

CIVILIAN COMPLAINTS

I. INTRODUCTION

In enacting the Racial and Identity Profiling Act (RIPA), the Legislature noted that it intended to collect and assess civilian complaint data to help eliminate the harmful practice of racial and identity profiling and improve the relationship between law enforcement and the communities they serve.¹ Accordingly, each year, the RIPA report highlights trends and data related to complaints submitted by citizens to law enforcement agencies regarding the work of those agencies and the officers employed by those agencies. This data is significant because it shows trends within individual agencies by complaint type and differences in policies across agencies that may impact the complaint process.

As in past reports, this chapter examines complaint data submitted by XX agencies subject to RIPA's stop data reporting requirements (hereafter RIPA agencies). Additionally, this year, the Civilian Complaints chapter provides an overview of California legal requirements, general principles, and suggested best practices for internal complaint investigations to help California law enforcement agencies ensure that they are conducting complaint investigations in an objective and transparent manner and arriving at appropriate dispositions for complaints. This discussion is critical, given the extremely low rate at which complaints are sustained; as reported in the 2026 RIPA Report, only 3 out of the 1,552 racial or identity profiling complaints that reached a disposition in 2024 were sustained.² The Board remains concerned with this low number of sustained complaints and noted its desire to explore this issue further in future reports. Accordingly, as part of this deeper examination into possible reasons for the low number of sustained complaints, this year's Report takes a closer look at the complaint investigation process and discusses current suggested best practices for conducting complaint investigations. The Board encourages state and local law enforcement agencies to implement these best practices whenever possible to ensure that civilian complaints are properly and thoroughly investigated to arrive at appropriate dispositions.

II. DATA ANALYSIS OF 2025 CIVILIAN COMPLAINTS

On a yearly basis, state and local law enforcement agencies across the state — including municipal and district police departments, county sheriff's departments, the California Highway Patrol, and law enforcement agencies of the University of California, California State Universities, California Community Colleges, District Attorney Offices, as well as K-12 school district police departments — submit civilian complaint data to the DOJ for analysis and assessment. The RIPA Board analyzes this data and makes recommendations designed to reduce or eliminate racial and identity profiling, and to improve relations between law enforcement officers and the communities they serve.³

[Analyses of 2025 civilian complaint data forthcoming, including the total number of all complaints and profiling complaints, the disposition of all complaints and profiling complaints, and cross-year comparisons of complaint data by agency]

¹ April 21, 2015 Hearing of the Assembly Committee on Public Safety, AB 953 (Weber) – As Amended April 16, 2015.

² Racial and Identity Profiling Advisory Board, *Annual Report (2026)*, <<https://oag.ca.gov/system/files/media/ripa-board-report-2026.pdf>> [as of XX, 2026].

³ 11 Cal Code Regs § 999.224, subd. (a)(17).

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III. LAW ENFORCEMENT COMPLAINT INVESTIGATIONS

Last year, the Board noted its concern with the extremely low number of sustained complaints reported by RIPA agencies and expressed its desire to examine this issue in future reports. As reported in the 2026 RIPA Report, out of the 1,552 racial or identity profiling complaints that reached a disposition in 2024, only 3 were sustained.⁴

This low number of sustained racial and identity profiling complaints raises a number of questions about law enforcement processes for investigating these complaints. While the low number of sustained racial and identity profiling complaints may indicate that less misconduct is occurring, it could also indicate issues with the methods RIPA agencies are using to receive, investigate, and adjudicate complaints. For example, the low number of sustained complaints could indicate that RIPA agencies are not taking complaints of racial and identity profiling seriously because they do not see a problem with certain conduct by officers, or it could indicate that agencies are not using appropriate procedures for investigating such complaints. The low number of sustained complaints also raises questions about whether law enforcement agencies are regularly conducting internal audits to ensure that the low number of sustained complaints is not due to disregard for certain types of complaints or improper or ineffective investigation procedures. As discussed more fully in the Accountability chapter of this year's report, robust and comprehensive internal auditing procedures are critical to an effective and responsive law enforcement agency, and to ensuring its officers are addressing the needs of the communities they serve.

In the 2026 Report, the Board expressed an interest in taking a closer look at RIPA agencies' internal processes for collecting, investigating, and adjudicating complaints to determine what factors may be contributing to this disparity. While numerous factors may impact the number of complaints filed by the public with a law enforcement agency, the Board has explored those issues in depth in past reports.⁵ This year's Report focuses primarily on law enforcement agencies' internal investigation processes for complaints, including complaints alleging racial and identity bias, which may have a significant impact on the eventual disposition of complaints and thus on the number of sustained complaints. The following subsections of the Report discuss the California laws governing law enforcement complaint investigation processes; identify some key general principles that should guide all complaint investigations; and discuss suggested best practices and legal requirements for internal complaint investigations. These general principles and suggested best practices are intended to help ensure that law enforcement agencies are not disregarding complaints of racial and identity profiling; are thoroughly, transparently, and efficiently investigating these complaints; and are arriving at the appropriate dispositions for these complaints.

