



"People Serving People"

# CITY OF RIVERSIDE

# FILE



July 25, 2000

Dan Miller, Foreperson  
Riverside County Grand Jury  
Post Office Box 829  
Riverside, CA 92502

**Mayor**  
Ronald O. Loveridge

Subject: Response to Grand Jury Report: "Riverside Police Department State of Morale and Administrative Review"

**City Council**  
Ward 1  
Chuck Beaty

Dear Mr. Miller,

Ward 2  
Ameal Moore

The City of Riverside has received the Grand Jury's Report regarding the police department and has prepared the attached response.

Ward 3  
Joy Defenbaugh

One of the city's longstanding priorities is to "Continue to improve community policing and public safety." The City of Riverside is dedicated to provide funding and resources to our police department to ensure the public's safety and security.

Ward 4  
Maureen Kane

The City of Riverside Police Department has adopted as its mission the following statement:

Ward 5  
Ed Adkison

*"The Riverside Police Department is committed to a police-community partnership in public safety by providing quality, responsive and effective services through valued employees."*

Ward 6  
Terri Thompson

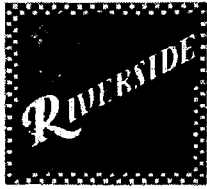
These responses have been prepared with the most current information available. Should you have any questions regarding the responses, please feel free to call my office, the city council or the city manager.

Ward 7  
Laura Pearson

**City Manager**  
John E. Holmes

Signed on behalf of the City Council for the City of Riverside,

Ronald O. Loveridge  
Mayor



People Serving  
People

# City of Riverside Report



## ***Riverside County Grand Jury Report and City of Riverside Response***

***Approved by City Council on July 25, 2000***

### **Grand Jury Finding #1**

The department has a serious need for attention to its physical infrastructure. It has outgrown the Orange Street "Headquarters," that has caused the department to become fragmented into four separate facilities around the city. This is a major contributing factor to the breakdown of interaction, cooperation and communication between divisions.

### **Grand Jury Recommendation**

The city should build a new police headquarters which will be large enough to house all divisions of the department. Such a facility should be planned to keep up with the projected growth of the city.

### **City of Riverside Response**

*It would be beneficial to develop a new building to house police services. In December of 1995, the City of Riverside contracted for a comprehensive study that examined the feasibility of building a Public Safety Facility for police and fire administrative services. The executive summary supported the need for a Public Safety Facility. The City continues to look for funding methods to build a new facility.*

*There is not a major breakdown of communication etc. in the divisions within the department. The City of Riverside has used the most current technology available to meet the challenges associated with the police department's decentralization. All of the police facilities are now connected through the city's electronic network. Through grant funding, computers have been placed and upgraded. Mobile Data Computers in police vehicles are being used to enhance communication with field officers and increase their ability to contact and utilize department resources.*

*Additionally, there are meetings held throughout the division to ensure the ongoing flow of communication. Monthly expanded command staff meetings are held that include the*

*chief, captains, lieutenants and civilian staff equivalents. Weekly meetings are held with the captains and civilians.*

*The City has been, and continues to be, successful in its efforts to maintain excellent communication within the police department and throughout the organization.*

### **Grand Jury Finding #2**

*There is a dangerous shortage of patrol officers, which is affecting the safety and security of the community. In 1992, the population was 238,100, and there were 147 officers allocated for patrol services. In 2000, the population is in excess of 262,000, and there are only 135 officers allocated for patrol services. While the population has increased by 24,000, the police coverage has been decreasing.*

### **Grand Jury Recommendation**

*Develop and strictly adhere to a minimum staffing level in compliance with recommended safety standards (approximately 15 patrol units per shift) to ensure adequate officer and civilian safety.*

### **City of Riverside Response**

*We understand the Grand Jury's concern and the appearance of less than optimal officers patrolling in the City. However, the police department has 160 officers assigned to patrol services. Because of the department's commitment to the Community Oriented Policing and Problem Solving (COPPS) philosophy, some of the personnel are assigned to programs such as the Crime Free Multi-Housing/Problem Oriented Policing Team (POP), the Bike Unit, the University Neighborhood Enhancement Team and Metro. While these 51 officers are not assigned to patrol a beat, they are available to, and do, respond to service calls that are in progress, as needed.*

*These COPPS officers are essential to the success of Community Oriented Policing in Riverside. The department has seen a diminished crime rate and increased level of safety in the community as a result of COPPS and the investment of the necessary police personnel to the programs is a principal component to meeting the City's goals.*

*As with any police agency, the department could utilize additional officers. One of the Mayor's Use of Force Panel recommendations also dealt with this issue and as a result, the department has embarked upon an extensive recruitment program. The current environment reflects a tight job market for police officers and with the newly approved salary and fringe benefit package, the department's position in the marketplace should be enhanced. Efforts initially will focus on the Southern California marketplace, but if required, a nationwide recruitment will be initiated.*

*Because the Field Operation's Police Officer position is our entry level starting point for the police department, the number of vacancies may seem to be higher. The department has historically experienced vacancies as a result of the cyclical nature of retirements, medical leave and/or resignations.*

