention" section.

We reviewed SDPD's publicly available RIPA stop data and found that it indicates that approximately 6.8 percent of RIPA reports include more than one result of stop. However, due to the nature of RIPA stop data, which prevents tracing RIPA reports to other documents, it is not possible to know if this fully captures all stops with multiple outcomes.

*We Did Not Conduct Data Reliability Testing Because RIPA Data Cannot Be Legally Traced Back to Source Documents*

Although SDPD has controls in place to help ensure officers file RIPA reports for all stops, some officers may not be completely reporting stop outcomes due to Division variations and incorrect guidance. However, as required by law, the RIPA reports do not have original documents to trace, and the RIPA reporting system does not trace directly back to filed crime reports. Additionally, not all stops would require a crime report, so the outcomes as reported in RIPA may not be recorded in other formats. SDPD stated that RIPA stops are audited against enforcement actions for compliance, including arrests, field interviews and citations, which trigger stop data collection. This should help ensure that RIPA reports are filed for all stops.

Therefore, SDPD's controls for filing RIPA reports should help ensure reports are filed for all stops, but there may be some variation in the completeness of the outcomes reported. SDPD should ensure consistency across Divisions through training and revision of advisory documents to comply with state law. Since reviewing a draft of this report, SDPD has modified its RIPA guidance and instructed Division Commanders to provide training that clarifies the requirements.

In 2019, SDPD contracted with the Center for Policing Equity to conduct analysis of SDPD's RIPA reports and to provide advice on improving SDPD practices. SDPD should also inform the Center for Policing Equity of this possible variation, as it may affect their analysis.

To address the scope impairment and variations in crime data and RIPA reporting, we make the following recommendations.

**Recommendation 1**      The San Diego Police Department (SDPD) should have an independent third party, such as the Federal Bureau of Investigation (FBI), validate the data reliability of SDPD's crime report systems after SDPD completes its transition to the National Incident-Based Reporting System (NIBRS).[11] Additionally, SDPD should report and present the outcome of the FBI's data reliability audit to the Audit Committee.

If the transition is not completed by December 31, 2020, OCA will conduct data reliability testing of SDPD's crime data following the end of the COVID-19 emergency. (Priority 2)

**Recommendation 2**      The San Diego Police Department (SDPD) should update crime report procedures and training materials to improve reporting consistency and to ensure SDPD can switch their reporting to the National Incident-Based Reporting System (NIBRS) as planned— and ahead of other California agencies. This should include requiring officers to report all known offenses in reportable fields.

As procedures are updated, SDPD should provide training and continuous feedback through supervisory review on the updated procedures.

Finally, SDPD should ensure consistency across Divisions in training and supervisory review of crime report data entry. (Priority 2)

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[11] As part of the NIBRS certification process, the FBI conducts a review of applicant agencies' data for completeness and accuracy.

**Recommendation 3**     The San Diego Police Department (SDPD) should update their Racial and Identity Profiling Act FAQ documentation to specify that the "outcome of stop" data field should include all stop outcomes. SDPD should provide additional training across all Divisions to help ensure data consistency throughout the City. SDPD should also formally communicate the potential variation to the Center for Policing Equity, to prevent drawing erroneous conclusions from the data to their contracted analyst. (Priority 2)

# Finding 2: SDPD Can Improve Its Use of Existing Data to Evaluate Its Operations and Maximize Evidence-Based Decision Making

**Finding Summary**

Although SDPD has internal controls to help ensure that it collects and reports data that should be of high quality, it can better use that data to internally evaluate and improve its operations and enable evidence-based decision making. Law enforcement best practices encourage the use of data to evaluate operations and make evidence-based operational decisions, and the Government Accountability Office (GAO) advises that management should use quality information to achieve the entity's objectives and should communicate that quality information internally and externally.

However, surveyed SDPD Commanders reported that they do not generally receive or use data analysis to evaluate operations. The Crime Analysis Unit also reported that it currently does not produce proactive analyses. Additionally, while all officers have access to run ad hoc queries in the Mapping Dashboard for data analysis, the system only allows certain user types to save those queries for future use.

As a result, SDPD may not be maximizing its ability to improve its operations and the equity of service by using its data to evaluate operations. Evaluating operations could allow SDPD to prioritize the most effective and equitable activities for reducing crime and improving the quality of life for San Diego residents and visitors.

***Law Enforcement Best Practices Advise Using Data to Analyze and Evaluate Operations and Using Evidence-Based Decision Making***

Law enforcement best practices encourage the use of data to evaluate and improve operations. Specifically, professional law enforcement groups such as the International Association of Chiefs of Police (IACP) and the Police Executive Research Forum (PERF) have advocated for increased use of data to evaluate police practices and enable evidence-based decision making. In 2015, the President's Task Force on 21st Century Policing made recommendations to improve policing, including through

increased use of evidence-based policing.[12] Evidence-based policing is modeled on medical practice and recommends that practices are evaluated and tested to ensure the best practices are used to reduce, prevent, control, and detect crime while doing as little harm as possible to the citizens police are protecting and serving.

*To Evaluate Operations, Outputs and Outcomes Must Be Measured*

In order to evaluate operations, it is necessary to specify measurable "outputs," or practices that police are asked to follow. Those outputs can then be assessed by tracking risk-adjusted "outcomes," or results over a reasonably long follow-up period. These outcomes may be defined in several different ways: offenses per 1,000 residents, repeat victimizations per 100 victims, repeat offending per 100 offenders, and so on.

PERF proposes a method of agency-level performance management that incorporates: (1) performance expectations (outcomes); (2) measures (outputs); and (3) accountability structures. PERF recognizes that law enforcement agencies have differing environments that may require different elements. However, the method allows for agencies to develop a performance management system for their unique needs.

Researchers at the National Institute for Justice emphasize the importance of developing a comprehensive set of metrics to evaluate operations. They note that many departments rely on traditional indicators, such as comparisons of data on serious crimes to the immediately preceding time period, clearance rates, response times, and measures of enforcement activity. SDPD relies on all of these indicators in its reporting.

*SDPD Should Use Quality Information to Achieve Its Objectives, and Should Communicate that Information Internally and Externally*

SDPD should use quality information to achieve its objectives, and it should communicate that information internally and externally. SDPD has established a system of internal controls that should help ensure it collects quality data, but data is not the same as information. Although state and federal regulation establish the requirements for collecting and reporting quality data, they encourage law enforcement agencies to analyze this data themselves. The Government Accountability Office (GAO)

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[12] Evidence-based policing is a systematic effort to parse out and codify unsystematic "experience" as the basis for police work, refining it by ongoing systematic testing of hypotheses.

Standards for Internal Control in the Federal Government (Green Book) provides guidelines for designing a process for producing information from data.

The Green Book recommends that management design a process that uses the entity's objectives and related risks to identify the information requirements needed to achieve the objectives and address the risks, which should consider the expectations of both internal and external users. Additionally, management should define the identified information requirements at the relevant level and requisite specificity for appropriate personnel. Furthermore, management should identify information requirements in an iterative and ongoing process that occurs throughout an effective internal control system.

However, collecting data is not enough to obtain quality information. The Green Book recommends that management process the obtained data into quality information that supports the internal control system. This involves processing data into information and then evaluating the processed information so that it is quality information. Management should then use the quality information to make informed decisions and evaluate the entity's performance in achieving key objectives and addressing risks.

In addition to collecting and processing data, the Green Book recommends that management communicate quality information throughout the entity using established reporting lines.

Quality information should be communicated down, across, up, and around reporting lines to all levels of the entity. Management should also receive quality information about the entity's operational processes that flows up the reporting lines from personnel to help management achieve the entity's objectives.

*Evidence-Based Policing is Not Data-Driven Policing*

Evidence-based policing can be distinguished from data-driven policing, a practice encountering increasing criticism across the United States. Whereas evidence-based policing encourages the use of data to evaluate police practices and allow for evidence-

based operational decision making, data-driven policing encourages the use of data mining to identify individuals as potential suspects and locations for potential activity. Although we take no position on the merits or demerits of data-driven policing, we focus on the evidence-based policing model as a complement to SDPD's community-based policing.

*Evidence-Based Policing Complements SDPD's Community-Oriented Policing*

Evidence-based policing encourages the use of scientific principles for the evaluation of practices to determine the effect of those practices on desired outcomes. Evidence-based policing is a complement to other models of policing, such as SDPD's community-oriented policing model.[13]

**SDPD Has the Ability to Use Its Data to Inform, Plan, and Evaluate Operations, but Is Not Systematically Doing So**
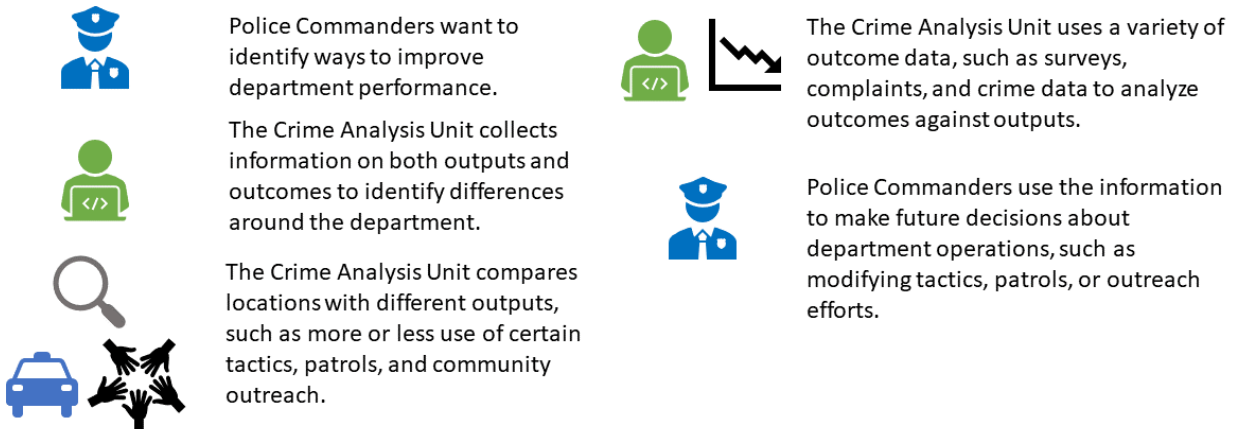
We found that SDPD has a system in place that should help ensure the collection of high quality data that could be used to conduct ongoing outcomes research into the results of its activities, but it is not currently doing so in a systematic way. **Exhibit 7** provides an example of how SDPD could use data analysis to use evidence-based policing principles to evaluate operations and make evidence-based operational decisions.

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[13] Community-oriented policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

*Exhibit 7*

**SDPD Can Use Its Data to Inform, Plan, and Evaluate Operations and Strategy**

# Evidence Based Policing Hypothetical Example

Police Commanders want to identify ways to improve department performance.

The Crime Analysis Unit collects information on both outputs and outcomes to identify differences around the department.

The Crime Analysis Unit compares locations with different outputs, such as more or less use of certain tactics, patrols, and community outreach.

The Crime Analysis Unit uses a variety of outcome data, such as surveys, complaints, and crime data to analyze outcomes against outputs.

Police Commanders use the information to make future decisions about department operations, such as modifying tactics, patrols, or outreach efforts.

Source: OCA generated from evidence-based policing principles.

*SDPD Command Reported Using Data Mostly for Tactical Purposes Rather Than for Evaluating Operations*

We found that data provided by the Crime Analysis Unit for regular Command meetings did not contain analysis or evaluation of operations, and Command reported that they use available data analysis tools primarily in a tactical fashion. Additionally, we found that public reports on community-based policing and SDPD's crime briefings did not contain analysis or evaluation of operations.

We requested information from the Crime Analysis Unit on routine reports provided to SDPD Command. The Crime Analysis Unit provided evidence of monthly reports with current and year-to-date Part 1 crime numbers and rates by population. These reports were broken down into beats, Divisions, and Council Districts. SDPD stated that these reports are used for semi-annual meetings in which Captains report on the efforts they are taking to reduce Part 1 crimes. However, there was no further evidence of analysis provided.

SDPD also provided a Quarterly Management Report template. The provided template provides data on Part 1 crime totals,

calls-for-service totals,[14] traffic enforcement outputs (citations, accidents, etc.), arrest and case-issuance totals, number of complaints against officers by category, and patrol survey results with comparisons to the same quarter and year-to-date of the previous year. It also includes data on overtime usage, staffing levels, audits, and inspections. SDPD stated that Commanders would add their analysis of the data to the report to present during semi-annual meetings. SDPD provided a confidential completed quarterly management report, which demonstrated some analysis of operational data and sophisticated analysis of a targeted operation which yielded beneficial strategies to employ. This analysis could further be improved by evaluating how community outreach affected crime levels, evaluating outcomes against outputs for routine operations, and evaluating how response times can affect operations.

The Crime Analysis Unit also provided Community Policing Reports. These reports showed key figures for calls and crime reports, neighborhood watch groups, cases solved by Crime Stoppers' tips, social media followership, ride-alongs, community partnerships, community outreach, and community giveback events. Although this provides useful activity information, it does not evaluate the success of these activities to enable evidence-based operational decisions.

We also reviewed SDPD's annual presentations of crime data to the City Council. SDPD provided the City Council with similar crime counts and rates to those provided to SDPD Command. SDPD also provided year-over-year comparisons of the crime data. However, such year-over-year comparisons may not provide a complete picture, as crime is a complex sociological problem spanning many years. Additionally, SDPD often compared crime rates to specific decades in the past that may not be adequate comparisons to evaluate SDPD performance. For example, the comparisons do not include the types of efforts taken by SDPD either in the past or currently to evaluate performance. Therefore, SDPD's external reporting is limited in the same way as its internal reporting—it provides summary data with little analysis enabling evaluation of SDPD's activity.

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[14] The calls-for-service table title also indicates response times but does not include the data.

*The Crime Analysis Unit Reported that It Does Not Provide Certain Proactive Analyses Due to Vacancies*

The Crime Analysis Unit reported that there are additional factors that have impacted the Unit's ability to provide certain types of support, especially in recent years. Technical challenges, primarily related to geographic information systems (GIS), have had a significant impact on the types of proactive analyses that can be performed for each of the nine area commands. In order to improve GIS capabilities available to the Crime Analysts, the Department added a GIS Analyst III position nearly two years ago. SDPD reported that, despite ongoing recruiting efforts, it has been unsuccessful at filling the position. SDPD noted that GIS challenges within the past couple of years have significantly impacted the availability of certain types of proactive reports and information that were provided to commands in the past, including:

- The Service Area Tactical Action Targets (STAT) Reports were compiled on a monthly basis for "targetable" crimes, and included case listings, maps, and an analysis of day/time, victim/suspect profiles, modus operandi, property taken, etc. These reports were used to direct patrols and identify the need to consider various types of operations.

- Threshold Alerts were emails sent on a weekly basis to Captains and Lieutenants when defined thresholds of specific crime types were surpassed for an area. These proactive alerts allowed quick identification of patterns and trends by recipients and analysts.

- Hotspot Analysis was a bi-weekly report in which repeat locations were identified for certain types of violent crimes and related calls for service. The report included recommendations based on detailed analysis of the incidents that comprised the hotspots.

*SDPD Officers Have Access to a Mapping Dashboard with Data Analysis Tools, Which Officers and Crime Analysts Can Combine with Other Data for Operational Analysis*

The Automated Regional Justice Information System (ARJIS) Regional Mapping Dashboard is one tool that officers have access to for data analysis, and it provides many tools for analyzing crimes across geography and time, as well as information on offenders. However, it does not include data for operational evaluation.

The ARJIS Regional Mapping Dashboard allows users to organize and analyze geographic information on regional data. Dashboard mode has pre-designed queries and data presentation to provide a snapshot of GIS information to quickly identify patterns and trends in the underlying data. Briefing books provide crime summary, traffic, and offender information. Analysis mode provides pre-configured queries and ad hoc queries, but only certain user categories can save ad hoc queries. These queries can be displayed in charts, and they can be displayed in reports with detailed information about the records in the query result. All users can use ad hoc queries, but only certain user types can save the queries.