A. Complaint Investigation Policies and Practices of California Law Enforcement Agencies

Penal Code section 832.5 requires each department or agency in the state that employs peace officers to establish a procedure to investigate complaints by members of the public against personnel of these departments or agencies and make a written description of the procedures

⁴ Racial and Identity Profiling Advisory Board, *Annual Report (2026)*, at p. 100, <<https://oag.ca.gov/system/files/media/ripa-board-report-2026.pdf>> [as of XX, 2026].

⁵ See Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at pp. 180 - 182 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026]

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available to the public. The California Law Enforcement Accountability Reform (CLEAR) Act,⁶ along with its implementing regulations, provide requirements for complaints alleging that an officer has engaged in membership in a hate group, participated in any hate group activity or advocated any public expressions of hate.⁷ In addition, the California Public Safety Officers Procedural Bill of Rights Act, codified in Government Code sections 3300 et seq., provides certain protections and rights to peace officers during investigations that can lead to punitive action.

Outside of these requirements, agencies have discretion to create their own civilian complaint process, including how to carry out complaint investigations. This discretion means that complaint investigation procedures may vary from agency to agency, ultimately resulting in differences in civilian complaint data, and may also lack transparency.⁸ For example, some agencies may view certain types of complaints as less serious and thus will not conduct full formal investigations of those complaints, while other agencies may conduct full investigations of similar complaints. Additionally, different investigation procedures could mean that a complaint that would be sustained in one agency is exonerated in another, ultimately impacting the number of sustained complaints reflected in the RIPA data.

Despite California law prohibiting racial and identity profiling,⁹ and despite the fact that demonstration of bias can constitute grounds for decertification,¹⁰ many law enforcement agencies have not created distinct procedures for investigating complaints alleging racial and identity bias and have no established metrics for arriving at the dispositions for complaints alleging bias. In addition, many law enforcement agencies internally investigate complaints alleging officer bias and lack a secondary and contemporaneous independent review process by an outside entity, which could lend legitimacy to the complaint investigation process and ensure that agencies are correctly handling the investigation of these complaints. As a result of deficient internal practices, agencies may not be conducting thorough and unbiased investigations into complaints alleging racial and identity bias by officers, which may contribute to a lower number of sustained racial and identity profiling complaints.

[Content in development—examples of California LEA complaint investigation policies and practices forthcoming.]

While it may be difficult to determine the exact cause for the low number of sustained complaints reported by a particular law enforcement agency without an in-depth look at the agency's complaint process and dispositions over time, the aggregate low number of sustained complaints reported by all RIPA reporting agencies raises serious concerns about agencies' complaint processes. Rather than indicating a strong relationship between the community and law enforcement or a lack of officer misconduct, a low number of sustained complaints could indicate issues with the complaint process.¹¹ This year's report provides general principles and

⁶ See Pen. Code, §§ 13680-13683.

⁷ The regulations implementing the California Public Safety Officers Procedural Bill of Rights Act can be found at 11 CCR 999.300 et seq. and take effect on July 1, 2026. See https://oal.ca.gov/july-1-effective_date/.

⁸ See Racial and Identity Profiling Board, *Annual Report (2023)*, at p. 179 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁹ Pen. Code, § 13519.4, subd. (f).

¹⁰ Pen. Code, § 13510.8, subd. (b)(5).

¹¹ See, e.g., Pryor et al., *A national study of sustained use of force complaints in law enforcement agencies* (2021) 64 J. Crim. Justice 101623 at p. 17 <<https://pmc.ncbi.nlm.nih.gov/articles/PMC8130906/pdf/nihms-1606337.pdf>> [as of XX, 2026] (“rather than indicate strong community-police relations, a low number of use of force complaints could indicate that the complaint process is not accessible to citizens.”)

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suggested best practices that may help law enforcement agencies improve their investigations of racial and identity profiling complaints, leading to more accurate outcomes of complaint investigations and more effective policies and procedures to help reduce the likelihood of racial and identity profiling in the future.

B. General Principles for Internal Complaint Investigations

The following subsection draws from current literature on internal complaint investigations both inside and outside the law enforcement context to provide some key general principles that should be applied to all law enforcement investigations of civilian complaints and that should be considered as law enforcement agencies develop their complaint investigation procedures. The purpose of these principles is to ensure that these investigations are objective, transparent, and result in appropriate dispositions for complaints. The following subsection then provides best practices, which incorporate these general principles into the complaint investigation process.

