



BAKERSFIELD POLICE DEPARTMENT PRESS RELEASE

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US Department of Justice closes investigation of BPD

Bakersfield Police Chief Bill Rector announces that after an intensive and focused 4 ½ year investigation of the practices, policies, and standards of the Bakersfield Police Department, the Civil Rights Division of the United States Department of Justice (DOJ), based in Washington D.C., has closed their investigation.

In July 2003, the United States Department of Justice, Civil Rights Division, launched a “pattern and practice” investigation of the Bakersfield Police Department regarding the use of deadly and non-deadly force and allegations of discriminatory policing practices.

A “pattern and practice” investigation involves a comprehensive evaluation of an agency’s policies, procedures, and actual practices, in areas where there are allegations of misconduct. The investigation involves examinations of specific incidents to see if they are part of a pattern of misconduct and civil rights violations. In general, they include the following.

In-depth interviews with police command staff, representatives of police labor organizations, persons who believe that they have been subjected to police misconduct, lawyers and community leaders who have dealings with the police department, and individual officers.

Evaluation of the agency's education and training programs and curricula regarding areas involving alleged misconduct.

A review of the agency's written policies and practices, as well as any systems for reporting or otherwise memorializing specific officer actions in the areas of alleged misconduct. The implementation of these systems is also reviewed.

A review of the agency's systems for monitoring and supervising officers, including any procedures and systems to inform supervisors of officer actions in areas of alleged misconduct. A review of any procedures and systems providing for supervisory feedback to officers on the propriety of such actions.

An analysis of the agency's formal procedures and actual practices for receiving, investigating, and adjudicating citizen complaints. An assessment of the agency's records regarding how complaints are adjudicated and whether and to what extent discipline is imposed or non-disciplinary corrective action is taken in appropriate cases.¹

A brief timeline of the investigation is listed below.

July 2, 2003 – United States Department of Justice authorizes investigation of the Bakersfield Police Department.

July 17, 2003 – United States DOJ attorneys meet with the City of Bakersfield City Attorney, Chief of Police, and City Manager.

July 29, 2003 – 1st shipment of documents sent to DOJ. They include the Operations Manual, Training Records, Memorandums of Understanding, and Advanced Officer Training Records.

August 26, 2003 – DOJ requested the following documents for the period of August 2002-August 2003:

- All Use of Force reports
- All Arrest Reports
- All Traffic Citations
- All Citizen Complaints and Internal Affairs files
- All reports which include injuries/medical treatment which occurred in relation to police action
- All Pursuit Reports
- All Stops and Searches of pedestrians and vehicles
- All Consent to Search reports
- Lawsuits and Civil Claims
- Training Records
- Hiring Policies/Procedures

¹ Source – US DOJ Civil Rights Division, Special Litigation Section, FAQ

Note - According to media reports throughout this investigation, the Department of Justice was also provided with hundreds of claims and thousands of pages of documents from local attorneys.

September 24-26, 2003 – DOJ conducted interviews with the Chief of Police, Police Command Staff, and other Department personnel and went on ride-alongs with line personnel.

October 1, 2003 – DOJ requested documents shipped to Washington D.C. Approximately 120 pounds of documents.

April 12, 2004 – Initial response from DOJ with suggested policy changes contained in a 19 page Technical Assistance letter.

April 27, 2004 – BPD Police Chief Eric Matlock responds to DOJ outlining proposed policy changes.

March 23, 2005 – BPD Memorandum sent to DOJ regarding actions taken to address April 2004 Technical Assistance letter received from DOJ.

May 5, 2005 – DOJ Attorneys interviewed BPD personnel regarding force issues involving police canines.

August 22, 2006 – DOJ requests to examine additional documents since policy changes were made. They include all Uses of Force reports, Officer Involved Shootings, Critical Incidents, and Pursuits from April 1, 2006 – June 30, 2006.

September 5, 2006 – Use of Force reports, Officer Involved Shootings, Critical Incidents, and Pursuit reports sent to DOJ.

January 8, 2008 – DOJ requests clarification of 3 remaining policy concerns involving Officer Involved Shootings, Rules of Conduct, and Community involvement in policy making. DOJ informs the department that there are no constitutional issues resulting from their investigation.

January 14, 2008 – BPD Police Chief Bill Rector responds to DOJ's remaining policy concerns.

January 25, 2008 – Final letter received from DOJ. The department is informed that all concerns have been addressed and the investigation is closed.

The Bakersfield Police Department as a result of this investigation made several policy changes. A brief summary of key policy changes is listed below.

Use of Force Manual and Reporting System – All use of force policies have been incorporated in to a comprehensive Force Manual.

Use of Chemical Agents – Policy wording has been revised regarding use distance and decontamination.

Shooting at Moving Vehicles – Policy wording was updated to clarify any ambiguity regarding shooting at moving vehicles.

Internal Affairs Investigation Policies – Officer Involved Shooting investigative protocols were clarified.

Canine Deployment – Revision in language used prior to release/deployment of a police canine and reporting method changes.

Many of the changes were as a result of the technical advice provided by DOJ; however, we have also been proactive in improving some of our methods based

upon lessons learned during our involvement with DOJ during the investigative process.

The Bakersfield Police Department seized every opportunity to cooperate with the DOJ, and looked critically at our processes, to improve our practices and methods of policing.

We would like to express our appreciation to the United States Department of Justice, Civil Rights Division, for their assistance and spirit of cooperation throughout the investigation.

This has been a difficult but beneficial process and we look forward to continuing to provide professional police service to the citizens of the City of Bakersfield.

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