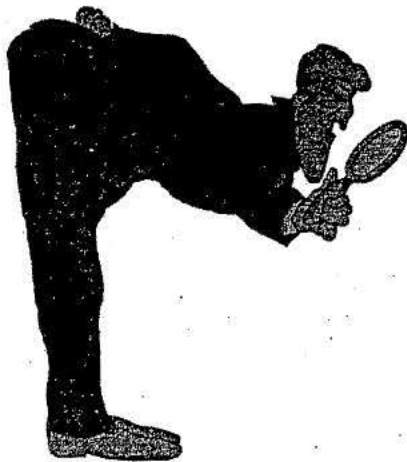


**Pursuant to Senate Bill 1421, enacted  
on January 1, 2019, a redacted version  
of this report is subject to disclosure per the  
California Public Records Act.**

17-000915



# INTERNAL AFFAIRS FILE

The following material is intended only for the use of the individual or entity to which it is addressed. It contains information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you should not read or otherwise review this material. Any use, dissemination or copying of this material is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return this original document.

**PLEASE RETURN TO:**

Internal Affairs Group, Administrative Records Section (213) 485-4152

COMPLAINT FORM

Statute Date: 04/16/2018

Investigative Complexity:

Masked: No

CF No.: 17-000915

Complainant(s)

Name: Department

Masked: No

DOB:

Residential

Address:

Gender/Descent:

Language:

Subj of Incident:

Injury:

Source: Department

Arrested: No

Method: Verbal (in person)

Booking No.:

Identification:

Phone: Business (213) 485-9081

Date and Location of Occurrence

Beginning/End Date: 04/15/2017 / 04/15/2017

RD / Area Division: 0395 / Southwest Area

Begin/End Time: 17:50 / 18:50

Cross Street 1:

Cross Street 2:

Address: 1546 West Martin Luther King Jr Boulevard Los Angeles California 90062

Accused Employee(s)

Name: Lozano, Louis - 35355, PO 2 SW

Masked: No

CRO

DOB:

Business Address:

Gender/Descent: Male / HIS

Length of Service: 17 Years 11 Months 5 Days

Assignment: FOOTBEAT

Injury: None

Duty Status: On Duty

Arrested: No

Phone: Business (213) 485-2582

Booking No.:

Name: Mitchell, Eric - 40169, PO 2 SW

Masked: No

CRO

DOB:

Business Address:

Gender/Descent: Male / BLK

Length of Service: 7 Years 10 Months 20 Days

Assignment: FOOTBEAT

Injury: None

Duty Status: On Duty

Arrested: No

Phone: Business (213) 485-2582

Booking No.:

Involved Person(s)

Name:

Masked:

Involved Person Type:

Address:

DOB:

Gender/Descent:

Subject of Incident:

Identification:

Phone:

Original  
DO NOT DUPLICATE

Brief Summary

Reported to Uninv

Uninvolved

Marmolejo, Patrick - 34416, SGT 1

Supervisor: 04/16/2017

Supervisor

SW PAT W2 DENB

Recorded By: Gomez, Jose - 33330, SGT 1 SW

Name:

Gomez, Jose - 33330, SGT 1 SW

PAT W2 DENE

Preliminary

PAT W2 DENE

IAG CLASS: Chain of Command

Investigator

Cross Reference:

04/15/17 Digital In-Car

16:09:12 40169 Video System

170415003470 COMM Div

Los Angeles Police Department

Complaint Review Report

COMPLAINT FORM

Statute Date: 04/16/2018

Investigative Complexity:

Masked: No

CF No.: 17-000915

Complainant(s)  
Date and Location of Occurrence  
Accused Employee(s)  
Involved Person(s)  
Brief Summary

35355

Incident No.  
Digital In-Car  
Video System

Supervisor Reviewing Serial No.	Area/Division	Complaint Type Disciplinary	Entity Investigating SW	Prima Facie No
---------------------------------	---------------	--------------------------------	----------------------------	-------------------



Statute Date: 04/16/2018

## COMPLAINT FORM

Masked: No

CF No.: 17-000915

## Preliminary Investigative Narrative:

On April 15, 2017, at approximately 1745 hours, Sergeant Gomez, Serial No. 33330, was assisting in the Watch Commander's office. A robbery in progress radio call was broadcast at [REDACTED] at the [REDACTED] at the [REDACTED] Inc [REDACTED]. The comments stated there were three male suspects, stealing merchandise and possibly fighting with security. The PR (security) heard fighting over her radio. About one minute after the call was broadcast, [REDACTED] (Captain Davenport) arrived at the robbery call and requested an air unit. Two other units responded to the call, 3L220 from the station and 3A58 from 39th/Walton. Both units responded Code 3.

Gomez noticed 3FB2 (Officers Lozano and Mitchell) were Code 6 on the Crenshaw corridor and requested over the radio if they could respond and assist [REDACTED]. Communications tried to raise 3FB2 over the air and there was no response. During this time, additional broadcasts came out that the robbery suspects were running inside the [REDACTED] and one suspect escaped and was attempting to flee. 3A57 then stated they were responding Code 3 from Figueroa/ Exposition. Gomez again asked if 3FB2 acknowledged and Communications replied they had not.

Gomez saw 3FB2 had gone Code 6 on their call on the Crenshaw corridor about one minute after [REDACTED] arrived at the [REDACTED]. Gomez responded to the Crenshaw corridor, requested 3FB2's location, and met them at Crenshaw and 43rd Place. Gomez spoke to both officers to ascertain what they were doing when the robbery call came out and the multiple broadcasts came out regarding other units responding. Lozano stated, "We heard the Captain had gone there." Mitchell responded by saying, "What were we doing before?" Gomez spoke to the officers about listening to the radio and Mitchell advised there was music in the park on Saturdays which made it hard to hear the radio.

On April 16, 2017, Gomez conducted a review of Lozano's and Mitchell's CAD Summary Report and their DICV. The officers were on a 415 group radio call from 1723 hours to 1752 hours at Crenshaw and MLK (Inc [REDACTED]). The call was dispo'd as GOA. The robbery call came out at 1750 hours. The officers then went Code 6 on the Crenshaw corridor at 1753 hours (Inc [REDACTED]).

When the robbery call came out, the officers' DICV showed their vehicle in the east/west alley just to the east of the [REDACTED]. Based on their conversation they appeared to be sitting inside the vehicle. Right after Captain Davenport went Code 6 at the [REDACTED] Officer Mitchell stated, "That's Davenport." Approximately ten seconds later, the officers' vehicle is seen reversing away from the [REDACTED] in the alley. When the officers reached a "T" in the alley, they turned southbound in the north/south alley that runs east of Crenshaw. Officer Mitchell asked Lozano, "You want to put us on the corridor?" Lozano replied, "Yeah, ha, ha." The DICV then captured Gomez requesting if 3FB2 could respond to the [REDACTED] to assist in the robbery call. Communications tried to raise 3FB2 with no success. Lozano stated, "Should we ask to see if there is a message? Maybe they want us to go over there and help out." Mitchell responded, "It's up to you senior." Lozano replied, "Ahh, screw it."

Based on the DICV, the officers were aware Captain Davenport was at a robbery in progress call and chose not to respond despite being parked directly across the street. The officers instead reversed in the alley, drove down another alley, and went Code 6 just a short distance away. One of the officers is observed exiting their vehicle and walking in the alley. It did not appear they were conducting any type of investigation. The officers also failed to acknowledge Communication's requests on the radio to reach them despite their statements that they realized there was a message for them.