1. Independence

Investigations of complaints — particularly of more serious complaints alleging officer misconduct, such as those alleging excessive use of force, and racial and identity profiling — may be perceived to lack independence and objectivity when they are conducted internally by the law enforcement agency employing the accused officer.¹² Given the low number of sustained complaints of racial and identity profiling across most agencies, members of the public may believe law enforcement are not properly investigating these types of complaints. This perceived lack of independence coupled with the low number of sustained complaints may lead the public to lose trust in law enforcement due to a belief that internal investigations are biased in favor of protecting the implicated officer and that law enforcement are not taking these types of complaints seriously.¹³ Loss of public trust can damage the legitimacy of law enforcement agencies and the integrity of officers.¹⁴

To guard against this perceived bias and the loss of trust in the investigation process, some researchers have advocated for external investigations of serious complaints against law enforcement officers, including complaints alleging racial and identity profiling.¹⁵ However, challenges such as funding constraints, resistance from law enforcement, and legal issues with

¹² Internal Affairs effectiveness may be hampered by a number of issues including unequal discipline for officers who have committed the same types of offenses, lengthy investigations, the code of silence among officers, the lack of public knowledge about police misconduct complaints and their dispositions, and the lack of a comprehensive data systems that may assist in collecting and assessing information on misconduct incidents. See U.S. Commission on Civil Rights, *Revisiting Who Is Guarding the Guardians?: A Report on Police Practice and Civil Rights in America* (Nov. 2000) <<https://www.usccr.gov/files/pubs/guard/ch3.htm>> [as of XX, 2026].

¹³ See Katz, *Enhancing Accountability and Trust with Independent Investigations of Police Lethal Force*, 128 Harv. L. Rev. F. 235 (Apr. 2015) <<https://harvardlawreview.org/forum/vol-128/enhancing-accountability-and-trust-with-independent-investigations-of-police-lethal-force/>> [as of XX, 2026].

¹⁴ See Katz, *Enhancing Accountability and Trust with Independent Investigations of Police Lethal Force*, 128 Harv. L. Rev. F. 235 (Apr. 2015) <<https://harvardlawreview.org/forum/vol-128/enhancing-accountability-and-trust-with-independent-investigations-of-police-lethal-force/>> [as of XX, 2026].

¹⁵ See e.g., Hopkins, *An Effective System for Investigating Complaints Against Police*, Victorian Law Foundation (Aug. 2009), at pp. 31 - 48 <<https://www.policeaccountability.org.au/wp-content/uploads/2014/03/An-effective-System-for-Investigating-Complaints-Against-Police.pdf>> [as of XX, 2026]; Police1, *For better misconduct investigations, use third parties* (Sept. 11, 2023) <<https://tinyurl.com/4kj5f7tc>> [as of XX, 2026] (advocating for a third-party investigation model).

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access to confidential information can make it difficult to establish third-party investigations and oversight of the complaint process.¹⁶

To prevent a perception of bias, internal and external complaint investigations should be conducted independently of the unit of the officer or officers implicated in the complaint.¹⁷ Many law enforcement agencies have created Internal Affairs units to investigate allegations against officers.¹⁸ These units are generally believed to have a degree of independence from the law enforcement hierarchy and culture that might otherwise undermine the ability to internally investigate.¹⁹ However, there may still be a perception that Internal Affairs does not have sufficient independence since they are still part of the law enforcement agency and some investigations may require the investigation not only of an individual officer's conduct, but also the agency's practices or procedures that may have led to that conduct.²⁰ Internal investigations may thus create a conflict of interest.

Where feasible, jurisdictions should consider establishing an independent, external review body that is institutionally, culturally, and politically independent of law enforcement, which can either conduct a separate independent investigation of serious complaints received by the agency, such as those alleging an officer engaged in racial or identity profiling, or provide independent reviews or audits of the agency's investigations of complaints.²¹ Independent third-party investigations of complaints help eliminate conflicts of interest, increase credibility, foster trust between law enforcement and communities, and free up internal resources for the law

¹⁶ Police1, *For better misconduct investigations, use third parties* (Sept. 11, 2023) <<https://tinyurl.com/4kj5f7tc>> [as of XX, 2026].

¹⁷ See McKenna Long & Alderidge LLP, *Guide to Conducting an Effective Internal Investigation* <https://www.acc.com/sites/default/files/resources/vl/membersonly/ProgramMaterial/19856_1.pdf> [as of XX, 2026].

¹⁸ See, e.g., Los Angeles Police Department, Internal Affairs Division, <<https://www.lapdonline.org/office-of-the-chief-of-police/professional-standards-bureau/internal-affairs-division/>> [as of XX, 2026]; San Diego County Sheriff's Office, Internal Affairs Report, <<https://www.sdsheriff.gov/resources/open-data/internal-affairs-report>> [as of XX, 2026].

¹⁹ Hopkins, *An Effective System for Investigating Complaints Against Police*, Victorian Law Foundation (Aug. 2009) at p. 37 <<https://www.policeaccountability.org.au/wp-content/uploads/2014/03/VLF-REPORT-Effective-Investigation.pdf>> [as of XX, 2026].

²⁰ Hopkins, *An Effective System for Investigating Complaints Against Police*, Victorian Law Foundation (Aug. 2009), at pp. 35-36 <<https://www.policeaccountability.org.au/wp-content/uploads/2014/03/An-effective-System-for-Investigating-Complaints-Against-Police.pdf>> [as of XX, 2026].