The Mapping Dashboard is designed to visualize and analyze crime data geographically and over time. The data described for the Mapping Dashboard is detailed information about reported crime activity, but it does not provide information on SDPD activities to analyze crime data against operations to evaluate operational effectiveness. Furthermore, it does not provide information on other potential metrics of interest, such as community trust, resident satisfaction, or complaints against officers. Therefore, officers and Commanders who need to conduct operational analysis must combine data from multiple sources or request a specific analysis from the Crime Analysis Unit. As discussed below, surveyed Commanders reported using data tools such as the Mapping Dashboard primarily for tactical purposes rather than for operational evaluation.

*Most Surveyed Commanders Reported Using Data Analysis Tools for Tactical Purposes, but Fewer Reported Using Data Analysis Tools to Evaluate Operations*

We found that surveyed SDPD Commanders reported that data and analysis tools and reports from the Crime Analysis Unit were of high quality and regularly used for tactical information, but not necessarily to evaluate operations. This survey did not capture the use of data analysis tools by Sergeants or officers, who may use such tools to plan operations. However, such data analysis would also be primarily tactical in nature. We spoke with Sergeants and officers about using data analysis tools during our four ride-alongs. All Sergeants and officers informed us that members of their squads frequently use such tools for gathering information on locations and individuals. None told us that they would use such tools for evaluating performance.

In order to evaluate how SDPD Commanders over Patrol Division service areas and Neighborhood Policing Division Crime Prevention Unit use data, we developed a survey to ask about types of systems, frequency of use, and types of analysis used. We identified those in command positions, and excluded one individual in an acting role. Although there are 19 Captains and 54 Lieutenants budgeted throughout SDPD, we identified the surveyed individuals because resources for monitoring crime rates and clearances in service areas are at these positions. We discussed the survey design and distribution list with SDPD, incorporated changes, and added the Executive Assistant Chief to the distribution list by request.

We distributed the survey to 31 Captains and Lieutenants in the Patrol and Neighborhood Policing Divisions, as well as to the Executive Assistant Chief, and received 14 responses.[15] Responses indicated that respondents do use crime analysis functions to analyze operations, but do not do so regularly. All respondents found the data analysis tools useful, and over 85 percent of respondents said the data analysis tools were extremely useful. Most respondents indicated that they use these crime analysis tools weekly or monthly, with about 28.5 percent indicating they use them occasionally or rarely.

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[15] Because the survey was targeted to a specific population of interest, response level was low, and those who choose to and choose not to participate reflects a potential selection bias, it would not be appropriate to extrapolate these responses beyond the respondents.

The survey responses indicated a focus on using data for current needs rather than using data for performance assessment. Specifically, although respondents indicated that they used the data regularly, the most popular uses for the data tools was to research specific location information, specific incident information, and current crime numbers and rates. However, activities like analyzing trends in clearance rates over time or across geography were less common, with less than 36 percent of respondents indicating they used this information for analyzing clearance rates.

The survey responses regarding the use of data tools to design and evaluate special enforcements also indicated a focus on using data for current needs rather than for performance assessment. Specifically, although over 71 percent of respondents indicated that they used data tools to design special enforcement operations, only 57 percent indicated that they used the same tools to evaluate the performance of those operations. Additionally, less than 36 percent of respondents indicated that they used these data tools to evaluate unit performance.

*The Crime Analysis Unit Does Not Provide Routine and Proactive Data Analysis to Evaluate Operations and Policing Models*

We found that the Crime Analysis Unit does not regularly provide additional analysis of data on counts and rates of Part 1 crimes for semi-annual SDPD meetings regarding efforts to reduce those crimes, so Commanders may be missing additional opportunities to evaluate operations. SDPD provided evidence of monthly reports with counts and rates of Part 1 crimes for the month and year-to-date. Commanders then have semi-annual meetings with the Chiefs in which they report on their efforts to reduce Part 1 crimes. Although these counts and rates provide some information, they do not enable multi-year trend analysis or evaluation of special operations and policing models.

The Crime Analysis Unit stated that they do not provide proactive or routine operational analyses at this time. The Crime Analysis Unit reported that its reports are primarily tactical and request driven. However, some surveyed Commanders reported that they would benefit from proactive and routine analyses. Therefore, Commanders who do wish to perform additional analysis of the crime data must do so themselves or request a

report on an ad hoc basis. Without repeatable reports, Commanders cannot design a report to receive regular updates on efforts and alerts to potential problems in their command area.

***Improvements to Crime Data Analysis Tools, Including Proactive and Repeatable Reports, Could Increase Use of Evidence-Based Decision Making***

We found that surveyed Commanders desire improvements to the crime data analysis tools that could increase the use of evidence-based decision making. Specifically, we solicited open-ended responses from the Commanders regarding possible improvements to the crime data analysis process. While respondents generally praised the quality of the work performed by the Crime Analysis Unit, two respondents suggested improvements through proactive reports and ensuring a report is repeatable. Proactive and repeatable reports would enable self-evaluation and evidence-based decision making. **Exhibit 8** shows the difference between proactive and reactive analysis.

*Exhibit 8*

**SDPD and the City Benefit from Both Proactive and Reactive Analysis**

# Reactive vs. Proactive Analysis

**Reactive Analysis Helps Police Solve Crimes**

Officers receive a crime report, and during the investigation request analysis from the Crime Analysis Unit.

The Crime Analysis Unit uses local, state, and federal databases to provide information on potential suspects and trends.

Officers use the information to identify a suspect and make an arrest.

**Proactive Analysis Helps Police Prevent Crimes**

The Crime Analysis Unit performs routine analysis that identifies trends in locations, among known criminals, and of potential victims.

Police increase patrols and community outreach in areas of potential crimes, and reach out to potential victims to alert them to the issue.

With fewer opportunities to commit crimes undetected, more crimes are prevented.

Source: OCA generated from evidence-based policing principles.

*The Crime Analysis Unit Reported that It Conducted More Proactive Analysis in the Past, but that Analysis Was Supported by Federal Grants that are No Longer Available*

According to the Crime Analysis Unit, although it provided more proactive analysis in the past, its ability to provide this type of analysis is currently limited by funding and staffing. When we asked the Crime Analysis Unit about proactive reporting, members of the unit informed us that they had performed such analysis in the past. They noted that the unit was larger in the past, and data-driven policing was supported with federal grants at the time. However, they stated that since that time, the unit has become smaller and the federal grants are no longer available to support such operations.

SDPD also noted that it has not emphasized proactive data analysis because other departments have seen challenges with implementation.

For example, in Los Angeles, the LASER program, originally touted as a highly effective intervention, was ended when the LAPD's Inspector General found that the program was inconsistent in identifying chronic offenders.

***With an Immature Internal Reporting Process, SDPD May Not Be Evaluating Its Operations to Provide the Most Efficient and Effective Services***

By not using data to evaluate its operations, SDPD may be missing valuable information that could help improve operations. For example, as further disussed below, by using data analysis to conduct evidence-based policing, other cities have identified issues and other measures of performance that can be used to improve the efficiency and effectiveness of their law enforcement services. Furthermore, as further discussed below, we found that SDPD may be missing opportunities to improve the efficiency and effectiveness of its services by not analyzing data on its equity of services.

*Evidence-Based Policing Has Helped Other Cities Consider Issues of Equity and Other Measures of Performance, Such as Community Trust and Cooperation*

Other cities have used evidence-based policing to conduct evaluations of police interventions. For example, researchers in Seattle were able to show that community characteristics affected officer decisions to handle calls more or less formally. The researchers concluded that knowing the effects allow departments to confront the differential treatment with organizational, cultural, and deployment approaches. Using this sort of analysis, SDPD could identify the most effective activities for ensuring equitable treatment.

In evaluating police performance, other jurisdictions have recognized the importance of including multiple measures of performance, because focusing on crimes alone could lead to erroneous conclusions. For example, in Brooklyn Park, MN, researchers collaborated with the police department to analyze the effects of community-oriented policing activities. Researchers found that the community-oriented policing activities successfully improved cooperation with the community, but they did not find it reduced crime. However, on further investigation they found that the improved community cooperation led to more crime reporting due to the newly developed relationships. As a result, analyzing crime rates alone would lead to the incorrect conclusion that community-oriented policing is ineffective. Therefore, it is important to consider more than just crime counts and rates when assessing SDPD activity

and performance, such as community trust and cooperation with the department.

*SDPD May Be Able to Better Address Issues of Equity by Using Additional Evidence-Based Policing Analysis*

SDPD may also be missing valuable information about the equity of its services. For example, we reviewed response times for calls related to Part 1 crimes—murder, rape, aggravated assault, robbery, burglary, theft, auto theft, and arson—by Division to analyze equity of service across the City, and found that response times varied significantly across the City. Part 1 crimes constitute just a part of SDPD's calls-for-service, so the response times for these types of calls may not accurately reflect SDPD's overall response time performance.[16] SDPD noted that SDPD operations are a balance of mutltiple factors: response times by priority for many different types of calls, most of which are not related to Part 1 crimes; patrol workload; and other types of workload. However, as these calls relate to reportable crimes, we analyzed the response times to determine if differences in response times could affect the likelihood of a report or arrest. The cause of longer or shorter response times are not a component of this analysis. In addition to many other kinds of analyses SDPD performs, SDPD could benefit from an analysis of the outcomes of its response time performance for specific call types.

In order to capture calls-for-service related to Part 1 crimes, we worked with SDPD to identify call types related to these crimes. In order to accurately capture the time from call to arrival of the first unit, we excluded calls that were duplicates or cancelled. We also excluded any calls with a response time of zero or greater than three times the standard deviation. We then compared average response times by priority level across Divisions.[17]

SDPD prioritizes calls based on their urgency, and reports for the same crime may receive different priorities. For example, a hot-prowl burglary—where someone is in the property that has been

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[16] SDPD has not reported on its overall response times in its budget since FY2018.

[17] SDPD notes that calls handled by the Telephone Response Unit would not be included in response time analysis, but for our analysis, the response time could still affect the likelihood of a report. SDPD also deployed a new CAD system on October 17, 2017. We compared the response times from before and after the deployment and found that the response times for Part 1 crime related calls did not vary significantly between systems.

broken into—would require a high priority response since there is a potential threat to life. However, a cold burglary report—such as someone who arrived home from vacation to find their house was broken into—would not have a high priority because there is no immediate threat to life. However, both would have the same reported crime of burglary. See **Appendix E** for a description of all call priorities.

**Exhibit 9** shows response times to Part 1 crime related calls for SDPD's Patrol Divisions.

*Exhibit 9*

**Average Response Times for Part 1 Crime Related Calls Varied Throughout the City and Generally Missed SDPD's Goals During FY2016–FY2018**

| Division | Emergency | Priority 1 | Priority 2 | Priority 3 | Priority 4 |
|---|---|---|---|---|---|
| Goal | 7 min | 14 min | 27 min | 80 min | 90 min |
| **Citywide** | **6 min** | **17 min** | **55 min** | **134 min** | **155 min** |
| Northern Division | 7 min | 17 min | 54 min | 138 min | 156 min |
| Northeastern Division | 8 min | 18 min | 43 min | 102 min | 160 min |
| Eastern Division | 8 min | 23 min | 66 min | 151 min | 153 min |
| Southeastern Division | 8 min | 24 min | 68 min | 153 min | 164 min |
| Central Division | 5 min | 17 min | 75 min | 201 min | 159 min |
| Western Division | 6 min | 16 min | 57 min | 127 min | 152 min |
| Southern Division | 6 min | 14 min | 48 min | 94 min | 161 min |
| Mid-City Division | 5 min | 12 min | 38 min | 104 min | 149 min |
| Northwestern Division | 7 min | 14 min | 34 min | 71 min | 145 min |

Source: OCA generated from SDPD Calls-for-Service data.

*Longer Response Times Reduce the Likelihood a Call Will Result in a Report or Arrest*

We analyzed SDPD's call data to determine if longer response times affect outcomes, and we found that it reduced the likelihood of an arrest or report. In order to control for the priority assigned to a call, we used a logistic regression. A logistic regression, similar to a linear regression, uses data to calculate the effect of a set of conditions on an outcome of interest. Unlike a linear regression, which assigns a predicted value for a set of inputs, a logistic regression assigns a predicted probability that an outcome will occur for a set of inputs, such as a report being filed or an arrest being made.[18]

This analysis showed that slower response times had a statistically significant effect on reducing the predicted probability of a report being filed or arrest being made, even when controlling for priority type.[19] For example, we compared the predicted probability that a priority 3 call results in an arrest or report for the slowest average response time—201 minutes in Central Division—to the fastest average response time—71 minutes in Northernwestern Division. The regression indicated that the faster response time is significantly more likely to result in a report or arrest than the slower response time. This may indicate that some parts of the City are reporting artificially low crime statistics due to slower response times.

*SDPD's Response Times Vary by Division Across the City*

We also analyzed SDPD's response times at the Division level. SDPD's average response times for all priorities varies by Division, but emergency calls vary less than lower priority calls. SDPD defines emergency calls as calls that involve an imminent threat to life. The average response times for emergency calls related to Part 1 crimes indicates that there is significant variation in SDPD's response times to these types of calls. Six Divisions met SDPD's response goal of 7 minutes, but three

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[18] More accurately, a logistic regression assigns log odds, from which one can calculate a predicted probability.

[19] To ensure the robustness of the results, we also calculated a logistic regression controlling by priority and call type. Response time still had a significant negative effect on the likelihood of a report or arrest. We also analyzed priority as a categorical rather than continuous variable and found that although priorities 1, 2, and 3 all had a lower likelihood of a report or arrest compared to emergency calls, priority 4 had an increased likelihood. Again, the response time remained statistically significant and negative.

missed this goal for Part 1 related crime calls. **Exhibit 10** shows how Division response times for emergency Part 1 related calls compare throughout the City.

*Exhibit 10*

**Emergency Response Times for Part 1 Crime Related Calls Varied Across the City During FY2016–FY2018 (Goal Time: 7 minutes)**
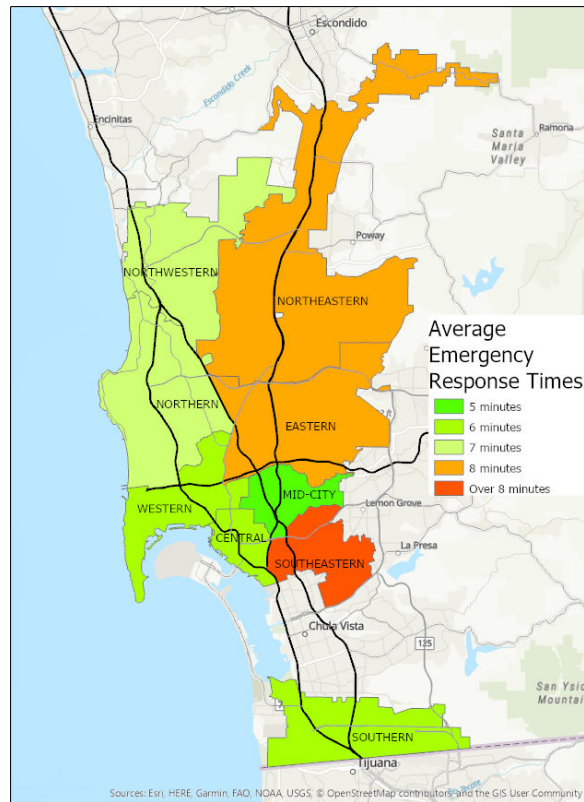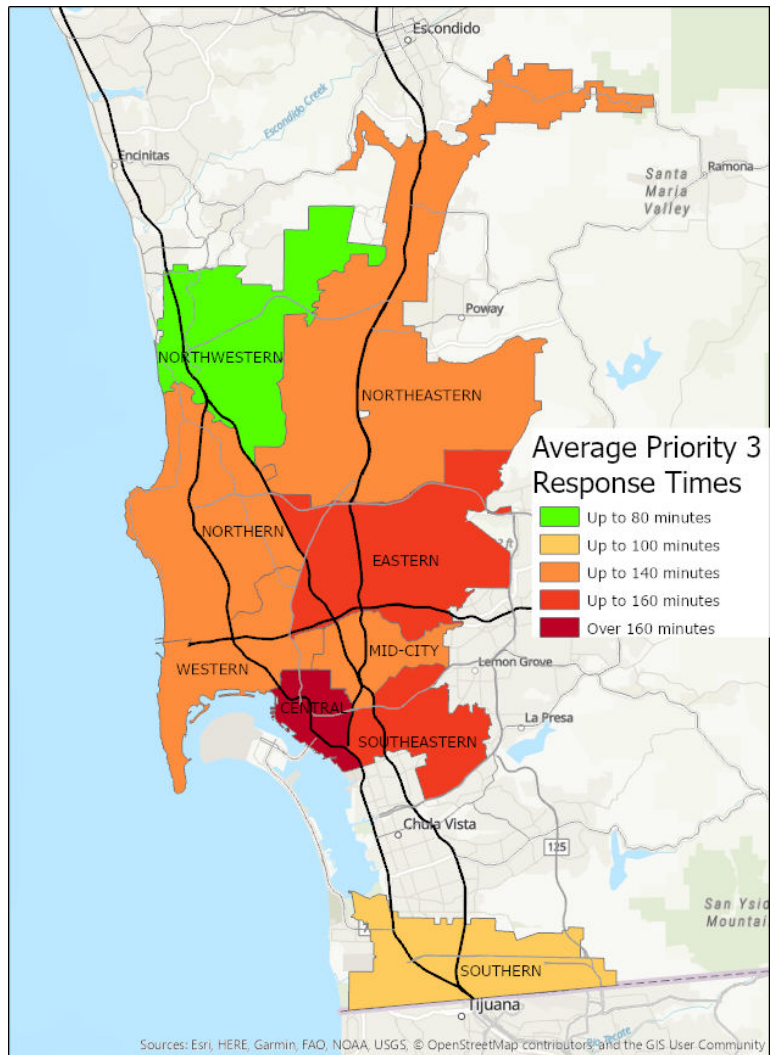


Source: OCA generated from SDPD call data.