### **Grand Jury Finding #3**

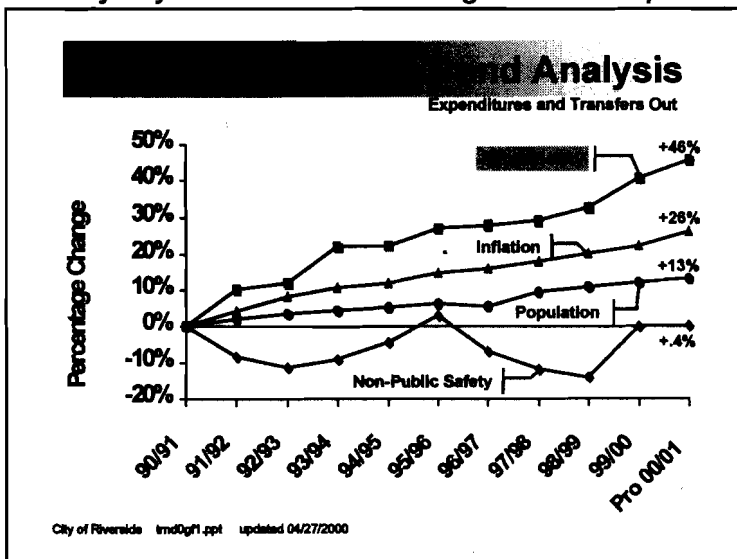
There are more than 335 sworn officers in the department, of those 135 allocated positions for patrol, only 109 are actually assigned to patrol duties. As a result, there have been several occasions where only 8-10 patrol cars (or less) have been assigned to cover the five districts in the city. Arrests will pull a unit out of service for long periods of time. Major incidents often pull several units out of service, reducing adequate back up capabilities and delayed responses to calls for service. Officers are continuously concerned about each other's safety in addition to the safety of the community. (Note: During the preparation of this report, the department allocated overtime hours to increase patrol levels.)

### **Grand Jury Recommendation**

- (A) Take immediate steps to see that more sworn personnel are returned to patrol duties. (B) City budgetary funding allocations for patrol officers should be adjusted to keep in line with nationally recognized minimum safety standards and the city's growth.

### **City of Riverside Response**

The staffing level in the police department is determined on a daily basis for each watch. Watch commanders and field sergeants have the authority to extend officers from the previous shift or call additional officers in early, as necessary. A decision to add officers is based on the department's commitment to ensure the community's safety and protection. The department is rapidly moving toward the use of increased technology which increases the availability and productivity of the officers. Besides the already mentioned Mobile Data Computers, the use of laptop computers, imaging systems and a records management system all contribute to the ability of the officers to better serve the public. The City Council has consistently allocated the funding required to meet the City's policing needs. (See Chart below) As new officer positions are filled, the majority of those will be assigned to field patrol duties.



**Grand Jury Finding #4**

Many sworn officers have been assigned to duties that could be accomplished by non-sworn personnel.

**Grand Jury Recommendation**

Review all programs and assignments to determine which duties can be accomplished by non-sworn personnel, and return sworn officers to more productive and cost effective uses.

***City of Riverside Response***

*The police department has been very successful in re-assigning duties, previously handled by officers, to civilian personnel. The department continually reviews duties to evaluate the potential for assigning civilian personnel. Civilian personnel assigned to the Telephone Report Unit now write a significant amount of non-emergency police reports that were previously assigned to field officers for investigation. The changes are not only cost effective; they make sworn officers more productive thereby increasing the public's safety. The department is currently over 38% civilianized.*

**Grand Jury Finding #5**

The department offers only the minimum amount of training required by the State's Peace Officer Standard of Training (P.O.S.T.). Officers who wish to attend specialized schools to improve their proficiency, or advance their careers, must do so at their own expense and often on their own time. Officers are extremely concerned that the severe lack of training is affecting the quality of law enforcement in the city. Additionally, the lack of continual and on-going training is resulting in new officers developing unsafe or dangerous habits, adversely affecting their performance and the overall safety of the community.

**Grand Jury Recommendation**

Allocate sufficient funding specifically for specialized schools and training, and encourage officers to share training information upon their return.

***City of Riverside Response***

*As with any organization, updated skills and knowledge through additional training always provides an advantage to a department. The police department has been consistent in providing training to officers. During the past fiscal year (FY 1999 – 2000), more than \$19,000 was budgeted for non-POST training and \$160,000 was budgeted for POST reimbursable training.*

*The police department sent employees to more than 14,015 hours of POST training and at least 2,500 hours of non-POST training. In fact, for the past five years, the police department has participated in a training audit by the Commission on Police Officer Standards and Training and has been found in compliance for all five years.*

*Officers are always encouraged to share the information gained from the training. A very beneficial training conducted recently was the simulator training in the "Shoot-Don't-Shoot" simulator. Officers had an opportunity to increase their reaction skills in different situations portrayed in the simulator.*

**Grand Jury Finding #6**

In mid-1998, the position of "Training Sergeant" was eliminated, which ended the daily roll call training sessions. Officers felt that those 15 minutes of daily training were extremely beneficial, particularly when covering possible scenarios and critical situations. Officers are mindful that they must rely on their training and instinct, especially when caught in unexpected or extremely unusual incidents where "split-second" decision making is required.

**Grand Jury Recommendation**

Provide funding to expand training at all levels. A training unit needs to be established to develop, oversee and conduct a comprehensive, ongoing training program and to document efficient training. The training of officers in scenarios and critical situations is essential and must be improved.

***City of Riverside Response***

*Currently, the department has a training unit made up of one sergeant and two police officers that are assigned fulltime to develop and coordinate training for the department. The department recognizes the importance of training, so all supervisors have a responsibility to identify training needs and to provide additional training when it is feasible to do so.*

**Grand Jury Finding #7**

Uninvolved patrol officers are not being briefed following Officer Involved Shootings and are not taught which tactics are acceptable or overly dangerous.