²¹ See Hopkins, *An Effective System for Investigating Complaints Against Police*, Victorian Law Foundation (Aug. 2009) at pp. 34, 49 <<https://www.policeaccountability.org.au/wp-content/uploads/2014/03/VLF-REPORT-Effective-Investigation.pdf>> [as of XX, 2026]; United Nations Office on Drugs and Crime, Handbook on police accountability, oversight and integrity (2011) at p. 36. <https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf> [as of XX, 2026];

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enforcement agencies.²² In the 2026 RIPA Report, the Board discussed in more detail the importance of external oversight bodies.²³

2. Thorough and Timely Investigations

Law enforcement agencies should also ensure that their complaint investigations are conducted in a thorough and timely manner. A thorough investigation should include gathering all relevant information required to achieve the purpose of the inquiry and should enable the adjudicator to make findings without resorting to assumption of the facts at issue.²⁴ Gathering sufficient facts and conducting a thorough investigation is essential for conducting an objective, fair, and thorough investigation and arriving at the appropriate disposition. The extent of a thorough investigation will depend on a variety of factors, including the seriousness and complexity of the case.²⁵ Investigators must use their good-faith professional judgement to determine when sufficient relevant evidence has been gathered and where collecting more information may be unnecessary.²⁶ Enforceable timelines for investigations are critical to ensure evidence is collected and retained as soon as possible.²⁷ Investigations should present no opportunities for the fabrication or distortion of testimony or evidence.²⁸

3. Transparent Decision Making

The Board has previously recommended that, to foster public trust and confidence in the complaint investigation process, law enforcement agencies should ensure that their complaint

²² Police1, *For better misconduct investigations, use third parties* (Sept. 11, 2023) <<https://tinyurl.com/4kj5f7tc>> [as of XX, 2026]; United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011) <https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf> [as of XX, 2026].

²³ Racial and Identity Profiling Advisory Board, *Annual Report 2026*, at pp. 152 – 166 <<https://oag.ca.gov/system/files/media/ripa-board-report-2026.pdf>> [as of XX, 2026].

²⁴ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 29 <<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-p164-pub.pdf>> [as of XX, 2026].

²⁵ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 27 <<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-p164-pub.pdf>> [as of XX, 2026]; McKenna Long & Aldridge LLP, *Guide to Conducting an Effective Internal Investigation*, <https://www.acc.com/sites/default/files/resources/vl/membersonly/ProgramMaterial/19856_1.pdf> [as of XX, 2026].

²⁶ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 29 <<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-p164-pub.pdf>> [as of XX, 2026]; *Guide to Conducting an Effective Internal Investigation*, McKenna Long & Aldridge LLP, <https://www.acc.com/sites/default/files/resources/vl/membersonly/ProgramMaterial/19856_1.pdf> [as of XX, 2026].

²⁷ Victoria Law Foundation, *An Effective System for Investigating Complaints Against Police* (Aug. 2009) at p. 54 <<https://www.policeaccountability.org.au/wp-content/uploads/2014/03/VLF-REPORT-Effective-Investigation.pdf>> [as of XX, 2026]; United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 35 <https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf> [as of XX, 2026].

²⁸ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice* <<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-p164-pub.pdf>> [as of XX, 2026].

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investigation process is accessible, comprehensible, and transparent to the public.²⁹ Agencies should be careful not to interpret an absence of complaints as a sign that police performance is meeting with overall satisfaction, but should evaluate whether a lack of complaints is due to a lack of faith in the agency's effective handling of complaints.³⁰ In order to establish, restore, or enhance public confidence in the complaint investigation process, agencies should disclose the number of complaints received, the nature of their complaints and their consequences, including the number of officers disciplined and criminally prosecuted.³¹

4. Internal Accountability

An agency's complaints system should be assessed regularly, including intake of complaints and the investigation of complaints.³² As discussed further in the Accountability chapter of this Report, agencies should regularly audit the entire complaints system, including intake and investigation processes. Where feasible, audits should also be carried out by an external, independent body.³³

Agencies should also conduct periodic reviews of their complaint data, including their aggregate complaint data and individual complaints as needed, to identify the underlying causes of misconduct — such as a lack of training or supervision, or ambiguous laws and policies — that could lead to its recurrence by the same or different officers.³⁴ Complaint data can also be used to identify the areas where misconduct is most likely to occur and which officers are subject to an unusually high number of allegations.³⁵

C. Best Practices for Internal Complaint Investigations

Law enforcement agencies have a considerable amount of discretion to choose the procedures for how they investigate complaints, which can lead to a lack of uniformity regarding which complaints agencies choose to fully investigate, how they investigate complaints, and how the complaints are adjudicated.³⁶ While best practices for law enforcement internal complaint investigations, specifically for racial and identity profiling complaints, is an area that needs further research and development, this report has compiled, from currently available literature both inside and outside of the law enforcement context, suggested guidelines and best practices for internal complaint investigations to ensure that these investigations are conducted in a

²⁹ See Racial and Identity Profiling Advisory Board, *Annual Report 2023*, at pp. 179 -194 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as XX, 2026].

