SANTA CRUZ POLICE DEPARTMENT

PROFESSIONAL STANDARDS

INVESTIGATION # 2025–005

SERGEANT ERICH HOPPE

COMPLAINANT:

THIS WAS AN INTERNALLY GENERATED COMPLAINT

SCPD CASE NUMBER:

24S-03610

SUBJECT EMPLOYEE(S):

OFFICER ALEX FERREIRA

DATE FILED:

APRIL 1, 2025

TO: ML Justice Lab

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SANTA CRUZ POLICE DEPARTMENT

By TK315 on Mar 09, 2026

ADMINISTRATIVE INVESTIGATION # 2025-005 CASE INDEX

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Exhibit E: Policy 321 – Standards of Conduct and Discipline

CITY OF SANTA CRUZ

MEMORANDUM
POLICE DEPARTMENT

BB (100) 4-21-25

DATE: April 14, 2025

TO: File

FROM: Jon Bush, Deputy Chief of Police

SUBJECT: Professional Standards Investigation Case# 2025-005 - Administrative Findings

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This memo outlines the Administrative Findings regarding Santa Cruz Police Professional Standards Investigations #2025-005.

1. CONCLUSION OF FINDINGS:

On April 14, 2025, I reviewed the investigative summary of this investigation completed by Sgt Hoppe of the Santa Cruz Police Department's Professional Standards Unit. The investigation concluded that former Officer Ferreria violated policy 321 (Standards of Conduct and Discipline).

2. RECOMMENDATIONS:

I concur with Sgt Hoppe's "Sustained" finding as it relates to Allegation 1 against former Officer Ferreira, involving policy 321 (Standards of Conduct and Discipline).

Officer Ferreira is no longer employed with the Santa Cruz Police Department; therefore, I recommend this investigation be closed with no further action.

Deputy Chief Jon Bush

4-14-25
Date:

CITY OF SANTA CRUZ

MEMORANDUM
POLICE DEPARTMENT

DATE: April 10, 2025

TO: File

FROM: Erich Hoppe, Sergeant, Professional Standards

SUBJECT: Case Summary – Administrative Investigation # 2025-005

INTRODUCTION:

Complaint Source: Internal

Investigator: Sergeant Erich Hoppe

Subject Officer(s): Alex Ferreira

SYNOPSIS:

On 07/21/24 Officer Ferreira submitted a report regarding a found wallet under the case number 24S-03610 while he was assigned to the field training program and under the direct supervision of Field Training Officer Riddell.

On 07/22/24 FTO Riddell submitted a daily observation report related to Officer Ferreira's performance the previous day in which he rated Officer Ferreira with a "1", the lowest possible rating, in the area of Integrity/Ethics and noted that Officer Ferreira lied to him and stated that an EBT card within the wallet did not have a visible serial number. FTO Riddell wrote that he confirmed that the card did have a visible serial number, he confronted Officer Ferreira about his lie, and advised Officer Ferreira that this was unacceptable behavior.

On 07/23/24 Sergeant Burruel, in his capacity of FTO supervisor, submitted a memo to Lieutenant Crofts noting a [redacted] in Officer Ferreira's performance within the

FTO program, including FTO Riddell's observation that Officer Ferreira lied to him, and included a recommendation that Officer Ferreira be removed from the training program.

On 08/01/24 Officer Ferreira was released from probation and is no longer employed with SCPD.

[redacted]

On 04/01/25 I forwarded the above summary of events to Chief Escalante for review.

On 04/03/25 Chief Escalante directed that a formal investigation be opened, closed, and sent to POST for review.

ALLEGATIONS:

Based upon my review of Officer Riddell's daily observation report and Sergeant Burruel's memo, I determined the following policy section violations may apply to allegations which they made.

Policy 321 – Standards of Conduct and Discipline

A copy of Policy 321 is attached to this report.

INVESTIGATIVE PROCESS:

On 04/03/25 I discussed this investigation with Chief Escalante and determined that no officer interviews were required before this investigation is submitted for administrative review.

On 04/09/25 I contacted a supervisor in the Records Section and was advised that the original version of Officer Ferreira's report for case 24S-03610 which was submitted on 07/21/24 and kicked back by Sergeant Cockrum on 07/22/24 is no longer retained. As a result, I was unable to

determine what changes Officer Ferreira made to his report or what description of property items he originally reported. I noted that Sergeant Cockrum's kickback message read "Ferreira, you will need to add the CADL to CLETS since it has a number for it. Also what number did you try? It is not listed under the persons tab. The wallet and ID card should be separate items listed on the property sheet. -116". A copy of Sergeant Cockrum's kickback message is attached.

On 04/09/25 I reviewed Policy 321 and determined that 321.6.2, CANON TWO, Standard 2.2 requires officers "shall truthfully, completely, and impartially report, testify, and present evidence in all matters of an official nature."

On 04/09/25 I reviewed Officer Ferreira's related report submitted under case 24S-03610. Please see the Report Review section below for a summary of my review.

On 04/09/25 I searched Evidence.com for related BWC evidence but was unable to locate any.

REPORT REVIEW:

OFFICER FERREIRA REPORT:

I reviewed Officer Ferreira's CR1 report which he resubmitted on 07/22/24 and saw that he wrote that on 07/21/24 at about 10:50 he was responding to an unrelated call when a pedestrian gave him a wallet which he or she had just found on the ground. Officer Ferreira wrote that he collected the wallet as found property and later booked it in. He wrote that he located a California ID card inside the wallet, located a phone number for the owner in Alliance, and left the owner a voicemail message requesting callback. Officer Ferreira wrote that he booked the wallet, the ID card, and an EBT card under separate property item numbers. He wrote that both the ID card and the EBT card were entered into CLETS.

I noted that the EBT card which Officer Ferreira referred to in his report could not have been entered into CLETS without a serial number and that the Property tab of his report listed a serial number for the EBT card. I noted that this was in direct contradiction to his statement to his FTO, Officer Riddell, that the number was "rubbed off" as documented in his daily observation report.

BWC REVIEW:

I was unable to locate any related BWC video in Evidence.com

INTERVIEWS:

I discussed this investigation with Chief Escalante and determined that no officer interviews were required before this investigation is submitted for administrative review.

CONCLUSION OF FINDINGS:

On 07/21/24 Officer Ferreira submitted a report regarding a found wallet under case number 24S-03610 while he was assigned to the field training program and under the direct supervision of Field Training Officer Riddell.

On 07/22/24 FTO Riddell submitted a daily observation report related to Officer Ferreira's performance the previous day in which he rated Officer Ferreira with a "1", the lowest possible rating, in the area of Integrity/Ethics and noted that Officer Ferreira lied to him and stated that an EBT card within the wallet did not have a visible serial number. FTO Riddell wrote that he confirmed that the card did have a visible serial number, he confronted Officer Ferreira about his lie, and he advised Officer Ferreira that this was unacceptable behavior.

On 07/23/24 Sergeant Burruel, in his capacity of FTO supervisor, submitted a memo to Lieutenant Crofts noting a [redacted] in Officer Ferreira's performance within the FTO program, including FTO Riddell's observation that Officer Ferreira lied to him, and included a recommendation that Officer Ferreira be removed from the training program.

On 08/01/24 Officer Ferreira was released from probation and is no longer employed with SCPD.

[redacted]

Based upon my review of this case, I recommend the following finding(s):

Officer Ferreira - SUSTAINED

As to POLICY 321.6.2, CANON TWO:

Standard 2.2 Peace Officers shall truthfully, completely and impartially report, testify and present evidence in all matters of an official nature.

After a thorough review of this incident, I determined that Officer Ferreira's actions or omissions surrounding his conduct associated with this incident more than likely violated Policy 321.6.2, CANON TWO, Standard 2.2.

Factors that I considered included the following:

Officer Riddell, while serving as Officer Ferreira's field training officer, documented in his daily observation report that he asked Officer Ferreira if he'd booked an EBT card separately from a wallet in which it had been found since all serialized items must be entered into CLETS. Officer Riddell documented that Officer Ferreira responded that the serial number was "rubbed off."

Officer Riddell further documented that he later saw in Officer Ferreira's resubmitted report that the EBT card had a serial number added and that he pulled the card from Property and physically confirmed that it had a clearly visible serial number. Officer Riddell documented that he notified a supervisor and confronted Officer Ferreira about the lie. He wrote that Officer Ferreira reiterated that he initially believed the numbers were "rubbed off."

Sergeant Burruel referenced the above incident, along with [redacted] in Officer Ferreira's work performance were noted in his recommendation to Lt. Crofts the following day that Officer Ferreira be removed from the FTO program. Officer was subsequently released from probation one week later.

Based on the totality of the information available to me about this incident, I believe that it is more than likely that Officer Ferreira lied to his field training officer, Officer Riddell, when he stated that the serial number of an EBT card which he'd booked was "rubbed off" and that this lie was related to his presentation of evidence in an official matter.

MEMORANDUM
POLICE DEPARTMENT

DATE: April 1, 2025

TO: File

FROM: Erich Hoppe, Sergeant, Professional Standards

SUBJECT: Community Complaint Notification
Re: 2025.005

I noted information within Alex Ferreira's personnel file on 04/01/25 which was not previously investigated as a formal allegation and am forwarding the information to Chief Escalante for review. SCPD Case number 24S-03610, dated 07/21/24, is associated with this complaint.