**Grand Jury Recommendation**

Conduct post-incident briefings on all Officer Involved Shootings. This will provide valuable ongoing training, which may prevent repeated errors.

***City of Riverside Response***

*The City reviews and conducts briefings regarding officer-involved shootings. These cases are reviewed extensively by management and other personnel with detailed expertise in that area. During that review, training needs are identified and addressed. The appropriate training is then provided to the sworn and civilian personnel.*

**Grand Jury Finding #8**

Currently, there is no established written promotion policy which provides a set of prerequisites needed for qualified officers to obtain advancement. Professional law enforcement management demands that promotions be made in an orderly process. Former chiefs have made promotions arbitrarily, which appears to have caused a critical weakness in the management structure. Many officers believe there is no incentive to advance their careers, because several qualified officers have been passed over for promotions as many as twenty times without explanation.

**Grand Jury Recommendation**

Direct that a formal written promotion policy (which provides the necessary prerequisites for each rank) be established immediately. All law enforcement promotions should be made in a non-discriminatory and professionally established method. Appointments should be made from the top three qualified individuals on the "promotion list." This list should be updated annually. Persons in the top three positions should not be passed-over more than three times, without receiving written notice as to the reason they were not promoted, to allow them to improve their career performance.

***City of Riverside Response***

*A formal, written promotion policy has been, and is currently, available through the human resources department. It includes the necessary prerequisites for each rank. A system is currently in place, that requires the promotion to the rank of detective be from the top three candidates competing for the position. Promotions to the rank of sergeant allow that the Police Chief has more discretion in the selection of those officers.*

**Grand Jury Finding #9**

Officers are not allowed to see promotion lists, candidate qualifications or rankings.

**Grand Jury Recommendation**

The department should post qualifications, scores and ranking for all promotion applicants.

***City of Riverside Response***

*The minimum requirements and qualifications for various promotions are routinely posted and available for all personnel to read. The City notifies each candidate about the "band" that they fall within. The bands are "A," "B" or "C" are used to represent their ranking.*

### **Grand Jury Finding #10**

Command and management oral examinations for promotion are conducted by non-law enforcement personnel in the Human Resources Department at the city manager's office.

### **Grand Jury Recommendation**

(A) All oral examinations of law enforcement personnel should be conducted by individuals qualified to appraise the level of professional prerequisites suitable to the level of promotion. (B) Decisions regarding law enforcement personnel hiring and promotions should be made through the police department's personnel department and not through the City Manager's Human Resources Department.

### ***City of Riverside Response***

*Oral exams are conducted by qualified individuals. Some of those individuals are professionals in law enforcement and some are professionals that work outside of law enforcement but represent the community served by the police department. Staff members from the human resources department attend interviews as proctors to ensure all fair and legal requirements are met.*

*Decisions regarding hiring and promotions are made through the police department's personnel department, not the City's human resources department. The human resources department does conduct initial written and oral (in conjunction with a panel) examinations, then submits a certified list of eligible candidates to the police department. The selection of personnel from those lists is made within the police department.*

### **Grand Jury Finding #11**

Unlike most large law enforcement agencies, there is currently no established discipline matrix. Such a matrix specifically states appropriate punishments for specific policy and procedure violations. Such a matrix would also establish fair and consistent punishments in a progressive manner. The chief of police has been the sole decision making authority on discipline and levels of punishment issued. Captains have neither been part of the discipline process on a regular basis, nor are they allowed access to Internal Affairs information when they are asked for recommendations.

As a result, in the summer of 1999, a squad of officers was terminated in connection with a very high profile OIS incident. These terminations severely affected the overall morale in the department, as well as daily functions of the department's patrol operations. Activity has been limited to only *low risk* situations and emergency calls for service.

The department records and testimony show:

- A) Monthly Statistics have documented a substantial decrease in pro-active police work.
- B) Traffic stops and pedestrian checks have plummeted.
- C) Officers are not investigating suspicious or possible criminal activity in order to avoid



"use of force" confrontations.

D) Following the termination, most of the SWAT, Defensive Tactics and Field Training Officer teams offered their resignations to the department. These were not accepted, but many of the officers have requested to be rotated off these duty assignments.

E) At least sixteen senior officers have submitted their resumes to other law enforcement agencies. A number of "Lateral Transfers" (resignations) have already occurred, exacerbating an already dangerously low staffing level.

#### **Grand Jury Recommendation**

(A) Immediately develop and institute a comprehensive, written discipline matrix policy, which provides for prompt, fair, progressive, unbiased and consistent discipline. Such a policy will assure that all officers have full disclosure of expectations and consequences for violations of policies and procedures.

(B) Develop a "discipline review panel" drawn from within the chain of command to ensure fair and equitable disciplinary actions. This "discipline review panel" should eliminate, or greatly reduce the perception and the possibility of arbitrary or biased discipline.