³⁰ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 36 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

³¹ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 36-37 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report 2023*, at p. 185 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as XX, 2026].

³² United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 36 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

³³ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 36 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report 2023*, at pp. 190-192 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as XX, 2026].

³⁴ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 43 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

³⁵ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 43 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

³⁶ Police1, *For better misconduct investigations, use third parties* <<https://tinyurl.com/4kj5f7tc>> [as of XX, 2026].

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thorough, timely, objective, and transparent manner and result in appropriate dispositions of complaints, including complaints alleging racial and identity profiling.

1. Complaint Intake

Each law enforcement agency should have clear, comprehensible, and nondiscriminatory procedures for the filing of complaints by members of the public.³⁷ Complaints should be accepted at any police station, the officer on duty must accept the complaint, there should be no fees charged for filing a complaint, and the complainant must not be discouraged or hindered in any way from making a complaint.³⁸ In addition to ensuring that the public can file a complaint directly with the law enforcement agency, there should also be alternatives available to file a complaint with an oversight body that is independent of the law enforcement agency to protect members of the public and law enforcement personnel reporting misconduct of fellow officers from intimidation.³⁹ Personnel named as subjects of the complaint should be prohibited from contacting the complainant regarding the complaint.⁴⁰

Law enforcement agencies should ensure that they are not summarily dismissing complaints at intake. Each agency should have procedures requiring that every complaint from the public be received, recorded, and evaluated to determine the nature of the complaint and the agency's response to the complaint.⁴¹ A refusal to accept a complaint, failure to register a complaint, discouraging the making of a complaint, or providing false or misleading information about a complaint's contents or filing date should be grounds for discipline, up to and including termination.⁴² The complaint process from intake to final disposition should be clear to all

³⁷ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 34 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 180 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026]; Police1, *For better misconduct investigations, use third parties*, <<https://tinyurl.com/4kj5f7tc>> [as of XX, 2026].

³⁸ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 34 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report 2026*, <<https://oag.ca.gov/system/files/media/ripa-board-report-2026.pdf>> [as of XX, 2026]. As discussed in the 2026 RIPa Report, on November 10, 2025, in the matter of *Los Angeles Police Protective League v. City of Los Angeles* (Case No. S275272), the California Supreme Court issued a decision finding Penal Code section 148.6, subdivision (a) unconstitutional. The requirement that complainants read and sign a written advisory when filing a complaint is therefore no longer allowable, and agencies should modify their policies accordingly to comply with this decision.

³⁹ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 34 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report 2023*, at pp. 179-181, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁴⁰ See, e.g., Vallejo Police Department, Vallejo PD Policy Manual, Policy 1011.2, <<https://www.myvallejo.com/vallejo-police-department-releases-draft-complaint-policy-for-public-feedback>> [as of XX, 2026].

⁴¹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 14 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026]; Thurnauer, *Best Practices Guide for Internal Affairs: A Strategy for Smaller Departments*, at p. 2, <<https://www.theiacp.org/sites/default/files/2018-08/BP-InternalAffairs.pdf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 180, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [XX, 2026].

⁴² United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 43 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; see, e.g., Vallejo Police Department, Vallejo PD Policy Manual, Policy 1011.2, <<https://www.myvallejo.com/vallejo-police-department-releases-draft-complaint-policy-for-public-feedback>> [as of XX, 2026].

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involved and include at least a general description of the categories the agency uses to group complaints and the procedures for handling each category.⁴³ These descriptions and procedures should be in writing and easily accessible to the public.⁴⁴ Agencies must also provide the complainant with a copy of the complainant's statements at the time the complaint is filed.⁴⁵

Agencies should establish a tracking system for tracking complaints from intake through final disposition.⁴⁶ This can help prevent officers from trying to dismiss complaints.⁴⁷ Where feasible, the tracking system should be automated and capable of capturing in separate data fields information regarding the complaint important for case tracking, including any applicable deadlines.⁴⁸ A reliable complaint tracking system is a means not only of managing cases but of providing public accountability for the follow-through on intake complaints.⁴⁹

Agencies should document all instances of alleged racial and identity profiling that are routinely generated by specific officers.⁵⁰ This information should be included in the officer's personnel file and be reviewed for performance evaluation and discipline purposes. Agencies should establish a comprehensive tracking system that permits consistent collection of data and should be consistently evaluating that data to determine whether racial or identity profiling is occurring, and if so, when it is occurring and why.⁵¹

Upon intake, agencies should classify the complaint for purposes of determining where, when, and how the complaint will be investigated and resolved.⁵² Agencies should classify complaints into either of two categories: criminal or administrative.⁵³ These two types of complaints will be

⁴³ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 24 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁴⁴ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 24 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁴⁵ Pen. Code 832.7, subd. (c); Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at pp. 179-181, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁴⁶ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 17 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 185, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁴⁷ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 35 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

⁴⁸ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 17 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁴⁹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 17 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁵⁰ U.S. Commission on Civil Rights, *Revisiting Who Is Guarding the Guardians?: A Report on Police Practice and Civil Rights in America* (Nov. 2000) <<https://www.usccr.gov/files/pubs/guard/ch3.htm>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at pp. 192-193, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2021)*, at p. 135 <<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2021.pdf>> [as of XX, 2026].