Chief Escalante made the following determination:

☒ FORMAL INVESTIGATION

☐ INQUIRY

☐ INFORMATIONAL

Comments: Close it, send to Post

Ben Escalante 4-3-25

Signature Date

IA NUMBER: 2025-005

CASE NUMBER: 24S-03610

DATE/TIME: 07/21/24, 10:50

COMPLAINANT: Internal

LOCATION: 140 DuBois St

ARRESTEE: N/A

OFFICER(S): Alex Ferreira

CHARGE(S): N/A

POLICIES: 321 – Standards of Conduct and Discipline

SUMMARY REVIEW:

On 07/21/24 Officer Ferreira submitted a report regarding a found wallet under the above case number while he was assigned to the field training program and under the direct supervision of Field Training Officer Riddell.

On 07/22/24 FTO Riddell submitted a daily observation report related to Officer Ferreira's performance the previous day in which he rated Officer Ferreira with a "1", the lowest possible rating, in the area of Integrity/Ethics and noted that Officer Ferreira lied to him and stated that an EBT card within the wallet did not have a visible serial number. FTO Riddell wrote that he confirmed that the card did have a visible serial number, he confronted Officer Ferreira about his lie, and advised Officer Ferreira that this was unacceptable behavior.

On 07/23/24 Sergeant Burruel, in his capacity of FTO supervisor, submitted a memo to Lieutenant Crofts noting a [redacted] in Officer Ferreira's performance within the FTO program, including FTO Riddell's observation that Officer Ferreira lied to him, and included a recommendation that Officer Ferreira be removed from the training program.

On 08/01/24 Officer Ferreira was released from probation and is no longer employed with SCPD.

[redacted]

EH #111 04/01/25

Arrest ☐ Crime ☐ Non-Criminal ☒

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060

CA0440200

CR-1

CASE# 24S-03610

PAGE 1

OFFENSE(S): FOUND Found Property

OFFENSE(S) cont'd.

DATE, TIME AND DAY OF OCCURENCE	DATE AND TIME REPORTED	MORE CHARGES	ESTIMATED LOSS VALUE
07/21/24 10:50 Sunday	07/21/24 10:50	YES ☐ NO ☒	$0.00

LOCATION OF OCCURENCE	LOCATION NAME	TYPE OF LOCATION	BEAT	SECTOR
140 Du Bois St, Santa Cruz	Coast Commercial Bank - 140 Dubois St		C	

PERSONS

Codes: V = Victim W = Witness C = Complainant P = Parent G = Guardian R = Party O = Other

MORE NAMES: YES ☐ NO ☒

CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX	ADDRESS 1	NONE
RP 1 OF 1	Unknown,		

OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2
	X	M				

DL	STATE	SS#	INJURIES	ADDRESS 3	PHONE 3

CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX	RESIDENCE	CELL PHONE
OW 1 OF 1	[redacted]	[redacted]	NP

OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2
	W	[redacted]	[redacted]	[redacted]		

DL	STATE	SS#	INJURIES	ADDRESS 3	PHONE 3
[redacted]	[redacted]				

CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX	ADDRESS 1	PHONE 1
OF			

OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2

DL	STATE	SS#	INJURIES	ADDRESS 3	PHONE 3

CASE SUMMARY / VEHICLE INFORMATION

SUMMARY

Found property Report.

VEHICLE USED IN CRIME	LICENSE (NO. AND STATE)	YEAR	MAKE	MODEL	BODY TYPE	COLOR	VIN	MORE VEHICLES
YES ☐ NO ☐ UNK ☐ OF								YES ☐ NO ☒

TOW REPORT	GARAGE NAME AND PHONE	REGISTERED OWNER	R/O ADDRESS
YES ☐ NO ☐			

SUSPECT(S) / ARRESTEE(S)

Codes: S = Suspect A = Arrestee D = Detainee SV - Suspect/Victim AV - Arrestee/Victim DV - Detainee/Victim

MORE NAMES: YES ☐ NO ☒

CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX	ADDRESS 1	PHONE 1
OF			

RACE	SEX	HT	WT	HAIR	EYE	AGE	DOB	ADDRESS 2	PHONE 2

OCCUPATION	INJURIES	ADDRESS 3	PHONE 3

SCARS / MARKS / TATTOOS	AKA's	ARRESTEE DISPOSITION	RELEASE LOCATION	ARREST DATE TIME
YES ☐ NO ☐				

DL	STATE	ARRESTED	BOOKING #	WARRANT	CITATION #	SS#	CII#
		YES ☐ NO ☐		YES ☐ NO ☐			

CHARGES

CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX	ADDRESS 1	PHONE 1
OF			

RACE	SEX	HT	WT	HAIR	EYE	AGE	DOB	ADDRESS 2	PHONE 2

OCCUPATION	INJURIES	ADDRESS 3	PHONE 3

SCARS / MARKS / TATTOOS	AKA's	ARRESTEE DISPOSITION	RELEASE LOCATION	ARREST DATE TIME
YES ☐ NO ☐				

DL	STATE	ARRESTED	BOOKING #	WARRANT	CITATION #	SS#	CII#
		YES ☐ NO ☐		YES ☐ NO ☐			

CHARGES

ADMINISTRATION

VICTIM DESIRES PROSECUTION	FOLLOW-UP	COPIES TO:
YES ☐ NO ☒	YES ☐ NO ☒	Pat ☐ Det ☐ DA ☐ Court ☐ VWAP ☐ Probation ☐ OTHER:

BY OFFICER	DATE/TIME	APPROVED BY	DATE APPROVED
A. Ferreira 133AF	07/22/24 08:33	B. Burruel 119BB	07/22/24

OFFICER	UNIT/SHIFT	ASSIGNED TO	CASE STATUS
Ferreira, Alex			Closed

Arrest ☐
Crime ☐
Non-Criminal ☒

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060
CA0440200

Property and Evidence

CASE # 24S-03610

OFFENSE(S)	OFFENSE(S) cont'd.
FOUND Found Property	

DATE, TIME AND DAY OF OCCURENCE	DATE AND TIME REPORTED	TOTAL PROPERTY VALUE
07/21/24 10:50 Sunday	07/21/24 10:50	$0.00

LOCATION OF OCCURENCE	LOCATION NAME	TYPE OF LOCATION	BEAT	SECTOR
140 Du Bois St, Santa Cruz	Coast Commercial Bank - 140 Dubois St		C	

PROPERTY ITEMS

ITEM #	STATUS	QUANTITY	COLOR	COLOR 2	TYPE	MAKE	MODEL	YEAR
133AF-001	E	1				AXON	BWC	

SERIAL NUMBER	BAR CODE	VALUE	TOTAL	LOCATION / BIN #
		$0.00	$0.00	S Evidence.Com

DESCRIPTION: ☐ FIELD RECEIPT ISSUED

ITEM #	STATUS	QUANTITY	COLOR	COLOR 2	TYPE	MAKE	MODEL	YEAR
133AF-002	F	1				Black wallet		

SERIAL NUMBER	BAR CODE	VALUE	TOTAL	LOCATION / BIN #
		$0.00	$0.00	S Bag & Tag

DESCRIPTION: Black wallet ☐ FIELD RECEIPT ISSUED

ITEM #	STATUS	QUANTITY	COLOR	COLOR 2	TYPE	MAKE	MODEL	YEAR
133AF-003	F	1				CA ID		

SERIAL NUMBER	BAR CODE	VALUE	TOTAL	LOCATION / BIN #
[redacted]		$0.00	$0.00	S Bag & Tag

DESCRIPTION: ☐ FIELD RECEIPT ISSUED

ITEM #	STATUS	QUANTITY	COLOR	COLOR 2	TYPE	MAKE	MODEL	YEAR
133AF-004	F	1				EBT Card		

SERIAL NUMBER	BAR CODE	VALUE	TOTAL	LOCATION / BIN #
[redacted]		$0.00	$0.00	S Bag & Tag

DESCRIPTION: EBT Card ☐ FIELD RECEIPT ISSUED

ADMINISTRATION

BY OFFICER	DATE/TIME	APPROVED BY	DATE APPROVED
A. Ferreira 133AF	07/22/24 08:33	B. Burruel 119BB	07/22/24

OFFICER	UNIT/SHIFT	ASSIGNED TO	CASE STATUS
			Closed

Arrest ☐
Crime ☐
Non-Criminal ☒

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060
CA0440200

Narrative Report

CASE # 24S-03610

OFFENSE(S)	OFFENSE(S) cont'd.
FOUND Found Property	

DATE, TIME AND DAY OF OCCURENCE	DATE AND TIME REPORTED
07/21/24 10:50 Sunday	07/21/24 10:50

LOCATION OF OCCURENCE	LOCATION NAME	TYPE OF LOCATION	BEAT	SECTOR
140 Du Bois St, Santa Cruz	Coast Commercial Bank - 140 Dubois St		C	

NARRATIVE

On 07/21/2024 at approximately 1050 hours, while I was responding to an unrelated call for service, a pedestrian walked by and surrendered a black wallet they had just found on the ground. The pedestrian surrendered the wallet and did not wish to get further involved.

I collected the black wallet and secured in the back on my patrol vehicle to be later booked as found property. Later in the day I returned to the SCPD station and opened the wallet in order to see if i could find who it belonged to. Inside the black wallet, I located a CA ID [redacted] belonging to [redacted], with residency out of [redacted]

Using Alliance I searched for [redacted] information and was able to find a match. I have called the number listed on Alliance and left a voicemail, requesting [redacted] call the SCPD back.

At the time of this report being written [redacted] have not returned the call.

I booked the wallet and its items under item 133AF-002, the CA ID under item 133AF-003, and the EBT Card under item 133AF-004. Both CA ID and EBT Card were entered into CLETS as lost.

