



## CITY OF SOUTH PASADENA

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May 6, 2021

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PO Box 753  
South Pasadena, CA 91031-0753

RE: Conclusion of independent investigation into citizen complaints regarding police response to July 8, 2020 incident

In response to citizen complaints regarding that the South Pasadena Police Department failed to follow internal policies, did not accurately document the facts of the incident, and failed to investigate the incident as potential hate crimes regarding an alleged battery of Fahren James and Victoria Patterson on July 8, 2020, the City hired independent investigator, Garon Wyatt Investigative Services, to perform an investigation of all citizen complaints, as required by Penal Code Section 832.5 and South Pasadena Police Department Police No. 1013.

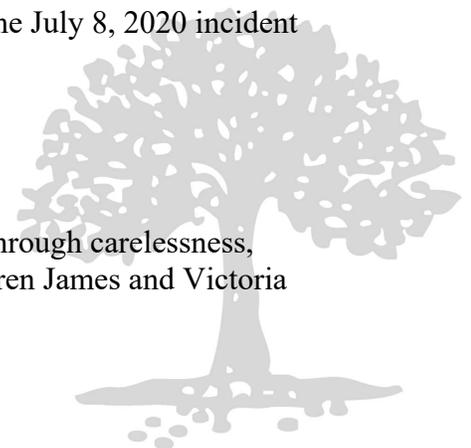
The investigation's scope was to determine the facts and circumstances surrounding allegations that Officer Roppo and Corporal Carrillo failed to accurately document the information reported by Fahren James and Victoria Patterson on July 8, 2020. The investigation included determining whether Roppo and Carrillo investigated whether hate/bias was a motivating factor in the suspect's actions against James and Patterson. The investigation included deciding whether Sergeant Valencia provided proper oversight into the incident as a potential hate crime. The scope included determining whether Detective Palmieri thoroughly investigated the incident as a hate crime. The resulting investigative report is a confidential personnel record pursuant to Penal Code Section 832.7 and is not disclosable.

This letter summarizes the allegations regarding each officer regarding the July 8, 2020 incident and the findings and conclusions of the investigator.

### **Allegations Regarding Officer Christina Roppo**

#### **ALLEGATION #1**

It is alleged that on July 8, 2020, Officer Roppo, either intentionally or through carelessness, failed to properly document the facts of a battery committed against Fahren James and Victoria



Patterson, in violation of SPPD Policy Manual, sections 320.5.4(a) (PERFORMANCE), and 323.1.1 (REPORT PREPARATION) which state:

*320.5.4(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation. NOT SUSTAINED*

*323.1.1 Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. SUSTAINED*

**Finding: NOT SUSTAINED and SUSTAINED.** Based on the preponderance of the evidence, the investigator concluded that the evidence does not support a finding that Officer Roppo failed to disclose or misrepresented facts in her police report (20-1339), in violation of SPPD Policy Manual, section 320.5.4 (a); however, the evidence supports a finding that Roppo's police report was not sufficiently detailed and was not free from errors before submission, in violation of SPPD Policy Manual, section 323.1.1.

## **ALLEGATION #2**

It is alleged that on July 8, 2020, Officer Roppo failed to utilize proper investigative techniques to determine whether the actions against James and Patterson were motivated by Hate/Bias, in violation of SPPD Policy Manual, sections 319.4.1 (a), (c), and (d) (HATE CRIMES-INITIAL RESPONSE) which states:

*319.4.1 INITIAL RESPONSE First responding officers should know the role of all [department/office] personnel as they relate to the Department's investigation of hate crimes and/or incidents. Responding officers should evaluate the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.*

*At the scene of a suspected hate or bias crime, officers should take preliminary actions reasonably deemed necessary, including but not limited to the following:*

*(a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime.*

*(c) Properly protect the safety of victims, witnesses, and perpetrators. Assist victims in seeking a Temporary Restraining Order (if applicable).*

*(d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community,*

**Finding: SUSTAINED.** Based on the preponderance of the evidence, the investigator concluded that the evidence supports a finding that Officer Roppo did not consider Richcreek's confrontation and battery of Patterson and James as a hate crime.