#### **City of Riverside Response**

*Each individual complaint (whether generated internally or from a citizen complaint) and the history of discipline for the affected employee, must be reviewed separately when considering the fair and appropriate level of discipline. A "discipline matrix" would not allow the chief to consider any mitigating or extraordinary circumstances involved with a particular complaint, when determining discipline. Disciplinary recommendations are submitted through each individual's chain of command. Police officers are provided with full disclosure of different methods of potential discipline. There are appeal processes in place to assure that the discipline recommended is fair and appropriate.*

*The City's human resources department has an established policy, included in the personnel and policies procedures manual, regarding discipline. Every employee falls under the human resources policy as well as discipline practices in the police department.*

*The City is in the process of screening applicants and appointing a Community Police Review Commission. This commission will receive, review and investigate (if necessary), through its executive director, complaints of alleged police employee misconduct and advise the police department in matters pertaining to police policies and practices.*

#### **Grand Jury Finding #12**

An "Early Warning" disciplinary program has been instituted, which attempts to discover whether an officer is developing a problematic pattern. The current department citizen complaint form is not being used in compliance with state law. Complainants are not required to sign complaints under penalty of perjury. Anonymous and "third party" complaints are routinely accepted for investigation, which could lead to frivolous

charges. Under the current atmosphere, this could unjustly target officers for discipline. Officers now feel that they are "guilty until proven innocent."

**Grand Jury Recommendation**

Require that all complaints against officers comply with policies set forth by state law. Anonymous complaints are easily contrived and impossible to disprove.

**City of Riverside Response**

*State law also allows the department to review and investigate anonymous complaints when it is necessary. All individuals filing a complaint regarding the police department are provided with an advisory form which state law requires be signed. The advisory form indicates that it is against the law to file a complaint that is false. When a complainant is unable to sign the form, at the time the complaint is made, the form is mailed to the person and they are asked to sign it and return it to the Office of Internal Affairs for the police department. State law does require the complainant to sign the form. However, some individuals prefer to remain anonymous in their complaint.*

*It is the police department's policy to fully and fairly investigate all allegations of police misconduct. These investigations are conducted in accordance with all provisions of state law, including the Peace Officer's Bill of Rights. The department takes all complaints seriously. To ignore allegations of misconduct because a person is hesitant to come forward and be identified would damage the ability of the police department to ensure professional conduct on the part of its officers and would allow erroneous allegations to linger.*

*In order to identify potential problems, the police department instituted a non-disciplinary "Early Warning System" on May 2, 2000. The system, while still new, appears to be working effectively to provide better management oversight and assist officers.*

**Grand Jury Finding #13**

There is evidence of "reverse" racial bias regarding discipline. Some minority officers have violated department policies with impunity. The absence of uniform disciplinary actions is common knowledge among the officers and has also had a "poisonous" effect on morale.

**Grand Jury Recommendation**

Strict compliance with an established discipline matrix is necessary to assure all employees are treated fairly and equitably, regardless of race, ethnicity, personal relationships or beliefs. The discipline of officers should be based on factual violations and in a consistent manner.

***City of Riverside Response***

*As was stated in Response #11, a "discipline matrix" does not provide the necessary flexibility to apply fair and appropriate discipline. It does not take into account the entire history of the action and does not allow for the appropriate use of discretion.*

**Grand Jury Finding #14**

There is no evidence to support allegations of "rampant racism," "racist activity" or "racial animus" in the department's operations. There is no credible corroborating evidence that officers are taught "racial profiling" by Field Training Officers.

**Grand Jury Recommendation**

Publicly address racial or "racist" allegations against the department promptly. All such allegations should receive priority investigation by the department's Internal Affairs Unit.

***City of Riverside Response***

*All reported allegations of racial misconduct have been, and continue to be, thoroughly investigated by the police department. The City of Riverside is committed to provide a work environment that is free of racial animus and maintains this as a top priority in the police department.*

**Grand Jury Finding #15**

There was a severe lack of communication between the former chief of police and the command staff. Captains have not been included in the policy or decision making processes. Also, the department's financial officer was often excluded from command meetings. There has been an apparent prejudice against *civilians* attending policy meetings.

**Grand Jury Recommendation**

The captains and finance officer should always be part of the decision and policy making process. More authority must be delegated to the command staff and management to achieve the decentralized level management needed for Community-Based Policing.

***City of Riverside Response***

*Captains attend regularly scheduled command staff meetings with the chief and deputy police chief. New procedures for documenting their participation in policy decisions have also been implemented. It is important to have participation from civilian staff members. The department's civilian financial officer attends command staff meetings. All civilian employees are regarded as valuable members of the police department.*

**Grand Jury Finding #16**

Officers are unsure what is expected of them, because there has been a poor line of communication vertically and horizontally. Rumors are allowed to circulate, without being addressed and controlled.

**Grand Jury Recommendation**

Develop and establish open and clear communication channels and procedures from command staff to subordinates. Establish a rumor control center to defuse groundless rumors, which are detrimental to morale.

***City of Riverside Response***

*Open and clear communication channels are essential in effective organizations. Minutes from the command staff meetings are distributed to each division for sharing with all members of the department. Further, the current chief has provided his written expectations to all supervisors and managers in separate meetings with them throughout the department. All sworn and civilian managers are responsible for the good order, discipline and morale of the bureau or area of command to which they are assigned and are expected to be responsive to concerns.*

**Grand Jury Finding #17**

Communication and processing of information through all management levels is extremely slow. This has resulted in lengthy delays of reports, Internal Affairs investigations, disciplinary and management actions.

**Grand Jury Recommendation**

Evaluate the current communication problems that exist and implement procedures which will improve inner-departmental performance.

***City of Riverside Response***

*Chief Luman has instituted many improved methods of communication. These were discussed in response to recommendation #1. Improvements in the investigation and follow-up regarding internal affairs investigations and management responses have occurred with revised tracking and accountability systems put in place.*

**Grand Jury Finding #18**

Watch 1 (graveyard shifts) traditionally receives a higher degree of criminal activity than Watch 2 (day shifts). Watch 1 is primarily staffed with the department's newest and least experienced officers, which creates a dangerous potential for *high risk* incidents. The city has recently promoted a number of patrol officers to the rank of *detective* and are considering the scheduling of these officers on Watch 1, to provide more experience.