⁵¹ U.S. Commission on Civil Rights, *Revisiting Who Is Guarding the Guardians?: A Report on Police Practice and Civil Rights in America* (Nov. 2000) <<https://www.usccr.gov/files/pubs/guard/ch3.htm>> [as of XX, 2026].

⁵² U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 21 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁵³ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 21 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

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investigated differently and will result in different outcomes. Agencies should conduct regular audits to verify that complaints are being received and categorized correctly.⁵⁴

In some situations, alternative conflict resolution may be an effective alternative to filing a complaint.⁵⁵ The complainant should be informed but should be given the opportunity to file a complaint if they desire to do so if the complainant opts for an alternative resolution after being fully informed, that should also be recorded.⁵⁶

2. Preliminary Investigations

As a general principle, law enforcement agencies should receive, document, and investigate all complaints, particularly complaints of serious misconduct such as complaints alleging racial and identity bias by a law enforcement officer.⁵⁷ Agencies should also take all reasonable steps to ensure that their investigations are free from conflict of interest, bias, prejudice, or self-interest.⁵⁸ As such, investigations should be conducted by an Internal Affairs unit that reports directly to the agency head or to a designated immediate subordinate deputy or assistant agency head.⁵⁹ Agencies should have a policy that addresses any internal conflicts of interests that may occur during an investigation.⁶⁰

Some agencies may choose to engage in a preliminary investigation to determine whether a complaint requires a full administrative or a criminal investigation. A preliminary investigation may be helpful in guiding decision-making, but it can also be counterproductive and lead to no investigation being initiated, resulting in officers avoiding punishment or accountability for their actions.⁶¹

If an agency chooses to conduct a preliminary investigation, the preliminary investigation should be conducted in a fair and transparent way to prevent the perception that the agency is failing to fully investigate certain types of complaints based on improper motives such as bias or to protect

⁵⁴ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 18 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁵⁵ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 35 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

⁵⁶ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 35 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

⁵⁷ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 27 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report 2023*, at pp. 185, 187, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026]; see, e.g., Vallejo Police Department, Vallejo PD Policy Manual, Policy 1011.2,

<<https://www.myvallejo.com/vallejo-police-department-releases-draft-complaint-policy-for-public-feedback>> (requiring that all allegations or personnel misconduct be received and documented, fully and impartially investigated, and a disposition made based on a preponderance of the evidence) [as of XX, 2026].

⁵⁸ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 27 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁵⁹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 27 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶⁰ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 27 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶¹ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 37, <https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf> [as of XX, 2026].

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officers from punishment.⁶² Any preliminary investigations should include efforts to gather key statements or evidence to determine if the complaint should be further investigated and if so, who should conduct the investigation.⁶³ Any decisions not to proceed with a full investigation should be made by the commander of the Internal Affairs unit with a written explanation included in the file.⁶⁴ Even if some complaints are lodged by frequent complainants whose previous complaints have been found to lack basis in fact, those complaints should not be summarily closed.⁶⁵ Instead, the complaint should be reviewed by an Internal Affairs commander and may be closed if a preliminary investigation sufficiently establishes that the current complaint lacks a basis in fact or has duplicate facts to another complaint.⁶⁶

Preliminary investigations may lead to a decision that the complaint was false, or that there was no neglect of duty or criminal offence.⁶⁷ In such cases, complainants must be informed of the reasons why the complaint is not being investigated further.⁶⁸

3. Who Should Investigate Complaints

If administrative complaints are investigated internally by the agency, complaints against officers should not be investigated by the officer's immediate colleagues, both to avoid any conflict of interest and to ensure that the investigation is perceived by the public as unbiased and impartial.⁶⁹ If no other options are available, at a minimum, investigating officers should come from a different branch or region and a higher rank than the officer or officers under investigation.⁷⁰ AB 655 regulations require that complaints alleging that an officer is a member of any hate group, participated in any hate group activity, or advocated for public expressions of hate, that are referred to an investigative unit must be assigned to a team of investigators, and each assigned investigator must hold a higher rank than the subject of the complaint if the investigator is a member of the subject's employing agency and must not be the immediate

⁶² U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 27 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶³ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 29 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶⁴ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 29 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶⁵ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 30 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶⁶ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 30 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁶⁷ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 37 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

⁶⁸ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 37 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026].