Statute Date: 04/16/2018

**COMPLAINT FORM**

Masked: No

CF No.: 17-000915

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Los Angeles Police Department

Complaint Review Report

Statute Date: 04/16/2018

COMPLAINT FORM

Masked: No

CF No.: 17-000915

<input type="checkbox"/> PTC:	DR No.	Date of Traffic Collision	Fleet Safety History (Prior PTCs)	
			Last 5 Years	Career
<input type="checkbox"/> FTA:	Court Date	Court Case No.	FTA History (Sustained Only)	
			Last 5 Years	Career
<input type="checkbox"/> FTQ:	Qualification Month / Year	Reason	FTQ History (Sustained Only)	
		<input type="checkbox"/> Forgot <input type="checkbox"/> Shot and Failed	Last 5 Years	Career

Disciplinary

**Non-Disciplinary (Check the applicable box below)**

- POLICY/PROCEDURE** - The facts of the case revealed that the complaint relates to Department policy/procedure and not to a specific employee's actions.
- EMPLOYEE'S ACTIONS DID NOT RISE TO THE LEVEL OF MISCONDUCT** - A preliminary investigation revealed that the allegations did not rise to the level of misconduct and/or the named employee's actions were protected by law or found to be consistent with Department policy or procedure.
- EMPLOYEE'S ACTIONS COULD HAVE BEEN DIFFERENT** - The facts in the complaint revealed the employee's actions could have been different. However, the employee's act or omission is best addressed through corrective action by the employee's commanding officer. The corrective action(s) taken was: (Check all that apply)
  - COUNSELING
  - TRAINING
  - COMMENT CARD
  - NOTICE TO CORRECT DEFICIENCIES
  - REFERRAL
- DEMONSTRABLY FALSE** - The complaint was demonstrably false, or, demonstrates an irrational thought process and was consistent with the complainant's established pattern of making chronic or crank complaints.
- DEPARTMENT EMPLOYEE(S) NOT INVOLVED** - The preliminary investigation revealed that the complaint did not involve Department employee(s).
- RESOLVED THROUGH ALTERNATIVE COMPLAINT RESOLUTION (ACR)** - The complainant and the employee(s) resolved the complaint through ACR.

AREA / DIVISION COMMANDING OFFICER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> REFERRED FOR DISCIPLINARY CONSIDERATION	GROUP/BUREAU CO	<input checked="" type="checkbox"/> CONCUR	<input type="checkbox"/> DO NOT CONCUR
NAME (PLEASE PRINT)	RANK	AREA / DIV	NAME (PLEASE PRINT)	RANK	GROUP / BUREAU
<i>V. G. Gandy</i>	<i>SA</i>	<i>5121 W 65th</i>	<i>TINGRIDES DC</i>	<i>DC</i>	<i>OSB</i>
SIGNATURE / SERIAL NO.	DATE	DATE	SIGNATURE / SERIAL NO.	DATE	DATE
<i>[Signature]</i>	<i>2/02</i>	<i>12/13/17</i>	<i>[Signature]</i>	<i>22519</i>	<i>1/3/18</i>

JODI K. GONDA  
a Law Corporation

209 W. ALAMEDA AVENUE  
SUITE 202  
BURBANK, CA 91502

TELEPHONE (818) 840-0240  
FACSIMILE (818) 840-0264  
E-MAIL: jkgondal@att.net

*[Handwritten signature]*  
*3-1-18*

January 12, 2018

TO: Charlie Beck, Chief of Police

FROM: Jodi K. Gonda, Attorney at Law, on behalf of Police Officer II Louis Lozano,  
Serial No. 35355, Southwest Patrol Division

SUBJECT: SKELLY RESPONSE TO COMPLAINT INVESTIGATION - CF NO.17-000915

Chief Beck:

Police Officer II Louis Lozano was served with a Notice of Proposed Disciplinary Action on December 13, 2017 and given the opportunity to respond either orally or in writing by January 13, 2018.

The following is Officer Lozano's Skelly Response.

Officer Lozano was charged with [redacted] allegations of misconduct.

**Allegation No. 1** - The Department alleges that on April 15, 2017, Officer Lozano, while on-duty and available, failed to respond and assist a Commanding Officer with a robbery in progress radio call.

**Allegation No. 6** - The Department alleges that on April 15, 2017, Officer Lozano, failed to properly listen to the radio resulting in multiple summons to reach him.

[redacted]

**Allegation No. 11** - The Department alleges that on April 15, 2017, Officer Lozano, while on-duty was playing Pokemon Go while on patrol in his police vehicle.

**Allegation No. 13** - The Department alleges that on April 15, 2017, Officer Lozano, while on-duty, made a misleading statement to Sergeant Gomez when asked why he did not hear the radio.

Charlie Beck, Chief of Police  
Skelly Response to CF No. 17-000915  
January 12, 2018  
Page 2

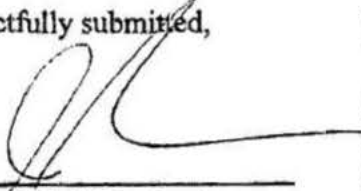
**Allegation No. 14** - The Department alleges that on October 20, 2017, Officer Lozano, while on-duty, made false statements to a Department supervisor during a complaint investigation.

The Commanding Officer's Adjudication recommended Allegation Nos. 1, 6, 11, 13 and 14 be classified as SUSTAINED with penalty recommendation of a directed Board of Rights.

Due to the nature of the allegations, Officer Lozano will address them at his Board of Rights.