## **ALLEGATION #3**

It is alleged that on July 8, 2020, Officer Roppo failed to discharge her duties fairly and objectively while interacting with Fahren James and Victoria Patterson, in violation of SPPD Policy Manual, sections 401.4 (BIASED-BASED POLICING MEMBER RESPONSIBILITIES), which states:

*401.4 Every member of this Department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor.*



*Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.*

**Finding: Not Sustained.** Based on the preponderance of the evidence, the investigator concluded that the evidence does not support a finding that Officer Roppo demonstrated bias in her response to James and Patterson's call for service on July 8, 2020.

### **Allegations Regarding Corporal Gilbert Carrillo**

#### **ALLEGATION #1**

It is alleged that on July 8, 2020, Corporal Carrillo failed to utilize proper investigative techniques to determine whether the actions against James and Patterson were motivated by Hate/Bias, in violation of SPPD Policy Manual, sections 319.4.1 (a), (c), and (d) and 319.4.2 (HATE CRIMES-INITIAL RESPONSE) which state:

*319.4.1 INITIAL RESPONSE First responding officers should know the role of all [department/office] personnel as they relate to the Department's investigation of hate crimes and/or incidents. Responding officers should evaluate the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.*

*At the scene of a suspected hate or bias crime, officers should take preliminary actions reasonably deemed necessary, including but not limited to the following:*

*(a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime.*

*(c) Properly protect the safety of victims, witnesses, and perpetrators. Assist victims in seeking a Temporary Restraining Order (if applicable).*

*(d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community*

**Finding: SUSTAINED.** Based on the preponderance of the evidence, the investigator concludes that the evidence supports a finding that Corporal Carrillo did not thoroughly consider Richcreek's confrontation with and Battery of Patterson and James as a hate crime.

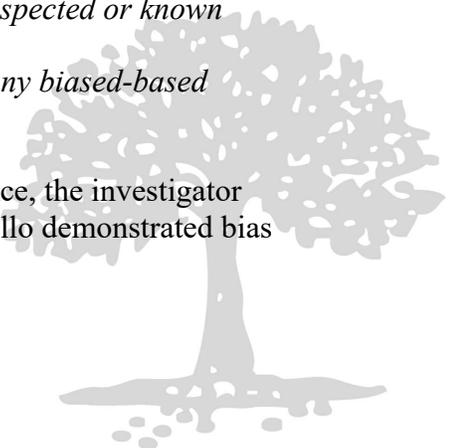
#### **ALLEGATION #2**

It is alleged that on July 8, 2020, Corporal Carrillo failed to discharge his duties fairly and objectively while interacting with Fahren James and Victoria Patterson, in violation of SPPD Policy Manual, sections 401.4 (BIASED-BASED POLICING MEMBER RESPONSIBILITIES), which states:

*401.4 Every member of this Department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor.*

*Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.*

**Finding: NOT SUSTAINED.** Based on the preponderance of the evidence, the investigator concludes that the evidence does not support a finding that Corporal Carrillo demonstrated bias in his response to James and Patterson's call for service on July 8, 2020.



### **ALLEGATION #3**

It is alleged that on July 8, 2020, Corporal Carrillo, as a Field Training Officer, failed to identify and correct errors in Officer Roppo's written report detailing their contact with James and Patterson, in violation of SPPD Policy Manual, section 320.5.3 (b) (EFFICIENCY) which states:

*(b) Unsatisfactory work performance, including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.*

Finding: **SUSTAINED.** Based on the preponderance of the evidence, the investigator concludes that the evidence supports a finding that Corporal Carrillo's supervision of Roppo as a phase two trainee on July 8, 2020, was not sufficient and resulted in a substandard work product.