Recommendations:

None

EOR

ADMINISTRATION

BY OFFICER	DATE/TIME	APPROVED BY	DATE APPROVED
A. Ferreira 133AF	07/22/2024 08:33	B. Burruel 119BB	07/22/24
OFFICER	**UNIT/SHIFT**	**ASSIGNED TO**	**CASE STATUS**
			Closed

Arrest ☐
Crime ☐
Non-Criminal ☒

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060

CA0440200

Supplemental Report

CASE # 24S-03610

PAGE 1 OF 1

OFFENSE(S)	OFFENSE(S) cont'd.

DATE, TIME AND DAY OF OCCURENCE	DATE AND TIME REPORTED
07/21/24 10:50 Sunday	07/21/24 10:50

LOCATION OF OCCURENCE	LOCATION NAME	TYPE OF LOCATION	BEAT	SECTOR

CASE SUMMARY

Booked additional item of found property associated with this report

NARRATIVE

On 7/24/24 at about 1630 hours, I was on duty as a supervisor for patrol. Lt. Crofts and I re-examined the contents of the wallet PO Ferreira booked related to this incident. While we re-examined the contents of the wallet, we located a social security card in Charles FUENTES' name with the associated social security number as seen on the property tab of this supplemental report (119BB-001). I collected the social security card and booked it into SCPD Property as found property.

I printed out a copy of the property page of this report and submitted it to SCPD records.

End of report.

ADMINISTRATION

FOLLOW-UP	COPIES TO						
YES ☐ NO ☐	☐ PAT.	☐ DET.	☐ DA	☐ COURT	☐ PROBATION	☐ VWAP	☐ OTHER

BY OFFICER	DATE/TIME	APPROVED BY	DATE APPROVED
B. Burruel 119BB	07/25/2024 11:15	D. Emigh 108DE	07/25/24
OFFICER	**UNIT/SHIFT**	**ASSIGNED TO**	**CASE STATUS**
			Closed

Arrest ☐
Crime ☐
Non-Criminal ☒

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060
CA0440200

Additional Crimes, Persons and Vehicles

CASE # 24S-03610

PAGE 1 OF 1

OFFENSE(S)	OFFENSE(S) cont'd.

DATE, TIME AND DAY OF OCCURENCE	DATE AND TIME REPORTED
07/21/24 10:50 Sunday	07/21/24 10:50

LOCATION OF OCCURENCE	LOCATION NAME	TYPE OF LOCATION	BEAT	SECTOR

ADDITIONAL OFFENSE(S)	ADDITIONAL OFFENSE(S) cont'd.

PERSONS

Codes: V = Victim W = Witness C = Complainant P = Parent G = Guardian R = Party O = Other

MORE NAMES YES ☐ NO ☐

CODE	NAME - LAST, FIRST, MIDDLE, SUFFIX	RESIDENCE	Cell Phone
OW 1 OF 1	[redacted]	[redacted]	NP

OCCUPATION	RACE	SEX	AGE	DOB	ADDRESS 2	PHONE 2
	[redacted]	[redacted]	[redacted]	[redacted]		

DL / STATE	SSN	INJURIES	ADDRESS 3	PHONE 3
[redacted]				

ADMINISTRATION

BY OFFICER	DATE/TIME	APPROVED BY	DATE APPROVED
B. Burruel 119BB	07/25/24 11:15	D. Emigh 108DE	07/25/24

OFFICER	UNIT/SHIFT	ASSIGNED TO	CASE STATUS
			Closed

Arrest ☐
Crime ☐
Non-Criminal ☒

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060
CA0440200

Property and Evidence

CASE # 24S-03610

OFFENSE(S)	OFFENSE(S) cont'd.

DATE, TIME AND DAY OF OCCURENCE	DATE AND TIME REPORTED	TOTAL PROPERTY VALUE
07/21/24 10:50 Sunday	07/21/24 10:50	$0.00

LOCATION OF OCCURENCE	LOCATION NAME	TYPE OF LOCATION	BEAT	SECTOR

PROPERTY ITEMS

ITEM #	STATUS	QUANTITY	COLOR	COLOR 2	TYPE	MAKE	MODEL	YEAR
119BB-001	F	1				Social security card		

SERIAL NUMBER	BAR CODE	VALUE	TOTAL	LOCATION / BIN #
[redacted]		$0.00	$0.00	S Bag & Tag

DESCRIPTION

☐ FIELD RECEIPT ISSUED

ADMINISTRATION

BY OFFICER	DATE/TIME	APPROVED BY	DATE APPROVED
B. Burruel 119BB	07/25/24 11:15	D. Emigh 108DE	07/25/24

OFFICER	UNIT/SHIFT	ASSIGNED TO	CASE STATUS
			Closed

Case Email

Author	Recipient	Date
DCOCKRUM	Aferreira	07/22/2024

Subject

24S-03610 - CR-1 Ferre/133AF kicked back.

Message

Your report CR-1 Ferre/133AF for case # 24S-03610 has been kicked back.

Ferreira, you will need to add the CADL to CLETS since it has a number for it. Also what number did you try? It is not listed under the persons tab. The wallet and ID card should be separate items listed on the property sheet. -116

Daily Observation Report

Completed

#60

Police Officer Field Training Program

Alex Ferreira
Police Trainee , #133

Form #: 60
Location: Not Specified

Phase: Phase 2
Shift: A2

Form Date: 07/22/2024
Hours: 10

Completed Activities

Performance

Attitude

Acceptance of Feedback/FTO/FTP [redacted]

Attitude toward Police Work [redacted]

See related comments

Integrity/Ethics

1 2 3 4 5 6 7

Yesterday, Trainee Ferreira was given a found wallet. I briefly saw inside of it and noticed there was an ID and an EBT card and some miscellaneous other paperwork. Later in the day, Trainee Ferreira advised me that he had booked the wallet for safekeeping, along with the ID facing outwards. I asked him if he had booked the EBT card separately, as all serialized items must been booked and entered into CLETS as found/lost. Trainee Ferreira told me that he did not book the EBT separately as the numbers were "rubbed" off. Today, I saw that his report had been kicked back as he had not properly entered the data into Alliance. Trainee Ferreira, prior to telling me had went to property, pulled the items, rebooked them, corrected his report and resubmitted it. As this was a found property report, I was not upset that he was handling the routine task on his own. Later while on Alliance, I pulled up Trainee Ferreira's report to make sure it had been resubmitted and approved. I discovered that in the property page of his report now had an EBT card with a serial number listed. Believing that Trainee Ferreira had initially been dishonest with me about the serial number being unreadable, I went to property and pulled his items. There, I discovered the EBT was very clearly readable with no evidence that any of the numbers had been "rubbed off". I took a photograph of the item and informed the on duty Sgt. about it. I then had a conversation with Trainee Ferreira, in which I questioned him for lying to me about the EBT card being unreadable. Trainee Ferreira told me again that he "believed" the numbers had been rubbed off as he "flipped" through the items. I questioned Trainee Ferreira again why he was being dishonest and he reiterated the same thing. I told Trainee Ferreira very clearly that he had lied about booking a property item, and that this was completely unacceptable behavior. I attached a photograph of the EBT card documenting the clearly legible numbers.

Leadership

Appearance

General Appearance

RELATIONSHIPS

With Citizens/Community

With Other Department Members

Community Organizing and Problem-solving

PERFORMANCE

Driving Skill: Normal Conditions

Driving Skill: Moderate/High Stress Conditions

Use of Map Book/GPS: Orientation/Response Time

Routine Forms: Accuracy/Completeness

Report Writing: Organization/Details/Use of Time

Report Writing: Grammar/Spelling/Neatness

[redacted]

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Field Performance: Non-Stress Conditions

Field Performance: Stress Conditions

Investigative Skills

Interview/Interrogation Skills

Self-initiated Field Activity

Officer Safety: General

Officer Safety: Suspicious Persons/Suspects/Prisoners

Control of Conflict: Verbal Command

Control of Conflict: Physical Skill

[redacted]

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Problem-solving Techniques/Decision-making [redacted]

Communications: Use of Codes/Procedures [redacted]

Radio: Listens and Comprehends

Radio: Articulation of Transmissions

Mobile Computer Terminal

KNOWLEDGE [redacted]

- Department Policies and Procedures Reflected by Verbal/Written/Simulated Testing
- Department Policies and Procedures Reflected in Field Performance
- Criminal Statutes Reflected by Verbal/Written/Simulated Testing
- Criminal Statutes Reflected in Field Performance
- Criminal Procedure Reflected by Verbal/Written/Simulated Testing
- Criminal Procedure Reflected in Field Performance

Summary

Performance Summary. Performance Category Average: [redacted]

