

# INVESTIGATING THE INVESTIGATORS

## Summary

The 2002-2003 Sonoma County Civil Grand Jury investigated the Detective Bureau (Investigations/Coroner) of the Sonoma County Sheriff's Department. Employees indicated that a high level of morale and pride existed within the organization and that their units operated smoothly and effectively. However, in the course of this year's work several citizens' complaints raised questions concerning the investigative skills and procedures of the Bureau.

On balance the Jury has a positive impression of the Detective Bureau but is concerned about the Bureau's ability to consistently select capable detectives in the hiring process, to evaluate them accurately during their tenure, to identify and terminate poor performers, and to provide the public with consistently high-quality investigations.

## Reason for Investigation

The Jury's charter mandates the periodic review of major Government entities and the reporting of their findings to the public. The Sheriff's Department was last studied in 1997.

## Background

The Jury chose to focus on the Detective Bureau (Investigations/Coroner) of the Sheriff's Department. The Detective Bureau reports to the Assistant Sheriff, Law Enforcement Division who in turn reports directly to the Sheriff. The Bureau is managed by a Detective Lieutenant and is made up of seven Units (Property Crimes, Violent Crimes, Narcotics, Domestic Violence Sexual Assault, Crime Scene Investigations, Coroner, and Criminal Intelligence) each managed by a Detective Sergeant. In the seven units there are a total of 34 detectives and a clerical support staff of six.

## Investigative Procedures

The Grand Jury:

1. Interviewed the following persons:
  - 30 Bureau employees
  - Citizen complainants and relevant witnesses.
  
2. Reviewed the following documents:
  - Citizen complaint files
  - Sheriff's Office internal investigations
  - A study on Code of Silence by the National Institute of Ethical Studies
  - Sheriff's Department written policies
  - General Orders
    - Hate Crimes (5-07)
    - Domestic Violence (5-09)
    - Adult Sexual Investigation Procedure (5-13)
    - Child Abuse Investigations (5-14)
    - Coroner Policy (11-01)

### Personnel Investigation Procedure

- California Government Code Sections 3300-3311 Public Safety Officers Bill of Rights
- Sonoma County Law Enforcement Chief's Association Officer Involved Critical Incident Protocol (93-1) Domestic Violence (93-3).

### Findings

F1. The Detective Bureau manager is considered by staff to be straightforward, professional, accessible, and fair.

F2. Approximately one-third of Detective Bureau staff have Bachelor Degrees and the average law-enforcement experience is approximately fourteen years. Continuing education is encouraged.

F3. Written performance evaluations are given only every two years after probation and the reviews do not include documentation of poor performance.

F4. Performance expectations and how well they are being met are verbally communicated at both Bureau and Unit levels.

F5. Staff perceives that it is difficult to discipline or remove poor performers after the probation period.

F6. Individual commendations from upper management are handled impersonally (handed down through chain of command).

F7. Morale and communication were reported as excellent within units but not the overall Bureau.

F8. When an extreme emergency arose in one unit, detectives from other units were assigned to help. After the emergency, these detectives returned to their accumulated backlog and the inter-unit cooperation quickly faded.

F9. The detective selection process has allowed several detectives to be appointed who were found not capable of meeting their job requirements.

F10. There is a widely held misperception that Bureau management expects and requires all detectives to transfer out of the Bureau after three years.

F11. When asked, employees frequently mentioned the following as ways to improve the operation of the Bureau:

1. Change the work week to four ten-hour days
2. Provide additional specialized training
3. Improve intra unit communication both professionally and socially
4. Increase interaction with "Top Brass"
5. Encourage detectives to stay longer than three years in the Bureau (e.g. go to another unit or to a mentoring role for new detectives).
6. Base promotion on "what you know not whom you know".

### Conclusions

Several challenges must be addressed effectively by unit and Bureau management and supported by Division and Department management if the Sheriff's Department is to fulfill its community obligation for public safety. Those challenges are listed below.

#### *Detective Selection*

A few detectives have been selected who did not perform to the high standards expected of Bureau staff. This was verified by observations from within the Bureau and alluded to in accusations in citizen complaints. It is the Jury's opinion that more rigorous entrance tests likely would have enhanced the objectivity and success of the hiring process.

#### ***Detective Performance Management***

**The Jury found that one-on-one verbal coaching for improved performance is effective. However, the implementation of the written performance evaluation system has two serious flaws: (1) Poor performance is not reflected in the evaluations and (2) counseling and reprimand letters do not appear in personnel files. Although the current system allows management to fulfill their disciplinary responsibility, management does not use it.**

The Jury also found that the Bureau is not adequately aggressive in disciplining and removing detectives who do not meet performance standards, beginning with the probationary period and continuing through their tenure.

#### *Detective Tenure*

The first six months after becoming a detective is a probationary period. A detective who "passes" the probation period is considered by management to be capable of working effectively for the next two and one half years and will seldom be transferred out of the Bureau except for a policy violation. The detective is expected to complete the full three years as a detective. After the third year, Bureau management can choose to transfer the detective to a different organization if it seems appropriate and similarly the detective can choose to transfer elsewhere. There is no written policy as to whether a detective is to stay or leave after three years.

#### *Sheriff Interaction*

Bureau employees indicate that the Sheriff and the Assistant Sheriff of the Law Enforcement Division should interact more frequently with staff.

#### **Recommendations**

R1. Overhaul and strengthen tests (add written component) and apply objective criteria to determine how well suited an applicant is for detective work.

R2. Develop and implement a process for removing employees for poor performance during and after the probation period.

R3. Develop a mechanism which ensures that written evaluations are accurate and reflect actual performance, poor as well as good.

R4. Establish quarterly Bureau-wide communication meetings conducted by Sheriff and/or Assistant Sheriff-Law Enforcement Division.

R5. Establish and implement a written Bureau policy regarding detective tenure.

R6. Establish and implement objective promotion standards

R7. Strengthen the use of integrated teams and include members from Bureau units and key law enforcement officials from outside the Bureau such as a Deputy District Attorney.

**Responses Required to Findings**

Sheriff: F11

Responses Required to Recommendations

Sonoma County Director of Human Resources: R2, R3, and R6

District Attorney: R7

Sheriff: R1, R2, R3, R4, R5, R6, and R7