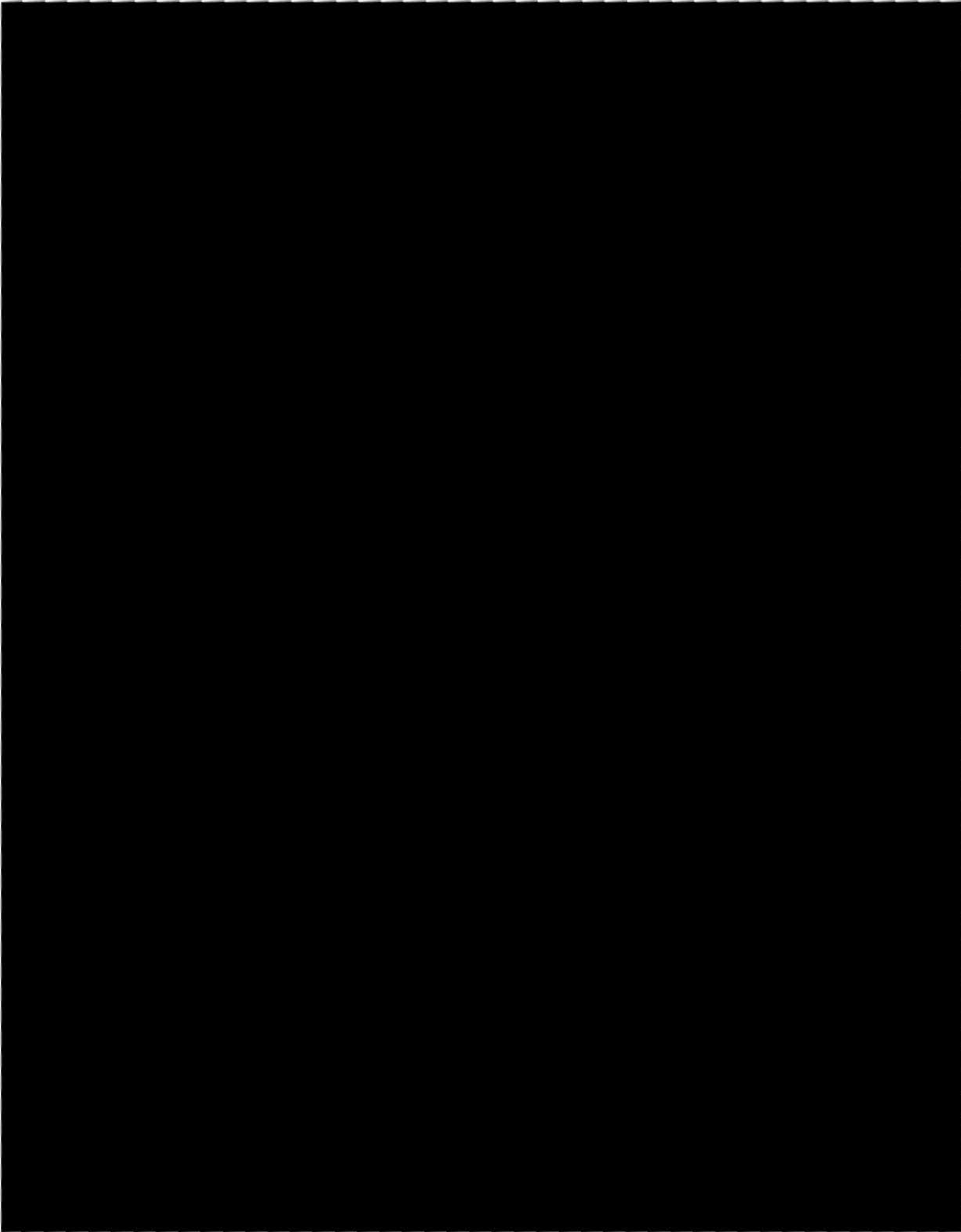
Respectfully submitted,

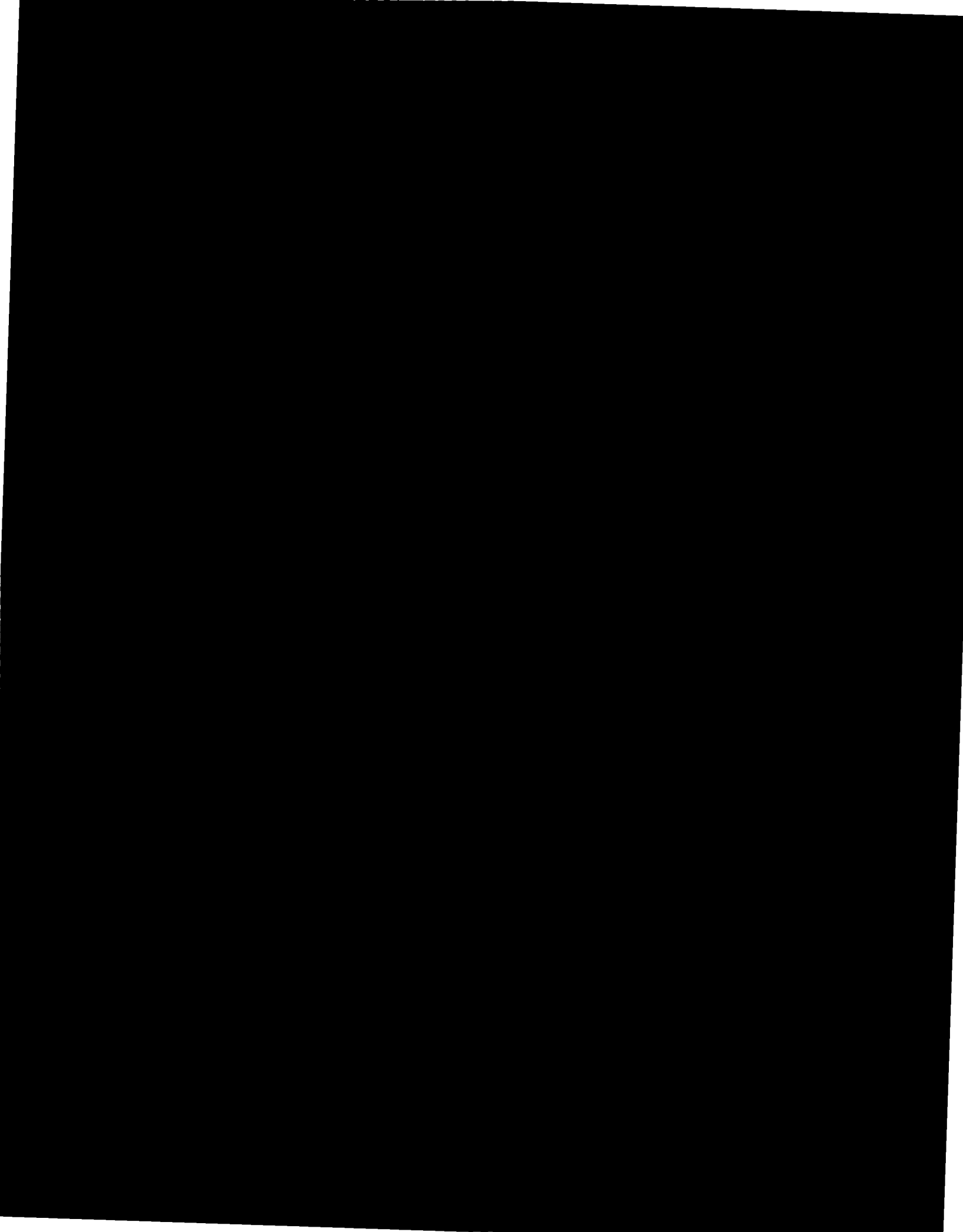
By: \_\_\_\_\_

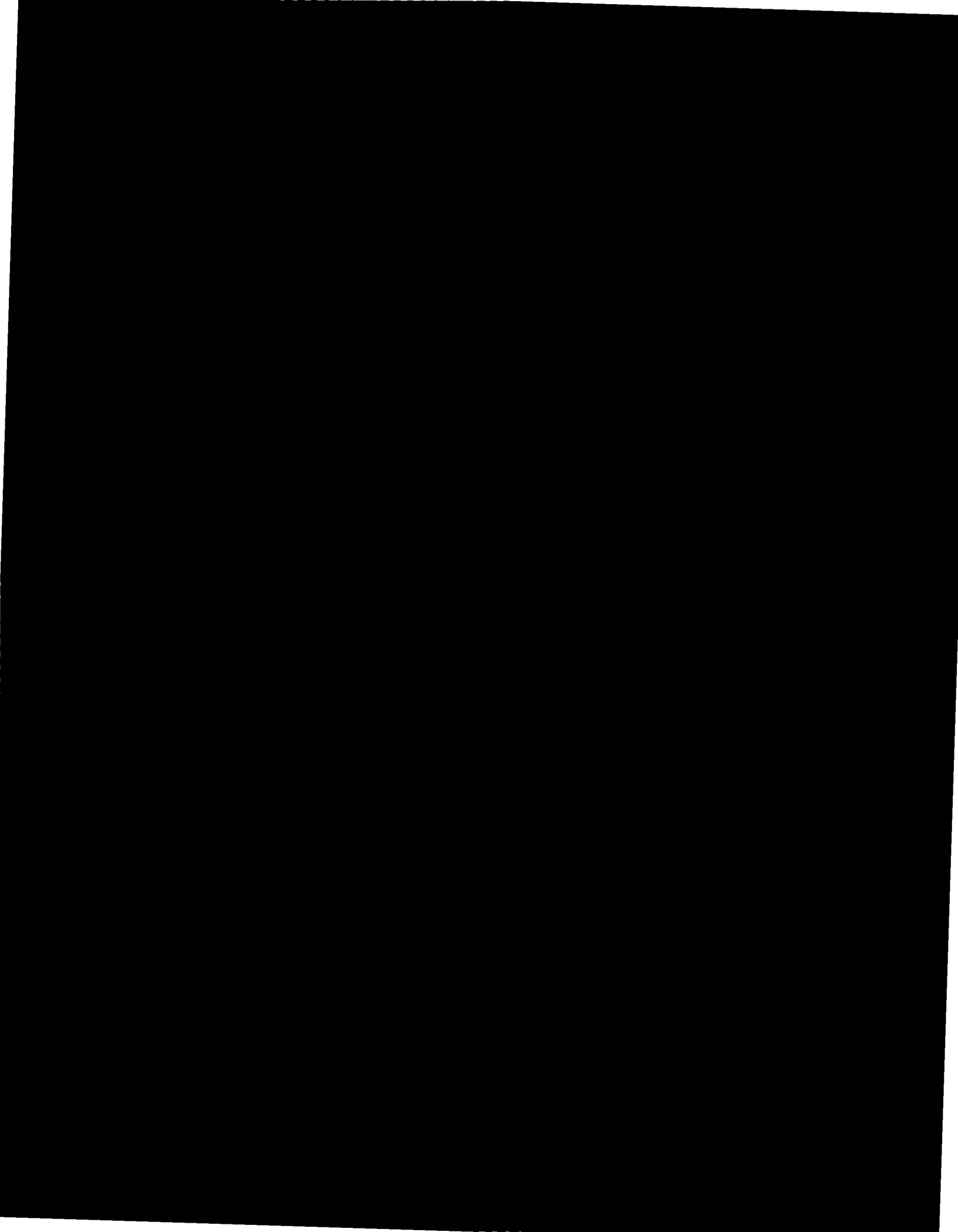


Jodi K. Gonda

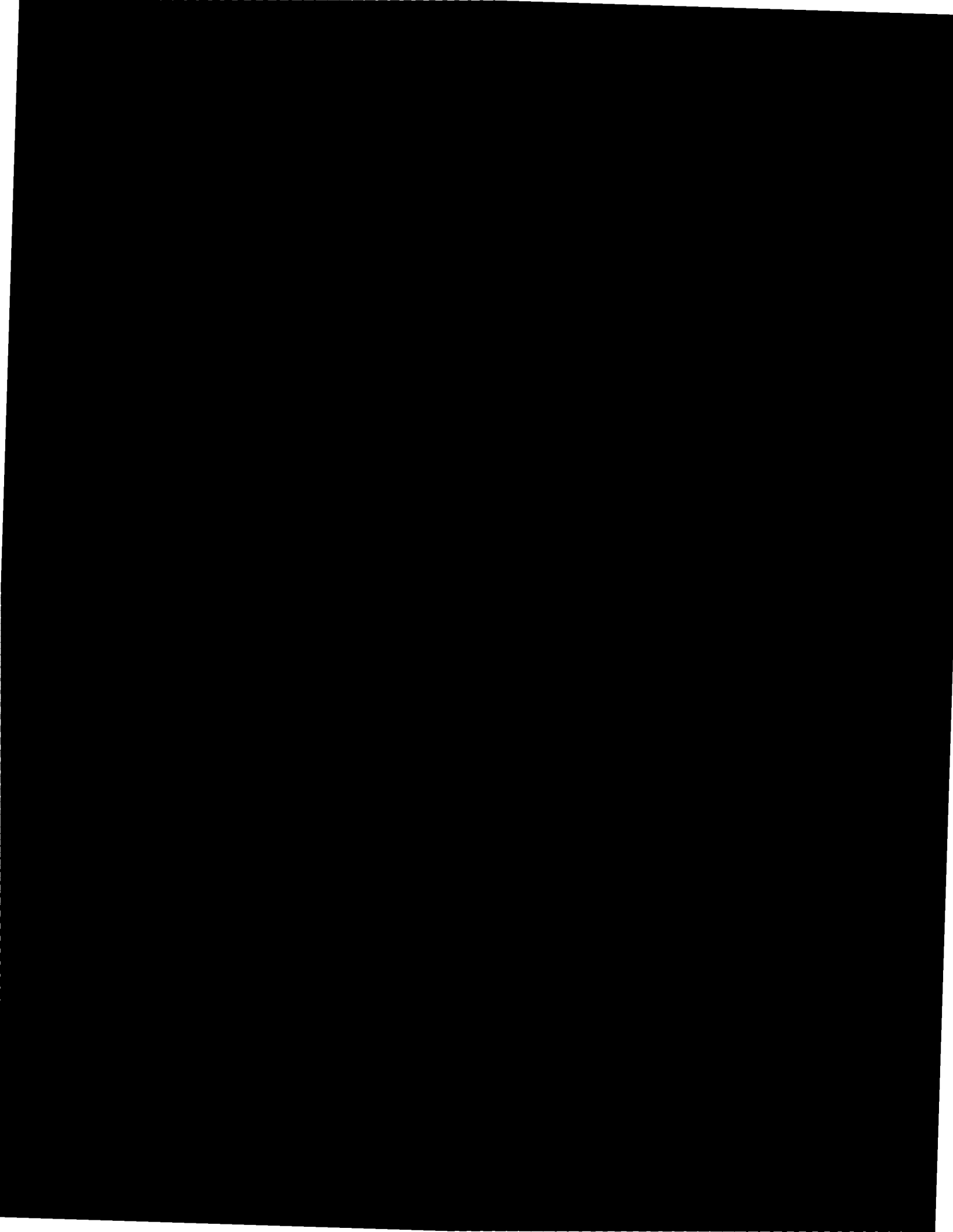
Attorney for Louis Lozano











JODI K. GONDA  
a Law Corporation

209 W. ALAMEDA AVENUE  
SUITE 202  
BURBANK, CA 91502

TELEPHONE (818) 840-0240  
FACSIMILE (818) 840-0254  
E-MAIL: jkgondal@att.net

January 12, 2018

*Handwritten signature and date:*  
3-1-18

TO: Charlie Beck, Chief of Police  
FROM: Jodi K. Gonda, Attorney at Law, on behalf of Police Officer II Eric Mitchell,  
Serial No. 40169, Southwest Patrol Division  
SUBJECT: SKELLY RESPONSE TO COMPLAINT INVESTIGATION - CF NO.17-000915

Chief Beck:

Police Officer II Eric Mitchell was served with a Notice of Proposed Disciplinary Action on December 13, 2017 and given the opportunity to respond either orally or in writing by January 13, 2018.

The following is Officer Mitchell's Skelly Response.

