



CITY OF SOUTH PASADENA

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May 6, 2021

Elizabeth Ann Bagasao



RE: Conclusion of independent investigation into November 15, 2020 citizen complaint regarding South Pasadena Police investigations of an incident on November 1, 2020

In response to a November 15, 2020 citizen complaint alleging the use of profanity when interacting with the public and failure to adequately document witness statements in response to a call for service on November 1, 2020, the City hired independent investigator, Garron Wyatt Investigative Services, to investigate the complaint, 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 Sandoval used profanity when interacting with members of the public on November 1, 2020. The investigation's scope included determining whether Sandoval refused or failed to document statements from a victim or witnesses. The resulting investigative report is a confidential personnel record pursuant to Penal Code Section 832.7 and is not disclosable.

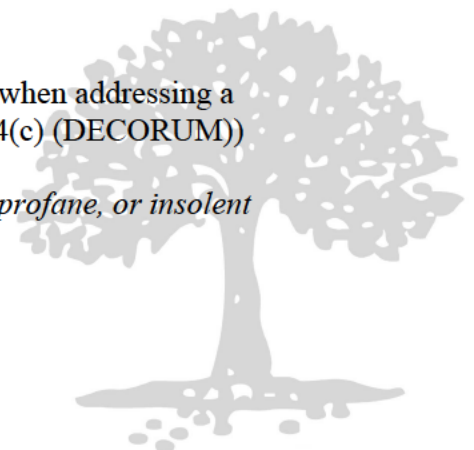
This letter summarizes the allegations regarding each officer regarding the November 1, 2020 incident and the findings and conclusions of the investigator.

Allegations regarding Officer Fernando Sandoval

ALLEGATION #1:

It is alleged that on November 1, 2020, Officer Sandoval used profanity when addressing a member of the public, in violation of SPPD Policy Manual, section 321.4(c) (DECORUM) which states:

c) A member shall always be respectful; he shall not use coarse, profane, or insolent language to any individual.



Findings: NOT SUSTAINED. Based on the preponderance of the evidence, the investigator concluded that the evidence does not substantiate the claim that Sandoval used profanity when speaking to a member of the public. Therefore, the allegation that Sandoval violated SPPD Policy Manual section 321.4(c) is not sustained.

ALLEGATION #2:

It is alleged that Officer Sandoval refused to accept a statement from the victim of a battery (Penny About) on November 1, 2020, 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.

Findings: UNFOUNDED. Based on the preponderance of the evidence, the investigator concluded that the evidence does not support the allegation that Sandoval refused to accept a statement from a battery victim. The allegation that Sandoval violated SPPD Policy Manual, section 320.5.3 (b) is unfounded.

This concludes the independent investigation of the citizen's complaint regarding the police response to a November 1, 2020 incident and call for service, as 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