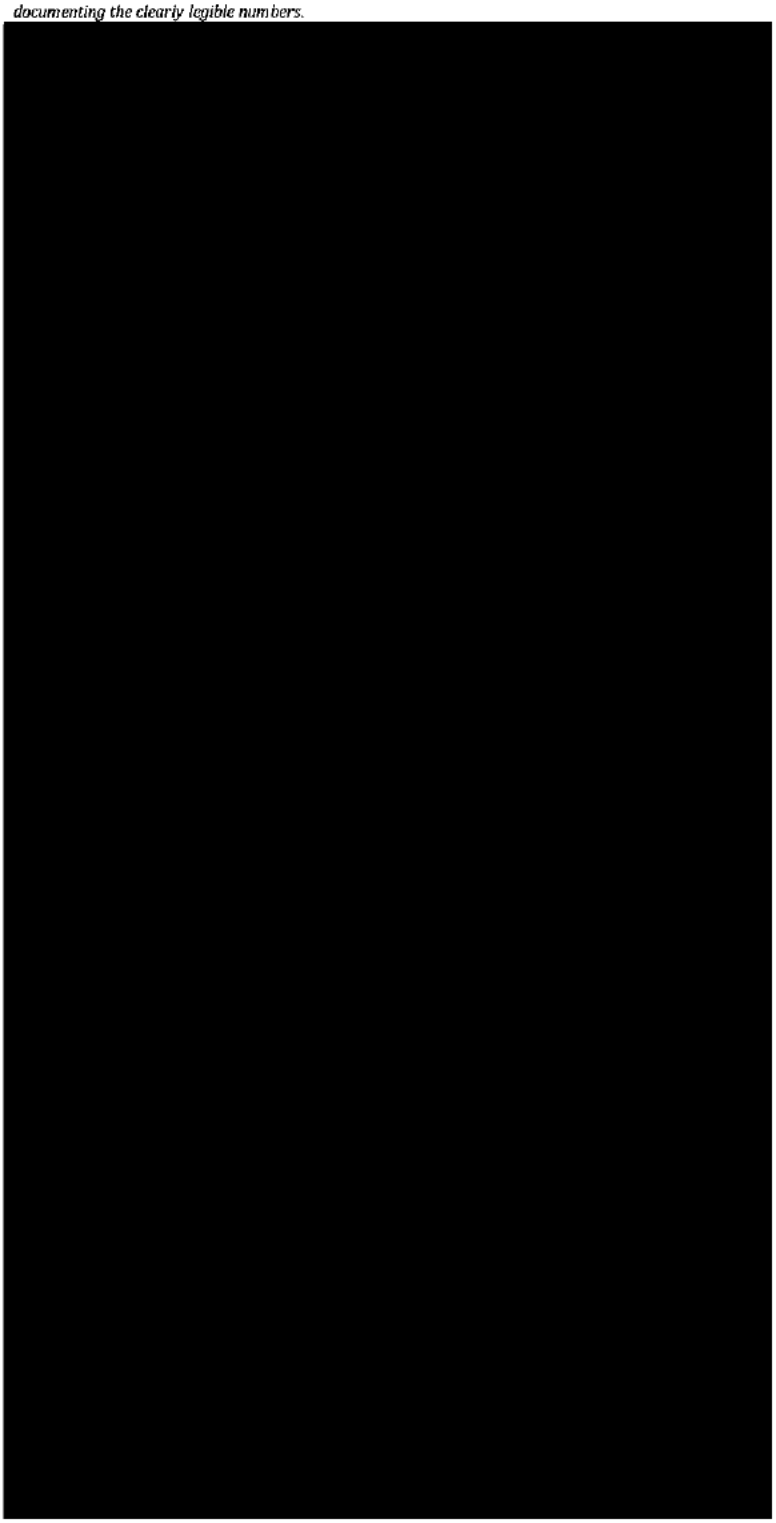
Performance Summary. Least Acceptable Categories:

1 Integrity/Ethics;

Yesterday, Trainee Ferreira was given a found wallet. I briefly saw inside of it and noticed there was an ID and an EBT card and some miscellaneous other paperwork. Later in the day, Trainee Ferreira advised me that he had booked the wallet for safekeeping, along with the ID facing outwards. I asked him if he had booked the EBT card separately, as all serialized items must been booked and entered into CLETS as found/lost. Trainee Ferreira told me that he did not book the EBT separately as the numbers were "rubbed" off. Today, I saw that his report had been kicked back as he had not properly entered the data into Alliance. Trainee Ferreira, prior to telling me had went to property, pulled the items, rebooked them, corrected his report and resubmitted it. As this was a found property report, I was not upset that he was handling the routine task on his own. Later while on Alliance, I pulled up Trainee Ferreira's report to make sure it had been resubmitted and approved. I discovered that in the property page of his report now had an EBT card with a serial number listed. Believing that Trainee Ferreira had initially been dishonest with me about the serial number being unreadable, I went to property and pulled his

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items. There, I discovered the EBT was very clearly readable with no evidence that any of the numbers had been "rubbed off". I took a photograph of the item and informed the on duty Sgt. about it. I then had a conversation with Trainee Ferreira, in which I questioned him for lying to me about the EBT card being unreadable. Trainee Ferreira told me again that he "believed" the numbers had been rubbed off as he "flipped" through the items. I questioned Trainee Ferreira again why he was being dishonest and he reiterated the same thing. I told Trainee Ferreira very clearly that he had lied about booking a property item, and that this was completely unacceptable behavior. I attached a photograph of the EBT card documenting the clearly legible numbers.



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[redacted]

Supporting Documents

EBT card.jpg
4054 KB, Published: 07/23/2024

Review History

[redacted]

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[redacted]

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CITY OF SANTA CRUZ

MEMORANDUM
POLICE DEPARTMENT

DATE: 07/23/2023

TO: Lieutenant Crofts #122

FROM: Sergeant Burruel #119

SUBJECT: Trainee Ferreira #133 – Removal from FTO Program Recommendation

---

BACKGROUND:

Trainee Ferreira has completed all but one day of his second week of the 4th Phase in the Field Training Program. He is currently assigned to A Days, central beat. His current FTO is Officer Riddell #193. I am currently assigned as Trainee Ferreira's Field Training Supervisor.

ANALYSIS:

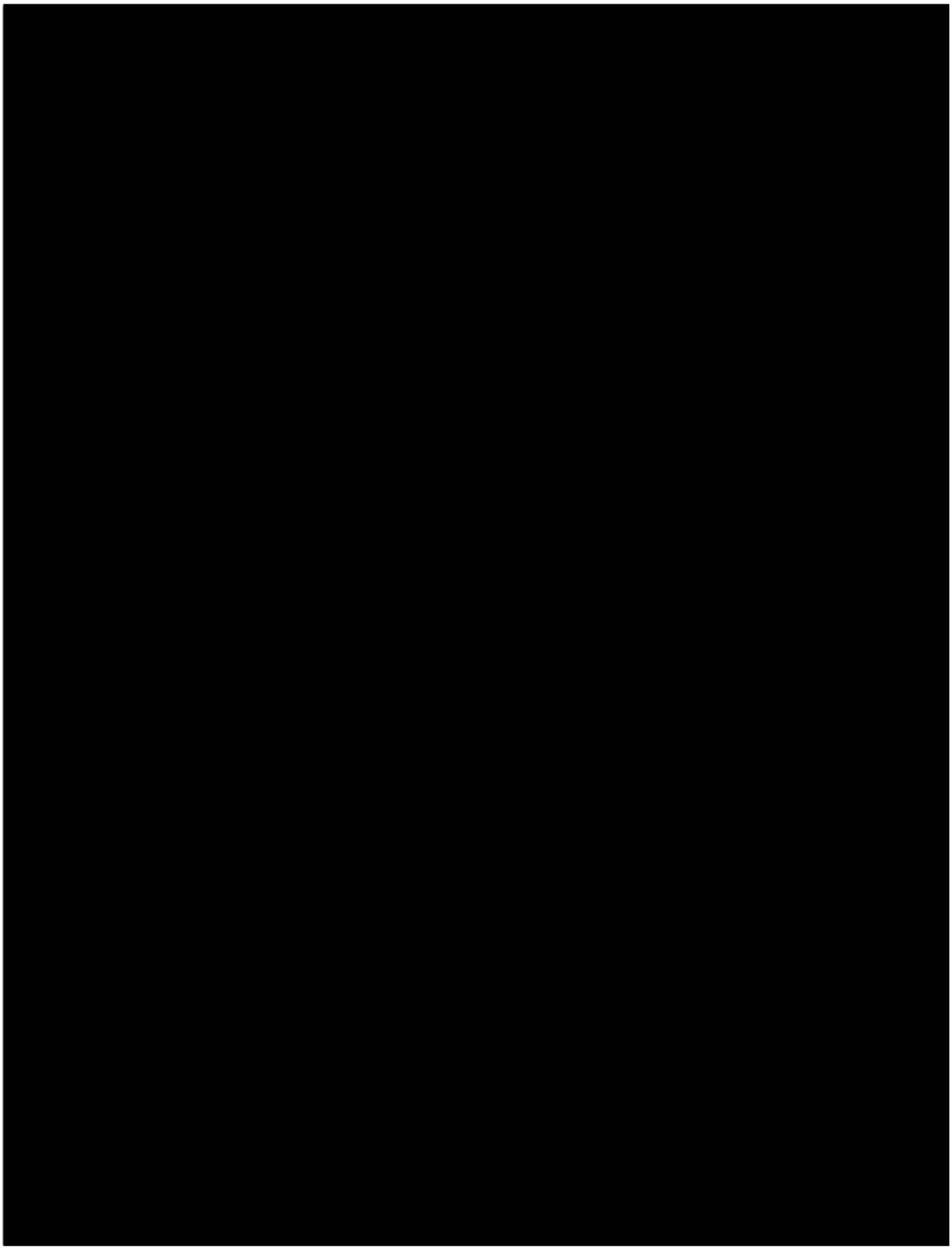
During the FTO Program, Trainee Ferreira was assigned to the following FTO's:

