

## **PROCEDURAL HISTORY**

On February 7, 2023, the Public Safety Reform and Oversight Commission (PSROC) met for their monthly meeting. Inspired by the discovery of deputy gangs/cliques within the Los Angeles County Sheriff's Department (LASD), PSROC, through a motion and a vote, tasked its Accountability Committee (Committee) with investigating the existence and impact of "cliques" within the Santa Monica Police Department (SMPD).

On March 2, 2023, the Ad Hoc Accountability Committee met to address the task assigned by the full commission. From SMPD, Deputy Chief Darrick Jacob and Lt. Sal Lucio attended the meeting to brief the commission and answer questions.

The Committee met to answer the following questions:

- 1) Do cliques exist within SMPD?
- 2) Are measures in place to prevent the formation of cliques?
- 3) Are methods in place to detect whether cliques exist?

## **CLIQUES DO NOT EXIST WITHIN SMPD?**

California Penal Code 13670 defines Law Enforcement Gangs (LEG) as:

"Law enforcement gang" means a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating agency policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other officers who threaten or interfere with the activities of the group."

The Committee did not find any evidence of cliques/gangs within SMPD. It should be noted that SMPD was active in addressing the issue of gangs within law enforcement long before the public's much-publicized discovery of gangs within LASD. To this point, former SMPD Deputy Chief Venegas participated in a Police Officer Standards and Training (POST) approved and created a video on the issue of gangs in law enforcement and how to deal with them. POST establishes the standard and methods by which most police departments conduct their training.

LEGs most commonly arise in stations in communities of color and/or high-crime areas experiencing high gang activity. Officers within cliques tend to adopt the mentality of feeling under siege and feel at war with the community they police due to the power and prevalence of gangs.

Additionally, it was reported that, to the best knowledge of the guests, SMPD had never received complaints from within the department of bullying or improper conduct by LEG, nor have supervisors received reporting of their existence.

Unlike LASD, SMPD is a petite department. If a clique or a gang existed, hiding would be nearly impossible.

## **SMPD HAS METHODS IN PLACE TO PREVENT THE FORMATION OF CLIQUES**

At the most basic level, an officer participating in a LEG is grounds for termination. At a minimum, this slightly dissuades officers from creating or participating in a LEG.

For a clique to exist, the same law enforcement officers, including supervisors, must be static in the same unit for prolonged periods. It is only through this time that trust is developed to create a group comfortable enough with each other to engage in nefarious LEG activity.

Most SMPD officers rotate assignments throughout their careers. SMPD, specifically, rotates their sergeant's assignments routinely as a clique safety measure. Because no one is static, the comfort level of creating a clique is unlikely to establish the necessary roots.

LASD LEGs routinely don identifying tattoos or patches not created or approved by LASD. These are indicia of the gang's existence and a bond among its members. SMPD does not allow officers to have tattoos visible while on duty and prohibits officers from donning any patches not explicitly approved by SMPD. Also, when an officer is hired, all tattoos are recorded by the department, negating the possibility of a lateral transfer bringing LEG affiliation to SMPD.

## **SMPD HAS METHODS IN PLACE TO DETECT THE EXISTENCE OF LEGs**

One of the hallmarks of LEGs is the illegal and inappropriate use of force on the community they are sworn to serve. When an LEG member uses force excessively and/or illegally, often this officer is with another member of the same clique.

SMPD tracks all uses of force. Within this tracking is special attention to patterns. Is the officer consistently using force when partnered with another specific officer? Are the reports identical or frequently too consistent for comfort across multiple arrests? Are the victims often from the same group or population involved in the same crimes? All of the elements are signs of the existence of a LEG.

When an analysis of a use of force indicates an alarming trend, the Deputy Chief is alerted, who then orders the relevant captain and lieutenant to do a more in-depth look at all the officer's instances of force. A memo is then written and sent up through the chain. If a pattern were to arise indicating the existence of a LEG, action will be taken.

## **CONCLUSION**

There is no evidence of the existence of cliques within SMPD. Also, SMPD has measures in place to detect LEG/cliques formation and detect them quickly should they arise.