

**INDEPENDENT POLICE AUDITOR'S  
SECOND REPORT - 2017**

**Presented to the Honorable City Council**

**City of Palo Alto**

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## **I. Introduction**

This report addresses materials received by the Independent Police Auditor (“IPA”) for review from the second half of 2017. It covers investigations by the Palo Alto Police Department (“PAPD”) that fall within the scope of our auditing responsibilities and that were completed by the end of the calendar year. There are four in all: two reviews of Taser deployments (both of which were deemed “in policy” by Department management) and two investigations into alleged officer misconduct (both of which resulted in findings that Department policy had been violated).

As usual, we offer a factual overview of the incident itself, as well as an assessment of the Department’s investigative process and case outcomes. Where relevant, we also include recommendations for the Department on a going-forward basis, based on specific issues arising from the cases themselves.

Prior to preparing this report, we had the opportunity to meet in person with PAPD’s new chief. He was just a few weeks into his new responsibilities at that point. Moreover, having come from a different agency in the area, he was understandably in the midst of a “learning curve” regarding the Department’s practices and personnel. Nonetheless, we found his initial priorities to be worthwhile – including the emphasis on an effective, sound roll-out for the Department’s body-worn camera program, which was due to launch in June of 2018.

Having presided over the beginning stages of body-worn camera deployment in his former agency, the Chief seems to recognize the advantages and potential pitfalls of the technology. We look forward to tracking PAPD’s progress in adapting to the cameras, and we will welcome the opportunity to utilize the ensuing recordings as a tool in our own monitoring of the Department.

## **II. Taser Cases**

### **Incident 1**

#### *Factual Overview:*

This case began as a call for service in a domestic violence incident. Officers responded to a large apartment complex just after midnight and found the reporting party/victim who had allegedly been punched and kicked by the partner. Based on the victim’s statements and physical evidence of an assault, the officers went to contact and arrest the subject pursuant to state law mandates.

The apartment in question was on the second floor, as accessed by a stairwell up to a narrow landing area. The officers put out radio traffic as to their whereabouts, made a simple plan amongst themselves for contacting the subject, and went upstairs. They found the door ajar, and

knocked and shouted commands several times without being acknowledged; then after several seconds, the subject turned a corner inside the apartment and rushed toward them. The subject then threw an open plastic bottle at one of the officers, splashing the officer with a liquid that turned out to be soda.

In response to this aggression, one of the officers activated his Taser. Apparently, only one of the two probes struck the subject, which meant that the five-second cycle did not incapacitate the subject. Instead, in close quarters and dealing with continued resistance from the subject, they both used baton strikes followed by a takedown to effectuate the arrest. The subject was treated by paramedics at the scene and then brought to the hospital, where the subject was cleared medically for booking.

*Outcome and Analysis:*

The Department followed its usual review protocol for a use of force involving a Taser: an assessment of recorded evidence, retrieval and evaluation of data from the Taser itself, and analysis of written reports from the involved officers.<sup>1</sup> The review package also included an interview of the battery victim: who not only provided details about the subject's mental state at the time of the incident but had also witnessed the encounter with the officers in the doorway from a vantage point on the street. Finally, the subject also provided a partial statement (before becoming angry with the interviewing supervisor) that corroborated the subject's own actions in the incident.

The Department determined that the use of the Taser, and the other force used by the officers to overcome the subject's resistance, was justified and in policy. This was based primarily on the subject's level of physical aggression and refusal to comply with repeated commands. We concur with this finding – with one exception that we discuss below.

The encounter itself was brief and marked by actions from the subject that were “erratic” and “very very physical,” per the witness description as well as the officers' accounts. The use of the Taser was justified under Department policy as a reaction to the startling act of throwing the open soda bottle, as well as the subject's size and hostile attitude– including a “fighting stance” and continued movement in the officers' direction. The subsequent baton strikes (five by one officer, one by the other) were also seemingly done in a controlled, purposeful way in an attempt to end the struggle. (The need for the strikes was precipitated in part by the ineffectuality of the Taser.)

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<sup>1</sup> In keeping with our established protocol as the city's Independent Police Auditor, we received copies of this evidence for our own evaluation. While the “in-car” camera systems of the officers' respective vehicles only featured one usable – and partial – visual angle on the encounter, there was a considerable amount of useful audio that was also recorded.