Officer Mitchell was charged with [redacted] allegations of misconduct.

**Allegation No. 2** - The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty and available, failed to respond and assist a Commanding Officer with a robbery in progress radio call.

**Allegation No. 3** - The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty, made a false statement to a Department supervisor when he said that he did not hear the radio call.

**Note:** Allegation 3 should be re-framed as, "The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty, made a misleading statement to Sergeant Gomez when asked why he did not hear the radio.

**Allegation No. 7** - The Department alleges that on April 15, 2017, Officer Mitchell, failed to listen to the radio resulting in multiple summons to reach him.



**Allegation No. 12** - The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty was playing Pokemon Go while on patrol in his police vehicle.

Charlie Beck, Chief of Police  
Skelly Response to CF No. 17-000915  
January 12, 2018  
Page 2

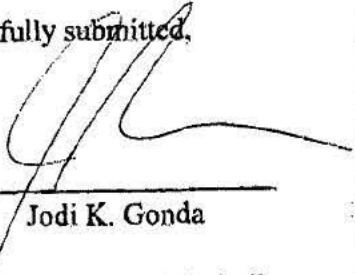
**Allegation No. 15** - The Department alleges that on October 20, 2017, Officer Mitchell, while on-duty, made false statements to a Department supervisor during a complaint investigation.

The Commanding Officer's Adjudication recommended Allegation Nos. 2, 3, 7, 12 and 15 be classified as SUSTAINED with penalty recommendation of a directed Board of Rights.

Due to the nature of the allegations, Officer Mitchell will address them at his Board of Rights.

Respectfully submitted,

By:



Jodi K. Gonda

Attorney for Eric Mitchell

Los Angeles Police Department  
Complaint Adjudication Form

09/26/2017 <== Date on the IAG, ARS-Communication Slip, or on the chain of command investigation (Manual Section 3/824). CF No. 17-000915

EMPLOYEE:  Multiple Employees  
LAST NAME, FIRST M.I. Lozano, Louis  UNKNOWN SERIAL NO. 35355 RANK AT TIME OF INCIDENT P.O. 2 AREA/DIV. AT TIME OF INCIDENT Southwest DUTY STATUS  ON  OFF ARRESTED  YES  NO

ASSIGNMENT TYPE AT TIME OF INCIDENT  PATROL  AREA DETECTIVE  ADMIN/COVETED  SPECIALIZED DIV  UNIFORM GED COMPLAINANT (LAST NAME, FIRST, M.I.)  DEPARTMENT

ADJUDICATION SUMMARY: Enter allegation number(s) under the respective dispositions. Check Military endorsement for the disposition recommended.

	DISPOSITION	PENALTY	
		Discharge or Term on Probation	BOR
	SUSTAINED		
Division Commanding Officer		<input type="checkbox"/>	<input type="checkbox"/>
Area Commanding Officer	1, 6, 11, 13, 14	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Group Commanding Officer		<input type="checkbox"/>	<input type="checkbox"/>
Bureau Commanding Officer	1, 6, 11, 13, 14	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chief of Police		<input type="checkbox"/>	<input type="checkbox"/>

PENALTY RATIONALE: (Explain, if recommended) findings and penalty recommendation.)

[Large empty area for Penalty Rationale]

Continued on back

DIVISION COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE EMPLOYEE'S SIGNATURE (ADMONISHMENT ONLY) SERIAL NO. DATE

GROUP/AREA COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE 25012 12/13/17  Concur  Military Endorsement (See back page.)

BUREAU COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE 22519 1/3/18  Concur  Military Endorsement (See back page.)

FINAL DEPARTMENT ACTION: C/O - BOR - G - REMOVAL EFF: 4-7-18 - NO REPLY (COP 3-1-18) (SC27373 11-9-18)

CSC OVERULE  BOR - GUILTY (Counts: )  BOR - NOT GUILTY (Counts: )

NAMED EMPLOYEE (LAST NAME, FIRST, MI)

Lozano, Louis

UNKNOWN

CF No.

17-000915

**EMPLOYEE INTERVIEW**

**EMPLOYEE INVESTIGATION REVIEW**

Other than Sustained, Admonishments, or Official Reprimand

This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You have the opportunity to review the completed investigation, including the letter of transmittal, and to make a written response. Any such response must be in writing and submitted to the commanding officer listed on the front of this form with 30 calendar days of this service. Thirty days from that date will be:

[Empty box for response]

**NOTICE OF PROPOSED DISCIPLINARY ACTION**

Notice of Proposed Disciplinary Action

This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You are hereby notified that I am proposing to the Chief of Police that you receive the penalty specified on the front of this form for the allegations sustained in the findings, which are attached to this form. You have an opportunity to respond orally or in writing by:

1/13/2018

Your response will be reviewed by the Chief of Police for evaluation prior to adjudication of this matter.

The employee shall initial the boxes that apply:

- I have received a copy of the investigation materials.
- I have waived my right to receive a copy of the investigative material.
- I was informed of my right to representation prior to discussing this matter.

- I intend to submit a response.
- I do not intend to submit a response.
- I have received documentation regarding my fitness and suitability to perform the duties of my position (civilian employee).

I have discussed this matter with the employee.

Your signature acknowledges receipt of materials, but does not indicate concurrence with my recommendations.

DIVISION COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE

EMPLOYEE'S SIGNATURE

SERIAL NO. DATE

*[Handwritten Signature]*

2612 12/13/17

*[Handwritten Signature]*

35355 12/13/17

C/O'S RESPONSE TO EMPLOYEE:

Date response received:

- No employee response was submitted by the date specified.
- After reviewing the employee's response, I found no new information to cause me to change my recommended findings and/or penalty.
- A review of the employee's response has caused me to take the following actions: (See below).

See continuation page.

MILITARY ENDORSEMENT RATIONALE:

[Unreadable]

Los Angeles Police Department  
Complaint Adjudication Form

09/26/2017 <== Date on the IAG, ARS-Communication Slip, or on the chain of command investigation (Manual Section 3/824). CF No. 17-000915

EMPLOYEE:  Multiple Employees  
LAST NAME, FIRST M.I. Mitchell, Eric  UNKNOWN SERIAL NO. 40169 RANK AT TIME OF INCIDENT P.O. 2 AREA/DIV. AT TIME OF INCIDENT Southwest DUTY STATUS  ON  OFF ARRESTED  YES  NO  
ASSIGNMENT TYPE AT TIME OF INCIDENT  PATROL  AREA DETECTIVE  ADMIN/COVETED  SPECIALIZED DIV  UNIFORM GED COMPLAINANT (LAST NAME, FIRST, M.I.)  DEPARTMENT

ADJUDICATION SUMMARY: Enter allegation number(s) under the respective dispositions. Check Military endorsement for the disposition recommended.

		PENALTY	
		Discharge or Term on Probation	BOR
	SUSTAINED		
Division Commanding Officer		<input type="checkbox"/>	<input type="checkbox"/>
Area Commanding Officer	2,3,7, 12	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Group Commanding Officer		<input type="checkbox"/>	<input type="checkbox"/>
Bureau Commanding Officer	2,3,7, 12,15	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chief of Police		<input type="checkbox"/>	<input type="checkbox"/>

PENALTY RATIONALE: (Explain, if recommendation deviates from Penalty Guide.)  PTC (See attached Form 1.13 for findings and penalty recommendation.)