**Grand Jury Recommendation**

(A) The department must develop a method of rotating temporary squads of senior officers onto Watch 1, to urgently improve training and skill levels of newer officers, and reduce the danger of "high risk" incidents. (B) The senior officers should receive increased compensations, during their temporary rotation schedule. (C) Recently

promoted *detectives* should be assigned to the seriously understaffed Investigations Division.

### ***City of Riverside Response***

*The department, as recommended by the Mayor's Use of Force Panel, promoted and assigned eight special agents to Watch 1 to increase the level of experience on that work shift. In addition, the new labor agreement puts in place a policy which establishes shift differential pay for "swing" and "graveyard" shift. If less than 50% of the officers volunteering for those shifts, have less than five years of experience, police management can then assign more senior officers to these shifts to assure that at least 50% of those assigned to such shifts will have five or more years of experience.*

### **Grand Jury Finding #19**

A recent department analysis of "Part 1" (major) crimes statistics (see chart below) for 1998/99 revealed significant increases over 1974 levels. Many of the current "Part 1" crimes received little or no attention in 1974 (e.g. sexual assaults, child/elder abuse, domestic violence, and economic crimes). This study also revealed a serious shortage of trained detectives:

A) In 1974, there were twenty-three detectives assigned to investigations. Twenty-five years later, in 1999, there were thirty-three detectives assigned to this division.

B) Increased awareness and reporting requirements for crimes such as domestic violence, child and elder abuse, sexual assaults and Internet crimes have significantly added to detective caseloads. (From 1988 to 1998, domestic violence cases alone have increased 185%.)

C) A single case consists of the following: 1) Reading the report, 2) completing the investigation, 3) writing the supplemental report, 4) filing the complaint with the District Attorney's office (*in other counties this function is performed by the D.A.'s office*) 5) and testifying in court.

It is impossible for the current staffing of detectives to handle the present caseloads adequately

Overall, only a few hours can be allocated for many cases and in most cases, only *minutes* can be allowed. Consequently, most of the cases in priority status 4 and 5 get the least amount of attention.

D) The department lacks the ability and manpower to handle the growing number of "high tech" crimes on the Internet. These crimes are primarily focused in areas of fraud and child exploitation.

E) As of February of 2000, there are 511 registered sex offenders residing in the City of Riverside. Five are considered "high risk" and 451 are considered "serious risks." Fifty-five are classified as "other." There are also approximately 100 "unregistered" or "unaccounted for" offenders. The majority of these offenders are pedophiles (child predators). There is an insufficient number of detectives to adequately supervise their activities.

F) White collar crimes (including organized crimes, drug dealing, and juvenile activity) are increasing. These cases are extremely time consuming and require large amounts

of documentation. With increased use of the Internet and advanced technical skills, juvenile fraud and embezzlement arrests are rapidly increasing nationwide. The department totally lacks the training and manpower to handle such cases.

G) A number of variable factors is also placing an even greater strain on the existing investigation staff. Among these variables are: population growth, increased service calls, increased filings from an increasingly pro-active patrol division, task force commitments, and pretrial responsibilities.

H) A number of officers have been transferred from the patrol division to investigations, to assist in the workload without promotions to detective. However, this does not resolve the problem and seriously depletes the number of officers available to patrol the city.

#### **Grand Jury Recommendation**

Priority should be placed on the recruitment of new personnel, so that more qualified officers can be advanced to the detective rank and increase the investigation staff. The Investigation Division should be increased as rapidly as possible.

A) Additional specialized training should be provided to all investigators, ensuring they are adequately prepared to investigate the increasing number of "high tech" crimes.

B) Civilian technicians should be employed to perform specialized tasks, which will free existing detectives to handle cases more efficiently.

C) Most registered sex offenders should be considered "high risk," given their propensity for criminal activity. Therefore, qualified civilian, or sworn personnel, should be appointed immediately to oversee the activities of these individuals.

#### **City of Riverside Response**

*The City of Riverside police department places recruitment as a top priority and has embarked on an aggressive campaign to hire more officers. Recruitment for the investigation division has also been a priority. Since 1974 staffing levels have increased by more than 40% in general investigations to handle the increased caseload and legislative mandates.*

*Internet and "high tech" crimes are a relatively new facet of white-collar crime for law enforcement. The Riverside police department has arranged for specialized training for several detectives in the intricacies of computer crime. This will allow the department to develop a cadre of personnel with the necessary expertise in this area of criminal investigation.*

*As was previously stated, the department is using civilians with specialized skills to perform a variety of duties. The role of civilians will continue to expand which will allow detectives more time for their important investigative work.*

*The City agrees with the recommendation regarding the need to oversee activities of registered sex offenders. The Sexual Assault/Child Abuse/Domestic Violence Unit currently has eight investigators. Effective July 1, 2000, an enforcement program commenced that targets unregistered sex offenders. It is vitally important to actively*

*monitor unregistered and registered sex offenders to enforce applicable restrictions and prevent reoccurrence where possible.*

### **Grand Jury Finding #20**

The department's new Records Management System (RMS) has been routed through the city manager's office. The RMS is connected to all public safety systems, which is likely to cause overloads and lengthy "down times." This routing also will allow some unauthorized civilians to have unrestricted access to confidential police files, which is in violation of state and federal regulations. Additionally, this 1.34 million-dollar software purchase did not include the "perpetual rights" use authority from the supplier, placing the department and city in a state of future financial uncertainty.