SDPD's response times for Priority 3 calls varied more significantly between Divisions. SDPD defines Priority 3 calls as calls that involve minor crimes or requests for service that are not urgent. The average response times for Priority 3 calls related to Part 1 crimes indicates that there is significant variation in SDPD's response times to these types of calls. Only Northwestern Division met SDPD's target response time for priority 3 Part 1 related calls. **Exhibit 11** shows the distribution of Priority 3 response times.

*Exhibit 11*

**Lower Priority Part 1 Crime Related Calls Had Lengthy Response Times in Some Parts of the City (Goal Time: 80 minutes)**



Source: OCA generated from SDPD call data.

*Resident Satisfaction Surveys Show that Variation in Satisfaction is Not Necessarily Tied to Response Times*

In 2015 and 2018, the City conducted a Resident Satisfaction Survey to ask City residents about their satisfaction with City services, including police services. In order to assess possible effects of these inequitable response times, we reviewed the 2015 Resident Satisfaction Survey results by district. We found that the satisfaction levels for "how quickly police respond" were not distributed similarly to response times. For example, northern areas with slower response times have some of the highest satisfaction levels. This demonstrated that there may be variation in satisfaction with SDPD services across the City, but that that variation may not be directly connected to SDPD's response times.

All districts had over 50 percent of respondents indicating that they are satisfied or very satisfied with how quickly police respond, excluding responses of "do not know." Responses to all questions for SDPD on the 2015 Resident Satisfaction Survey indicated satisfaction over 50 percent. Although we did not have the individual responses to review the 2018 Resident Satisfaction Survey by district, there was a Citywide decline in satisfaction with SDPD services, except for how quickly police respond. See **Exhibit 12** for a comparison of responses between 2015 and 2018.

*Exhibit 12*

**Satisfaction with SDPD Services Declined Across the City from 2015 to 2018**
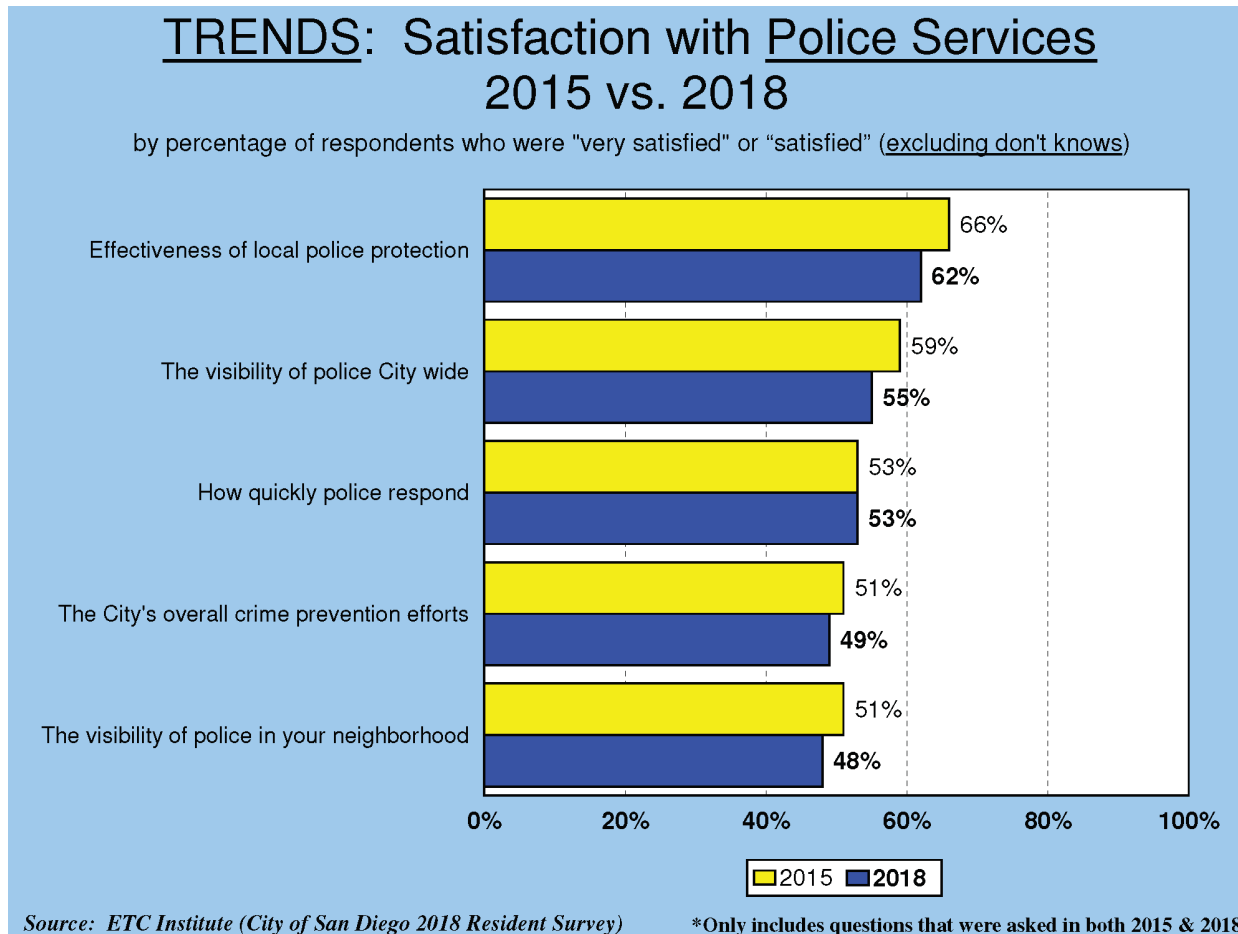


Source: 2018 Resident Satisfaction Survey.

We also reviewed clearance rates, including clearance by exception, for variation across the City, and found that clearance rates were equitably distributed across the City. There does not appear to be a significant variation in the percentage of cases cleared across the City.

SDPD stated that clearance rates are known to be generally consistent over time for individual crime types. Clearance rates are often tied to the solvability of cases, which is dependent on the availability/reliability of information provided by witnesses, evidence, and similar factors. This is why crimes against persons consistently have higher clearance rates than property crimes. SDPD stated that crime clearances are monitored, and the violent crime clearance rate is one of SDPD's key performance

indicators, but additional analysis of clearance rates should not take precedence over other types of analysis.

*By Improving Its Internal Data Analysis Reporting Processes, SDPD Can Also Improve External Reporting*

We found that SDPD does not have a mature data analysis program to provide proactive, routine analysis of its crime data. Without a strong data analysis program, SDPD is missing out on the information available within its regular operations.

Analysis of its data would enable SDPD to evaluate its operations and make evidence-based operational decisions. With a more mature internal reporting process, SDPD can also improve the quality of its external reporting.

To improve the use of data in analyzing and evaluating operations, we made the following recommendations.

**Recommendation 4**

In order to maximize the effectiveness of limited resources, the San Diego Police Department (SDPD) should formally document a requirement for Commanders to include data analysis in planning and evaluation of Division operations, such as analysis of response times, call outcomes, and community-oriented policing efforts. As part of these procedures, SDPD should determine if the analysis is appropriate for public release, document that determination, and publish the analysis if appropriate. SDPD should also provide additional training in evidence-based policing for Commanders. (Priority 3)

**Recommendation 5**

San Diego Police Department's Crime Analysis Unit should document a process to conduct outreach with Patrol and Neighborhood Policing Commanders to determine data analysis needed to evaluate operations. This should include designing reports in a way that allows Commanders to access the same or similar analysis on a regular basis, such as designing new reports in the Mapping Dashboard that can be accessed by Commanders as needed. The Crime Analysis Unit should inform relevant officers of the report availability. The Crime Analysis Unit should keep a catalog of available reports for officers to request. (Priority 2)

**Recommendation 6**   San Diego Police Department's Crime Analysis Unit should establish procedures to survey officers and Commanders annually for information needed to effectively evaluate and manage their operations. The Crime Analysis Unit should design crime analysis reports and new standard reports in available systems, such as the Mapping Dashboard, based on that feedback to be provided periodically and targeted to the relevant officers and Commanders. (Priority 3)

# Finding 3: SDPD Complies with State Law by Having a Complaint Procedure, but the Process Can Be Improved for Accepting Complaints Against Officers and Informing the Public of Its Complaints Process

**Finding Summary**

As with any law enforcement agency, there are sometimes misunderstandings and improper actions by police officers that may result in complaints against an officer. Thus, it is essential for law enforcement agencies to provide an accessible and transparent complaint process so that any potential misconduct by officers is made known to police leadership and can be promptly investigated. In order to provide officer accountability and transparency to the public, law enforcement agencies, such as the San Diego Police Department (SDPD), are required by state law to establish a procedure for receiving and investigating complaints. The complaint procedures should provide maximum transparency in order for citizens to feel their complaints can be heard.

SDPD has a low complaints against officers rate in comparison to the law enforcement agencies of other cities. However, as further discussed below, we recommend that SDPD further strengthen its procedures to address internal control deficiencies that could inadvertently discourage anonymous and third-party complaints and address the inherent risk that supervisors may not follow the most current procedures.

Best practices recommend that all complaints be accepted, whether in person, in writing, over the telephone, anonymously, or on behalf of another individual. In addition, law enforcement agencies should develop an easily understandable and usable complaint form that individuals may use when filing a complaint regarding alleged personnel misconduct, and complaint forms should be readily accessible.

We found that SDPD's complaint procedures largely follow best practices, but SDPD can improve how it notifies the public about these procedures. SDPD's complaint process requires accepting, investigating, and reporting complaints, including anonymous and third-party complaints. However, we found that SDPD's complaint forms are not as readily accessible as Racial and Identity Profiling Act (RIPA) Best Practices recommend, and the Community Review Board on Police Practices' (CRB) online complaint form embedded on SDPD's website includes statements and requirements that inadvertently discourage the submission of anonymous or third-party complaints. Although SDPD's policy of requiring Sergeants to respond immediately to complaints can be beneficial when a complainant agrees to file the complaint in person, also having readily available complaint forms and informing potential complainants of other ways to file complaints—including anonymously and on another's behalf— would help ensure all potential complaints are accepted.

Additionally, we found that there is an inherent risk that Sergeants may not always follow procedure, which is increased due to several recent changes to this procedure and practices. The recent changes may lead to misunderstandings by some department members and consequently some complaints may not be appropriately documented and reviewed. In addition, SDPD's existing process prevents outside agencies, such as the CRB, from confirming the accuracy of the complaint numbers reported. Combined, these issues may lead to fewer complaints being filed and reported. Since informal complaints and inquiries are not publicly reported or reviewed by the CRB, there is a risk that improperly categorized complaints would not be reported.

As a result, SDPD leadership and the public may be unaware of and unable to address some instances of potential officer misconduct. In addition, SDPD's lower rate of reported complaints compared to other cities could indicate less complaints being processed rather than less complaint calls coming in. These issues could also potentially reduce public confidence in the complaint process leading to even fewer complaints and less trust from the public.

To improve the complaint process and help ensure potential complainants are aware of all potential venues for filing complaints, we recommend that SDPD improve its complaint procedure by establishing a review process for all incoming complaints, including those investigated informally or resolved without an investigation, to be reviewable by the CRB.[20] We also recommend that SDPD improve its complaint procedure by ensuring potential complainants are aware of alternative methods of filing complaints and by ensuring officers keep complaint forms in vehicles, in addition to SDPD's procedure of immediately calling a supervisor. We also recommend that SDPD work with all organizations that accept complaints to ensure that complaint forms available on City websites clarify the requirements for filing complaints, including the fact that SDPD will investigate all complaints, even if they are made anonymously and there is insufficient information to contact the complainant.

## The City of San Diego Reports Low Complaints Against Officers Compared to Other Cities

The City of San Diego reports on complaints against San Diego Police Department (SDPD) officers as required by state law. According to data from the California Department of Justice (DOJ), San Diego has a low complaint rate compared to other California cities.

SDPD's complaint procedures largely follow best practices. However, we found internal control deficiencies that could inadvertently discourage anonymous and third-party complaints, as well as an inherent risk that supervisors may not follow the most current procedures.

As shown in **Exhibit 13** and **Exhibit 14**, SDPD has a low complaint rate per officer and per capita. SDPD's complaint rate per capita was 9.2 in 2016, 6.8 in 2017, and 5.2 in 2018. **Exhibit 14** shows a comparison between the complaints per

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[20] The Community Review Board on Police Practices reviews and evaluates serious complaints brought by the public against officers of the San Diego Police Department.

capita in San Diego and the other California cities over the three-year period.[21]

*Exhibit 13*

**SDPD Had One of the Lowest Complaint Rates per Officer in 2017 Among Other California Law Enforcement Agencies**

| AGENCY | COMPLAINTS | PROFILING COMPLAINTS | OFFICERS | POPULATION | COMPLAINTS PER 100 OFFICERS |
|---|---|---|---|---|---|
| OAKLAND POLICE DEPT | 1,248 | 54 | 744 | 429,082 | 167.74 |
| FRESNO POLICE DEPT | 188 | 7 | 786 | 530,093 | 23.92 |
| SAN FRANCISCO POLICE DEPT | 527 | 41 | 2,332 | 883,305 | 22.60 |
| SAN JOSE POLICE DEPT | 208 | 33 | 940 | 1,030,119 | 22.13 |
| LONG BEACH POLICE DEPT | 168 | 12 | 799 | 467,354 | 21.03 |
| LA POLICE DEPT | 1,729 | 215 | 9,988 | 3,990,456 | 17.31 |
| BAKERSFIELD POLICE DEPT | 62 | 3 | 364 | 383,579 | 17.03 |
| ANAHEIM POLICE DEPT | 70 | 16 | 419 | 352,005 | 16.71 |
| RIVERSIDE POLICE DEPT | 36 | 3 | 350 | 330,063 | 10.29 |
| SAN DIEGO POLICE DEPT | 97 | 13 | 1,752 | 1,425,976 | 5.54 |
| SACRAMENTO POLICE DEPT | 18 | - | 644 | 508,529 | 2.80 |
| STOCKTON POLICE DEPT | 10 | - | 441 | 311,178 | 2.27 |

Source: OCA generated from California Department of Justice reports and US Census data.

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[21] We excluded Oakland from this graph as it was an outlier. Oakland's complaint rate was 284 in 2016, 294.07 in 2017, and 325 in 2018.

