

Critical Incident Administrative Review

GENE HARRIS, POLICE CHIEF





Criminal Investigation

Conducted by PPD or designated outside entities such as LA County Sheriff's, Department of Justice, etc. Then criminal charge consideration by:

1. LA County District Attorney
2. CA Attorney General (pursuant to GC 12525.23)
3. US Department of Justice (upon referral).

Administrative Review/Investigation

Conducted by PPD or designated outside entities (upon referral)

Independent Review

Conducted by Independent reviewer or auditor



Administrative Review definition...

*“Review/Investigation into policy,
practice, or conduct violations.”*



Officer Involved Shootings and In-Custody Death Investigations PPD Policy 310...

(Criminal)

- PPD Detectives immediately respond to the scene to begin the criminal investigation
- Notification to DA's Office or Department of Justice
- Submit case to JSID for prosecutorial review and disposition

(Administrative)

- Professional Standards and Critical Performance Units responds to the scene to begin the investigation
- When completed the Police Chief will determine whether the officer's actions were in conformance with policy and training



Important Note...

Except as exempted, Law enforcement agencies must notify officer of proposed discipline within one year of discovery deadline to impose discipline is subject to “tolling” under certain circumstances –common basis for “tolling” include Officer’s actions subject of criminal investigation or prosecution; and/or matter involves civil litigation and officer is a defendant...*Gov’t Code Section 3304(d)(1)*



CA Gov Code 3304 Legislative Intent...

“The Legislature hereby finds and declares that the rights and protections provided to peace officers under this chapter constitute a matter of statewide concern. The Legislature further finds and declares that effective law enforcement depends upon the maintenance of stable employer-employee relations, between public safety employees and their employers. In order to assure that stable relations are continued throughout the state and to further assure that effective services are provided to all people of the state, it is necessary that this chapter be applicable to all public safety officers, as defined in this section, wherever situated within the State of California.”



Gov't Code 3304: Tolling may apply...

(A) If the allegation of misconduct is also the subject of a criminal investigation

(C) If the investigation is a multijurisdictional investigation that requires a reasonable extension for coordination of the involved agencies

(D) If the investigation involves more than one employee and requires a reasonable extension.

(F) If the investigation involves a matter in civil litigation where the officer is named as a defendant, the one-year time period shall be tolled while that civil action is pending

(G) If the investigation involves a matter in criminal litigation where the complainant is a criminal defendant



Completes Administrative Investigation (LA County) . . .

Independent of DA Clearance

- LAPD
- Whittier
- Torrance

Case-by-Case or Wait for DA Clearance

(noteworthy agencies with similar OIS Counts)

- Huntington Beach
- Anaheim
- Ontario

Case-by-Case or Wait for DA Clearance

- LASD
- Burbank
- Glendale
- MPK
- San Marino
- San Fernando
- Culver City
- La Verne
- West Covina
- El Segundo
- Vernon
- South Gate
- Monrovia
- San Gabriel
- Huntington Park
- Alhambra
- El Monte
- Hermosa Beach
- Baldwin Park
- Beverly Hills
- Santa Monica
- Inglewood
- Pomona
- Hawthorn
- Arcadia
- Glendora
- Gardena
- Azusa
- Claremont



Of relevance...



Williams also told the Council, *“Once that investigation is complete, based on what the findings are of that investigation and what the Department of Justice decides to do, only then will the Sheriff’s Department conduct their own administrative investigation, and during this administrative investigation,”* he continued, *“they’ll look at things like policy and procedures that may have been violated, and **tactics.**”*



Pasadena protocol remains “Case-by-Case...”

Categorical UOF

2019 – 34

2020 – 26

2021 – 23

2022 – 21

2023 – 1

Total: 105

101 Administrative Reviews
Completed within 90-120 days = 96%



Status of Four Pending OIS Investigations...

1. July 30, 2022, Fatal OIS (UOF #2022-016) **Administrative Pursuit Review to begin 03/08/23**

- Suspect: 35-year-old Male
- Location: 600 N. Lake Ave.
- Summary: The suspect committed an armed carjacking in the City of Pasadena on the evening of July 29, 2022. LASD located the suspect driving the victim's vehicle in Montebello and initiated a pursuit canceling it a short time later. CHP and Monrovia PD found the car and once again initiated a pursuit. The suspect drove back to Pasadena, and the Pasadena Police Department took over the pursuit, which ended in the 600 Block of Lake Ave. The suspect drove towards officers, and an OIS occurred.
- Pasadena PD is still conducting the Criminal Investigation – waiting for the completion of the ballistic comparison – as of 2/16/23

2. November 23, 2021, Fatal OIS (UOF #2021-069) **No Administrative Review until DA renders**

- Suspect: 24-year-old Male
- Location: Sunny Slope Av. and Orange Grove Blvd.
- Summary: The incident involved suspect who murdered an elderly male in the street and attempted to carjack a female victim. The suspect walked away into a nearby neighborhood and engaged in a gun battle with officers. Suspect Hall then jumped into the rear yard of a nearby residence, took the female resident hostage, and engaged in a separate gun battle with responding officers.
- LA County DA's office has not provided a rendering on this fatal OIS – as of 2/16/23



Continued...

3. **May 8, 2020, Fatal OIS (UOF #2020-009) Administrative Pursuit Review to begin 03/29/23**
 - Suspect: 47-year-old Male
 - Location: Allen Ave. and Corson St.
 - Summary: The suspect was involved in a vehicle pursuit. At the terminus of the pursuit in which he drove head-on into a police vehicle, the suspect immediately began firing at officers through his vehicle's windshield. As a result, the officer and suspect exited their cars, and a short gun battle occurred within several feet of each other
 - LA County DA's office has not provided a rendering on this fatal OIS – as of 2/16/23

4. **May 17, 2019, Fatal OIS (UOF #2019-017) No Administrative Review until DA renders**
 - a. Suspect: 36-year-old
 - b. Location: 1500 block of Glen Ave
 - c. Summary: Officers responded to a reported man with a gun call. Officers arrived and saw suspect holding a rifle, which he pointed at responding officers, and an OIS occurred.
 - d. LA County DA's office has not provided a rendering on this fatal OIS – as of 2/16/23



My Commitment...

... “To consider any, and all input when making my decisions regarding the completion and disposition of administrative reviews on a case-by-case basis. I will apply professional and ethical decision making based on the facts known to me and ensure my decisions and rationale are clearly articulated.”



Police Department

QUESTIONS?