The officers' actions were competent and professional in many respects. Their demeanor was calm, even in the face of the subject's aggression and the precariousness of their position on the landing. One of them put out radio communications during the physical encounter itself; the information was clear and useful, and the delivery reflected an impressive poise that seemed to characterize their handling of the event. Once the individual was handcuffed, they moved appropriately into questions about the subject's well-being, and were not baited into a verbal conflict.

While these elements were commendable, and while we agreed with the Department's ultimate conclusions about the incident, we did note a couple of points that merit further discussion.

The first of these is the way in which background information about the subject – including the agitated and irrational state presented, the violent actions toward the domestic partner, and history of schizophrenia – seemed to have little influence on the officer's strategy for handling the call. Prompt engagement was obviously appropriate. However, as evident in the available recordings of the encounter, they were casual in their approach and initial communications at the door. They made no apparent effort to identify themselves, establish rapport or otherwise cultivate the subject's cooperation in surrendering peacefully. And once the physical struggle was (abruptly) underway, they gave loud, repeated, and unavailing commands for the subject to "Get on the ground!" – a standard, understandable reaction that was not necessarily well-suited to the subject's condition.

Dealing with mentally ill persons in crisis conditions is one of the genuine challenges that law enforcement faces. We also recognize that force applications are dynamic and inherently stressful, and that the officers ultimately had a need to defend themselves and subdue the subject's active resistance. Additionally, we reiterate that the arrest and attendant force was lawful, and that there were praiseworthy aspects of the officers' engagement with the subject. But we do wonder whether a different mindset at the beginning would have been useful in de-escalating or otherwise altering the context of the encounter, and perhaps preventing the force from being necessary.

The "holistic" approach to force review – which goes beyond policy considerations to look critically but constructively at all aspects of the incident – is one that we have long advocated. For an episode such as this one, an evaluation of interactions with subjects with a history of mental illness – with a focus on improving them through issue-spotting and training – falls into the category of useful collateral review. Indeed, this case seemed like a particularly good opportunity to explore how and whether specially tailored communications might have had a positive influence on the outcome here.

***Recommendation: The Department should incorporate formal and specific consideration of its protocols for dealing with subjects in possible mental health crises into its evaluation of relevant incidents.***

Our second point relates to the portion of the Department’s Taser (or “Conducted Energy Weapon”) policy that encourages “Verbal and Visual Warnings” prior to the weapon’s activation. The guidance has two stated purposes: to take advantage of a potential deterrent effect by giving the subject a chance to comply and make others – particularly nearby officers – aware of the possible imminent use. Importantly, the policy also has overt exceptions for situations when such warnings would “endanger the safety of officers” or when they are “not practicable due to the circumstances.”

In this case, the officer who activated his weapon did yell “Taser!” repeatedly. As the supervisor’s evaluation stated, and as confirmed by the recorded evidence, this occurred “contemporaneously” with the activation. If anything, this may have been useful for his partner, who was in close proximity, and it was clearly better than nothing as a verbalization. However, it also seemed too abrupt and close in time to the activation to meet the “deterrence” objective of the policy.

This is not a problem in our view. On the contrary, the circumstances of the encounter seemed like a clear example of a standard, pre-emptive warning being “not practicable.” What struck us as interesting, though, is the seeming reluctance of the officer and the supervisor to simply acknowledge that the exception to the warning requirement applied here.

Instead, in the officer’s report he characterizes his actions as “an attempt to give [the subject and the other officer] warning that I was going to deploy my conducted energy weapon.” And the supervisor’s review lists the repeated shouts of “Taser!” as a bullet point (without explanation or qualification) to support the use of force as “justified and reasonable” in light of Department policy. Based on the recorded evidence, we find this characterization inaccurate.

Again: we do not take issue with the use of the Taser here. Nor do we believe the lack of a conventional “verbal and visual” warning – one that might have afforded a chance to comply rather than occurring “contemporaneously,” was inappropriate to the circumstances of this case. Instead, our concern is that the effort to bring the officer’s actual performance into compliance with the letter of the main policy – as opposed to the applicable exception – seems objectively mistaken. The motivation for stretching the interpretation in this fashion is unclear, particularly in light of the legitimate excuse that the officer plainly had. In short, it was not needed to “protect” the officer from a policy violation, and therefore raises questions and concerns about how a more ambiguous set of facts might be characterized.