[Large empty area for Penalty Rationale]

Continued on back

DIVISION COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE EMPLOYEE'S SIGNATURE (ADMONISHMENT ONLY) SERIAL NO. DATE  
GROUP/AREA COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE 25012 12/13/17  Concur  Military Endorsement (See back page.)  
BUREAU COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE 20519 11/3/18  Concur  Military Endorsement (See back page.)

FINAL DEPARTMENT ACTION  
Internal Affairs Group Use Only  
C/O - BOR - G - REMOVAL EFF: 4-7-18 - NO REPLY (COP 3-1-18) (SC27373 11-9-18)  
 CSC OVERULE  BOR - GUILTY (Counts: )  BOR - NOT GUILTY (Counts: )

NAMED EMPLOYEE (LAST NAME, FIRST, MI)

Mitchell, Eric

UNKNOWN

CF No.

17-000915

**EMPLOYEE INTERVIEW**

**EMPLOYEE INVESTIGATION REVIEW**

Other than Sustained, Admonishments, or Official Reprimand

This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You have the opportunity to review the completed investigation, including the letter of transmittal, and to make a written response. Any such response must be in writing and submitted to the commanding officer listed on the front of this form with 30 calendar days of this service. Thirty days from that date will be:

[Empty box for response date]

**NOTICE OF PROPOSED DISCIPLINARY ACTION**

Notice of Proposed Disciplinary Action

This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You are hereby notified that I am proposing to the Chief of Police that you receive the penalty specified on the front of this form for the allegations sustained in the findings, which are attached to this form. **You have an opportunity to respond orally or in writing by:**

1/13 / 2018 2018

Your response will be reviewed by the Chief of Police for evaluation prior to adjudication of this matter.

The employee shall initial the boxes that apply:

- I have received a copy of the investigation materials.
- I have waived my right to receive a copy of the investigative material.
- I was informed of my right to representation prior to discussing this matter.

- I intend to submit a response. **or**
- I do not intend to submit a response.
- I have received documentation regarding my fitness and suitability to perform the duties of my position (civilian employee).

I have discussed this matter with the employee.

Your signature acknowledges receipt of materials, but does not indicate concurrence with my recommendations.

DIVISION COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE  
*[Signature]* 25017 12/13/17

EMPLOYEE'S SIGNATURE SERIAL NO. DATE  
*[Signature]* 40169 12/12/17

C/O'S RESPONSE TO EMPLOYEE:

Date response received: [Empty box]

- No employee response was submitted by the date specified.
- After reviewing the employee's response, I found no new information to cause me to change my recommended findings and/or penalty.
- A review of the employee's response has caused me to take the following actions: (See below).

See continuation page.

MILITARY ENDORSEMENT RATIONALE:

See continuation page.



**LETTER OF TRANSMITTAL**  
**CF NO. 17-000915**  
**COMMANDING OFFICER'S ADJUDICATION**

The completed complaint investigation was received on December 5, 2017.

**ADJUDICATION**

Department Complaint

Personnel Complaint Investigation, CF No. 17-000915 alleged [REDACTED] allegations of misconduct against two Department employees:

Police Officer II Louis Lozano  
Serial No. 35355

Southwest Area

Police Officer II Eric Mitchell  
Serial No. 40169

Southwest Area

**ALLEGATION 1. The Department alleges that on April 15, 2017, Officer Lozano, while on-duty and available, failed to respond and assist a Commanding Officer with a robbery in progress radio call.**

**Note:** Allegation 1 should be re-framed as, "The Department alleges that on April 15, 2017, Officer Lozano, while on-duty, failed to respond to a robbery-in-progress radio call."

**ALLEGATION 2. The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty and available, failed to respond and assist a Commanding Officer with a robbery in progress radio call.**

**Note:** Allegation 2 should be re-framed as, "The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty, failed to respond to a robbery-in-progress radio call."

**CLASSIFICATION**

It is recommended that Allegations 1 and 2 be classified as **SUSTAINED**.

**RATIONALE**

At 1750 hours, a robbery-in-progress radio call was broadcast at the [REDACTED] in the [REDACTED] [REDACTED]. The suspects were three males, possibly fighting with security. Ten seconds after the call was broadcast, Captain Davenport went Code 6 at the location and requested an Air Unit. Officers Lozano and Mitchell were sitting in their car, in the east/west alley, across the street from the location when the call came out. The officers did not realize their Digital In-Car Video (DICV) was activated.



Six seconds after Davenport's broadcast, Mitchell said, "That's Davenport." The radio call and Davenport's broadcast were clearly heard on Lozano's and Mitchell's DICV. Lozano asked Mitchell, "We're not Code 6, are we?" Mitchell said something that sounded like, "We are," and Lozano stated, "On the corridor or at this corner?" Mitchell replied, "At this corner." Lozano groaned. Mitchell then stated, "We're still on that call (415 group, Incident [REDACTED])." Lozano groaned again and one of the officers mumbled, "I don't want to be here now." Lozano stated, "You wanna put us on the corridor?" Mitchell said, "Yeah," and Lozano chuckled. Lozano then said, "I didn't know we were still on this call."

Communications Division (CD) asked if there was any unit to respond for [REDACTED] (Davenport) for the "211 in progress." Unit 3L220 said he was responding. Lozano then said, "I don't want to be his help," and further added as if he were imitating Davenport, "Like, is the FB unit around here? Can you have them respond?" Unit 3A58 broadcast they were responding as the primary from [REDACTED] and Unit 3L220 stated he was responding from Southwest Station. Both units were responding Code 3 and this was broadcast over the frequency. These two starting locations are several reporting districts to the east of the [REDACTED] and much further away than Lozano and Mitchell, who were parked across the street from the call.

As the officers were talking with each other, their vehicle started slowly driving in reverse, eastbound in the east/west alley, away from the [REDACTED]. Their vehicle then turned southbound at the "T" in the alley, into the north/south alley (driving forward). The officers then changed their status and put themselves Code 6 on the "Crenshaw Corridor \*UFN\*." Lozano and Mitchell drove southbound in the alley, stopped their vehicle in the alley south of Stocker Street and appeared to initiate contact with someone for being in possession of alcohol. During this time, CD was requesting an Air Unit for the robbery-in-progress at the [REDACTED]. CD also advised the suspects had completed the robbery and had left the [REDACTED] but were now back inside. Lozano and Mitchell disregarded these broadcasts and spoke with another unknown person in the alley about a restraining order. CD made a further broadcast that there was one outstanding suspect and the Air Unit requested units at the [REDACTED] switch to simplex. The robbery call was active and in progress while Lozano and Mitchell stayed in the north/south alley just east of Crenshaw Boulevard. The officers were approximately a block from the call.

CD continued to broadcast updates regarding the suspects and the Air Unit could be heard flying overhead in the officers' DICV. Unit 3A57 broadcast they were responding to the location Code 3 from Figueroa and Exposition, which is on the far east end of the division. Several seconds later, approximately 13 minutes after the call had been initiated, Unit 3L220 broadcast there was a Code 4 and suspects were in custody.