*EXHIBIT 14*

**SDPD Reports a Low Rate of Complaints per Capita Compared to Other California Law Enforcement Agencies**



Complaint rates per 100,000 population
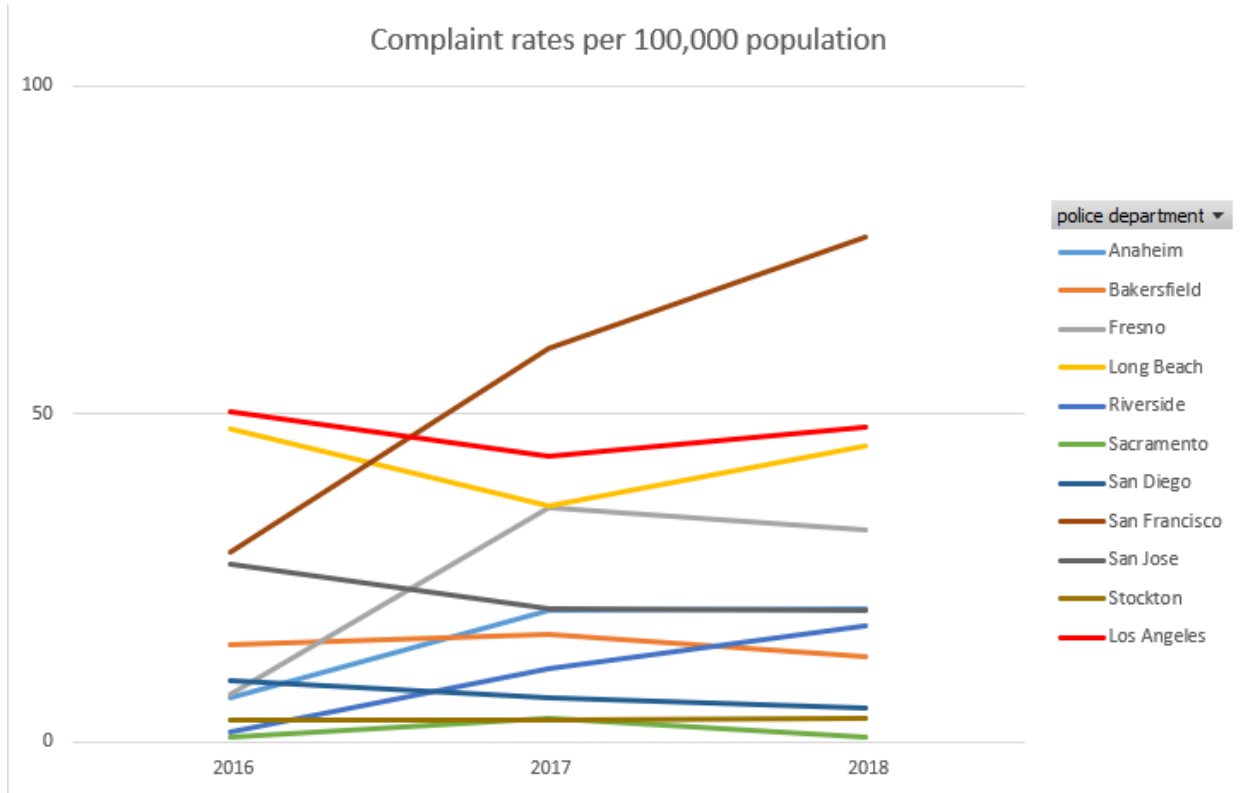
Source: OCA generated from California Department of Justice Complaints Against Peace Officers data.

**SDPD's Complaints Procedures Include Multiple Categories of Complaints and Ways to Investigate**

The SDPD complaint process is described in Department Procedure 1.10. When a member of the public wishes to lodge a complaint against an SDPD officer, they may do so through several venues, including by mail, e-mail, in person, by telephone, or via the online complaint form. If a citizen requesting to lodge a complaint contacts an SDPD member, that member will contact a supervisor. The supervisor will immediately contact and interview the complainant and record the specific complaint.  When a complaint is accepted by SDPD, it is sent to Internal Affairs, which categorizes the complaint according to seriousness:

- Category 1 complaints involve the most serious allegations, such as improper use of force, arrest,

discrimination, slur, criminal conduct, detention, and search and seizure.

- Category 2 complaints involve less serious allegations, such as procedure, courtesy, conduct, and service.

Both Category 1 and Category 2 can be investigated in one of three ways:

- Formal investigations;
- Informal investigations; or
- Inquiries.

**Formal Investigations**

During a formal investigation, the complainant, the officer, and all witnesses will be interviewed, and videos reviewed. Where appropriate, physical evidence will also be examined. At the end of formal investigations of Category 1 complaints, the Community Review Board on Police Practices (CRB) will review Internal Affairs' findings. Beginning in 2019, the CRB also has the authority to audit all Category 2 complaint investigations.

At the end of the investigation and review by the CRB, the SDPD and CRB will notify the complainant of their findings. If the allegations are sustained, the officer will be disciplined according to department policy, but the details of this discipline will not be disclosed to the complainant.

**Informal Investigations**

SDPD's investigation procedures include informal investigations that are addressed by supervisors and reviewed by commanding officers, unless personnel from more than one Division are involved and the process would be too time consuming for field supervisors. During our ride-alongs, a Sergeant explained that informal investigations are handled by reviewing the officer's body camera footage of the incident, and by addressing the complainant's concerns directly with the officer. The incident is documented with a memorandum, which will be retained by Internal Affairs for five years.

Unless the officer's Commanding Officer decides to submit the matter to Internal Affairs for further investigation, the officer will not receive any formal discipline. According to the CRB, when an officer is counseled for an informal investigation, they cannot be

disciplined again if the complainant wishes to pursue a formal procedure.

The CRB does not review informal investigations, regardless of the complaint category.

**Inquiries**

According to Department Procedure 1.10, after contacting a complainant, a supervisor will determine if an explanation or clarification of procedure will resolve the complainant's concerns. If the supervisor can satisfy the complainant's concerns through an explanation or clarification of policy, the supervisor will write a memorandum to their Commanding Officer with sufficient detail to document the concerns and resolution. The Commanding Officer will approve the complaint and memorandum as an "inquiry only." The approved complaint and memorandum is then forwarded to Internal Affairs for review and filing. Department Procedure 1.10 references filing the inquiry on a Complaint Control Form (CCF), which is no longer in use. The procedure is being updated and is currently under review.

As of 2016, SDPD incorporated BlueTeam, an updated field-based reporting system, for incidents including use of force, persuits, complaints, employee-involved collisions, and firearm discharge. Directions on how to input an inquiry into the system is detailed in an SDPD training document. The training document states that inquiries are entered into BlueTeam, a field-based reporting system, and require a memorandum. Any supporting documents are attatched with the memorandum and are routed electronically.

***We Found That SDPD's Complaints Process Does Not Follow Certain RIPA Recommended Practices, Which Could Result in Fewer Complaints Being Reported***

We found that while SDPD's documented complaint procedures adhere to state law, they may not always follow best practices, which could potentially impact the number of reported complaints. Specifically, we found that SDPD's low complaint rate could be partially attributed to the below issues:

- Best practices recommend that complaint forms allow anonymous complaints, but the CRB's online form—which SDPD's website links to—inadvertently discourages anonymous complaints.

- Best practices recommend that forms be available in police vehicles, but the forms are not kept in vehicles.

- Best practices recommend that to ensure accurate reporting and accountability of officers, all complaints should be accepted, investigated, and reported. However, there is an inherent risk that Sergeants may not always follow procedures. This risk has been increased inadvertently due to several recent changes to SDPD's procedure and practices.

The following sections provide greater detail on how SDPD's current procedures and practices may drive down complaint rates.

**Current Standards Provide Requirements and Best Practice Guidance for Handling Complaints Against Officers**

California Penal Code 832.5 specifies that police departments must establish investigative procedures for complaints against officers.[22] SDPD has documented procedures for handling complaint calls. Additionally, the Racial and Identity Profiling Advisory Board (RIPA Board), and the Police Executive Research Forum (PERF) provided best practices on how police should report on all complaints received. SDPD management stated that they have implemented all of PERF's recommendations.

*Complaint Forms Should Be Accessible and Provide Clear Language, and Anonymous Complaints Should Be Accepted*

RIPA Board best practices require complaint forms to be easily accessible to citizens and include clear, comprehensive language. RIPA Board best practices also state that all complaints should be accepted whether in person, in writing, over the telephone, anonymously, or on behalf of another individual. The RIPA Board specifies that agencies should develop an easily understandable and usable complaint form that individuals may use when filing a complaint regarding alleged personnel misconduct. This form should be available online as well as in writing at a variety of governmental and community-centered locations. Furthermore, the form should not contain any language that could reasonably be construed as discouraging the filing of a complaint.

According to RIPA Board best practices, SDPD officers should have complaint forms in their patrol vehicles so that complaints can be

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[22] The California Penal Code (832.5) states that complaints and any reports or findings relating to complaints will be retained for a period of at least five years.

addressed immediately in the field. SDPD should not seek personal information that is not necessary to process the complaint and that may discourage submission. SDPD should also regularly assess the effectiveness of its complaint process and determine if there is a need for a re-evaluation of existing policies, procedures, or trainings.

Additionally, according to RIPA Board best practices, SDPD should contact the complainant as soon as possible with a verification that the complaint was received and is being reviewed. Reports of complaint statistics should be made available to the public on a regular basis. Furthermore, SDPD's complaint procedures should be explained to the complainant and the complainant should be advised where and with whom the complaint may be filed. All complaints should be given a unique number for tracking purposes.

**Current Complaint Forms Do Not Align with Certain RIPA Board Recommended Practices to Help Facilitate Anonymous and Third-Party Complaints**

While current complaint practices align with state law, they do not align with certain RIPA Board recommended practices. Specifically, SDPD's complaint forms are not as available as recommended, and the forms may inadvertently discourage the filing of some complaints—especially anonymous complaints. SDPD informed us that it takes complaints in any form that they are provided, including anonymous complaints. However, a complainant may not be aware of anonymous or other non-standard methods for submitting a complaint.

*SDPD's Complaint Procedures Allow Complaints to Be Accepted Through Various Means*

In accordance with state law and best practices, SDPD's complaint procedures allow for complaints to be accepted through various means. Specifically, SDPD's complaint procedures allow for citizens to lodge all complaints, regardless of complaint category, at any police facility, any SDPD storefront, the City Administration Building (Mayor's Office), several community-based organizations, or with any members of SDPD. Complaints are accepted in writing, in person, through an online form, by e-mail, or by telephone.

As stated in Department Procedure 1.10, "If a citizen requesting to lodge a complaint confronts a Department member, that member will contact a supervisor. The supervisor will immediately contact and interview the complainant and record the specific complaint(s). Officers assigned as a liaison with community-based

groups have the authority to record complaints and are required to document complaints brought to their attention in the same manner as supervisors."

*Complaint Forms are Not as Available as Recommended by RIPA Best Practices*

According to SDPD policies, complainants may call the department's Communications Division, contact any police facility, call or write to the Chief of Police, call or write to Internal Affairs, contact the Mayor's Office, or call a confidential phone line established by the Chief of Police. The department's website has a quickly identifiable link for complaints or commendations located on the home page. Although complaints may be made through various means, we found that complaint forms are not as available as required by best practices.

According to members of the Community Review Board on Police Practices (CRB), and in accordance with RIPA Board best practices, complaint forms should be available in all SDPD vehicles. However, supervisors have stated that they do not keep complaint forms in vehicles, and some stated that they do not commonly receive complaints via the forms. Additionally, SDPD stated that the forms are not required, and that the majority of complaints that come in are not associated with the form. According to Internal Affairs, the form is strictly an additional way to provide a service to people and explain the process. Additionally, the CRB acknowledges that submitting a complaint may be intimidating and stressful. Having the complaint forms in vehicles would allow citizens to submit a complaint without having to contact a supervisor directly. This would allow more officers to collect complaints in compliance with their policy, and it would facilitate the forms being turned in at a site instead of directly to an officer, which some people may find intimidating. Citizens can submit their complaints in the Mayor's Office, Office of the Chief of Police, Internal Affairs Unit, or to the CRB.

SDPD stated that its procedures exceed best practices by requiring department members who learn of a complaint to request a supervisor to contact and interview the complainant.[23] SDPD stated that this allows Sergeants to immediately respond and evaluate the complaint.

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[23] Department Procedure 1.10 both states that complaints may be lodged with any member of the Department and that members of the Department must contact a supervisor who will immediately contact and interview the complainant and record the specific complaint(s).

We agree that this procedure is beneficial in situations where a complainant agrees to submit a complaint in person to a supervisor. To improve this process and help ensure potential complainants understand all potential ways to file a complaint, SDPD should also keep complaint forms in vehicles and inform individuals of how to file complaints through other venues if they feel uncomfortable describing the complaint directly to a police Sergeant. Futhermore, SDPD's Department Procedure 1.10 states that complaints may be lodged "with any member of the Department." Keeping complaint forms in vehicles would allow all members of SDPD to accept complaints in a standard form that enables investigation.

*The CRB's Complaint Form on SDPD's Website May Inadvertently Discourage Anonymous Complaints*

The CRB's online complaint form is not in line with best practices, and it may inadvertently discourage complaints, especially anonymous complaints. The form available on the SDPD website has asterisks on the name and address fields, indicating that the complainant must fill in the mandatory information before it gets sent. However, SDPD informed us that it will investigate complaints, even if the required fields contain ficticious contact information.

Additionally, there is a form still available on the SDPD website that states that the complianant must provide their signature and does not provide instructions for sending complaints anonymously. This is not in line with best practices from the RIPA Board, which states that "All complaints should be accepted, whether in person, in writing, over the telephone, *anonymously, or on behalf of another individual.*" The purpose of such best practices is to help ensure that no complaint against an officer is discouraged.

*SDPD's Complaint Forms Can Inadvertently Hinder Anonymous Complaints, and May Discourage Third-Party Complaints*

We also found that some complaint avenues may inadvertently discourage an anonymous complaint. Specifically, Sergeants stated they use BlueTeam to record complaints in person and notify individuals who wish to file a complaint to either do so online or over the phone. Additionally, the SDPD website states that a resident who is dissatisfied with police services or believes they have witnessed or been a victim of police misconduct can file a complaint either over the phone, in writing, or in person.

However, when the resident goes online to file their complaint, the CRB's form indicates that they are required to enter their name and home address to file the complaint. The exisiting complaint form does not have information on filing anonymous complaints. Additionally, this form contains language that could discourage the submission of anonymous or third-party complaints as shown in **Exhibit 15**. The complaint form does not explicitly provide instructions on how to file a complaint on behalf of another person or provide the option to file anonymously, as best practices recommend.

*Exhibit 15*

**The CRB's Online Complaints Against Officers Form Embedded in SDPD's Website May Inadvertently Discourage Third-Party and Anonymous Complaints**

# Instructions for Completing the Complaint Form

Please describe the incident that led to this complaint, telling what happened from beginning to end. Be as clear and specific as you can be. What aspect(s) of the incident was improper (your specific complaint). How could it be resolved to your satisfaction?

Fields with an asterisk (*) are required.

**Complainant**

First Name *

Last Name *

Age

Email *

Home Phone

Business Phone

Address *

City *

State *

- Select -

Zip Code *

**Optional Information**

The following information is being collected for CRB statistical purposes and is entirely optional. The completion or not of this information will not in any way affect the outcome of the investigation.

Gender/Gender Identity/Gender Expression

Race/Ethnicity

**Incident**

Description/Complaint *

Location *

Date *

| Month ˅ | Day ˅ | Year ˅ | 🗓 |

Time *

| 12 ˅ | : | 00 ˅ | ● am ○ pm |

**SDPD Personnel Involved**

Personnel #1

Personnel #2

Personnel #3

Personnel #4

**Witness(es)**

Witness #1

Witness #2

Witness #3

**Witness(es)**

— Witness #1

— Witness #2

— Witness #3

**Photo/Video**

Only one (1) photo can be uploaded. Additional photos or video files will have to be provided separately.

Upload Photo
Files must be less than **5 MB**.
Allowed file types: **gif jpg jpeg png**.

[ Choose File ] No file chosen

Do you have more photos or a video of the incident?

○ Yes

● No

"I realize that I may be asked to meet with officers of the City of San Diego Police Department Internal Affairs Division and/or members of the Citizens' Review Board on Police Practices to discuss this complaint. If I fail to do so, I acknowledge that it may make it difficult to properly investigate my complaint. I hereby affirm that the foregoing is true and complete to the best of my knowledge and belief."

☐ I agree with the above statement.

[ Submit ]

Source: San Diego Police Department Website.

In order to help ensure all complaints are accepted, especially anonymous complaints, SDPD should update its procedures and forms to include clear opportunites to file a complaint anonymously. Officers and Sergeants should be adequately trained on the complaint procedures and able to inform the public of how they can file a complaint.

