

## **INTERNAL AFFAIRS DIVISION PROCEDURES**

### **10102.1 PURPOSE**

These procedures are intended to act as guidelines for conducting internal affairs investigations and cannot necessarily cover all possible scenarios involved in conducting internal affairs investigations, nor is it intended to act as a substitute for good judgment or existing Department Policy.

As mandated by California Penal Code § 832.5 and Department Policy, the Internal Affairs Division is tasked with investigating allegations of employee misconduct made by members of the public and internal affairs investigations of alleged misconduct. Additionally, Internal Affairs is responsible for conducting organizational audits to evaluate Departmental systems. This procedure defines the duties and responsibilities of personnel assigned to the Internal Affairs Division.

### **10102.2 CITIZEN AND INTERNAL COMPLAINT INVESTIGATIONS**

Internal Affairs is responsible for investigating citizen and internal complaints. Inspectors receiving citizen complaints should ensure the complainant has signed the complaint and shall provide them with a copy. At the conclusion of an investigation, the complainant or employee shall be notified of the outcome by letter. Employees who are identified as the focus of misconduct will be provided a copy of the investigative report.

### **10102.3 OFFICER INVOLVED SHOOTING INVESTIGATIONS**

The Internal Affairs Unit will investigate all Officer Involved Shootings (OIS). The primary objective of the investigation is to assist in determining if the circumstances of the shooting are within Department Policy. The Internal Affairs Commander will determine the members of the Internal Affairs response team and whether more than two inspectors are required.

### **10102.4 IN-CUSTODY DEATHS**

In-Custody deaths are investigated by Internal Affairs, and the investigation should include compliance with Department Policy, rules and applicable regulations. The Inspector's duty shall focus on whether personnel acted within the guidelines set forth in Department Policy and procedural guidelines.

### **10102.5 CIVIL CLAIMS FOR DAMAGES**

Inspectors assigned to handle civil claims for damages shall collect all related documents to the incident and conduct interviews of the involved personnel, as necessary. If the claim alleges employee misconduct, the Inspector will conduct a parallel complaint investigation in accordance with Policy 1010.

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### **10102.6 PITCHESS MOTIONS**

The Corporal assigned to Internal Affairs is designated as the Custodian of Records for the department for Pitchess Motions. The custodian shall review and gather all personnel files responsive to the motion, so they can be presented to the court for a Pitchess Motion. Upon a judge's order, the Deputy City Attorney and the Custodian will appear before a judge for an in-camera hearing. The Custodian will document the outcome and notify the involved officer(s) in writing.

### **10102.7 LEGAL NOTIFICATIONS**

The Internal Affairs Division is responsible for ensuring all newly appointed Sergeants and Non-Sworn Supervisors receive a copy of any legal Writ of Mandates. The Internal Affairs staff will have the Supervisor sign a copy of acknowledgment and ensure that the form is placed in the respective supervisor's personnel file.

### **10102.8 EMPLOYEE TRAINING**

Inspectors will conduct roll-call and divisional training on a periodic basis to ensure compliance with department policy and procedures.

### **10102.9 AUDITS**

The Internal Affairs Division will conduct regular audits of organizational systems. As in other investigations, audits will be conducted objectively, thoroughly and without bias. The goal of an audit is to ensure Department Policies and Procedures are being followed, recommend organizational improvements, identify training issues and recommend necessary revisions to existing Policy or Procedure.

### **10102.10 REPORTING**

The lead Inspector shall report all In-Custody deaths, including all deaths that occur in the process of arrest to the US and CA DOJ within ten (10) days of the incident. This includes anyone killed by any use of force by a law enforcement officer prior to booking. Inspectors shall complete the DOJ In-Custody Death Forms (CJ11, CJ11A and BCIA 713) within ten (10) days of an In-Custody death, including officer involved shootings.

### **10102.11 BOARDS AND COMMISSIONS**

The Internal Affairs Division is responsible for conducting background investigations on City Board and Commission applicants who have submitted their applications to the Clerk of the Council. The Corporal, tasked with this assignment, will document the results of the inquiry on a Memorandum directed to the Internal Affairs Commander.

### **10102.12 PERSONNEL EXIT INTERVIEWS**

The Internal Affairs Division will conduct all exit interviews. These interviews are informal and are not recorded, unless there are extenuating circumstances which would require a recorded

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statement for future reference. The exit interview reports are directed via a Memorandum to the Chief of Police.

### **10102.13 CONCEALED WEAPONS PERMITS**

The Internal Affairs Commander shall approve all CCW renewals and HR 218 forms for newly retired and former employees eligible to receive concealed weapons permits.

### **10102.14 PROFESSIONAL STAFF DUTIES AND RESPONSIBILITIES**

Professional Staff Members are Non-Sworn employees assigned to the Internal Affairs Division to assist the Internal Affairs Division Inspectors. Professional staff will also assist with administrative function in the Office of the Chief of Police, as necessary.

Professional Staff Members' responsibilities include, but are not limited to:

- Input and file all documents coming into the Internal Affairs Division for retention
- Manage the unit's database(s)
- Submit and file annual reports in compliance with DOJ reporting procedures for In-Custody Death Reports, CLETS misuse investigations, and DOJ Annual Report of Citizens' Complaints
- Maintain files of all audits and training completed by Inspectors
- Transcribe administrative investigations or interviews as needed
- Assist Legal Advisor
- Coordinate with the City Attorney's Office and outside counsel for depositions and trials