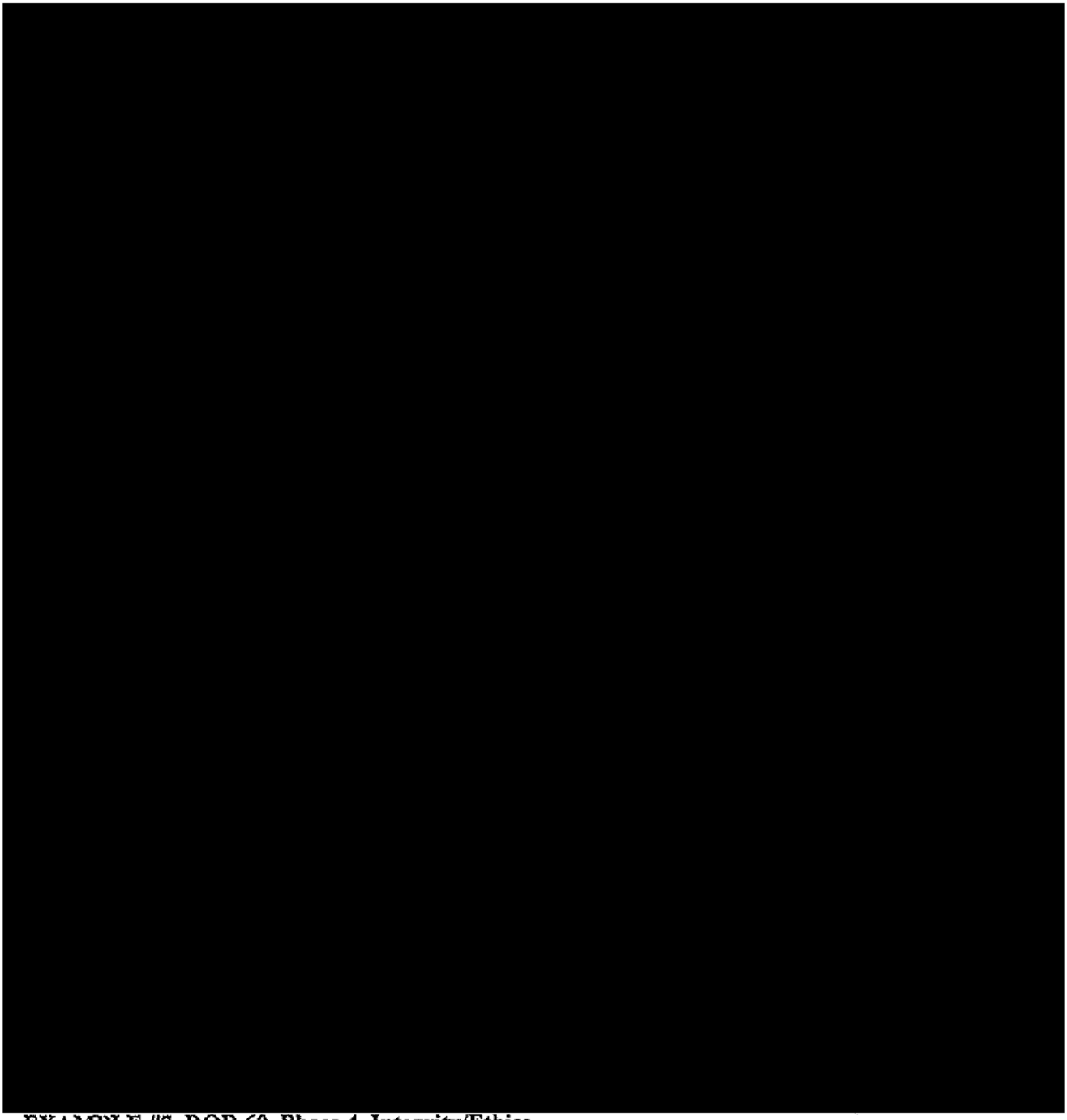
Phase 1: FTO Riddell #193, A Swings
Phase 2: FTO Fletes #168, B Swings
Phase 3: FTO Brouillette #183, B Swings (with a two-week extension)
Phase 4: FTO Riddell #193, A Days

[redacted]

[redacted]

[redacted]





EXAMPLE #7, DOR 60, Phase 4, Integrity/Ethics

"Yesterday, Trainee Ferreira was given a found wallet. I briefly saw inside of it and noticed there was an ID and an EBT card and some miscellaneous other paperwork. Later in the day, Trainee Ferreira advised me that he had booked the wallet for safekeeping, along with the ID facing outwards. I asked him if he had booked the EBT card separately, as all serialized items must been booked and entered into CLETS as found/lost. Trainee Ferreira told me that he did not book the EBT separately as the numbers were "rubbed" off. Today, I saw that his report had been kicked back as he had not properly entered the data into Alliance. Trainee Ferreira, prior to telling me had went to property, pulled the items, rebooked them, corrected his report and resubmitted it. As this was a found property report, I was not upset that he was handling the routine task on his own. Later while on Alliance, I pulled up Trainee Ferreira's report to

make sure it had been resubmitted and approved. I discovered that in the property page of his report now had an EBT card with a serial number listed. Believing that Trainee Ferreira had initially been dishonest with me about the serial number being unreadable, I went to property and pulled his items. There, I discovered the EBT was very clearly readable with no evidence that any of the numbers had been "rubbed off". I took a photograph of the item and informed the on duty Sgt. about it. I then had a conversation with Trainee Ferreira, in which I questioned him for lying to me about the EBT card being unreadable. Trainee Ferreira told me again that he "believed" the numbers had been rubbed off as he "flipped" through the items. I questioned Trainee Ferreira again why he was being dishonest and he reiterated the same thing. I told Trainee Ferreira very clearly that he had lied about booking a property item, and that this was completely unacceptable behavior. I attached a photograph of the EBT card documenting the clearly legible numbers."



RECOMMENDATION:

Despite Trainee Ferreira's [redacted] demonstrated during the FTO program, Trainee Ferreira demonstrated a desire to develop and improve. However, Trainee Ferreira's recent decision-making ability, overall integrity, and ethics, have been concerning. Based on my readings of the DORs

and personal discussions with Trainee Ferreira's FTOs, I am concerned about the underlying cause of Trainee Ferreira's [redacted].

Trainee Ferreira has been provided a little more autonomy by his FTOs during the 4th Phase. Trainee Ferreira has taken advantage of his ability to utilize his discretion in making decisions on a variety of occasions in the performance of his duties. When provided with the opportunity to utilize his discretion to make a decision on his own, Trainee Ferreira's performance has been deficient in the categories of [redacted] and most importantly, integrity and ethics.

Trainee Ferreira accepts and employs a standard of mediocrity and has little or no sense of accountability and/or responsibility to the department or community.

Presently, there is no indication that any continued instruction or preparation in the Field Training Program will salvage Trainee Ferreira. Trainee Ferreira's performance deficiencies have been identified as integrity and ethical deficiencies, which cannot be instructed or trained. As such, I recommend Trainee's Ferreira's removal from the FTO Program for failure to complete the Field Training Program.

Respectfully submitted,

Sergeant Brad Burruel #119
FTO Supervisor

Standards of Conduct and Discipline

321.1 POLICY

It is the policy of this Department that its members are highly visible representatives of government and are entrusted with the responsibility of ensuring the safety and well being of the community as well as the delivery of police services. Since the functions of a police department have a major impact upon the community, standards of conduct for police personnel are higher than standards applied to the general public. In this regard, department members will conduct themselves in a manner which does not bring discredit upon individuals, the Department, the City, the community or the profession. A procedure is established for violation of Law and Departmental Policy. (Reference: Code of Professional Conduct and Responsibility for Peace Officers, see attachment A.)

321.2 PROCEDURES STANDARDS OF CONDUCT

321.2.1 GENERAL RESPONSIBILITIES

All members of the Department, sworn and civilian, will become thoroughly familiar with these rules and regulations and will abide by them. They will observe and obey all:

(a) Federal, state, and local laws;

(b) General Orders of the Department and of the division to which they are assigned;

(c) Training Bulletins and procedural documents;

(d) Code of Professional Conduct and Responsibility for Peace Officers;

(e) City of Santa Cruz Personnel Rules and Regulations and Administrative Procedure Orders;

(f) Other lawful orders of their superiors.

Upon observing or otherwise becoming aware of a violation of rules, procedures, or policies, each department member is obligated to report such violation to a superior officer (supervisor or manager).

321.2.2 ENFORCEMENT OF ALL LAWS

Employees are responsible for taking prompt and proper police action relative to violations of all laws observed by them or coming to their attention.

321.2.3 CONDUCT UNBECOMING

A members conduct either on or off-duty, which could adversely reflect upon the department, will be deemed to be conduct unbecoming. Each case of misconduct will be examined to determine if the act was such that a reasonable person would find that such conduct was unbecoming a police employee. Actual conduct does not have to be public knowledge, but if known, could have an adverse effect.

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The Chief of Police or an authorized representative will evaluate conduct. This evaluation will include as criteria the nature of the violation. In addition, the following criteria may be considered:

(a) The member's tenure with the department;

(b) The severity of the member's past violations;

(c) The nature and effectiveness of prior corrective action;

(d) The member's past conduct which was beneficial to the department;

(e) The member's past conduct which did not result in disciplinary measures.

321.2.4 COORDINATION

In carrying out the mission of the department, members will coordinate their efforts in a manner that will establish and maintain the highest possible standard of efficiency and conduct.

Department members will cooperate with and assist other members in their departmental work. Any deliberate and unjustified withholding of police information from other members of the department is prohibited.

321.2.5 MEMBERS TO ACCEPT ASSIGNMENTS

Notwithstanding the assignment of specific duties and responsibilities to members of the department, members will perform all other duties required of them by competent authority, at the time requested.

321.2.6 PROVIDING SERVICES

Members will be responsible for providing such services as may be assigned to them in pursuit of Department goals and objectives.

321.2.7 OFFICIAL BUSINESS

Department members will not enter into correspondence with any person concerning their official activities except as provided by departmental orders, nor will they use departmental stationery or forms for any purpose other than the transaction of official business.