### **Allegations Regarding Sergeant Jim Valencia**

#### **ALLEGATION #1**

It is alleged that on or about July 8, 2020, Sergeant Valencia failed to take the proper steps required as a supervisor to ensure that the Battery against Fahren James and Vitoria Patterson was thoroughly investigated as a hate crime in violation of the SPPD Policy Manual, section 319.4.3 (HATE CRIME-SUPERVISION) subsections (b), (c), (e), and (j), which state:

*319.4.3 The supervisor shall confer with the initial responding Officer and take reasonable steps to ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:*

*(b) Take reasonable steps to ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.*

*(c) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.*

*(e) Verify hate crimes are being properly reported, including reporting to the Department of Justice, pursuant to Penal Code § 13023.*

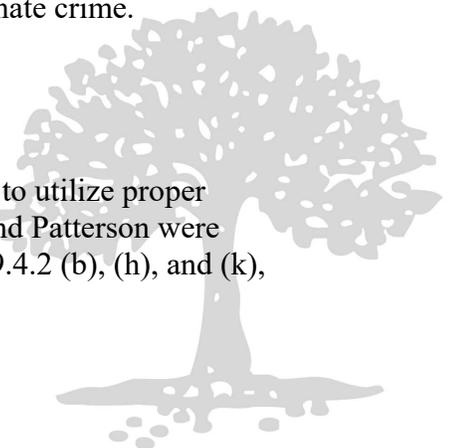
*(j) Make a final determination as to whether the incident should be classified as a hate crime and forward to the Chief of Police for approval.*

Finding: **NOT SUSTAINED.** Based on the preponderance of the evidence, the investigator concludes that the evidence does not support a finding that Valencia failed to take appropriate action as a Sergeant to ensure the incident was investigated as a potential hate crime.

### **Allegations Regarding Detective Michael Palmieri**

#### **ALLEGATION #1**

It is alleged that between July and August 2020, Detective Palmieri failed to utilize proper investigative techniques to determine whether the actions against James and Patterson were motivated by Hate/Bias, in violation of SPPD Policy Manual, sections 319.4.2 (b), (h), and (k), and (m) (HATE CRIMES-INITIAL RESPONSE) which state:



319.4.2 Investigators at the scene of, or performing follow-up investigation on, a suspected hate or bias crime or hate incident should take all actions deemed reasonably necessary, including but not limited to the following:

(b) Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.

(h) Provide victim assistance and follow-up.

(k) Coordinate the investigation with Department, state, and regional intelligence operations. These sources can provide the investigator with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.

(m) Determine if the incident should be classified as a hate crime.

**Finding: SUSTAINED.** Based on the preponderance of the evidence, the investigator concludes that the evidence supports a finding that Detective Palmieri failed to take appropriate steps to determine whether Richcreek's Battery of Patterson and James may have been motivated by hate or bias.

## **ALLEGATION #2**

It is alleged that on or about July 22, 2020, Detective Palmieri failed to obtain supervisor approval for his supplemental report, in violation of SPPD Policy Manual section 323.4 (REPORT CORRECTIONS), which states:

*Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor will inform the reporting employee verbally or in writing of the reason for rejection.*

*The original report will be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating Officer to ensure that any report returned for correction is processed in a timely manner.*

**Finding: UNFOUNDED.** Based on the preponderance of the evidence, the investigator concludes that the evidence does not support a finding that Detective Palmieri failed to have his supervisor review his investigative report. Therefore, the allegation that Palmieri violated SPPD Policy Manual section 323.4 is unfounded.

This concludes the independent investigation of the citizens' complaints regarding the South Pasadena Police Department response to the July 8, 2020 incident described above. The City takes all citizen complaints seriously and is committed to thoroughly investigate such complaints and take appropriate retraining and disciplinary action when necessary, in accordance with the personnel rights of employees.

Respectfully,

*Sean Joyce*

Sean Joyce  
Interim City Manager

cc: Mayor and Council  
Public Safety Commission  
Police Chief Solinsky