⁶⁹ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 41 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 187, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁷⁰ United Nations Office on Drugs and Crime, *Handbook on police accountability, oversight and integrity* (2011), p. 41 <<https://tinyurl.com/yckb5mx4>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 187, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026]; Thurnauer, *Best Practice Guide for Internal Affairs: A Strategy for Smaller Departments*, at p. 2, <<https://www.theiacp.org/sites/default/files/2018-08/BP-InternalAffairs.pdf>> [as of XX, 2026].

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supervisor of the subject of the complaint, unless the subject's immediate supervisor is the highest-ranking member of the subject's chain of command.⁷¹

Most law enforcement agencies have an Internal Affairs unit that is responsible for investigating complaints against officers.⁷² All internal administrative investigations of serious complaints, including allegations of racial and identity profiling, should be conducted by Internal Affairs if they are not conducted by an external, independent investigator or investigative body.⁷³ These types of complaints should not be investigated at the unit level.⁷⁴ Internal Affairs units generally have investigative expertise that chain-of-command investigators may not have. Having Internal Affairs investigate serious complaints provides increased consistency and quality and can reveal trends of investigative or leadership deficiencies that can be resolved through agency-wide training.⁷⁵

For purposes of independence, confidentiality, direct and unfiltered discussion, and some freedom from institutional politics and pressures, the head of Internal Affairs should preferably report directly to the agency head.⁷⁶ If a direct reporting relationship is not feasible, the Internal Affairs commanding officer should nonetheless have prompt, unrestricted, and confidential access to all agency executives, including the agency head.

a. Selecting and Training Internal Affairs Investigators

Agencies should establish specific requirements for the selection of individuals to work in Internal Affairs. Prior investigative experience and/or a strong investigative background should be either required or a significant qualification to be selected.⁷⁷ Individuals selected for Internal Affairs should sign a confidentiality agreement that clearly states that it is misconduct for an Internal Affairs investigator to reveal investigative information to any person unless that person has an authorized right and need to know.⁷⁸

Agencies should provide ongoing training or professional development in investigation and Internal Affairs investigations, including training in effective interview techniques, development of case strategy, laws that apply to Internal Affairs investigations, and any other relevant subjects.⁷⁹

⁷¹ 11 Cal. Code Regs. § 999.306.

⁷² U.S. Commission on Civil Rights, *Revisiting Who Is Guarding the Guardians?: A Report on Police Practice and Civil Rights in America* (Nov. 2000) <https://www.usccr.gov/files/pubs/guard/ch4.htm#_ftnref1> [as of XX, 2026].

⁷³ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 31 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

⁷⁴ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 31 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

⁷⁵ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 32 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

⁷⁶ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 32 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

⁷⁷ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 59 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

⁷⁸ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 60 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

⁷⁹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 60 <<https://tinyurl.com/yxwsmrfrp>> [as of XX, 2026].

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Given the difficulty and potential psychological impacts of Internal Affairs work, agencies should consider limiting an investigator's time of service in Internal Affairs to prevent investigators from becoming biased, emotionally drained, or bored after extended stays in Internal Affairs.⁸⁰

4. How to Conduct Complaint Investigations

Complaint investigations should be completed in a timely manner,⁸¹ both to foster transparency and public trust that complaints will be investigated promptly, and to take swift correct action to help prevent future misconduct from wayward officers.⁸² Although agencies with limited staff may need a longer time to complete an investigation, in all cases, the internal investigation should be completed before any applicable statute of limitations or other bar to officer discipline runs out.⁸³

a. Interrogations of Civilian Complainants, Witnesses, and Officers

The complainant and witnesses should be interviewed by the investigator within 24 hours of filing the complaint, and preferably, within 24 hours of the incident to get information from the complainant and witnesses while it is still fresh in their minds.⁸⁴ During any investigative interviews, the agency should electronically record the live, word-for-word statements of all interviewees to avoid interpretive errors in recounting statements.⁸⁵ Agencies must follow all

⁸⁰ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 60 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁸¹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 33 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at pp. 183-184, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁸² U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 33-34 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at pp. 183-184 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁸³ For example, Government Code section 3304, subdivision (d)(1) prohibits punitive action or denial of promotion on grounds other than merit if the complaint investigation is not completed within one year of the agency's discovery by a person authorized to initiate an investigation. During the pendency of an internal investigation, an agency may place involved officers on administrative leave should they be determined to pose a risk to themselves, the agency, or the community; if their presence becomes disruptive to the successful completion of the investigation; or if the agency determines that termination of the officer's employment is likely. The U.S. DOJ guidelines recommend concluding investigations within 180 days. U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, pp. 33-34 <<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-pl64-pub.pdf>> [as of XX, 2026].

⁸⁴ Thurnauer, International Association of Chiefs of Police, *Best Practices Guide for Internal Affairs: A Strategy for Smaller Departments*, at p. 5, <<https://www.theiacp.org/sites/default/files/2018-08/BP-InternalAffairs.pdf>> [as of XX, 2026]; see also Racial and Identity Profiling Advisory Board, *Annual Report 2023*, at p. 184, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁸⁵ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 34-35 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026] (noting that as a form of quality and integrity control, audits comparing electronic recordings with written statements should be conducted at least randomly, and an investigator whose written statements vary often or greatly from the electronic recordings should be trained or removed as an investigator to prevent significant harm to the agency's integrity and reputation); see also

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applicable laws when conducting interviews of complainants, witnesses, and law enforcement officers.⁸⁶

[Additional research regarding best practices forthcoming.]