321.2.8 SUPPLYING IDENTIFICATION

Consistent with officer safety and protection of the public, department members, while acting in an official capacity, will supply their name, rank and position, and similar identifying information in a professional manner to any person who may inquire. All employees are issued business cards. The furnishing of this card is encouraged and shall satisfy the identification requirement.

321.2.9 INDIVIDUAL RESPONSIBILITIES

(a) Civil Cases and Processes: When representing the Department, members will not serve civil processes nor will they render assistance in civil court cases, except when the City of Santa Cruz is party or they have been subpoenaed in the proper manner. They will, however, prevent breaches of the peace and quell disturbances growing

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out of such matters and advise the parties concerning why police action may not be possible.

(b) Consumption of Alcohol: No member of the Department will consume any intoxicating beverage while on any property occupied or administered by the Police Department without the express permission of the Chief of Police.

(c) Influence of Intoxicants: No employee will report for work, or begin work, while under the influence of intoxicants.

(d) Ingesting Intoxicants: No employee, except by management authorization for investigative purposes, shall ingest intoxicants while on duty.

(e) Consuming Beverages: No employees in uniform shall consume any beverage, including soft drinks, in a bar, tavern, cocktail lounge, or other premises at which the impression might be given that the employee was ingesting intoxicants.

(f) Illegal use of Drugs: Is prohibited.

(g) Incapacity to Perform Duties: Department members while on duty who are unable to perform their duties due to illness, exhaustion or any other impairment will report this fact to a superior officer who will then determine the proper disposition.

(h) Recommending Services: When acting in an official capacity, members of the department will not recommend or suggest the employment or purchase of any specific professional or commercial service or product. This rule does not affect a member's duty to inform people in need of the availability of municipal, county, state or federal services.

(i) Private use of Department Address: Members and employees will not use the Department as a mailing address for private purposes.

(j) Conduct During Display of National Colors: Saluting the national colors by an organized civil or military body is an almost universal custom. Courtesy to the national colors will be displayed by police officers at retreat ceremonies, the playing of the National Anthem and parades.

(k) Duty to Obey Lawful Orders: Department members will obey lawful orders from a superior officer.

(l) Conflicting Orders: If a subordinate receives instructions from a senior member conflicting with the instructions received from proper or higher authority, the subordinate will inform the senior member of the conflict. If the senior member still desires that the order be carried out, the subordinate will do so and the senior member will review the order with the subordinate's supervisor.

(m) Criticism of Orders: No member of the Department will publicly criticize, disparage or ridicule written or oral orders or instructions issued by a senior officer.

(n) Improper or Questionable Orders: Department members receiving orders which they believe to be improper, in violation of the law or in violation of this manual, will express their concern to the senior member directly issuing the order. When the senior member directly issuing the order indicates that the order is to be complied with, the subordinate will adhere to one of the following appropriate procedures:

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1. Orders Requiring Immediate Compliance: Orders which pertain to situations that require immediate compliance will be carried out as directed. Once such orders are complied with, the member receiving the order may then appeal, in writing through the chain of command, to the Chief of Police.
2. Orders Requiring Future Compliance: Orders which pertain to situations that do not require immediate compliance may be appealed prior to execution as long as such appeal does not frustrate or impede the operations that the order was intended to implement. The appeal will be in person or in writing through the chain of command to the Chief of Police

(o) Confidentiality: Members will adhere to the following procedures pertaining to the confidentiality of official business of the Department.

1. Identities: The identity of complainants, suspects, defendants, or friends or family of such persons must be protected. Their identities should be released to persons outside the Department only when allowed by law and departmental policy. The needless or careless making known of the identities of such persons is considered a breach of police responsibility and neglect of duty.
2. Information of Operations: Members will not release to anyone information which may delay an arrest, aid a person to escape, destroy evidence, or remove stolen or embezzled goods, or which may in any other way hinder effective performance of police responsibilities.
3. Official Statements and Appearances: Members are not to make any public statements relating to departmental business without the consent of the Chief of Police.
4. Private Use of Department Information: Members are prohibited from using confidential or official information to advance the financial or other private interest of themselves or others.

(p) Reporting for Duty: Members of the Department will be punctual in reporting for duty at the time and place designated by their superior officer. Members will report for duty in the regular uniform of the day, and apparel and equipment will be in a presentable condition.

1. Late for Duty: Members of the Department who report for duty at a later time than is required by their commanding officers may be subject to dismissal from duty for that watch or tour of duty. Immediate supervisors may allow tardy subordinates to assume their duties when notified by members that lateness will occur, however, repeated failures to report promptly may be deemed neglect of duty and made the subject of department discipline.
2. Absence Without Proper Leave: Members will not be absent from duty without proper permission to leave, except when unable to report for duty at the assigned time due to sickness or injury. Employees shall notify the on-duty supervisor at least two hours in advance (if possible), if they are not going to be present for duty.

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(q) Personal Activities on Duty: Members of the Department will not devote any of their on-duty time to any activity which does not relate to a police function. They will not perform any police duty for the purpose of private gain nor will they make any private purchases when in uniform unless for personal maintenance or sustenance, or as authorized by competent authority. For non-uniformed personnel who take a non-paid lunch period, personal activities are permitted that are not in conflict with other policies and procedures.

(r) Gratuities and Bribes: Members will not receive any rewards for services rendered in the line of duty.

1. Members will not accept a bribe or engage in any act of extortion or other unlawful means of obtaining money or property through their position with the Department.
2. Members will not accept, directly or indirectly, a fee, loan, reward or gift of any kind from any person in custody, discharged from custody, liable to arrest or complaint or from any friend or relative of such person.
3. Members, individually or collectively, will not solicit any reward from the performance of duties or seek or ask for a gratuity of any kind.
4. Members will not use their positions to seek nor will they accept favors or gratuities which would not ordinarily be accorded private persons.
5. Members are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner or other person involved in any case which has come to the member's attention or which arose out of the member's departmental employment except as may be specifically authorized by the Chief of Police.

(s) Misuse of Authority: A department member will not engage in any act which could reasonably be construed to constitute misuse of authority. They will not use their position in the department to obtain any money, property or favors except as required by law or departmental procedures.

(t) Solicitations: A department member will not solicit, collect, or receive money or other things of value for charitable or testimonial purposes except as approved by the Chief of Police.

(u) Misuses of Property; Members will handle property in the manner directed by the Duty Manual. Under no circumstances will members appropriate property of the department, property of another department member, or any other property for their own use.

(v) Political Campaigning: On-duty members will not engage in activities related to political campaigning. Improper activities include, but are not limited to, engaging in campaign speeches, distribution of pamphlets, posting of campaign ads, willfully being photographed in uniform (on or off-duty) with political candidates.

1. Nothing in this policy precludes officers from working off-duty, out of uniform, in a non-law enforcement capacity in support of or in opposition to any political campaign. Additionally, it does not preclude candidates

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from approaching employee groups for purposes of endorsement or, in fact, employee organizations endorsing specific candidates, propositions, or measures.

(w) Strikes: Members shall not initiate, authorize or participate in any strike.

(x) Meals/Coffee Breaks: Sworn employees may suspend their police duty for a meal or coffee break depending on calls for service and subject to modification by their supervisor. Break periods are included in employees' working day and are subject to recall depending on departmental priorities and the demands of public safety.

1. Time Limitations: Meal breaks'"approximately 30 minutes; coffee breaks'"approximately 15 minutes. Neither a meal break nor a coffee break may be had during the first hour or the last hour of an officer's assigned shift without specific authorization of the employee's supervisor.
2. The acceptance of discount meals or free coffee, etc. is not allowed.
3. No more than two marked police vehicles parked at any one restaurant, coffee shop, etc. at one time without management approval.
4. No more than a total of three (3) uniformed (sworn/CSO's) members may be at any one restaurant at one time, without management approval.
5. All officers working in uniform available for routine dispatch shall radio out for all coffee, meal breaks, etc. The use of portable radios does not alleviate this responsibility.

(y) Training: Members shall attend in-service training at the direction of their commanding officer. Such attendance is considered a duty assignment.

(z) Smoking/use of Tobacco Products on Duty: Uniformed members shall not smoke or use tobacco products while on-duty while in direct contact with the public. Smoking or use of tobacco products is prohibited inside all city-owned or leased buildings and vehicles.

(aa) Social Conduct on Duty: While on duty, department members will not:

1. Encourage, suggest, offer or accept sexual favors.
2. Encourage, suggest, offer or provide leniency in enforcement in return for sexual or social encounters.
3. Encourage, suggest, offer, or perform any services in the line of duty in return for sexual or social encounters.
4. Engage in sexual activity.
5. Associate unnecessarily with victims where an improper relationship could be perceived.
6. Under color of authority, or otherwise, engage in any form of sexual harassment.

(ab) Unnecessary Force: The improper use of firearms or of aerosol spray devices such as OC (oleoresin capsicum)/pepper spray, or the unnecessary use of physical force, constitutes gross misconduct. (For details of the law and department procedures and policies relative to the use of force).

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(ac) Maintenance of Department Property: Members and employees are responsible for the proper care of department property and equipment. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action.

(ad) Reporting Damage: Accidents involving City personnel and/or equipment must be reported in accordance with procedures in this manual and the applicable City of Santa Cruz Administrative Procedure Order.

(ae) Consumption of Intoxicants: Off-duty members will not consume intoxicants in a public place to the extent that they are unable to care for themselves and/or become discourteous when such conduct reflects adversely upon the Department.

(af) Gambling: No games of chance for stakes or wages or other gambling will take place at the police building or any other police or City-owned facility.