Accuracy and rigorous analysis are obviously key components to a meaningful force review process. While the discrepancy in this case was peripheral to the larger findings, it affords us the chance to encourage PAPD to scrutinize their rare Taser deployments with particular care.

***Recommendation: The Department should ensure that required policy elements are addressed thoroughly and objectively in the reporting and review process for force incidents involving the Taser.***

## **Incident 2**

### *Factual Overview*

On the date of the incident, PAPD received a call that a person matching a description of a bank robbery suspect was sighted in downtown Palo Alto. The bank robbery had occurred the day before and PAPD had placed a photograph in the local media. Officers responded and eventually observed an individual with three other men walking down a sidewalk. An officer approached the group and told the person that he matched the description of the suspect. After initially answering some preliminary questions, the man ran away from the two officers who first encountered him. The officers gave chase,<sup>2</sup> and after several steps the man lost his footing and fell. Officers caught up to the man as he was regaining his footing.

Officers attempted to use control holds to detain the man and ordered him to get on the ground and stop resisting, but he was actively pushing them away and attempting to flee. A third officer joined the effort. Eventually, the man was forced to the ground. A supervisor arrived to assist. As the man attempted to rise from his kneeling position with three officers on his back, one of the officers gave a verbal warning that he was going to use the Taser and then deployed the Taser in the man's lower back from a short distance. The Taser had little effect.

As the man continued to struggle, the officer decided to use the Taser in drive stun mode<sup>3</sup> further up the man's back in an effort to expand the device's "contact spread" and thereby achieve muscular incapacitation. The second application appeared to have more effect, and one of the officers was able to handcuff the man without further incident.

Paramedics were called to the scene, where the Taser probes were medically removed from his back. The man was cleared for booking at a local hospital.

### *Outcome and Analysis:*

Pursuant to its use of force protocol, this incident was reviewed by PAPD. The Department found all the force, including the use of the Taser, to have been in policy. PAPD noted that the man was actively resisting arrest for over a minute, and the officer had provided a verbal Taser warning prior to use. The control holds and use of body weight by other officers to bring the

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<sup>2</sup> To his credit, the initiating officer broadcast that he was in foot pursuit and asked for backup as he began to run after the man.

<sup>3</sup> "Drive stun" mode involves a direct application of the Taser itself to skin. If the initial darts emanating from the Taser strike the body too closely together, the small spread between contacts can diminish the effect on muscle control. In response, officers are advised to use the Taser in dry stun mode farther away on the body – while maintaining the initial contact points – to increase the strength of the circuit.

man under control was also found to be within policy. Based on our review of the incident, which included access to police reports, interviews, and body camera footage, we concur with PAPD's finding.

During its review, PAPD learned that the two Taser activations were for very brief periods of time. In fact, the man who was Tased advised that it had no effect on him.<sup>4</sup> The officer who deployed the Taser indicated that he was not able to maintain good contact with the Taser in dry stun mode and that he was concerned that his partners would be inadvertently and adversely impacted by the Taser. This accounts for the relatively minimal use of the weapon.

To its credit, PAPD also examined collateral issues surrounding the use of force incident. Regarding the officer who used the Taser, his warning was "I'm going to fucking tase you dude, right now, I'm going to fucking tase you". After applying the Taser, and while the man continued to resist, the officer said: "put your fucking hands behind your back, stop fighting."

PAPD recognized that while the officer's use of profanity under this circumstance was technically a violation of policy, it could be considered an understandable verbal tactic to gain the man's attention and compliance in a rapidly evolving confrontation. Based on this mitigating factor, the officer received minimal remediation.

After the man was handcuffed, the on-scene supervisor told him to: "shut your fucking mouth". PAPD concluded that while the man was being loud and drawing attention to the scene, there was no tactical advantage for the supervisor to use profanity in directing the man to be quiet. PAPD found that the supervisor's use of profanity was not representative of the professional standard of conduct expected of Department members.

PAPD also found that the sergeant had failed to test his mobile activated video system prior to going into service and that there was no video from his patrol car of the incident. Based on the use of profanity and failure to activate violations, the supervisor received more significant remediation measures.

The two conduct reviews – and their distinctive outcomes – illustrate the approach to profanity issues that many agencies take. They do so by exemplifying the difference between "tactical" or "strategic" use of language to achieve an effect (which is more accepted) and that which arises from simple frustration or loss of temper (which is less accepted). In the past, we have noted this explanation and expressed our concerns that the exception for calculated profanity could swallow the rule of prohibition established by the relevant policy. Accordingly, we are gratified to see the Department engaging in the analysis here and reaching appropriate conclusions.