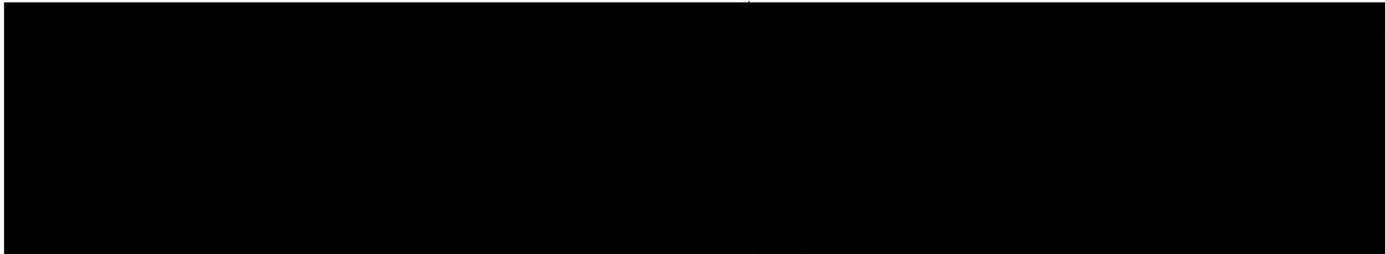
Lozano and Mitchell were across the street from the [REDACTED] when the robbery-in-progress radio call was broadcast. They were in an ideal position to respond to the call and provide immediate assistance. It was broadcast the suspects were possibly fighting with security. The officers made no effort to respond to the location to assist them. Lozano and Mitchell also heard Davenport go Code 6 at the location and discussed this but still did not respond to assist. Lozano commented on DICV, "I don't want to be his help." There were no other units at scene

with Davenport and two units from across the division were responding Code 3. Lozano's and Mitchell's words and actions showed they were unconcerned with the safety of the [REDACTED] security officers, their Commanding Officer and other Southwest officers who were responding Code 3 from a distance away. Lozano and Mitchell then chose to exit the area by reversing down the alley, ostensibly so they would not be seen. They cleared the call they had been sitting on for 17 minutes (a 415 group) and quickly put themselves Code 6 on the Crenshaw corridor until further notice.

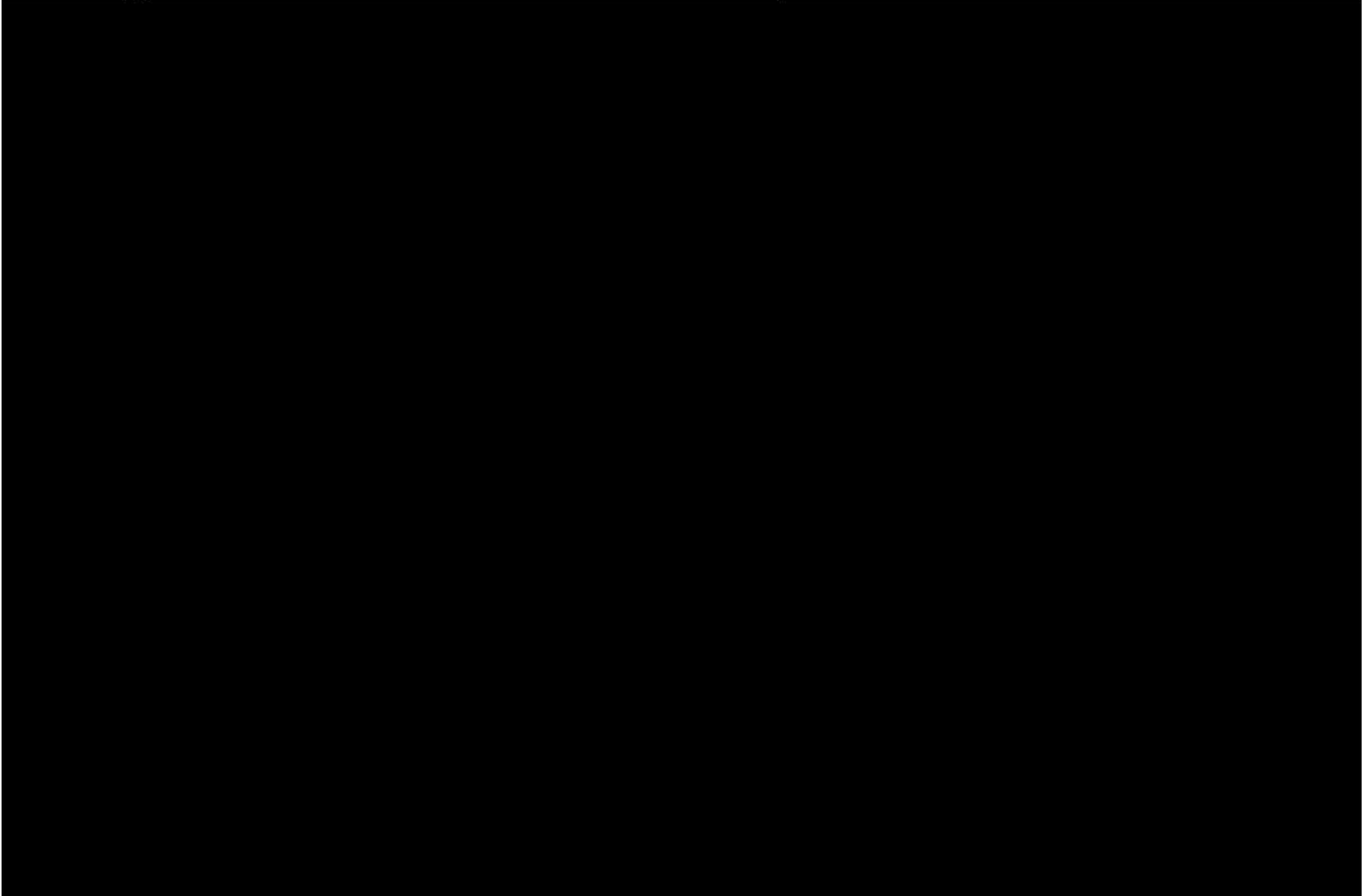
Lozano's understanding of his responsibilities as a foot beat officer was to handle the corridor from MLK Boulevard to Vernon Avenue and Leimert Park, along with one street west and east of Crenshaw Boulevard. Lozano did not believe the [REDACTED] was included. Mitchell said he was advised by previous and current Southwest Captains, including Commander Woodyard and Captain Sands, that the foot beat was not to respond to any radio calls unless activated by the Watch Commander. Mitchell's understanding of his responsibilities was only to respond to a call if it was an emergency, such as a help or back-up call, and only if it was south of MLK Boulevard and north of Vernon Avenue on Crenshaw Boulevard.

Davenport was unaware of any direction given to the officers advising them not to respond to an emergency call if they were in the area. Davenport added he has put pressure on the foot beat officers to be more engaged with the criminal activity along the Crenshaw corridor. Woodyard stated the direction given to the foot beat units was to engage both the community and the businesses along the Crenshaw corridor as well as Leimert Park, which included the [REDACTED]. Lozano and Mitchell were never instructed to stay on the east side of the corridor only. The Operational Plan for the Crenshaw corridor broke the foot beat area into three areas: Area one: Leimert Plaza Park/ Leimert Park Village, Area two: Crenshaw Corridor and Area three: Baldwin Hills Crenshaw Plaza/Baldwin Village. Area three included the [REDACTED] and there was nothing in the Operational Plan that stated the foot beat officers were not to handle radio calls.