SDPD stated that it will accept complaints in a variety of ways including if citizens wish to use fictitous names to submit a form. However, SDPD should work with all organizations that accept complaints for SDPD, such as the CRB, to clearly inform the public of the minimum standards for accepting complaints.

Additionally, instructions on complaint forms should be made clear as to how anonymous complaints can be submitted and provide details as to why personal information is useful when filling out complaints.

**SDPD's Complaint Procedure Follows Best Practices to Accept, Document, and Thoroughly Investigate All Complaints, but Could Be Improved**

The RIPA Board's best practices for complaints against officers state that agencies should have an accessible, fair, and transparent complaint process. In this process, all complaints should be accepted, documented, and investigated in a thorough, unbiased, timely manner. Furthermore, all sworn and non-sworn law enforcement personnel should be sufficiently trained on the complaint policy, procedure, and requirements.

SDPD's Department Procedure 1.10 establishes guidelines for receiving citizens complaints and applies it to all members of the department. Since it was last updated in 2015, SDPD has modified some intended practices related to the procedure, such as using BlueTeam, but it has not yet established an updated procedure. As of June 2020, SDPD uploaded its most recent published Department Procedure 1.10, but this procedure does not address SDPD's intended practice of entering all complaints into BlueTeam. However, the department stated that it has an unpublished version of Department Procedure 1.10 that includes more updates and includes BlueTeam procedures.

**SDPD's Procedures Have Gone Through Considerable Changes in Recent Years to Improve the Complaint Process**

SDPD's procedures have gone through considerable changes throughout the years. Below is a timeline that highlights key points of procedural changes for handling complaint calls and inquiries.

- In 2008, SDPD added an alternative method to its exisiting complaints handling process known as the Public Service Inquiry (PSI). This method allowed for first line supervisors to take in and resolve less serious complaints.

- In 2015, PERF published a detailed report which recommended that SDPD remove its exisiting PSI process. SDPD stated that it accepted the recommendations, removed the PSI process, and no longer includes it in its complaint procedure.

- In 2016, SDPD introduced BlueTeam to the department and instructed department members to file all complaints and inquiries in the new reporting system.[24] Sergeants and officers undergo trainings for Internal Affairs investigations and BlueTeam annually.

- The 2019 version of the Internal Affairs Manual included the use of BlueTeam but also mentions that department members should follow the instructions of Department Procedure 1.10 for handling complaints and inquiries.

- In June 2020, SDPD published Department Procedure 1.10 but it did not include mention of BlueTeam. SDPD stated that it is continuing to revise the procedure document and will publish an updated version that includes BlueTeam in the future.

SDPD noted that it is also its practice to have Internal Affairs Sergeants act as liaisons to area commands and provide routine training and mentoring throughout the year. This includes line-up training, as well as serving as a guide to help the investigating

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[24] BlueTeam is also used for comprehensive officer performance tracking, including potential stressors on the job.

Sergeant navigate the detailed and mandatory investigation procedures when a Sergeant investigates a complaint.

**Significant Recent Changes to the Procedures Increases the Inherent Risk that Sergeants May Not Follow the Most Current Procedure**

Due to the numerous changes to SDPD's policies and intended practices for handling complaints, and the subsequent roll out of those changes to the largest General Fund department of the City, the inherent risk is increased for personnel to not follow the most updated procedures and intended practices.[25]

We discussed the complaints process with six Sergeants during our ride-alongs. Four of these Sergeants stated that most complaints are misunderstandings or a desire to voice dissatisfaction rather than actual complaints. If an explanation of policy resolves the concerns, the department procedure allows Sergeants to address the complainants' questions, but the concerns are still required to be input into the system and a Commanding Officer is required to verify that it was an inquiry. Three of the six Sergeants stated that they record all complaints in BlueTeam. Two of the six Sergeants stated that some complaints would not be recorded, and we observed one of the two handling a complaint call without recording it in BlueTeam. As an inquiry, this would not be in reported statistics, however it would be out of compliance with current procedure and can affect internal controls over complaint filing and review. Although half of the Sergeants clearly stated that they would record all complaint calls in BlueTeam, there is an inherent control weakness that a Sergeant can unintentionally or intentionally take the complaint call and not record it. Currently the CRB is unable to act as a detective control for such cases because it only reviews completed formal investigations.

Sergeants reported that formal complaint investigations could take months, or even years, and the complainant may be expected to speak with officers on multiple occurrences. The complaint against officers form states that if a complaint is investigated informally, the officer will not receive any formal discipline unless their Commanding Officer determines that additional investigation is warranted. Such informal complaints

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[25] Some Sergeants stated that unless specified by the complainant, the supervisors will not provide additional details when filing a complaint in BlueTeam—SDPD's complaint tracking system—that could help identify an unknown officer.

are not reviewed by the CRB or reported in SDPD's complaint statistics.

As mentioned above, during a ride-along we observed a Sergeant receiving a complaint call. The Sergeant received a notification through the Computer Aided Dispatch (CAD) system of a complaint call, and they called the person to investigate. The Sergeant explained department policy and justifications for the officers' actions. The Sergeant then recorded the information in the CAD system, but it was not recorded in BlueTeam or in a memorandum to the Commander. Thus, it would not be reported as a complaint in SDPD's statistics, and SDPD Command would be unaware of any potential allegations against an officer. Although the call we observed appeared to reflect a genuine misunderstanding by the caller of SDPD's policies and not an allegation of wrongdoing by the officers, we note that this process could be used to discourage filing an informal or formal complaint. This is just one observation and may not be indicative of a wider problem, but it demonstrates the importance of detective controls to help ensure such incidents are identified and fixed.

*The Observed Complaint Handling Process Appeared to be an Old Procedure*

The complaint we observed being handled appeared to be handled according to a previous complaint procedure that SDPD removed in response to recommendations by PERF. In August 2008, SDPD added an alternative to the complaint process, known as Public Service Inquiry (PSI), which allowed first-line supervisors to resolve less serious complaints that were most often received by the SDPD Communications Division. These complaints were typically related to the actions of an officer or the service an officer delivered. When a PSI is received, the complaint is routed to a working supervisor, usually the involved officer's supervisor, who then contacts the complainant and may resolve the situation without any formal investigation. If the PSI complaint is resolved by the supervisor, the PSI is simply documented in the department's CAD. PERF indicated that no further review is usually conducted or required by the SDPD command staff.

As further discussed below, SDPD noted that since the PERF document was released, SDPD has implemented PERF's recommendations. SDPD has eliminated the PSI process and

now requires that all inquiries and complaints are entered into BlueTeam.

**Exhibit 16** shows SDPD's current handling and categorizing procedures for complaints against officers. This includes what occurs when a complaint is categorized as formal, informal, or inquiry; the stages of the complaint filing process; CRB review; and disciplinary action. Specifically, this process outlines Department Procedure 1.10. This procedure requires all inquiries to be checked by the investigating supervisor's Commanding Officer. SDPD's current training differs from the 2015 department procedure by including the current practice of entering complaint information into the BlueTeam system to automate the process. **Exhibit 17** showcases the SDPD training process for inputting complaints in the system.

While the department is going through the process of updating its department procedure, gaps between its leadership directives and the active procedures can result in officers not following the most current procedures, such as the case discussed above.

*Exhibit 16*

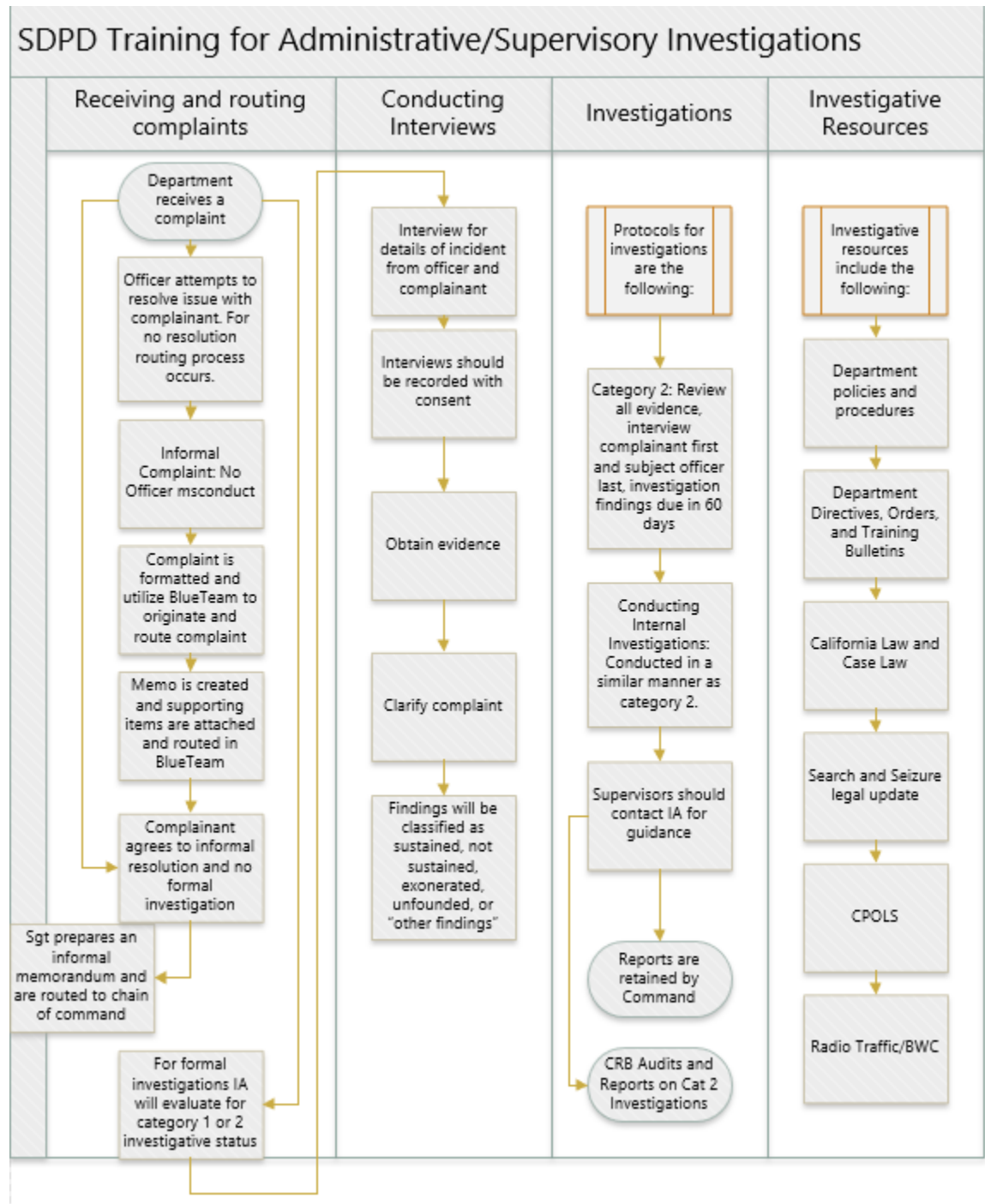**SDPD's Complaint Categorization Process per Department Procedure 1.10**
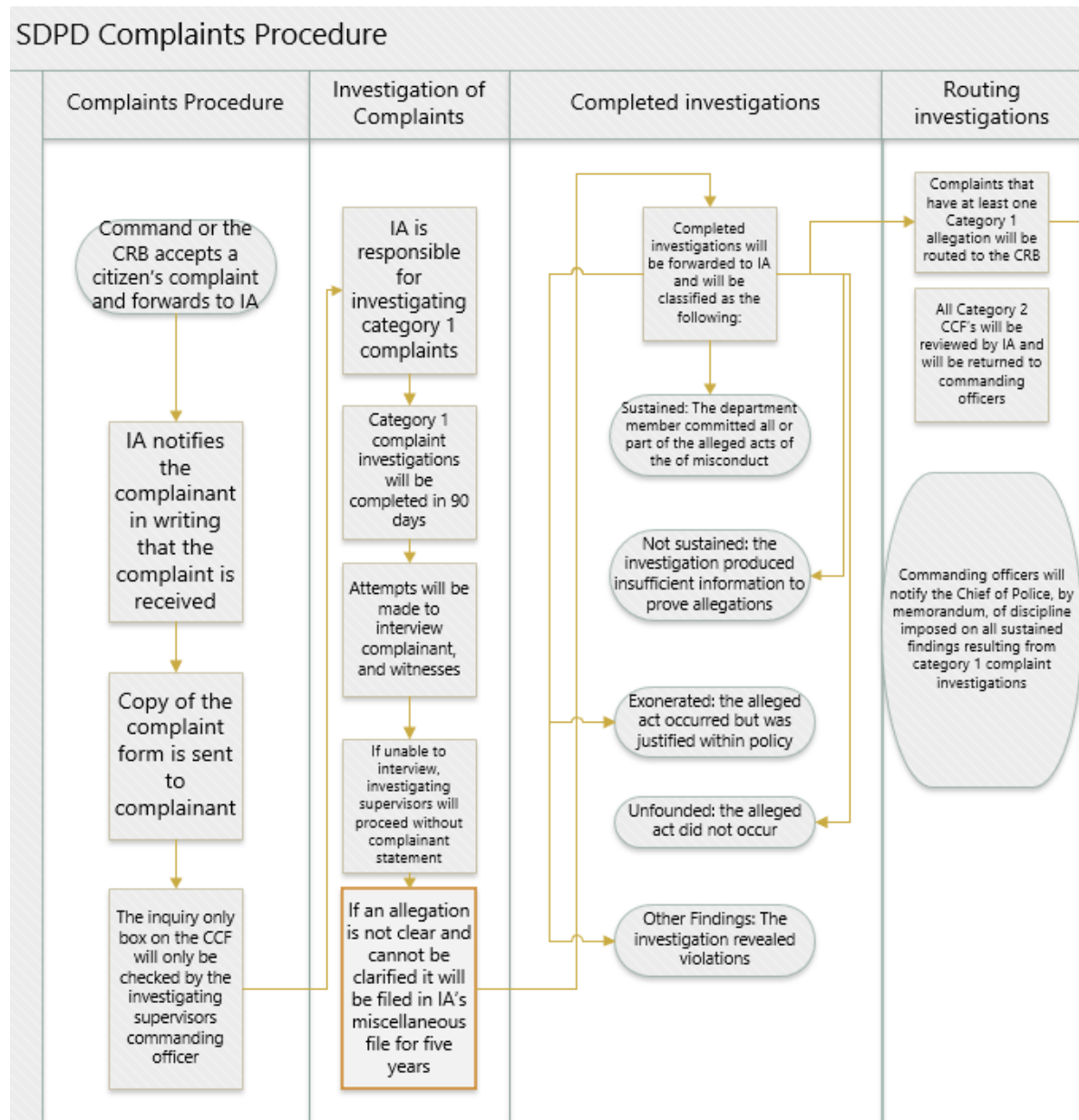


Note: We refer to Internal Affairs as IA in this exhibit.

Source: OCA generated based on interviews and SDPD procedures.

*Exhibit 17*

**SDPD's Training for Administrative/Supervisory Investigations Adds the Use of BlueTeam in the Complaints Process**



## SDPD Training for Administrative/Supervisory Investigations

**Receiving and routing complaints**

- Department receives a complaint
- Officer attempts to resolve issue with complainant. For no resolution routing process occurs.
- Informal Complaint: No Officer msconduct
- Complaint is formatted and utilize BlueTeam to originate and route complaint
- Memo is created and supporting items are attached and routed in BlueTeam
- Complainant agrees to informal resolution and no formal investigation
- Sgt prepares an informal memorandum and are routed to chain of command
- For formal investigations IA will evaluate for category 1 or 2 investigative status

**Conducting Interviews**

- Interview for details of incident from officer and complainant
- Interviews should be recorded with consent
- Obtain evidence
- Clarify complaint
- Findings will be classified as sustained, not sustained, exonerated, unfounded, or "other findings"

**Investigations**

- Protocols for investigations are the following:
- Category 2: Review all evidence, interview complainant first and subject officer last, investigation findings due in 60 days
- Conducting Internal Investigations: Conducted in a similar manner as category 2.
- Supervisors should contact IA for guidance
- Reports are retained by Command
- CRB Audits and Reports on Cat 2 Investigations

**Investigative Resources**

- Investigative resources include the following:
- Department policies and procedures
- Department Directives, Orders, and Training Bulletins
- California Law and Case Law
- Search and Seizure legal update
- CPOLS
- Radio Traffic/BWC

Source: OCA generated based on interviews and SDPD procedures.

