

# **2012-2013 GRAND JURY REPORT**

## **City of Riverside Police Department**

### **Background**

The Riverside Police Department (Department) was founded in 1896. The Department has approximately 400 authorized positions and a Fiscal Year 2012-2013 operating budget of approximately \$79 million. The Department is a team oriented agency that works in close partnership with City Hall and the community as co-producers of public safety. The Department offers a wide array of police services. These services include:

- Central Investigations
- Specialized Investigations (Narcotics, Gang, Vice)
- Aviation
- Special Weapons and Tactics (SWAT) / METRO Team
- Explosive Ordinance Detail
- Traffic Bureau
- Parole and Corrections Team
- Canine
- Participation in Inter-Agency Federal /State/Regional Task Forces
- School Resource Officers
- Crime Free Multi-Housing Program
- Youth Court
- Neighborhood Watch
- Business Watch
- Citizen's Academy and Neighborhood Watch Academy
- Transitional Housing Task Force.

The focus of this report is on the following department equipment and procedures:

- Digital Audio and Video Recorder
- Foot Pursuit
- Mobile Data Terminal/Mobile Data Computer

### **Methodology**

The 2012-2013 Grand Jury conducted a review of the Riverside City Police Department Policies and Procedures. Testimony was taken from several Riverside City Police Officers. In addition, the Grand Jury attended all Coroner Reviews.

## Findings

1. The Riverside Police Department's policy on digital audio and video recording is as follows:

### 4.64 DIGITAL AUDIO AND VIDEO RECORDING POLICY

#### A. POLICY

1. *It is the policy of the Department that officers, detectives and sergeants working uniform Patrol Operations shall make reasonable efforts to record, in their entirety all traffic stops, all officer initiated pedestrian stops, whenever serving an arrest or search warrant, or conducting a parole or probation search, and whenever directed to do so by a superior officer.*

#### B. PURPOSE

*...The purpose of this policy is to enhance criminal prosecutions, improve officer safety, limit officer, Department and City Liability, reduce personnel complaints and assist in on-going training of officers...*

*464.D.5 ... All incidents wherein recording is required pursuant to this policy shall be recorded in their entirety...*

*464.D.5.a ...Whenever possible, the recorder shall be started prior to contact...*

The policy, as written, contradicts itself and places the officer in a position to apply his/her own interpretation and judgment in implementing this policy. In 2008, the Community Review Police Commission recommended a more strict compliance with the recording policy.

2. The Department does not have a Foot Pursuit policy. Thus, the decision to pursue on foot is left solely to officer's discretion. A Grand Jury review of an incident that resulted in the death of a suspect and an account of an officer's death, revealed the need of a Foot Pursuit policy. The two incidents mirrored each other as they occurred in the dark and the pursuing officer lost sight of the suspect.

The Grand Jury was advised by the Department that they contract with Lexipol LLC. They use Department policy along with Lexipol LLC, an agency which provides police department policy and risk management solutions to law enforcement, fire and custody organizations.

The purpose of a Foot Pursuit policy is to facilitate the safe apprehension of a suspect, who flees on foot and to reduce the risk of injury to the officer, suspect and public.

3. Department policy, 4.40 USE OF MOBILE DATA TERMINAL/MOBILE DATA COMPUTER, does not include public safety.

The current Department policy, 4.40 USE OF MOBILE DATA TERMINAL/MOBILE DATA COMPUTER, states:

*Field personnel shall use the MDT/MDC's for receiving and acknowledging routine dispatch assignments, updating unit status, and querying databases when practical to do so, with due regard to officer safety.*

A 2012 Coroner Review, attended by the Grand Jury, revealed a pedestrian was struck and killed by a department patrol car. The officer, at the time, was using his Mobile Data Computer while driving.

## Recommendations

### Chief of Police – City of Riverside Police Department

1. The Department shall update its policy to state:

The audio recorder shall be activated prior to exiting the vehicle on ALL traffic, pedestrian and bicycle stops, when serving a search warrant, or performing a parole or probation search.
2. The Department shall develop a Foot Pursuit policy using Lexipol LLC Policy 458 as a guideline.
3. Department Policy, 4.40 USE OF MOBILE DATA TERMINAL/MOBILE DATA COMPUTER, shall immediately be re-written to include **public safety**.