### **Grand Jury Recommendation**

The computerized RMS program must be proprietary and a stand-alone operating system to the department. Outside access to police files and records, by unauthorized personnel, must be prohibited. The city should demand that the "perpetual rights" authority to the purchased software be turned-over by the supplier.

### ***City of Riverside Response***

*In early 1998, the police, fire and the city's information systems department worked cooperatively to form a task force to define the necessary requirements for a new Records Management System. In order to purchase the best system possible for the city, a request for proposal was developed. After many months of task force work and review of proposals, the RMS from Vision Software, Inc. was chosen. The police and fire departments are presently using this system.*

*All employees who work on the police RMS receive background checks to assure system integrity. They have restricted access that is within state and federal mandates. The city is investigating the possibility of gaining perpetual rights authority from the supplier.*

### **Grand Jury Finding #21**

There is a major concern by rank and file officers regarding the qualifications and/or competency level of some supervisors/managers. The majority of the concerns expressed were that they are risking their careers on arbitrary or "unqualified" evaluations from inexperienced managers.

### **Grand Jury Recommendation**

Institute an anonymous up line evaluation form, similar to those used in other departments. This evaluation form will assist commanders in recognizing possible weaknesses in supervision/management. This information can be used to develop supplemental training in those areas.

**City of Riverside Response**

*It is important for police officers to be able to provide input regarding their supervisors. All supervisors and managers must meet specific requirements for the positions they occupy. They are also provided continual and verifiable training for their positions. Personnel concerns, with regard to the imposition of discipline, are handled through an established formal system. A system is also in place to address employees' concerns regarding personal treatment or evaluation reports.*

**Grand Jury Finding #22**

Lieutenants serve as "watch commanders" on a rotating basis. This causes a lack of consistency regarding policy and procedure interpretations at the lieutenant level. Sergeants are being held accountable to five individuals' opinions and interpretations, which is causing a high degree of frustration, disharmony and disorganization within the department.

**Grand Jury Recommendation**

(A) Assign senior sergeants on each shift to serve as "watch commander," using a literal interpretation of the department's policy and procedures. (B) Policy interpretation should be clarified and resolved by the division commander.

**City of Riverside Response**

*The Riverside Police Department's transition from traditional policing to a Community Policing and Problem Solving model involved moving some lieutenants from being responsible for a "watch"(a period of time), to becoming "area commanders." This caused them to be responsible for management of policing to "areas" and "neighborhoods" in the city.*

*To facilitate this transition, one sergeant on a watch served as a "watch commander", whose responsibilities continued to include first line supervisory work. As a watch commander, this sergeant was also responsible for functional control over all units responding to calls for service. A management review of this system clearly reflected a need to maintain the area command concept, but also a need to return lieutenants to day and night shifts to more effectively involve management oversight of operational functions within the department and on shifts.*

*The collateral responsibilities of lieutenants in the field operations division, serving as area commanders while assigned to a watch, is still under review by the department's command staff and chief of police, as is the need for additional lieutenants for night supervision.*

*The division commander (ie captain) is expected to clarify and resolve any policy interpretations, and see that all subordinates in his/her command be well acquainted with the contents and thoroughly understand policy.*



**Grand Jury Finding #23**

Sergeants are inundated with paper work, which is preventing them from properly performing their field functions of training, supervision and mentoring the officers under their supervision.

**Grand Jury Recommendation**

(A) Define specific paperwork obligations of lieutenants and sergeants, consistent with their responsibilities. (B) Expand the stenographer pool, so that sergeants' skills can be better used at supervising and training.

***City of Riverside Response***

*Accurate and documented paperwork is vitally important to the operation of the police department. It enables the department to refine policies, procedures and training, decrease liabilities, enhance officer safety and provide a written accounting of events. Sergeants are required to write evaluations on personnel, critique pursuits, investigate uses of force complaints, K-9 apprehensions, and read police reports. In addition, when necessary, they prepare responses to requests for equipment, training and handle other administrative issues.*

*In reality, the amount of paperwork has remained the same or decreased since 1995. As the vacancy factor is minimized and more lieutenants are reassigned as watch commanders, there will be even less paperwork required of the sergeants.*

*The use of increased technology has drastically reduced paperwork and as the department moves forward, the load will be reduced even further. Improved technology will enhance the sergeant's ability to complete assignments in less time and increase their availability in the field. Currently, within the police management structure, sergeants are in the best position to complete much of the paperwork necessary to meet the department's needs and to provide the best possible public service.*

**Grand Jury Finding #24**

Sergeants are not currently in control of the Field Training Officer Program, which prevents them from adequately overseeing daily training of new officers.

**Grand Jury Recommendation**

Sergeants should organize and supervise the Field Training Officer Program, conducting monthly meetings to discuss progress of officers-in-training. Based on these meetings, regular reports should be provided to the management staff.