(ag) Off Duty Enforcement Action: Prior to taking enforcement action, off-duty officers will first give consideration to causing the appropriate action to be effected by on-duty personnel from the law enforcement agency in which the activity occurs. Additionally, the Department recognizes that off-duty officers cannot rely on the immediate assistance or application of police resources in the same capacity as while on-duty and thus, does not expect officers to jeopardize themselves or others by taking police action while off-duty.

1. Neighborhood Disputes: When on or off-duty, department members will avoid becoming officially involved in quarrels or disputes occurring in their own neighborhoods, unless the incident involves an immediate threat to human life. In any event, department members will first give consideration to their capacity to render an appropriate and adequate response before any action is taken.
2. All off-duty arrests shall require notification of the on-duty sergeant.

(ah) Chemical Tests: Department members may be required to submit to a chemical test if they are involved in certain, but not all, enforcement situations. When required by a superior officer, members will submit to a test following the incident. Circumstances which may require chemical tests are as follows:

1. The member injures or kills another person.
2. In-custody death.
3. The member or a superior officer determines that sobriety should be documented.
4. Chemical tests may include, but are not limited to, a test of the blood, breath, or urine.

(ai) Carrying Equipment Off-Duty: When off-duty, officers will carry or have in their immediate possession their issued identification card. Officers may, but are not required to, carry firearms or chemical agent devices when off-duty (at their discretion). Whenever an officer carries a firearm, the department badge must also be carried. When wearing an off-duty firearm, officers will avoid exposing the weapon to public view.

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1. Chemical Agent Devices: Officers will carry only chemical agent devices issued or approved by the Department.

(aj) The Code of Professional Conduct and Responsibility for Peace Officers: Is hereby made a part of the Duty Manual and all sworn officers, and non-sworn employees where applicable, shall conform to it. It is attached to the General Order for reference. (Attachment A)

(ak) Lying: Intentional mis-truths, an assertion of fact not actually known to be true when made, or omission intended to present an inaccurate account or conceal misconduct.

321.3 DISCIPLINE

321.3.1 DEPARTMENT RESPONSIBILITY

The Department has responsibility to its members and the community to seek out and discipline those whose conduct discredits the Department or impairs its effective operation. Discipline has as its immediate purpose the channeling of individual effort into effective and productive action. It may involve encouragement inspiration, training, or the imposition of negative sanctions. Negative sanctions administered internally may range from a warning, where the immediate effect is on the individual, to termination, where the positive result is the reassurance to other employees of the unacceptable limits of misconduct. Policies, procedures, rules, regulations, and written or oral directives are made known as guidelines to set standards as acceptable and desired objectives. When violations of such directives occur, members of the Department will be subject to disciplinary action.

A well-disciplined Police Department is a Department whose members voluntarily conform to all Department policies, procedures, and rules. It follows that the best disciplined Department is least in need of corrective action. Nevertheless, a violation of the Department's policies, procedures and rules, or of the law, requires disciplinary action.

Discipline may be instruction or counseling which modifies the behavior of an individual, or may be punishment. The use of punishment as a disciplinary technique will be resorted to only when other forms of discipline have failed or the gravity of the violation dictates its use for the good of the Department.

321.3.2 GENERAL CONDUCT SUBJECT TO DISCIPLINARY ACTION

Any member or employee of the Santa Cruz Police Department whose personal actions reflect, or may reflect if known, against the reputation of the law enforcement profession, the Police Department or the City of Santa Cruz, or who commits an offense punishable under the laws or statutes of the United States, the State, or local ordinances, or violates any provision of the Rules and Regulations of the City of Santa Cruz or of the Department including, but not limited to, General Orders, Training Bulletins/Procedures, memorandums and/or disobeys any lawful order or is incompetent to perform assigned duties is subject to appropriate disciplinary action.

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321.3.3 SPECIFIC CONDUCT SUBJECT TO DISCIPLINARY ACTION
In concert with Civil Service rules, a member of the Department may be made the subject of disciplinary action whenever a member's conduct warrants.

321.3.4 DISCIPLINARY ACTION PERMITTED
When corrective action is indicated by the finding, one or more of the following actions may be taken by the Chief of Police subject to the provisions of the Charter of the City of Santa Cruz:

(a) Counseling;

(b) Training;

(c) Oral reprimand;

(d) Written reprimand;

(e) Suspension;

(f) Demotion;

(g) Dismissal from the Department.

The level of discipline to be imposed will be considered on a case by case basis in accordance with the factors of consideration delineated in this General Order. Nothing set forth herein shall be construed as obligating the Department to adhere to a policy or procedure of progressive discipline.

321.3.5 DEPARTMENT AUTHORITY FOR DISCIPLINARY ACTION
Departmental disciplinary authority and responsibility rests with the Chief of Police. Supervisory personnel may administer one or more of the following:

(a) Counseling;

(b) Training;

(c) Oral reprimand;

(d) Written recommendation for other disciplinary action.

In those instances where emergency relief from duty is believed necessary, commanding officers will adhere to the procedures entitled "Non-Disciplinary Emergency Relief from Duty".

321.3.6 EMERGENCY INTER-DIVISIONAL DISCIPLINARY ACTION
When the improper conduct of a member or employee of one unit is of such a nature that immediate or emergency disciplinary action is required of a commanding or supervisory officer of another unity, such action may be taken at once.

When such action is taken, the commanding or supervisory member imposing the discipline will notify superiors in both chains of command immediately. When the conduct is such that the commanding or supervisory member believes that other disciplinary measures are required,

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such supervisor will submit a memorandum to the member's immediate supervisor detailing the conduct.

321.3.7 INFORMING THE PERSON BEING DISCIPLINED
The member or employee being disciplined will be informed of the charges and penalties assigned at the time such action is taken. Prior to the imposition of any discipline resulting in a suspension, demotion or dismissal, the employee will be advised of their right to appeal the discipline prior to its imposition at a meeting with the Chief of Police or designee.

321.3.8 APPEAL FROM PENALTIES
Appeals from penalties imposed as disciplinary measures may be taken as provided in the Charter of the City of Santa Cruz and in accordance with the Civil Service rules and applicable Memorandums of Understanding (MOU's).

321.3.9 USE OF COUNSELING AND TRAINING
Misconduct investigations which result in a finding of "Exonerated" or "Not-Sustained" will not relieve Department supervisors or commanders from the responsibility of counseling or training subordinate personnel who demonstrate problems of knowledge, judgment or common sense.

321.4 NON-DISCIPLINARY EMERGENCY RELIEF FROM DUTIES

The following personnel have the authority to impose emergency relief from duty until the next business day against an employee when it appears that such action is in the best interest of the Department:

- Any command officer;
- Any police sergeant.

When a Department employee is relieved from duty pursuant to this procedure, the command officer or sergeant instituting the action will direct the employee to report to such employee's division commander on the next business day at 0900 hours, unless otherwise directed by competent authority.

The command officer or sergeant imposing or recommending the action shall report to the employee's division commander prior to the employee's designated time and have prepared a written report of the details of the incident prompting the relief from duty. The report will include:

(a) The name, rank and present assignment of the person relieved from duty;

(b) The date(s) and time(s) of the incident and location(s);

(c) The section number(s) of this manual violated or common name of the violation;

(d) A complete statement of the facts of the incident;

(e) The written signature and rank of the preparing officer and his position in relation to the member or employee involved.

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The relieved employee's division commander, or a designee, will evaluate the incident and determine what action is appropriate. Division dispositions may be:

- Counseling;
- Training;
- Written reprimand.

All written reprimands will be forwarded to the Office of the Chief of Police for review. If disciplinary action more severe than a written reprimand is indicated, the division commander will refer the incident to the Office of the Chief of Police for further investigation.

321.5 CODE OF PROFESSIONAL CONDUCT AND RESPONSIBILITY FOR PEACE OFFICERS (ATTACHMENT A)

321.5.1 PREAMBLE

WHEREAS, peace officers are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character; and

WHEREAS, the need to maintain high standards of moral character, integrity, knowledge and trust requires the establishment of a Code of Professional Conduct and Responsibility for peace officers as a matter of the highest significance to the health, welfare, and safety of the citizens of this state; and

WHEREAS, the establishment of a Code of Professional Conduct and Responsibility for Peace Officers, which includes Canon of Ethics and minimum standards, requires the granting of authority to enforce these standards of professional conduct through disciplinary action as necessary for the protection of the health, welfare and safety of the public; therefore,

BE IT RESOLVED that the need to maintain high standards of moral character, integrity, knowledge and trust require that peace officers establish and conform to a Code of Professional Conduct and Responsibility for Peace Officers.

321.5.2 GENERAL STATEMENT

Peace officers are granted public trust, which requires that they consistently demonstrate the highest degree of integrity. To be worthy of this public trust, and to ensure that their professional conduct is above reproach, members of the peace officer profession must not only conform to a Code of Ethics, but must also abide by these Canons of Ethics and Ethical Standards which constitute this Code of Professional Conduct and Responsibility as a means of internal regulation. The essence of a profession requires that, in addition to prescribing a desired level of performance, it must establish minimum standards of ethical conduct with prescribed rules for internal discipline to ensure compliance. Accordingly, this Code of Professional Conduct and Responsibility is established for the peace officer profession.

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Nothing in the Code of Professional Conduct and Responsibility for Peace Officers is intended to limit or supersede any provision of law relating to the duties and obligations of peace officers or the consequence of a violation thereof.

Whereas these rules specify certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned.

Nothing in this code is intended to limit the authority of an agency to adopt and enforce rules and regulations that are more stringent or comprehensive than those that are contained in this Code of Professional Conduct and Responsibility of Peace Officers.

