

COMMUNITY POLICE REVIEW COMMISSION POLICY RECOMMENDATION

RPD POLICY AND PROCEDURES 4.8

INVESTIGATIONS OF OFFICER INVOLVED SHOOTINGS AND INCIDENTS WHERE DEATH OR SERIOUS LIKELIHOOD OF DEATH RESULTS:

Rationale for the Policy Recommendation:

During an investigation into the officer-involved death of a civilian, the Community Police Review Commission noticed what appears to be a practice on the part of the Internal Affairs unit to that is different than that required by Riverside Police Department Policy 4.8, Subsection C.2.f, 1 & 3, as the Commission reads that policy:

4.8.C.2.f. Internal Affairs shall:

1. The Internal Affairs Lieutenant shall be responsible for conducting an independent investigation.
2. Inform the Chief of Police or his/her designee with regard to the information obtained in the course of their investigation.
3. All Internal Affairs Investigations shall be separate from the investigation conducted by the Officer Involved Shooting Team. Information obtained from the Officer Involved Shooting Team will be used to aid the Internal Affairs Investigation. No information obtained from a compelled interview will be disclosed to the Officer Involved Shooting Team.
4. Interviews with witnesses, suspect(s) or involved employee(s) will not be conducted until after they have been interviewed by the Officer Involved Shooting Team.

The Commission believes that the Internal Affairs unit is producing a “review” of all of the actions of all of the officers on the scene as opposed to an “independent investigation” as seems to be required by policy.

This belief is based on the fact that the Internal Affairs unit calls its work product an “Administrative Review” and that this work product contains no document that was produced solely in IA with the exception of a section also called “Administrative Review.” In the instant case, there were no independent witness or officer interviews or other work typically associated with an investigation as opposed to a review.

Also, the work product fits the dictionary definition of a “Review” in every way.

Another aspect of the document is that, contrary to Subsection 3 that states “Information obtained from the Officer Involved Shooting Team (OIST) will be used to aid the Internal Affairs Investigation,” the Administrative Review relies exclusively on information found in the OIST report for its documentation.

Finally, the Commission believes that when the department does not conduct a true “Independent Investigation,” it loses the benefit of a system of checks and balances that is built into the current policy framework.

Policy Recommendation:

The Community Police Review Commission has identified that the Riverside Police Department has two options:

A. It can require the Internal Affairs unit to conform to current policy as written in RPD Policy and Procedures 4.8. C.2.f and produce true Independent Investigations,

Or

B. It can re-write RPD Policy and Procedures 4.8, Subsection C.2.f so that it conforms to the current practice of reviewing actions taken by the O.I.S.T. and others involved with the case.

The Community Police Review Commission recommends that Option A be followed without fail.

Mike Gardner, Chair
Community Police Review Commission

Date