***City of Riverside Response***

*The Field Training Officer (FTO) Program operates under the command of the Field*

*Operations Division. The functional responsibility for this very important program is with a lieutenant, who also uses an administrative sergeant for some aspects of program management. FTO sergeants are specifically selected for the task of training new police officers. They are part of a specific core of supervisors who oversee all training phases of a recruit or lateral police officer hired by the City of Riverside.*

*This program meets or exceeds all state requirements for FTO training. All sergeants assigned to the Patrol Bureau will have some exposure to FTO Trainees on their shifts and have no less responsibility to observe the trainees' strengths and weaknesses than any other officer on his/her watch. Concerns or issues have historically been brought to the attention of FTO staff, or immediately handled in emergency situations. Effective oversight of a trainee requires assignment to a specific sergeant assigned to the FTO Program who is tasked with reviewing daily phase evaluations of a trainee. The department recognizes the importance of a successful FTO program. Recently, a review of the FTO Program was conducted and found our program in compliance with POST standards.*

#### **Grand Jury Finding #25**

**Sergeants are not being supported by administration regarding disciplinary evaluations and actions for poor performance or improper behavior. On occasion, sergeants have been instructed to change personnel investigation reports to justify disciplinary actions against officers.**

#### **Grand Jury Recommendation**

**(A) Management needs to give high regard to sergeants' comments, or recommendations, in areas of officer performance, or behavior. (B) Management should only override sergeants' findings on disciplinary suggestions, with proper supplemental findings, and never request that documents be changed inappropriately.**

#### **City of Riverside Response**

*The Riverside Police Department management staff has a high regard, and takes seriously, the opinions and recommendations of the sergeants in the department. The sergeants have the duty of completing the first draft of all police officer personnel evaluations. Sergeants also have the responsibility of making recommendations regarding the findings of all internal investigations that they have conducted.*

*Oversight of the personnel evaluations by higher ranking staff members is important because they have more experience and knowledge of information that might be relevant to the evaluation. Management uses the information, recommendations and draft evaluation in order to draw appropriate conclusions regarding the final evaluation.*

**Grand Jury Finding #26**

Employee evaluations are habitually late.

**Grand Jury Recommendation**

Employee evaluations must be brought up-to-date and properly maintained on a regular basis, as prescribed by law.

***City of Riverside Response***

*Timely evaluations are very important and can be a tremendous asset to the employee. The department has taken steps to ensure that systems are in place to track evaluations and maintain current evaluations under the policy guidelines.*

**Grand Jury Finding #27**

Salaries and benefits are not competitive with surrounding agencies of similar size. This has been a detrimental factor in attracting experienced officers to make lateral transfers to RPD, as well as recruitment of new officers.

**Grand Jury Recommendation**

(A) Conduct a realistic "parity study," to reevaluate the salary and benefit structure. (B) Make necessary adjustments to bring compensation into a competitive range, so as to attract the needed manpower. (C) Increase the funding for a more aggressive recruitment program to attract experienced officers from other agencies, as well as new recruits.

***City of Riverside Response***

*The Riverside Police Officers' Association and the City have recently reached agreement on a new two-year labor contract. It is believed the increases in pay and benefits will make a position with the police department more alluring and attractive to candidates in the job market. A copy of the agreement is attached.*

**Grand Jury Finding #28**

Most field officers believe they do not have adequate equipment and supplies necessary to perform their duties in a timely manner. The lack of essential equipment often ties-up officers at calls longer than necessary.

**Grand Jury Recommendation**

(A) Provide photo cameras, additional film, print kits and new technology in non-lethal devises and weapons, for each patrol vehicle. (B) Supervision/management should develop a more comprehensive list of needed equipment and submit it to command.

***City of Riverside Response***

*The use of cameras, print kits and less lethal equipment is extremely important. The police department regularly uses all these tools and the field operations unit is provided*

*cameras and latent print supplies on a daily basis. The print kits have been especially valuable at crime scenes. Prints have been identified through Cal-ID "hits" and criminals have been identified. These items are included in the budget and refill supplies are available to meet future needs.*

*In the last six months, the department has purchased and provided 48 air tasers to the field officers. Shotguns that fire less lethal ammunition have also been made available to officers to have in their vehicles as needed.*

*The police department appreciates input regarding necessary equipment and supplies. A system has been developed to track needed equipment and have officers critique the equipment currently being used.*

**Grand Jury Finding #29**

*Vehicles are not equipped with audio or video recording devices, which would properly document all incidents and help avoid legal risks and frivolous complaints against officers.*

**Grand Jury Recommendation**

*Install video cameras and audio/video recorders in each patrol vehicle to instantly provide irrefutable documentation of all incidents.*

***City of Riverside Response***

*The use of videocameras in patrol cars is currently being tested. This field-testing of video equipment (Mobile Video Systems) includes three different vendor products. After evaluation of the equipment, MVS units will be evaluated as to their suitability for our needs. The department has been successful in securing funding for the equipment and will continue to monitor its use and the ultimate value to our city.*

**Grand Jury Finding #30**

*The department does not have a logistics control. Consequently, a number of weapons, radios and miscellaneous equipment have vanished.*

**Grand Jury Recommendation**

*Require an inventory be conducted to locate missing equipment, and establish a centralized logistics control system. Designate a logistics control supervisor at each of the department's four locations, who would report to one specific command officer.*

***City of Riverside Response***

*The city's inventory control policy requires that a yearly audit of asset items be conducted. This yearly audit assures accountability for equipment that is under the control of each division of the police department. The department has recently developed improved internal programs for tracking equipment that has been issued. These audits are performed regularly (not just annually), and in fact, an internal audit of portable radios is currently underway.*

### **Grand Jury Finding #31**

The RPD is currently a "reactive" rather than a "pro-active" police force. The department lacks the essential prerequisites which will prevent the city from successfully implementing an effective program of Problem Oriented Policing and Community-Based Policing. Specifically:

- A) A strong fundamental (apprehension and suppression) police "core."
- B) A high degree of decentralized management, which does not currently exist.
- C) Highly specialized areas of training for officers. This does not currently exist.
- D) These programs require that a large contingency fund be available. This does not currently exist.