The discrepencies between established procedures and leadership directives emphasize the need for outside oversight to be able to review all investigations to ensure that the investigations are complete, fair, and thorough.

*One of the CRB's Functions is to Provide an Independent Verification that Complaints Against Officers are Handled Properly*

The Community Review Board on Police Practices' (CRB) role is to review and evaluate serious complaints brought by the public against officers, as well as review and evaluate the administration of discipline from sustained complaints.

The City Charter states in Article 5, section 43d:

> Notwithstanding any other provision of this Charter, the Mayor and City Council shall have the exclusive authority to create and establish a community review board on police practices to review and evaluate citizens' complaints against members of the San Diego Police Department and the San Diego Police Department's administration of discipline arising from such complaints.

The Charter further states that:

> The board shall submit semiannual reports to the Mayor and City Council concerning its evaluation of the San Diego Police Department's investigation of citizens' complaints; provided, however, that such reports shall not disclose any information required to be kept confidential by law.

The CRB's charter authority should allow it to effectively review and evaluate all complaints to ensure they are properly investigated. In order to review and evaluate citizens' complaints against officers, the board requires access to the complaints and SDPD's methods of recording and classification. However, CRB currently only has access to review certain complaints.

During an interview with CRB members, they expressed concerns over how SDPD classifies and tracks complaints. They noted that the CRB does not have the ability to track or review all complaints, and they believe that the board should be included in the process of classifying complaints.

Previously, the CRB only had access to review—and consequently only reports on—concluded Category 1 complaints and Category 2 complaints that were part of a Category 1 complaint. Since January 1, 2020, the CRB has been able to audit Category 2 complaints. Prior to the completion of SDPD's review, the CRB only sees the details of complaints that are filed through them, and are unable to ensure that complaints are categorized correctly. The CRB receives a tracking spreadsheet, but it does not include complaint summaries or details of complaints filed through SDPD. Additionally, the CRB has no ability to review inquiries or informal complaints to ensure they were not incorrectly categorized. The CRB only reports on its activities in its annual report, so it does not currently include the number of Category 2 complaints investigated, informal investigations, or complaint calls resolved as inquiries.

According to the CRB public records meeting minutes, members of the public voiced complaints regarding SDPD's complaint handling procedure. Specifically, members of the public voiced concerns to the CRB regarding the level of discretion Sergeants have, how complaints are classified, and transparency issues pertaining to follow-up measures.

CRB members emphasized that the SDPD is a good police department, but they believed that the process for investigating complaints against officers could be improved and made more transparent.

*The CRB'S Charter Authority Covers All Complaints, Which Requires Access to All Systems in Which Complaints Can Be Tracked*

In 2015, the Police Executive Research Forum (PERF) issued a report that highlighted recommendations for improving the SDPD's complaint process and procedures. PERF's report reviewed the existing process of categorizing complaints. Current complaint procedures include SDPD categorizing complaints in two levels: Category 1 and Category 2. Category 1 complaints are more serious in nature and include complaints such as an illegal arrest, criminal conduct by an officer, excessive force, and discrimination. All Category 1 citizen-initiated formal complaints are investigated by Internal Affairs and, when completed, are assigned to a three-person panel of the CRB for a review and evaluation of the facts of the case. Upon completion of the review, the CRB team writes a report detailing its findings

and presents this report to the full 23-member CRB in a closed session. If the CRB and SDPD (through the Chief of Police) fail to agree on findings, the complaint is presented to the Mayor, who makes the final determination.

Based on its findings, PERF recommended that SDPD provide the CRB with routine updates on the complaints received from the board, as well as a way for the CRB to track the status of these complaints.

When a community member files a complaint through the CRB, that complaint is sent to Internal Affairs. PERF recommended that the CRB, in collaboration with Internal Affairs, develop a database specific to the complaints that are sent by community members directly to the CRB. This database could be used by the SDPD and CRB to monitor case progress and outcomes. While PERF heard differing opinions regarding the level of cooperation from Internal Affairs, PERF recommended that the processing and tracking of all complaint cases be as transparent as possible. SDPD has implemented this recommendation by providing the CRB with a spreadsheet that allows it to track all complaints that came in through the CRB. However, this recommendation only addressed complaints filed through the CRB, but the CRB's charter authority covers all complaints. Additionally, the CRB Executive Director noted that the spreadsheet does not include case details or summaries, and only includes progress tracking and not outcomes. Therefore, it is important for SDPD to provide access to all systems for tracking complaints from intake through completion.

The CRB's charter role is to review, evaluate, and report on citizens' complaints against members of SDPD and SDPD's administration of discipline arising from such complaints. However, without the necessary access to achieve this oversight role, the CRB cannot provide assurance that all complaints are fully recorded, properly categorized, and appropriately investigated.

**A Transparent Process Helps Ensure SDPD and the Public are Aware of Potential Officer Misconduct**

Without the ability to independently verify that inquiries and informal investigations are categorized and investigated properly, the CRB cannot provide assurance that all complaint calls are investigated in a complete, fair, and thorough manner. As a result, the public cannot be independently assured that all complaints are properly reported.

Additionally, the lack of transparent and streamlined procedures for submitting anonymous or third-party complaints could potientially result in underreporting complaint rates. This is because current procedures are not clear on how to file complaints.

As a result, SDPD leadership and the public may be unaware of potential misconduct and unable to investigate these issues and take appropriate corrective action.

In order to ensure transparency in filing and reporting complaints against officers and ensure officers are held accountable for misconduct, we made the following recommendations.

**Recommendation 7**

The San Diego Police Department should formally establish appropriate reporting review access to the Community Review Board on Police Practices (CRB) to review all formal and documented informal complaints for classification and be able to investigate all calls that come in as inquiries or complaints to ensure they were investigated according to policy, including those resolved by Sergeants without filing a formal complaint. In the case where an independent commission for police oversight assumes the CRB's role, the new commission must also have this access. (Priority 2)

**Recommendation 8**

In order for the San Diego Police Department (SDPD) to ensure those filing complaints are aware of alternative complaint methods, SDPD should develop procedures for officers to inform a complainant of alternative methods of making complaints such as the Community Review Board on Police Practices (CRB) website, City website, or CRB hotline to file complaints. Complaint forms should be kept in all police vehicles to provide

to the public. The procedures should include informing a complainant of the ability to file anonymously.

SDPD should include these updated procedures in its periodic training to ensure the leadership's directives regarding complaints are as easy to follow as possible. (Priority 2)

**Recommendation 9**    The San Diego Police Department (SDPD) should work with all organizations that accept complaints, such as the Community Review Board on Police Practices (CRB), to ensure that the complaint forms available on City websites and other public information, clarify the requirements for filing a complaint and note that SDPD will investigate all complaints even if they are made anonymously and there is insufficent information to contact the complainant. (Priority 2)

# Conclusion

The San Diego Police Department (SDPD) is the largest General Fund department and is responsible for the core public service of public safety. The importance of SDPD's mission makes it essential to deliver these services in the most efficient, effective, and equitable manner possible.

Complete and accurate recording, analysis, and reporting of data regarding SDPD activities allows SDPD leadership, City leadership, and the public to monitor the department's performance and provide oversight of police activities. We found that in the areas of crime reporting, Racial and Identity Profiling Act (RIPA) stop data collection, data analysis, and complaint intake, SDPD has internal controls that should help ensure the recording, analysis, and reporting of high quality data. We identified a few areas to further improve data quality and analysis.

We found that SDPD has policies and procedures, system controls, supervisory review, and outside agency review to help ensure reported crime and RIPA data is complete, reliable, and secure. However, we found there may be some minor variations in the completeness of the data reported by officers. Specifically, for crime data, we found that although according to current reporting standards, SDPD's system of internal controls should help ensure complete and accurate crime data reporting, SDPD will be transitioning to a new reporting standard that will require additional information, and there is a risk that officers may file reports in a way that does not comply with this new standard. In addition, for RIPA data, we found that due to conflicting guidance and training, some officers may not be completely reporting the data according to RIPA requirements.[26] The potential minor variation in completeness of crime data may

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[26] Specifically, an FAQ document stated that officers should only fill out a single outcome of a stop, while RIPA requires that officers fill out all outcomes of a stop. SDPD stated that all other training consistently instructed officers to fill out all outcomes of a stop, but the training documents provided did not specify reporting all stops with the exception of the RIPA form included in **Appendix F**. However, this form is not generally used for filing reports, and the web application generally used does not include a statement about reporting all outcomes.

create inefficiencies or delay SDPD's planned transition to the new reporting standard. Additionally, the potential minor variation in completeness of RIPA data may result in some reports being out of compliance with one RIPA requirement.

We also found that SDPD can better use its existing data to internally evaluate and improve its operations and enable evidence-based decision making. Surveyed Commanders in SDPD's Patrol and Neighborhood Policing Divisions reported that they regularly use data analysis tools for tactical purposes, such as researching information about a location or person. However, surveyed SDPD Commanders reported that they do not generally receive or use data analysis to evaluate operations, for example evaluating the effects of community-based policing efforts on crime levels and evaluating the impact of response times on the likelihood of a crime report or arrest.

SDPD has made a variety of changes to improve its complaints process, and we found that SDPD's complaints process requires accepting, investigating, and reporting complaints, including anonymous and third-party complaints. However, complaint forms are not as readily accessible as RIPA Board best practices recommend, and the Community Review Board on Police Practice's (CRB) online complaint form embedded on SDPD's website includes statements and requirements that may inadvertently discourage the submission of anonymous or third-party complaints. Further, although SDPD's policy of requiring Sergeants to respond immediately to complaints can be beneficial when a complainant agrees to file the complaint in person, also making complaint forms readily available and informing potential complainants of other ways to file complaints—including anonymously and on another's behalf— would help ensure all potential complaints are accepted. Additionally, we found that while there is an inherent risk that Sergeants may not always follow procedure, this risk is increased due to several recent changes to this procedure and practices, which may lead to misunderstandings by some department members. As a result, some complaints may not be appropriately documented and reviewed. Currently, the CRB does not have the ability to review all complaint calls for compliance with procedures; this access would allow the CRB to

act as a detective control to help mitigate this risk through independent audits.

# Recommendations

**Recommendation 1**   The San Diego Police Department (SDPD) should have an independent third party, such as the Federal Bureau of Investigation (FBI), validate the data reliability of SDPD's crime report systems after SDPD completes its transition to the National Incident-Based Reporting System (NIBRS).[27] Additionally, SDPD should report and present the outcome of the FBI's data reliability audit to the Audit Committee.

If the transition is not completed by December 31, 2020, OCA will conduct data reliability testing of SDPD's crime data following the end of the COVID-19 emergency. (Priority 2)

**Recommendation 2**   The San Diego Police Department (SDPD) should update crime report procedures and training materials to improve reporting consistency and to ensure SDPD can switch their reporting to the National Incident-Based Reporting System (NIBRS) as planned— and ahead of other California agencies. This should include requiring officers to report all known offenses in reportable fields.

As procedures are updated, SDPD should provide training and continuous feedback through supervisory review on the updated procedures.

Finally, SDPD should ensure consistency across Divisions in training and supervisory review of crime report data entry. (Priority 2)

**Recommendation 3**   The San Diego Police Department (SDPD) should update their Racial and Identity Profiling Act FAQ documentation to specify that the "outcome of stop" data field should include all stop outcomes. SDPD should provide additional training across all Divisions to help ensure data consistency throughout the City. SDPD should also formally communicate the potential variation

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[27] As part of the NIBRS certification process, the FBI conducts a review of applicant agencies' data for completeness and accuracy.

to the Center for Policing Equity, to prevent drawing erroneous conclusions from the data to their contracted analyst. (Priority 2)

**Recommendation 4**     In order to maximize the effectiveness of limited resources, the San Diego Police Department (SDPD) should formally document a requirement for Commanders to include data analysis in planning and evaluation of Division operations, such as analysis of response times, call outcomes, and community-oriented policing efforts. As part of these procedures, SDPD should determine if the analysis is appropriate for public release, document that determination, and publish the analysis if appropriate. SDPD should also provide additional training in evidence-based policing for Commanders. (Priority 3)

**Recommendation 5**     San Diego Police Department's Crime Analysis Unit should document a process to conduct outreach with Patrol and Neighborhood Policing Commanders to determine data analysis needed to evaluate operations. This should include designing reports in a way that allows Commanders to access the same or similar analysis on a regular basis, such as designing new reports in the Mapping Dashboard that can be accessed by Commanders as needed. The Crime Analysis Unit should inform relevant officers of the report availability. The Crime Analysis Unit should keep a catalog of available reports for officers to request. (Priority 2)

**Recommendation 6**     San Diego Police Department's Crime Analysis Unit should establish procedures to survey officers and Commanders annually for information needed to effectively evaluate and manage their operations. The Crime Analysis Unit should design crime analysis reports and new standard reports in available systems, such as the Mapping Dashboard, based on that feedback to be provided periodically and targeted to the relevant officers and Commanders. (Priority 3)

**Recommendation 7**     The San Diego Police Department should formally establish appropriate reporting review access to the Community Review Board on Police Practices (CRB) to review all formal and documented informal complaints for classification and be able to investigate all calls that come in as inquiries or complaints to ensure they were investigated according to policy, including

those resolved by Sergeants without filing a formal complaint. In the case where an independent commission for police oversight assumes the CRB's role, the new commission must also have this access. (Priority 2)

**Recommendation 8**

In order for the San Diego Police Department (SDPD) to ensure those filing complaints are aware of alternative complaint methods, SDPD should develop procedures for officers to inform a complainant of alternative methods of making complaints such as the Community Review Board on Police Practices (CRB) website, City website, or CRB hotline to file complaints. Complaint forms should be kept in all police vehicles to provide to the public. The procedures should include informing a complainant of the ability to file anonymously.

SDPD should include these updated procedures in its periodic training to ensure the leadership's directives regarding complaints are as easy to follow as possible. (Priority 2)

**Recommendation 9**

The San Diego Police Department (SDPD) should work with all organizations that accept complaints, such as the Community Review Board on Police Practices (CRB), to ensure that the complaint forms available on City websites and other public information, clarify the requirements for filing a complaint and note that SDPD will investigate all complaints even if they are made anonymously and there is insufficent information to contact the complainant. (Priority 2)

# Appendix A: Definition of Audit Recommendation Priorities

**DEFINITIONS OF PRIORITY 1, 2, AND 3**

**AUDIT RECOMMENDATIONS**

The Office of the City Auditor maintains a priority classification scheme for audit recommendations based on the importance of each recommendation to the City, as described in the table below. While the City Auditor is responsible for providing a priority classification for recommendations, it is the City Administration's responsibility to establish a target date to implement each recommendation taking into consideration its priority. The City Auditor requests that target dates be included in the Administration's official response to the audit findings and recommendations.

| Priority Class[28] | Description |
|---|---|
| 1 | Fraud or serious violations are being committed. Significant fiscal and/or equivalent non-fiscal losses are occurring. Costly and/or detrimental operational inefficiencies are taking place. A significant internal control weakness has been identified. |
| 2 | The potential for incurring significant fiscal and/or equivalent non-fiscal losses exists. The potential for costly and/or detrimental operational inefficiencies exists. The potential for strengthening or improving internal controls exists. |
| 3 | Operation or administrative process will be improved. |

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[28] The City Auditor is responsible for assigning audit recommendation priority class numbers. A recommendation which clearly fits the description for more than one priority class shall be assigned the higher priority.

# Appendix B: Objectives, Scope, and Methodology

**Objectives**

In accordance with the Office of the City Auditor's approved FY2020 Audit Work Plan, we have completed an audit of SDPD's Data Analysis. As stated in the workplan, the overal tentative objective was to determine the completeness and reliability of data collected by SDPD, and the methodologies used by SDPD to analyze and report this data.

As a result of our preliminary research and intitial program assessment, we defined our audit scope to focus on FY2017–FY2019 to review the following objectives:

- **Objective 1:** Is SDPD crime and RIPA stop data complete, reliable, secure, and reported in compliance with regulations?

- **Objective 2:** Is SDPD complaint data reliable and completely reported?

- **Objective 3:** Does SDPD adequately analyze, use, and report crime data to evaluate operations?