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<sup>4</sup> Conscientiously, PAPD had an uninvolved supervisor interview the man about the force used on him.

We commend PAPD for addressing each of these issues and developing a remediation for the two involved personnel. Instead of waiting for a complaint to be received, the Department proactively identified sub-par conduct and addressed it. The sergeant's comment is more concerning, given that he is a supervisor and expected to be a role model to other on-scene officers; in this incident he fell far short of his expected role.

PAPD further noted that a different on-scene supervisor had been responsible for attempting to obtain a medical release authorization from the man but had failed to do so. The supervisor responsible for completing the use of force review<sup>5</sup> remediated the failure by bringing the policy requirement to the supervisor's attention and directing him to obtain medical release authorization in future Taser deployments as part of his supervisory duties.

Again, PAPD appropriately expanded its review to the investigation itself to ensure that gaps in protocols were addressed, with the goal of improving its future response.

In addition to the issues addressed by PAPD, our review identified the following:

#### No Contemporaneous Interview of Potential Eyewitnesses to the Use of Force

As noted above, three individuals were with the man who was initially arrested. While they were questioned about the man and their knowledge of his involvement in the bank robbery, and while the car in which they came to Palo Alto was searched, they were all eventually released without being asked about their observations of the force that they presumably witnessed. When PAPD attempted to recontact them about the force, all three failed to return calls.

In retrospect, it would have been prudent to interview the three individuals about the force as part of the initial encounter and questioning. This is especially true in light of their seeming disinclination to provide additional cooperation, in light of their relationship with the arrested individual.

***Recommendation: When dealing with percipient witnesses to force, the Department should incorporate questions about the force into any related encounter they may have with them for other reasons.***

#### Failure to Obtain Name of Witness During Canvass

After the man was secured, PAPD officers began identifying witnesses to the incident. According to the reports, one of the involved officers identified a witness and obtained her place of employment but did not include her name in the report. An effective witness canvass includes such information in preliminary reports to facilitate any subsequent contact.

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<sup>5</sup> To PAPD's credit, the Taser review was assigned to a second level supervisor since a supervisor used force during the incident; this avoided the challenges to objectivity and thoroughness that can attach from having direct peers review each other's performance.



***Recommendation: PAPD personnel should be briefed on the importance of obtaining complete witness identification during an initial witness canvass.***

### Reliance on Telephone Interviews

Several uninvolved eyewitnesses were interviewed about the force incident, but the interviews were conducted telephonically. Especially because of the dynamics and positioning involved in force incidents, in-person interviews are the preferred mode of obtaining information about them. Moreover, in the near future all PAPD officers will be outfitted with body-worn cameras so that a video account of the incident can be easily obtained.<sup>6</sup> In this case, the witnesses who were called were only a couple of blocks from the police station when they were interviewed telephonically. It would have been preferable for these interviews to occur in person.

***Recommendation: PAPD should inform its supervisors that they should conduct person video-taped interviews. In cases where such interviews are not feasible, the report should articulate the extenuating circumstances.***

## **III. Misconduct Investigations**

### **Case 1**

#### *Factual Overview:*

This case related to an off-duty incident that resulted in criminal charges against a Department officer. He was involved in a traffic collision with a parked car as he drove near his own home near noon on a weekday. Though the collision slightly damaged the other car as well as his own, the off-duty officer made no attempt to acknowledge the accident by leaving a note or otherwise contacting the owner – who turned out to be a neighbor.

The latter man noticed the damage to his car a few hours later. Though he identified some relevant damage to the officer's personal vehicle as well, he still was not certain about what had occurred. This was compounded when he went in person to contact the officer at his home, only to have the officer deny knowledge of the collision.

The victim of the accident eventually contacted the local police department (not Palo Alto), and officers responded. As part of their investigation, they contacted the subject in this case. He reiterated his lack of knowledge about the collision, and in fact described having heard a noise in the early morning that was consistent with his car being side-swiped.

A third neighbor proved to be a significant witness in the case. Without seeing the actual collision, he had observed erratic driving by the subject prior to the accident. Then he heard the

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<sup>6</sup> In fact, the PAPD investigator admitted that due to his mistake, one of the telephone interviews was not recorded.

collision from inside his house and went to a window to observe the aftermath. Finally, he saw the officer emerge from his personal vehicle, inspect the damage, and proceed to his own house in an unsteady fashion.