321.6 CANONS OF ETHICS

321.6.1 CANON ONE

Peace Officers shall uphold the Constitution of the United States, the State Constitution, and all laws enacted or established pursuant to legally constituted authority.

Standard 1.1 Peace Officers shall recognize that the primary responsibility of their profession and on and of the individual officer is the protection of the people within the jurisdiction of the United States through upholding of their laws, the most important of which are the Constitution of the United States and the State Constitutions and laws derived therefrom.

Standard 1.2 Peace Officers shall be aware of the extent and limitations of their authority in the enforcement of the law.

Standard 1.3 Peace Officers shall diligently study principles and new enactments of the laws they enforce.

Standard 1.4 Peace Officers shall be responsible for keeping abreast of current case law as applied to their duties.

Standard 1.5 Peace Officers shall endeavor to uphold the spirit of the law, as opposed to enforcing merely the letter of the law.

Standard 1.6 Peace Officers shall respect and uphold the dignity, human rights, and constitutional rights of all persons.

321.6.2 CANON TWO

Peace Officers shall be aware of and shall use proper and ethical procedure in discharging their official duties and responsibilities.

Standard 2.1 Peace Officers shall be aware of their lawful authority to use what force is reasonably necessary in securing compliance with their lawful enforcement duties.

Standard 2.2 Peace Officers shall truthfully, completely and impartially report, testify and present evidence in all matters of an official nature.

Standard 2.3 Peace Officers shall follow legal practices in areas such as interrogation, arrest, detention, searches, seizures, use of informants and collection and preservation of evidence.

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Standard 2.4 Peace Officers shall follow the principles of integrity, fairness and impartiality in connection with their duties.

321.6.3 CANON THREE

Peace Officers shall regard the discharge of their duties as a public trust and shall recognize their responsibilities to the people whom they are sworn to protect and serve.

Standard 3.1 Peace Officers, as professionals, shall maintain an awareness of those factors affecting their responsibilities.

Standard 3.2 Peace Officer, during their tour of duty, shall diligently devote their time and attention to the effective and professional performance of their responsibilities.

Standard 3.3 Peace Officers shall ensure that they are prepared for the effective and efficient undertaking of their assignment.

Standard 3.4 Peace Officers shall safely and efficiently use equipment and material available to them.

Standard 3.5 Peace Officers shall be prepared to and shall respond effectively to the demands of their office.

Standard 3.6 Peace Officers, with due regard for compassion, shall maintain an objective and impartial attitude in official contacts.

Standard 3.7 Peace Officers shall not allow their personal convictions, beliefs, prejudices, or biases to interfere unreasonably with their official acts or decisions.

Standard 3.8 Peace Officers shall recognize that their allegiance is first to the people, then to their profession and the government entity or agency that employs them.

321.6.4 CANON FOUR

Peace Officers will so conduct their public life that they exemplify the high standards of integrity, trust and morality demanded of a member of the peace officers profession.

Standard 4.1 Peace Officers shall refrain from consuming intoxicating beverages to the extent that it results in impairment which brings discredit upon the profession or their employing agency, or renders them unfit for their next tour of duty.

Standard 4.2 Peace Officers shall not consume intoxicating beverages while on duty, except to the degree permitted in the performance of official duties, and under no circumstances while in uniform.

Standard 4.3 Peace Officers shall not use any narcotics, hallucinogens or any other controlled substance except when legally prescribed. When such controlled substances are prescribed, officers shall notify their superior prior to reporting for duty.

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Standards of Conduct and Discipline

Standard 4.4 Peace Officers shall maintain a level of conduct in their personal and business affairs in keeping with the high standards of the peace officers profession. Officers shall not participate in any incident involving moral turpitude.

Standard 4.5 Peace Officers shall not undertake financial obligations which they know or reasonably should know they will be unable to meet and shall pay all just debts when due.

Standard 4.6 Peace Officers shall not engage in illegal political activities.

Standard 4.7 Peace Officers shall not permit or authorize for personal gain the use of their name or photograph and official title identifying them as peace officers in connection with testimonial or advertisements for any commodity, commercial enterprise, or commercial service which is not the product of the officer involved.

Standard 4.8 Peace Officers shall not engage in any activity which would create a conflict of interest or would be in violation of any law.

Standard 4.9 Peace Officers shall at all times conduct themselves in a manner which does not discredit the peace officer profession or their employing agency.

Standard 4.10 Peace Officers shall not be disrespectful, insolent, mutinous or insubordinate in attitude or conduct.

Standard 4.11 Peace Officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors and subordinates.

Standard 4.12 Peace Officers shall not engage in any strike, work obstruction, or abstention, in whole or in part, from the full, faithful and proper performance of their assigned duties and responsibilities, except as authorized by law.

Standard 4.13 Peace Officers shall maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity.

321.6.5 CANON FIVE

Peace Officers shall recognize that our society holds the freedoms of the individual as a paramount precept which shall not be infringed upon without just, legal and necessary cause.

Standard 5.1 Peace Officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.

Standard 5.2 Peace Officers shall recognize the rights of individuals to be free from capricious or arbitrary acts which deny or abridge their fundamental rights as guaranteed by law.

Standard 5.3 Peace Officers shall not use their official position to detain an individual or restrict the freedom of any individual, except in the manner and means permitted or prescribed by law.

321.6.6 CANON SIX

Peace Officers shall assist in maintaining the integrity and competence of the peace officer profession.

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Standards of Conduct and Discipline

Standard 6.1 Peace Officers shall recognize that every person in our society is entitled to professional, effective and efficient law enforcement services.

Standard 6.2 Peace Officers shall perform their duties in such a manner as to discourage double standards.

Standard 6.3 Peace Officers shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.

Standard 6.4 Peace Officers shall maintain the integrity of their profession through complete disclosure of those who violate any of these rules of conduct, violate any law, or who conduct themselves in a manner which tends to discredit the profession.

Standard 6.5 Peace Officers shall have responsibility for reporting to proper authorities any known information which would serve to disqualify candidates from transferring within or entering the profession.

Standard 6.6 Peace Officers shall be responsible for maintaining a level of education and training that will keep them abreast of current techniques, concepts, law and requirements of the profession.

Standard 6.7 Chief executive peace officers shall accept the responsibility of utilizing all available resources and the authority of their office to maintain the integrity of their agency and the competency of their officers.

Standard 6.8 Peace Officers shall assume a leadership role in furthering their profession by encouraging and assisting in the education and training of other members of the profession.

321.6.7 CANON SEVEN
Peace Officers shall cooperate with other officials and organizations that are using

legal and ethical means to achieve the goals and objectives of the peace officer profession.

Standard 7.1 Peace Officers, within legal and agency guidelines, shall share with personnel, both within and outside their agency, appropriate information that will facilitate the achievement of criminal justice goals and objectives.

Standard 7.2 Peace Officers, whether requested through appropriate channels or called upon individually, shall render needed assistance to any other officer in the proper performance of their duty.

Standard 7.3 Peace Officers shall, within legal and agency guidelines, endeavor to communicate to the people of their community the goals and objectives of the profession, and keep them apprised of conditions which threaten the maintenance of an ordered society.

321.6.8 CANON EIGHT
Peace Officers shall not compromise their integrity, or that of their agency or profession, by accepting, giving or soliciting any gratuity.

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Standard 8.1 Peace Officers shall refuse to offer, give or receive gifts, favors or gratuities, either large or small, which can be reasonably interpreted as capable of influencing official acts or judgments. This standard is not intended to isolate police officers from normal social practices, or to preclude gifts among friends, associates, or relatives, where appropriate.

Standard 8.2 Peace Officers shall not consider their badge of office as a license designed to provide them with special favor or consideration.

321.6.9 CANON NINE

Standard 9.1 Peace Officers shall be aware of and shall meticulously observe all legal restrictions on the release and dissemination of information.

Standard 9.2 Peace Officers shall treat as confidential the official business of their employing agency, and shall release or disseminate such information solely in an authorized manner.

Standard 9.3 Peace Officers shall treat as confidential that information confided to them personally. They shall disclose such information as required in the proper performance of their duties.

Standard 9.4 Peace Officers shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties.

Standard 9.5 Peace Officers shall treat as confidential all matters relating to investigations, internal affairs and personnel.

321.7 INVESTIGATIVE PROVISIONS

(a) Investigative Procedures: Peace Officers under investigation for an alleged violation of any of these standards of agency disciplinary rules shall be afforded, at minimum, the rights established by law and contract to ensure fair and just treatment in the enforcement of disciplinary rules of conduct or agency rules.

(b) Exercise of Rights: By reason of the lawful exercise of rights, officers shall not be discharged, disciplined, demoted, transferred or denied promotion or re-assignment, or discriminated against with regard to employment nor threatened with such action.

(c) Criminal Investigations: When the investigation focuses on an officer for prosecution of a criminal offense, the officer shall be afforded the same constitutional rights, privileges or guarantees enjoyed by any person. This section, however, shall not deprive the agency of the right to pursue the investigation administratively.

(d) Agency Appeal or Review Process: To ensure due process, officers shall be provided with an internal administrative appeal or review process or procedure. This process shall be in addition to any external appeal process the employing agency may have established for the review of disciplinary cases.

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321.8 ADMISSIBILITY/CONFIDENTIALITY

(a) Confidentiality of Investigative Files: To promote the complete investigation and reporting of complaints against peace officer, the City finds that the need to preserve and protect the work product of any agency outweighs the public interest in full or partial disclosure, discovery or production in any manner of an agency's investigative files pertaining to complaints against officers. Accordingly, administrative files, records, reports or other documentation may be subpoenaed in either criminal or civil proceedings only in accordance with existing law.

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