**Scope and Methodology**

We performed a number of tests to achieve these objectives, including reviewing SDPD's policies and procedures, interviewing staff and supervisors, surveying Commanders, and analyzing call data as outlined below.

Although our scope included testing the reliability of SDPD's crime data against report narratives, we were unable to conduct this test due to the COVID-19 emergency and the resulting restrictions to access of the data on site at SDPD Headquarters.

**Crime Data and RIPA Stop Data Reliability**

To assess SDPD's controls over crime data, we reviewed SDPD's policies and procedures regarding crime data entry, review, and reporting. We reviewed training materials and attendance records for SDPD's criminal records management system, NetRMS. We conducted interviews and ride-alongs to observe the use of NetRMS. We reviewed SDPD documentation on closing cases for compliance with state law and regulations. We review NetRMS documentation to gain an understanding of required fields and validations. We reviewed ARJIS validation documentation to assess compliance with state law and regulations, as well as ARJIS rejected reports for evidence of controls being in place and functioning.

To assess SDPD's controls over RIPA data, we reviewed SDPD's policies and procedures regarding RIPA stop data entry, review, and reporting. We reviewed SDPD's training materials and attendance records for RIPA stop data. We conducted interviews and ride-along to observe filing of RIPA stop reports. We reviewed RIPA reporting system controls for required fields and validations.

To assess SDPD's access controls over crime data systems, we reviewed SDPD's procedures for reviewing use of the California Law Enforcement Telecommunications System (CLETS) to ensure users only access information for authorized purposes, and we reviewed CLETS controls and audits to determine if SDPD has adequate controls over access to police data.

**Complaint Data Reliability**

To assess SDPD's complaint intake procedures, we reviewed complaints against officers forms and procedures to determine if they are in compliance with best practices. We reviewed procedures on classifying complaints against officers as inquiries to determine if SDPD is in compliance with regulations and best practices. We conducted interviews and ride-alongs with SDPD Sergeants to observe complaint filing.

**Data Analysis Adequacy**

To assess SDPD's data analysis practices, we reviewed analysis done by SDPD for department decisions, strategies, and tactics to determine if SDPD analyses are in compliance with best practices. We surveyed Patrol and Neighborhood Policing Commanders to evaluate the use of data in evaluating strategies and tactics. We reviewed Crime Analysis Unit and Information Services Division for key vacancies to determine if the unit and Division has adequate staffing to conduct analysis consistent with best practices.

To assess SDPD's use of data for evaluating service effectiveness, we reviewed SDPD response times for calls related to Part 1 crimes by priority to determine if SDPD prioritizes responses and meets targets across the City. We reviewed SDPD clearance rates. We analyzed data for correlations between response times and crime reports filed or arrests made to determine if longer response times could affect policing outcomes. The data used for this test was from a subset of all call data chosen in cooperation with SDPD, because they related to Part 1 crimes. This data cannot be used to draw conclusions for all SDPD calls for service. We reviewed this data for outliers and illogical sequences, and exluded such data.

To assess SDPD's use of data for evaluating service equity, we reviewed SDPD documentation on equity and community outreach values to determine if SDPD adequately considers equity and community outreach. We reviewed SDPD published data and trends analysis to determine if SDPD is adequately publishing data related to equity of service and community outreach.

**Internal Controls Testing**

Our internal controls testing was limited to specific controls relevant to our audit objectives, including controls to ensure complete and accurate crime data recording and reporting, complete and accurate RIPA stop data entry and reporting, data analysis, and complete and accurate complaint recording.

**Compliance Statement**

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the audit objectives.

# Appendix C: SDPD's Required Reports

| REPORT | CONTENTS | FREQUENCY |
|---|---|---|
| **CITIZENS' COMPLAINTS AGAINST PEACE OFFICERS SURVEY** | Agencies are to report to the DOJ statewide summary information on the number of non-criminal and criminal (misdemeanor and felony) complaints reported by citizens against law enforcement personnel and the number of complaints that were sustained. | Annually |
| **LAW ENFORCEMENT AND CRIMINAL JUSTICE PERSONNEL SURVEY** | Agencies are to report to the DOJ the number of full time, sworn, and non-sworn male and female law enforcement personnel employed by law enforcement agencies. | Annually |
| **DEATH IN CUSTODY** | Information on persons who die while in the custody of a local or state law enforcement agency is to be reported to the DOJ to provide descriptive statistical information on the circumstances relating to the death. | Per incident and Annual survey |
| **ANTI-REPRODUCTIVE RIGHTS CRIMES** | Anti-Reproductive-Rights Crimes data are to be reported to the DOJ to provide information on crimes that are committed against reproductive health services providers, clients, assistants, or the facilities where these services are provided or at a place of worship because of the church's beliefs regarding reproductive rights. | Monthly |
| **ARRESTS** | This database contains information on felony and misdemeanor level arrests for adults and juveniles. | Monthly |
| **ARSON** | Arson data are to be reported to the DOJ to provide information on the type of arson, the number of actual offenses, the number of clearances, and the estimated dollar value of property damaged. | Monthly |

| REPORT | CONTENTS | FREQUENCY |
|---|---|---|
| **DOMESTIC VIOLENCE-RELATED CALLS FOR ASSISTANCE** | Domestic violence information is to be reported to the DOJ to provide monthly summary statistical data on the number of domestic violence-related calls received, number of cases involving weapons, and the type of weapon used during the incident. | Monthly |
| **HATE CRIMES** | Hate Crime data are to be reported to the DOJ to provide information on the location of crime, type of bias-motivation, victim type (individual/property), number of victims/suspects, and victim's/suspect's race. | Monthly |
| **HOMICIDE** | Homicide data are to be reported to the DOJ to provide information on the number of homicides, the victim/offender relationship, the day and month of the homicide, location, type of weapon used, and precipitating event. | Monthly |
| **LAW ENFORCEMENT OFFICERS KILLED OR ASSAULTED** | Data on peace officers who were killed or assaulted in the line of duty are to be reported to the DOJ to provide information on the type of criminal activity, type of weapon used, type of assignment, time of assault, number with or without personal injury, police assaults cleared, and officers killed by felonious act or by accident or negligence. | Monthly |
| **VIOLENT CRIMES COMMITTED AGAINST SENIOR CITIZENS** | Information regarding violent crimes committed against senior citizens is to be reported to the DOJ to provide summary data on the number of persons 60 years of age or older who were victims of homicide, forcible rape, robbery, and aggravated assault. | Monthly |

Source: California Department of Justice.

# Appendix D: FBI's Uniform Crime Reporting Program

The FBI's Uniform Crime Reporting (UCR) Program began in 1930, and collects data on crimes reported throughout the United States. Most states have a UCR Program to collect data from agencies throughout the state and report to the FBI, but some agencies report directly to the FBI because their state does not have a UCR Program. California's Department of Justice (DOJ) operates the state's UCR Program. According to the UCR Handbook:

> The culmination of this national data collection effort is three annual publications: Crime in the United States, Hate Crime Statistics, and Law Enforcement Officers Killed and Assaulted, all of which have become sources of data widely used by law enforcement administrators, government policy makers, social science researchers, the media, and private citizens. Additionally, UCR data are often considered by the federal government in administering law enforcement grants.

> Law enforcement is a public service, and citizens expect a full accounting from the police commissioner, police chief, or sheriff concerning the administration of the agency and the status of public safety within their jurisdiction. Full participation in the UCR Program ensures that law enforcement administrators have available the core statistics they need to meet this expectation.

The UCR Program has historically used a Summary Reporting System (SRS). This reporting system consists of eight Part 1 crimes: murder, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. SRS follows a Hierarchy Rule, where only the highest ranked offense is reported if an incident includes multiple offenses. As a general rule, a multiple-offense situation requires classifying each of the offenses and determining which of them are Part I crimes. The Hierarchy Rule requires that when more than one Part I offense

is classified, the law enforcement agency must locate the offense that is highest on the hierarchy list and score that offense involved and not the other offense(s) in the multiple-offense situation.[29] For example, if an individual breaks into a home to steal property, but a struggle with the resident results in the resident's death, SDPD would only report a murder, because murder is a higher offense than burglary.

The FBI began redesigning its crime reporting standards in 1985, which would transition to an incident-based reporting system rather than the current summary system. Originally designed with 52 data elements, the National Incident-Based Reporting System (NIBRS) currently captures up to 58 data elements via 6 types of data segments: administrative, offense, property, victim, offender, and arrestee. The FBI refrained from making any changes to NIBRS as data contributors implemented the system in the late 1980s, and the FBI began accepting NIBRS data from a handful of agencies in January 1989. In 1990, a data element to indicate whether an incident was bias-motivated was added to help NIBRS comply with a federal mandate.

In addition to the new data elements, NIBRS collects relationship information for crime incidents. For example, NIBRS requires reporting of how a victim is related to a suspect, such as family member, acquaintance, or no known relationship.

With the Crime Data Modernization Initiative, the national UCR Program publicly committed to improving the way the nation collects, analyzes, and uses crime statistics in 2015 to support the growing need for more comprehensive information. This included transitioning law enforcement agencies from SRS to NIBRS by 2021.

Many other states have transitioned to NIBRS reporting already. However, California's UCR Program through the Department of Justice has not. SDPD is seeking to report directly to the FBI according to the NIBRS standard by January 1, 2020.

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[29] There are two exceptions to this: 1) if an arson occurs in addition to other Part 1 offenses, agencies report both the arson and the highest ranked other offense; and 2) if a theft includes both a vehicle and its contents, the agency is to report the motor vehicle theft and not the other property.

# Appendix E: SDPD's Dispatch Priority System

The Dispatch Priority System has five levels:

**Priority E: Dispatch Immediately.** Priority E calls involve an imminent threat to life. Examples include: serious injury collisions; ambulance needed; attempted suicide; and no detail accidents.

**Priority One: Dispatch Immediately.** Priority One calls involve serious crimes in progress and those in which there is a threat to life. Examples include: felony crimes in progress; lost children; child abuse; prowlers; minor injury collisions; disturbances involving weapons or violence; hazardous material spills; bomb threat evaluations; and 911 hang-ups.

**Priority Two: Dispatch as quickly as possible.** Priority Two calls involve complaints regarding less serious crimes in which there is no threat to life. Examples include: prowlers who have left; traffic signals out of order; minor crimes in progress; blocked driveway when the caller is waiting to leave; injured animals; loud parties with mitigating circumstances; burglary alarms during extreme atmospheric conditions such as heavy wind, rain, etc.; and customers who refuse to pay for services.

**Priority Three: Dispatch as quickly as possible after higher priority calls.** Priority Three calls involve minor crimes or requests for service that are not urgent. Examples include: investigating a crime that has already occurred; taking a report; drunk persons who are conscious and not causing a disturbance; loud parties involving noise only.

**Priority Four: Dispatch when no higher priority calls for the beat are waiting to be assigned.** Priority Four calls involve minor requests for police service. Examples include: found property; most parking violations; etc.

Because the Dispatch Priority System is designed to be only a guide, Dispatchers must use their best judgment when assigning

priorities. Depending on the dispatcher's understanding of the nature of the need, a higher or lower priority may be assigned.

# Appendix F: Racial and Identity Profiling Act Reporting Form

**SAN DIEGO POLICE DEPARTMENT**
**RACIAL AND IDENTITY PROFILING ACT**
**DATA COLLECTION FORM**

**BASELINE STOP INFORMATION**

| 1. Date of Stop: | 2. Time of Stop: | 3. Duration of Detention with Person: | 4a. K-12 Public Schools: |
|---|---|---|---|
| | | _____(approx. length of time in minutes) | Student: ☐ Yes ☐ No |

| 4. Location of Stop (report City, Beat and one of the following options, in order of preference): | 4a. K-12 Public Schools: |
|---|---|
| City: _____<br>Beat: _____<br>☐ Block number and street name: _____<br>☐ Closest intersection: _____<br>☐ Highway and closest exit: _____<br>☐ None of the above (road marker, landmark, or other description. May not provide street address if the location is a residence. _____ | Name of school where stop took place:<br><br>_____ |

**SUBJECT INFORMATION OF PERSON STOPPED, DETAINED, SEARCHED or ARRESTED**

| 5. Perceived Race/Ethnicity: | 6. Perceived Gender: | 7. Perceived or Known Disability: | 7a. K-12 Public Schools: |
|---|---|---|---|
| ☐ Asian<br>☐ Black/African American<br>☐ Hispanic/Latino(a)<br>☐ Middle Eastern or South Asian<br>☐ Native American<br>☐ Pacific Islander<br>☐ White | ☐ Male<br>☐ Transgender man/boy<br>☐ Female<br>☐ Transgender woman/girl<br>☐ Gender nonconforming<br>☐ Lesbian, gay, bisexual or transgender (LGBT) | ☐ Deafness or difficulty hearing<br>☐ Speech impairment/limited use language<br>☐ Blind or limited vision<br>☐ Mental health condition<br>☐ Intellectual or developmental disability<br>☐ Other disability<br>☐ None (no other data may be selected) | ☐ Disability related to hyperactivity or impulsive behavior |
| **8. Limited English Fluency:** | **9. Perceived Age:** | | |
| ☐ Yes ☐ No | _____ (Whole Number.) | | |

**REASON FOR STOP**

| 10. Primary Reason for Stop, Detention, or Search: | 10a. K-12 Public Schools: |
|---|---|
| **Response to Call for Service?**<br>☐ Yes ☐ No | |
| **Traffic Violation:** (select one)<br>☐ Traffic/Moving ☐ Traffic/Equipment ☐ Traffic/Non-moving (including registration violations)<br>Section:_____ | ☐ Possible conduct warranting discipline under Ed Code |
| **Reasonable suspicion or knowledge the person was engaged in criminal activity:** (select all that apply)<br><br>☐ Officer witnessed commission of a crime<br>☐ Matched suspect description<br>☐ Witness or Victim identification of suspect at the scene<br>☐ Carrying suspicious object<br>☐ Actions indicative of casing a victim or location<br>☐ Suspected of acting as a lookout<br>☐ Actions indicative of a drug transaction<br><br>☐ Actions indicative of engaging in a violent crime<br>☐ Other reasonable suspicion<br>☐ Known to be on parole/probation/PRCS/mandatory supervision<br>☐ Knowledge of outstanding arrest warrant/wanted person<br>☐ Investigation to determine whether the person was truant<br>☐ Consensual encounter resulting in search<br>☐ Response to a call for service<br><br>Primary Section _____<br><br>☐ Community Caretaking | ☐ 48900(a) through 48900(r)(1)-(r)(2)(iii)<br><br>Section:<br>_____<br><br>☐ 48900.2<br>☐ 48900.3<br>☐ 48900.4<br>☐ 48900.7(a)<br><br>☐ Student violated school Policy **(only select if other options related to violations of law do not apply)** |
| **11. Include a brief narrative (250-character maximum) regarding the reason for the stop. Include additional details beyond the general data values selected above.** | |
| | |

Form PD-953                    Do Not Retain This Form After the Information is Entered into the RIPA Database

## RACIAL AND IDENTITY PROFILING ACT DATA COLLECTION FORM

**EVENT ACTIONS**

| 12. Action Taken by Officer During Stop or Detention: (Select all that apply) | | 12a. K-12 Public Schools: |
|---|---|---|
| ☐ Person removed from vehicle by order<br>☐ Person removed from vehicle by physical contact<br>☐ Field sobriety test conducted<br>☐ Curbside detention<br>☐ Handcuffed or flex cuffed<br>☐ Patrol car detention<br>☐ Canine removed from vehicle or used in search<br>☐ Person photographed<br>☐ Firearm pointed a person<br>☐ Firearm discharged or used | ☐ Asked for consent to search person<br>   ☐ Consent given ☐ Consent not-given<br>☐ Search of person was conducted<br>☐ Asked for consent to search property<br>   ☐ Consent given ☐ Consent not-given<br>☐ Search of property was conducted<br>☐ Property was seized<br>☐ Vehicle impounded<br>☐ None | ☐ Admission or written statement obtained from student<br>☐ Electronic control device used<br>☐ Impacted projectile discharge/used<br>☐ Canine bites or held person<br>☐ Baton or other impact weapon used<br>☐ Chemical spray used<br>☐ Other physical or vehicle contact |

| 13. Basis of Search: (Select all that apply) | | | 13a. K-12 Public Schools: |
|---|---|---|---|
| ☐ Consent given<br>☐ Officer safety/Safety of others<br>☐ Exigent circumstances/Emergency<br>☐ Condition of Parole / Probation / PRCS / Mandatory Supervision | ☐ Search Warrant<br>☐ Evidence of crime<br>☐ Canine detection<br>☐ Incident to arrest | ☐ Suspected weapons<br>☐ Visible contraband<br>☐ Odor of contraband<br>☐ Vehicle Inventory | ☐ Suspected violation of school policy |