This information caused the investigating agency to re-contact the officer – whose clothes and physical features matched the description that the witness had provided. Nonetheless, he continued to deny having hit the car, and said he could not even remember having driven his own vehicle that day. Later that same day, he maintained this version through a third encounter with the policemen from the handling agency, who returned to the officer's home at his request, spoke with him for some fifteen minutes, and finally left without having gleaned any additional or useful information.

In spite of these denials, the physical evidence and testimony from the witness strongly suggested the officer's culpability. Other factors, however, combined to lessen his exposure to prosecution.

The first of these was the victim neighbor's reluctance to press charges against someone who lived next door; he instead simply sought to be reimbursed for the costs of repairing his vehicle. Furthermore, while there was evidence that suggested that intoxication may have been a factor in both the accident and the subsequent behavior, the gap in time between the collision and the first police contact with the officer precluded an effective investigation into that issue. Accordingly, the criminal case amounted only to a misdemeanor "hit and run" charge and did not involve an arrest.

Meanwhile, the Department had been tracking the case closely for purposes of administrative accountability. Supervisors were in prompt and detailed contact with the handling agency regarding its investigation, and two members of the PAPD command staff also went to the scene and interviewed the victim and witness for themselves in the days after the event.

On the day after the incident, the officer was placed on "administrative leave" by the Department pending the outcome of the criminal case. This meant he was barred from performing his duties but continued to receive his salary. In our experience, this is a rare step in Palo Alto, but it is a widely-accepted and utilized approach in law enforcement to address serious but unresolved issues of misconduct. It balances the officer's rights against the need to protect the Department and public in light of the problematic behavior being investigated.

The criminal allegation against the officer was ultimately settled through a negotiated plea deal. He pled guilty to an "infraction" (similar in scale to a traffic ticket) in connection with the accident, and the more serious charge was dismissed. He returned to full duty some five months after the incident.

Once the criminal case had reached the stage where its ultimate outcome was largely known, the Department moved forward with the administrative accountability issues. This included the

incident itself, as well as concerns about compliance with a policy that requires PAPD employees to “promptly and fully” report activities that may result in criminal prosecution. Although the officer had contacted a supervisor on the day of the collision, his version of events tracked the initial narrative that he had not been responsible for the accident.

The centerpiece of the Department’s remaining investigation was the interview with the officer. As with any internal investigation into misconduct, the officer was ordered to answer all questions fully and truthfully and with the recognition that the contents could not be used against him in the criminal case. Here, the questioning produced an acknowledgment of responsibility as well other as other information that put the behavior into a larger context of personal issues. The Department received assurance that these issues were being addressed, and that they would not pose a recurring problem in the officer’s personal or professional life.

*Outcome and Analysis:*

The Department found that the officer had violated policy by leaving the scene of the traffic accident without attempting to contact his neighbor or otherwise take responsibility. An additional and related policy violation – concerning “unbecoming” conduct that reflected poorly on the Department – was also sustained. Finally, the Department found that his inaccurate and incomplete notification to a supervisor in the aftermath of the incident was also a violation.

We concur with these findings. In doing so, we recognize that the scope of the actual misconduct was quite possibly greater and may well have included drunk driving and knowingly making false statements to the handling law enforcement agency. But the time gap between the accident and the discovery/response, as well as the victim neighbor’s preference for a non-criminal resolution, worked in the officer’s favor. Moreover, with regard to culpability for his subsequent interactions with police (as well as his initial denials to his neighbor), the impairment that he later acknowledged makes it difficult to assess blameworthiness.

In short, though the conduct is not acceptable, the “intent” analysis is understandably complicated – and potentially mitigated – by the employee’s impaired condition. The issues in this case stem from off-duty behavior that was both uncharacteristic for the employee’s history and attributable to larger wellness concerns. Accordingly, for the agency to address remediation in this case through the lens of the officer’s longer-term well-being is a valid and worthwhile approach. As long as the accountability component is also emphasized<sup>7</sup>, and the Department is working to ensure the continued suitability of the officer to perform his duties, then the goals of the discipline process are being met.