5. Documenting Investigations

Agencies should ensure that the documentation of their internal complaint investigations is thorough, complete, and comprehensive.⁸⁷ Using standardized forms and formats may help with quality control, evaluating comprehensiveness and sufficiency of content, consistency, and recordkeeping.⁸⁸ At the least, the investigation should answer the questions posed to it by the allegations.⁸⁹ Further, the investigative report should provide the decision-maker with enough information to arrive at a well-based finding.⁹⁰

Internal affairs should also track and maintain a chronological log of all internal investigation in order to preserve and maintain a history of the investigation and to keep track of various parts of the investigation.⁹¹ Logs allow supervisors to determine the effectiveness of investigators and helps other investigators take over a case if the original investigator is on leave or removed from the case.⁹²

6. Disposition of Complaints

Adjudicators within the agency should use neutral and objective criteria, weigh evidence appropriately to distinguish strong evidence from questionable or less material evidence, and should not make presumptions that bias the findings of fact.⁹³ The rationale for each adjudication

International Association of Chiefs of Police, *Best Practices Guide for Internal Affairs: A Strategy for Smaller Departments*, at p. 5 <<https://www.theiacp.org/sites/default/files/2018-08/BP-InternalAffairs.pdf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, Annual Report 2023, at p. 188, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁸⁶ The Public Safety Officers Procedural Bill of Rights (POBR) provides specific parameters for how interrogations of officers may be conducted during an investigation that may lead to punitive action, including the time of day that the interrogation may be conducted, whether it may be conducted during the officer's off-duty time, informing the officer of who will be present during the interrogation, how the interrogation may be conducted, and the officer's right to a representation during an interrogation. See Gov. Code, § 3303.

⁸⁷ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 36 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 185, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

⁸⁸ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 36 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026].

⁸⁹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 36 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026].

⁹⁰ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 36 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026].

⁹¹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 37 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026].

⁹² U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 37 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026].

⁹³ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 52 <<https://tinyurl.com/yxwsmrff>> [as of XX, 2026].

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should be in writing, and clearly related to the conduct, the officer, and the agency's rules.⁹⁴ In weighing evidence, facts revealing a pattern of conduct should be considered.⁹⁵ Without contrary evidence, the greater the number of previous allegations of a substantially similar act, the more likely than not the current case should be sustained.⁹⁶

Agencies should have a system or mechanism to ensure that any discipline is fair and consistent.⁹⁷ A penalty matrix can help ensure consistency, objectivity, and predictable penalties for misconduct and should include recommended ranges of discipline that allow the decision-maker to consider the totality of the circumstances in determining appropriate discipline.⁹⁸

Once the adjudicator has reached a decision regarding the allegations, the complaint disposition must be classified for purposes of RIPA within the one of the following categories: (1) sustained; (2) not sustained; (3) exonerated; and (4) unfounded.⁹⁹ Agencies may sometimes choose to add additional internal disposition categories.¹⁰⁰ For agencies that use intelligent data systems to monitor employee conduct, internal disposition categories can increase the granularity of a tracking system's input, which in turn can help improve the quality of decisions based on it.¹⁰¹ However, if an agency chooses to use case dispositions beyond the four statutorily mandated categories, it should ensure that it only uses dispositions that have a clearly defined function in the agency's personnel processes, especially for an agency that uses data-driven employee monitoring systems.¹⁰²

Once a disposition is reached, agencies must provide complainants with written notification of the disposition within 30 days of the decision.¹⁰³ The Board previously recommended that complaints also be provided with a thorough explanation of the investigation outcome in order to foster a sense of trust and accountability between law enforcement and the community.¹⁰⁴

⁹⁴ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 52 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁹⁵ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 52 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁹⁶ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 52 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁹⁷ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 53 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁹⁸ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 53 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

⁹⁹ Penal Code § 13012, subd. (a)(5)(B); see also Racial and Identity Profiling Advisory Board, *Annual Report (2022)*, at pp. 203, 228-229 <<https://oag.ca.gov/system/files/media/ripa-board-report-2022.pdf>> [as of XX, 2026]; Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at p. 189 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

¹⁰⁰ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 50 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

¹⁰¹ U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 50 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

¹⁰² U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice*, p. 50 <<https://tinyurl.com/yxwsmrpf>> [as of XX, 2026].

¹⁰³ Cal. Pen. Code § 832.7, subd. (f)(1)).

¹⁰⁴ Racial and Identity Profiling Advisory Board, *Annual Report (2023)*, at pp. 189-190, <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of XX, 2026].

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IV. VISION FOR FUTURE REPORTS

[Content in development based on future Board discussion]

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