**14.** Include a brief narrative (250-character maximum) regarding the basis for the search. Include additional details beyond the general data values selected above. (This section is not needed if Parole/Probation/PRCS/Mand. Supv. is selected in Box 17)

| 15. Contraband or Evidence Discovered (Select all that apply) | | |
|---|---|---|
| ☐ Firearm(s)<br>☐ Ammunition<br>☐ Weapon (Non-firearm)<br>☐ Drugs/Narcotics | ☐ Drug paraphernalia<br>☐ Alcohol<br>☐ Money<br>☐ Suspected stolen property | ☐ Cell phones or electronic device(s)<br>☐ Other contraband or evidence<br>☐ None of the above |

| 16. Basis for Property Seizure: (Select all that apply) | | | 16a. K-12 Public Schools: |
|---|---|---|---|
| ☐ Safekeeping<br>☐ Contraband | ☐ Evidence<br>☐ Vehicle Impound | ☐ Abandoned property | ☐ Suspected violation of school policy |

| 17. Type of Property Seized (Select all that apply) | | |
|---|---|---|
| ☐ Firearm(s)<br>☐ Ammunition<br>☐ Weapon (Non-firearm)<br>☐ Drug/Narcotics | ☐ Drug paraphernalia<br>☐ Alcohol<br>☐ Money<br>☐ Suspected stolen property | ☐ Cell phones or electronic device(s)<br>☐ Vehicle<br>☐ Other contraband or evidence |

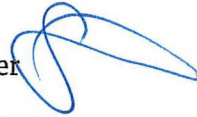| 18. Results of Stop or Detention: (Select all that apply) | | 18a. K-12 Public Schools |
|---|---|---|
| ☐ No action<br>☐ Warning: ☐ Verbal ☐ Written<br>☐ Citation - Infraction<br>☐ Cite and Release in-field (Misd.)<br>☐ Custodial arrest-without warrant<br>☐ Custodial arrest-outstanding warrant<br><br>Note all code/section/ordinances: | ☐ Field Interview Card completed<br>☐ Non-Criminal/Caretaking transport<br>☐ Contacted parent/legal guardian or other person responsible for minor<br>☐ Psychiatric hold/5150<br>☐ Contacted/Referred to USDHS<br><br>_____ _____ _____ | Referred to:<br>☐ School Administrator<br>☐ School Counselor/Support Staff |

# M E M O R A N D U M

DATE: September 24, 2020

TO: Kyle Elser, Interim City Auditor

FROM: David Nisleit, Chief of Police
via Jeff Sturak, Assistant Chief Operating Officer

SUBJECT: Management Response to Audit of SDPD Data Analysis

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The purpose of this memorandum is to provide the Police Department's response to recommendations made by the Office of the City Auditor (OCA) in their Performance Audit of the San Diego Police Department's Data Analysis. This audit primarily focused on crime and stop data, along with civilian complaints made against officers.

**Summary:**

The San Diego Police Department (SDPD) agrees with the Office of the City Auditor's assessment that complete and accurate data is essential to Department operations and oversight from community stakeholders. Additionally, the collection, analysis, and interpretation of quality data enables Department leadership to plan, implement, and continuously learn from its decisions and enhance public safety.

SDPD remains one of the safest major cities in the United States based on the FBI's crime statistics. The Department's extensive use of data in community problem solving efforts, which occurs in collaboration between sworn staff and civilian members of the Crime Analysis Unit, is a key factor to its ongoing success.

While crime data has long been a key performance indicator for police departments, the enactment of California's Racial and Identity Profiling Act (RIPA) has recently mandated comprehensive stop data be collected and reported to the Department of Justice (DOJ). RIPA is an extremely complex piece of legislation, and its implementation required SDPD to assume a state leadership role in developing the following: training, policy enhancements, auditing to ensure compliance, and the adoption of strategies that contribute to equity in policing. SDPD is also well-aware the community wants an independent analysis of its stop data, and is among one of the first agencies in CA working with the Center of Policing Equity (CPE). This agreement was established to strengthen our community relationships by gaining a true understanding of the stop data collected and how we can use it reduce

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inequities. CPE's independent analysis is scheduled to be completed and publicly released by the end of this calendar year.

The process for responding to citizen complaints requires extensive documentation, along with comprehensive investigations and community oversight, to foster trust and understanding between the Department and our communities. SDPD believes it has adopted best practices to address complaints, and recognizes this is another area where communities and researchers have developed dynamic expectations. The Department remains in continual contact with the DOJ and the RIPA Board to evaluate and implement evolving proposals related to addressing citizen complaints.

SDPD believes the adoption of the City Auditor's recommendations related to crime and stop data, as well as citizen complains will result in significant operational improvements, and has provided its responses below.

### Recommendation #1:

The San Diego Police Department should have an independent third party, such as the Federal Bureau of Investigation (FBI), validate the data reliability of SDPD's crime report systems after SDPD completes its transition to the National Incident Based Reporting System. Additionally, SDPD should report and present the outcome of the FBI's data reliability audit to the Audit Committee.

If the transition is not completed by December 31, 2020, OCA will conduct data reliability testing of SDPD's crime data following the end of the COVID-19 emergency. (Priority 2)

**Management Response:** Agree with this recommendation

Last month, the FBI provided unofficial notice that SDPD successfully completed the NIBRS certification process. To become certified, agencies must comply with detailed NIBRS technical specifications and submit incident data for six consecutive months that meets data quality criteria, including an error rate of 4% or less for three separate, consecutive months. After meeting that criteria, the FBI performs an analysis of the supplied data to ensure accuracy before granting certification. SDPD NIBRS data consistently has an error rate of less than 1%, and the FBI analysis was successfully completed.

The Department is awaiting the official certification letter, and will provide the letter to the Auditor to fulfill this recommendation.

**Target Implementation Date:** January 2021

### Recommendation #2:

The San Diego Police Department (SDPD) should update crime report procedures and training materials to improve reporting consistency and to ensure SDPD can switch their reporting to NIBRS as planned—and ahead of other California agencies. This should include requiring officers to report all known offenses in reportable fields.

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As procedures are updated, SDPD should provide training and continuing feedback through supervisory review on the updated procedures.

Finally, SDPD should ensure consistency across divisions in training and supervisory review of crime report data entry. (Priority 2)

**Management Response:** Agree with this recommendation

SDPD, along with the other police agencies in the region, are the first California agencies to obtain NIBRS certification. To accomplish this milestone, in the past few years SDPD completed a significant transition from its legacy criminal records management system (CRMS) to NetRMS. The primary objective for this effort was to enable data collection that meets complex NIBRS standards.

During 2018 and 2019, officers were required to attend a 7-hour in person training that provided instruction on how to use NetRMS to collect NIBRS compliant data while documenting crimes and arrests. The training provided a NIBRS overview, and NIBRS data requirements were discussed throughout the training. A benefit of NetRMS is it was designed to enable accurate NIBRS data collection through validation checks that ensure necessary data is collected, based on the type of crime that is reported. The training included validation error descriptions and how to address these errors.

NetRMS also has an extensive series of help files that are easily accessible to users. Documented report procedures and tip sheets are available on various topics, and include example screen shots to assist users with complex scenarios. Instructions for case clearances and other NIBRS-related investigative functions are documented, and the FBI's NIBRS manuals are also accessible through the NetRMS help files.

The Police Department will perform a review of existing help files to ensure continued documentation relevance and accuracy, and create new tip sheets on possible issues that are identified. Although officers are trained during the Academy report writing module to document all violations on crime reports, a NetRMS tip sheet will be created that restates this requirement.

Supervisor report review procedures will be reviewed and methods to promote uniformly complete reviews will be developed.

The Department will develop and implement a model to ensure officers receive continuing and consistent training updates regarding NIBRS data collection processes through complete NetRMS reports. Various training methods will be considered, such as training bulletins, cheat sheets, video training, lineup training and refresher courses; however staffing limitations will also be considered, and the most effective and efficient platforms that are operationally possible will be implemented.

**Target Implementation Date:** June 2022

Recommendation #3:

The San Diego Police Department (SDPD) should update their RIPA FAQ documentation to specify that the "outcome of stop" data field should include all stop outcomes. SDPD should

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provide additional training across all divisions to help ensure data consistency throughout the City. SDPD should also formally communicate the potential variation to The Center for Policing Equity, to prevent drawing erroneous conclusions from the data to their contracted analyst. (Priority 2)

**Management Response:** Agree with this recommendation

RIPA requires that officers document all outcomes related to a stop. The audit noted approximately 6.8% of stops made by officers include more than one result – meaning that 93.2% of stops consist of only a single result. This audit found that a poorly worded Frequently Asked Question (FAQ) training bulletin, introduced about 8 months into the program, may have caused confusion and led to some officers not fully documenting every result in each stop. Once notified of this discrepancy, SDPD initiated a comprehensive analysis and determined the FAQ had a mixed impact on data quality, improving some data and possibly resulting in a 1.5% reduction in stops documenting more than one final result. While the impact of the FAQ document appears to be de minimis, it was immediately corrected. Commanding Officers were notified of the change and updated training was promptly provided to officers. The Center of Policing Equity has been provided a detailed assessment of department operations and procedures that may impact data quality.

**Target Implementation Date:** Completed

**Recommendation #4:**

In order to maximize the effectiveness of limited resources, the San Diego Police Department (SDPD) should formally document a requirement for Commanders to include data analysis in planning and evaluation of Division operations, such as analysis of response times, call outcomes, and community-oriented policing efforts. As part of these procedures, SDPD should determine if the analysis is appropriate for public release, document that determination, and, publish the analysis if appropriate. SDPD should also provide additional training in evidence-based policing for Commanders. (Priority 3)

**Management Response:** Agree with this recommendation

SDPD has a long and rich history of utilizing data analysis to inform and evaluate operations. The Crime Analysis unit was formed in the 1980's, and was one of the first established in the country. Beginning in the 1990's and through today, SDPD is known as a leader in problem solving and community policing, and analysis is an integral component of these efforts. As the audit report notes, SDPD has one of the lowest officer to population ratios of any large City in the US, and the number of civilian support personnel is similarly low, including the number of Crime Analysts available to provide analytical support. For this reason, tools including the Dashboard mapping application have been a priority, since they allow user-friendly access to various data for many analysis purposes by all officers. This approach frees Crime Analysts, who are able to focus on higher level types of analysis support.

While the audit mentions Dashboard mapping, it minimizes its importance in the Department's performance of operational analysis. This tool is a key component to everyday operational analysis at all levels of the organization. The Department does agree with the Auditor's finding that SDPD can improve its use of existing data, and tools such as Dashboard, to evaluate operations and maximize evidence-based decision making. To this

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end, the Department will evaluate and implement the best method by which data analysis should be incorporated into Division operations as a requirement, including consideration of public release.

The Department will develop and implement a model to ensure commanders receive training regarding evidence-based policing, with a focus on available tools that can assist with the analysis.

**Target Implementation Date:** June 2022

**Recommendation #5:**

San Diego Police Department's Crime Analysis Unit should document a process to conduct outreach with Patrol and Neighborhood Policing commanders to determine data analysis needed to evaluate operations. This should include designing reports in a way that allows commanders to access the same or similar analysis on a regular basis, such as designing new reports in the Mapping Dashboard that can be accessed by commanders as needed. The Crime Analysis Unit should inform relevant officers of the report availability. The Crime Analysis Unit should keep a catalog of available reports for officers to request. (Priority 2)

**Management Response:** Agree with this recommendation

The Crime Analysis Unit maintains close communications with commanders from throughout the Department. Crime Analysts develop and maintain strong working relationships with officers, detectives, supervisors and managers at all levels of the organization in order to provide appropriate analytical products that often must be customized to ensure the analysis is actionable.

In the past few years, several periodic reports have been taken offline, due to challenges with geographical information systems (GIS) maintenance. In order to address this situation, the Department successfully added a GIS technical position in 2018; however the position continues to remain vacant due to recruitment challenges related to information technology positions.

Crime Analysis will develop a model to conduct outreach to commanders to determine types of data analyses needed to evaluate operations, and methods to inform officers and others of report availability. To the extent possible, results of this outreach will be used to consider additional reports for development. Much of this recommendation is dependent on filling the GIS position, since the focus should leverage Dashboard and other GIS tools for optimized usability.

**Target Implementation Date:** June 2022

**Recommendation #6:**

San Diego Police Department's Crime Analysis Unit should establish procedures to survey officers and Commanders annually for information needed to effectively evaluate and manage their operations. The Crime Analysis Unit should design crime analysis reports and new standard reports in available systems such as the Mapping Dashboard based on that

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feedback to be provided periodically and targeted to the relevant officers and Commanders. (Priority 3)

**Management Response:** Agree with this recommendation

As part of the outreach effort described in Audit Recommendation #5, Crime Analysis will design a survey to annually solicit information from officers and commanders about information and reports needed to assist with operational analysis. Similar to the effort for Audit Recommendation #5, and to the extent possible, results of the survey will be used to consider additional reports for development. Much of this recommendation is dependent on filling the GIS position, since Dashboard and other GIS tools should be leveraged.

**Target Implementation Date:** June 2022

## Recommendation #7:

The San Diego Police Department should formally establish appropriate reporting review access to the Community Review Board (CRB) to review all formal and documented informal complaints for classification and be able to investigate all calls that come in as inquiries or complaints to ensure they were investigated according to policy, including those resolved by sergeants without filing a formal complaint. In the case where an independent commission for police oversight assumes the CRB's role, the new commissions must also have this access. (Priority 2)

**Management Response:** Agree with this recommendation

CRB currently reviews all Category I complaint investigations and conducts audits on all completed category II investigations. SDPD agrees in concept that enhanced review access provides greater transparency and accountability, but can only be accomplished in accordance with controlling law and in a manner that does not negatively impact investigation timelines or prevent appropriate discipline from being imposed. It is unknown whether CRB will continue in its current form; however, the development of this recommendation will necessitate additional research and legal review, potential meet and confer sessions with the San Diego Police Officers Association (SDPOA), and will be contingent upon sufficient resources being provided to allow for an expanded review.

**Target Implementation Date:** TBD

## Recommendation #8:

In order for the San Diego Police Department (SDPD) to ensure those filing complaints are aware of alternative complaint methods, SDPD should develop procedures for officers to inform a complainant of alternative methods of making complaints such as the Community Review Board (CRB) website, City website, or CRB hotline to file complaints. Complaint forms should be kept in all police vehicles to provide to the public. The procedures should include informing a complainant of the ability to file anonymously.

SDPD should include these updated procedures in their periodic training to ensure the leaderships directives regarding complaints is as easy to follow as possible. (Priority 2)

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**Management Response:** Agree with this Recommendation

As made clear during the audit process, SDPD believes it follows or exceeds best practices by requiring a police supervisor to make contact with all citizens who have a complaint. However, the utilization of a complaint form may supplement our current process to facilitate intake and documentation of civilian complaints. The RIPA Board also recognizes it as a best practice, and SDPD has already been working with CRB on a complaint form that can be handed out to citizens. The form has been completed and Internal Affairs is currently working on a training bulletin that would be provided to all personnel once the complaint form is distributed.

**Target Implementation Date:** July 2021

**Recommendation #9:**

The San Diego Police Department (SDPD) should work with all organizations that accept complaints, such as the CRB, to ensure that the complaint forms available on city websites and other public information, clarify the requirements for filing out a complaint and note that the Department will investigate all complaints even if they are made anonymously and there is insufficient information to contact complainant. (Priority 2)

**Management Response:** Agree with this recommendation

Regardless if a complainant is cooperative, uncooperative, or anonymous, if sufficient information is provided, SDPD will proceed with an investigation into any alleged misconduct. The City's website already provides citizens with information about the multiple paths available to file a complaint, including avenues where a complaint can be filed anonymously. SDPD remains committed to enhancing the process surrounding complaint intake, along with developing a complaint form, but is cognizant that CRB is an independent review board.

**Target Implementation Date:** July 2021

David Nisleit
Chief of Police

DN/jj