We were impressed with the rigor of the Department’s initial response. It took the time to investigate independent of the criminal review undertaken by the other agency, including

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<sup>7</sup> It is our understanding from Department executives that there was a significant disciplinary consequence.

separate interviews of involved civilian witnesses. And it coordinated well with the other department, which was collegial about sharing the results of its own work and the evidence it had accumulated (including body-camera footage of its encounters with the subject officer at his home).

We also noted the Department's willingness to explore questions about the actions of the supervisor who received the first notification from the officer on the night of the incident. That supervisor did not notify the chain of command per Department policy, and instead contacted a fellow sergeant who was both a personal friend of the subject officer – and a board member in the officers' labor association.

The supervisor was interviewed formally and provided a persuasive explanation for these decisions. The failure to notify a higher-ranking member of the Department had resulted from an understanding that the arresting agency had already contacted the PAPD Watch Commander – which was true. As for the outreach to a peer, this was based on a concern for the officer and a recognition that a friend's support might be welcome and needed; it was not intended to “involve the association” prematurely or as an obstacle to effective Department review.

While the outreach to a higher-ranking officer was still technically required, and while the supervisor received counseling to that effect, the Department determined that formal discipline was not warranted. We concur and note favorably that the “issue-spotting” in the case was thorough and effective.

We were slightly less impressed with the subject interview, which covered important ground but which in our view provided an overly generous forum for the officer to explain his circumstances. This included leading questions from both the Department's interviewers and the officer's attorney. Less robust was the inquiry into any concrete steps that had been taken regarding personal responsibility and outreach – either to the victim neighbor or to the police officers whom he repeatedly and adamantly misled on the day of the incident.

Our understanding is that the nature of the criminal proceedings – and the court's preferences regarding communication between the parties – may have impeded potential outreach as it pertained to the victim. However, some type of communication with the other law enforcement agency may have been a constructive gesture and a useful component to the administrative remediation in this case.

## **Case 2**

### *Factual Overview*

PAPD received a complaint in which an Explorer Advisor from another police agency alleged that a PAPD supervisor made an unwanted advance and attempted to kiss her while both were

working at an off-site law enforcement leadership school.<sup>8</sup> In addition, the complainant alleged that on multiple occasions while stationed at the camp, the supervisor consumed alcohol.

### *Outcome and Analysis*

Based on the resulting investigation, including the interview with the supervisor about interactions with the complainant, the case was sustained as to that aspect of the allegations, and the supervisor received remediation. The supervisor is no longer an Explorer Advisor.

Regarding the alcohol consumption allegation, the supervisor acknowledged that he and other Advisors regularly consumed alcohol after the students had turned in for the evening. The investigation further revealed that neither PAPD nor the camp had clear policies on whether alcohol could be consumed when its personnel were working as Explorer Advisors at the camp. The practice seemed to be that so long as one adult Advisor did not consume alcohol, other Advisors could do so after the end of the camp day. Due to this lack of clear guidance in policy, the alcohol consumption allegation against the PAPD supervisor was not sustained.

After discovering this gap in policy, PAPD began working to revise its Explorer Manual. As part of this revision, the policy will make clear that PAPD personnel are not to consume alcohol when working as Explorer Advisors, including when they are working at the law enforcement leadership school. While the policy has yet to be finalized, PAPD has agreed to provide the Independent Police Auditor a copy for review upon its completion.

An additional aspect of the leadership school was raised during the investigative interviews of the subject supervisor and other PAPD attendees. According to this narrative, certain PAPD personnel were selected to attend the school because of their military experience or their penchant for creating a high stress environment for the students. According to one person interviewed, a certain officer was recruited to participate because he was effective at “yelling” at the students.

In determining which South Bay Academy to send its recruit officers, PAPD’s preference has been to *not* use ones known for a “boot camp” model of indoctrination, but instead creates an environment that is more conducive to learning. If, in fact, PAPD Explorers are being exposed to a leadership environment that is facilitated by PAPD personnel and relies on a more confrontational approach, there would seem to be a disconnect between the Department’s Explorer experience at the leadership school and the Department’s overall learning philosophy. Further examination is in order.

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<sup>8</sup> The Explorer program and the affiliated leadership school provide an opportunity for high school age students to learn about policing and gain a leg up on future employment opportunities. During this leadership camp, one PAPD Explorer was in attendance, yet he had no knowledge of the allegations at issue.

***Recommendation: PAPD should review the statements of its officers interviewed in this investigation to determine how effectively the leadership school advances the educational tenets of the Department and take appropriate remedial action, if warranted.***