### **Grand Jury Recommendation**

(A) The city should reevaluate its stated commitment toward Community-Based Policing policy, and allocate sufficient funding to accomplish the necessary prerequisites. (B) Management of the department must undergo a radical change in the policy and procedures to accommodate the decentralized form of management needed to make such programs successful.

### **City of Riverside Response**

*There is a need to balance the "reactive" aspects of policing with the "proactive" aspects. That is why there has been a tremendous emphasis on the COPPS philosophy, as well as dealing with immediate calls for service through 911 calls, Mayor's Night Out issues, ongoing investigations and city council constituent concerns. The department has been successful in dealing with both the reactive and proactive needs of the community.*

*The city is committed to the philosophy of Community Oriented Policing. Budgetary priority has consistently been placed on programs that promote community policing such as Safe Streets Now, Neighborhood Beat Officer, storefront police stations, Target Area Policing, El Protector, Citizen's Academy, Neighborhood Watch, You Are Not Alone, School Resource Officer, and the newly formed Youth Resource Officer Program. These are widely diversified programs extending to all levels of the community and addressing a variety of community policing issues.*

*The city's commitment to community policing is also evidenced in the recruitment of a new police chief. One of the major pre-requisites for the new chief is extensive experience in community based policing. As the department continues to utilize community policing, we will also continue to examine and analyze the operations and management of the department to accommodate this important philosophy and ensure the success of our programs.*

### **Grand Jury Finding #32**

During the preparation of this report, the Chief of Police resigned and has been replaced with an interim department head. The interim Chief will serve until the city

completes its search for a permanent replacement.

**Grand Jury Recommendation**

The interim chief should make no major policy decisions which would affect the power and authority of the new permanent replacement for the department.

**City of Riverside Response**

*The police department has been fortunate to have an interim police chief with a vast amount of knowledge and experience to assist the department in its transition to a new chief. It is to the department's advantage that Interim Chief Robert Luman was selected to provide leadership and direction regarding the department's overall operations. The entire department will be reviewed by the new police chief, who will have the authority to continue policies or make changes as appropriate.*

**Grand Jury Finding #33**

There are a number of discussions being conducted regarding Citizen/Community Review panels, which would be intended to oversee the department. There are at least six independent agencies which currently oversee the department (including the Riverside County Grand Jury). The department appears to have a good record of self-policing and disciplining errant officers (with a few noted exceptions), despite the inequities in punishments issued.

**Grand Jury Recommendation**

Oversight by "citizens" unfamiliar with the law enforcement profession, or their procedures, would be redundant, unproductive and detrimental to the quality of law enforcement. Additionally, such a "committee" would produce an unnecessary financial expense and bureaucracy within the city.

**City of Riverside Response**

*Following extensive study and review of the police department policy and procedures, the Mayor's Use of Force Panel made 12 recommendations to the city council. One of these recommendations was to appoint a Community Police Review Commission to: advise the mayor and city council on police/community relations issues; receive, review and investigate complaints of alleged police employee misconduct; conduct hearings and make findings to the city manager and police chief; and, review and advise the department in matters pertaining to police policies and practices.*

*This recommendation was supported by a majority of the city council and applications were solicited from residents of Riverside. The city is conducting a search for an executive director and the nine-member commission is scheduled to be operational by September. This commission will provide valuable oversight to the police department. Citizen review panels are being used throughout the nation and it is anticipated the new commission will be productive for the City of Riverside as well.*

### **Grand Jury Finding #34**

Police academies teach police officers to use a "three-shot scenario" whenever they are required to use lethal "use of force." They are, to discharge their weapons three times (two toward the chest and once toward the head) then withdraw to reassess the threat, and fire again if necessary. The appearance of "Excessive Force" is based on the number of officers involved.

### **Grand Jury Recommendations**

The "three-shot scenario" training should be explained to the public-at-large, so that claims of "Excessive Use of Force" can be placed in proper perspective.

### ***City of Riverside Response***

*The decision to use lethal force places tremendous responsibility on a police officer. Officers employed by the City of Riverside are not required to, nor expected to, fire any particular number of shots. Department policy dictates that they use the reasonable force necessary to overcome or secure control of a suspect. The firearms training that officers receive is much broader than a "three-shot scenario" training described by the Grand Jury.*

*The policies and procedures for the Riverside Police Department are periodically reviewed and updated. The Law Enforcement Policy Advisory Committee (LEPAC) is a subcommittee of the City's Human Resources Commission. They meet monthly to discuss police policies and make recommendations to the police chief. Their meetings are open to the public and residents are encouraged to attend. Once the City's Community Police Review Commission is operating, they will assume LEPAC's role of policy review. The department's Citizen Academy is another outreach program where policies are discussed.*

### **Grand Jury Recommendation #35**

Amend the City Charter so that the chief of police is placed directly under contract to the city and given full budgetary authority over the department. This would expedite the Community-Based Policing policy and ensure quality law enforcement for the city.

### ***City of Riverside Response***

*Currently, the police chief works directly with the city manager to develop the annual budget for the department. This ensures that the programs which have highest priority are recommended to the city council for funding.*

*Changes to the City of Riverside charter can occur through the city council placing an initiative on the ballot or a citizen petition can initiate the ballot measure. In either case, the voters of Riverside must approve any charter change with a simple majority approval.*

**Attachments to be included:**

- **Mayor's Use of Force Panel recommendations and status**
- **RPOA & City Memorandum of Understanding**
- **Various newspaper articles**