Lozano and Mitchell showed extreme and careless disregard for the safety of the community, their Commanding Officer and other Southwest officers by failing to respond to a robbery-in-progress call occurring across the street from their location. Backing their vehicle away from the call in the alley was clearly an attempt to drive away from the location without being seen, otherwise the officers would have just driven forward out of the alley onto Crenshaw Boulevard. This, however, would have put them in clear sight of the robbery-in-progress call making it more difficult to avoid the call. The officers' statements to each other while they were backing away from the call also clearly showed they had no interest in assisting. Based on the investigation, it is recommended Allegations 1 and 2 be classified as **SUSTAINED**.







**ALLEGATION 6. The Department alleges that on April 15, 2017, Officer Lozano, failed to properly listen to the radio resulting in multiple summons to reach him.**

**Note:** Allegation 6 should be re-framed as, "The Department alleges that on April 15, 2017, Officer Lozano, while on-duty, failed to respond over the radio when his unit was called."

**ALLEGATION 7. The Department alleges that on April 15, 2017, Officer Mitchell, failed to properly listen to the radio resulting in multiple summons to reach him.**

**Note:** Allegation 7 should be re-framed as, "The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty, failed to respond over the radio when his unit was called."

**CLASSIFICATION**

It is recommended that Allegations 6 and 7 be classified as **SUSTAINED**.

### **RATIONALE**

At 18:02:40 on the DICV, Sergeant Gomez can be heard over the air saying something about a "211 in progress," but his transmission was partially stepped on. Immediately after, the Radio Telephone Operator (RTO) broadcast, "3FB2, 3FB2, come in." Lozano and Mitchell appeared to be sitting inside their vehicle in the north/south alley just east of Crenshaw Boulevard, talking with individuals who were outside of their car. They did not respond to the RTO. Music could be heard from an unknown location, but the volume was not high. The RTO's broadcast requesting 3FB2 was clearly heard on the officers' DICV.

At 18:04:13, Gomez asked, "3L90, did 3FB2 respond...acknowledge?" CD advised, "3L90, negative." Both officers heard this broadcast and stated, "For what?" Lozano then stated, "Should we ask if there's a message? Should we get them on the air and ask if they have a message?" Lozano chuckled and stated, "Maybe they want us to go over there and help out." Lozano then groaned. Mitchell stated, "It's up to you. What do you think?" Lozano stated, "I don't want to make them think we're not paying attention to the radio." Mitchell replied, "It's up to you senior." Lozano's reply was muffled and hard to hear, but it sounded as if he said, "Ah, screw it now." The officers did not get on the air to inquire why 3L90 was trying to reach them despite clearly realizing 3L90 was inquiring about them.

Although Gomez's initial inquiry on the radio was partially stepped on, he asked if 3FB2 responded two minutes later. Lozano and Mitchell both heard this broadcast and discussed if they should get on the air and ask if they had a message. Despite having clear knowledge their unit was called over the air, the officers failed to inquire what 3L90 needed. Based on Lozano's statements, it appeared the officers failed to come up on the air because they did not want to be directed to the [REDACTED] to assist in the robbery-in-progress call. Based on the investigation, it is recommended Allegations 6 and 7 be classified as **SUSTAINED**.

**ALLEGATION 11. The Department alleges that on April 15, 2017, Officer Lozano, while on-duty, was playing Pokemon Go while on patrol in his police vehicle.**

**Note:** Allegation 11 was added during the completion of the LOT.

**ALLEGATION 12. The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty, was playing Pokemon Go while on patrol in his police vehicle.**

**Note:** Allegation 12 was added during the completion of the LOT.

### **CLASSIFICATION**

It is recommended that Allegations 11 and 12 be classified as **SUSTAINED**.

**RATIONALE**

After putting themselves Code 6 on the Crenshaw corridor and driving away from the robbery-in-progress call, Lozano and Mitchell drove south in the north/south alley just east of Crenshaw Boulevard. It should be noted a dinging sound could be heard throughout much of the three hours of DICV as if the officers had a device notifying them of something. The following conversation occurred at 18:09:48:

Mitchell: Norlax (spelling?) just popped up.

Lozano: What? Where?

Mitchell: 46<sup>th</sup> and Leimert.

Lozano: Does it say (inaudible)....

Mitchell: No.

Lozano: Does it say anything about (inaudible)....

Mitchell: No.

Lozano: Leimert doesn't go all the way to 46<sup>th</sup>, does it? Oh, you know what I could do? I'll go down 11<sup>th</sup>. Swing up on Crenshaw. That way I can get to it.

Mitchell: If this light changes. You could take 11<sup>th</sup> to 46 and then make a right on 46.

Mitchell: It's up at Calvary Chapel. Christian Calvary Chapel. Remember we were there earlier? You went to go check the church. That's exactly where it's at. We got four minutes.

Mitchell: Then after that a Togetik (spelling?) just popped up.

Mitchell: I think they were updating their server 'cause I have to install an update.

Mitchell: Why is it still green? Two minutes.

Lozano: And we'll get the same result as friggin' yesterday (inaudible) and it's gonna go blink and changes into something else.

The officers were driving through a residential area and their speed picked up. It appeared they were trying to get to 46<sup>th</sup> and Leimert quickly.

Lozano: It should be right here on the corner or what?

A dinging noise is heard. Lozano slowed the vehicle and stopped.

Mitchell: There it is. It just popped up. Did it pop up for you?

Lozano: Nah.... (inaudible)

Mitchell: What's yours? 1876?

Lozano: Yeah. 1567 (inaudible)

Mitchell: Then we gotta go get the Togetik (spelling?). Got him. It's strong.

Lozano: Really?

Mitchell: Yeah.

Lozano: Nice.

Mitchell: We gotta good (inaudible) earthquake.



Letter of Transmittal  
CF No. 17-000915  
Page 8  
5.4

Lozano: Oh, shit.

Mitchell: Alright, go get the Togetik (spelling?).

Lozano: Where?

Mitchell: On Crenshaw. Just south of 50<sup>th</sup>.

The officers left the location and began driving to 50<sup>th</sup> and Crenshaw. As they drove through the residential area their speed appeared faster than the speed limit and they went through a stop sign.

Lozano: 50<sup>th</sup> or further?

Mitchell: Can you cross over on 50<sup>th</sup>?

Lozano: Cross to the other side of the street?

Mitchell: Yeah. I think you're going to have to go up that hill.

Lozano: I'd have to be over there cause the street is that way not this way and I'm gonna have to go all the way around.

Mitchell: Ok. Actually it's up at the stop. See it?

Lozano: Well I see it stopped but I don't see it. I can probably get it if we're over here.

Mitchell: You see it on your.....

Lozano: Mine's blacked out (inaudible)

Lozano: Hopefully it shows right here. If not, I'll make a right. It's gonna be further down.

Mitchell: Yeah it's gonna be further...

Lozano: Is it? Well the poke (inaudible) stops here. But I mean, is it gonna be further south?

Mitchell: Nah. Right here.

Lozano stopped his vehicle.

Mitchell: It should be to your left. There it is. Man, it's like white. You can't even see it.

Lozano: If I was driving around real fast I wouldn't even know it was there.

Mitchell: Don't run away. Don't run away.

Lozano: I buried it and motraballed (spelling?) it and it's still showing red.

Mitchell: I know.

Lozano: Got him!

Mitchell: You did it. Nice.

Lozano: This is a Togepik (spelling?)?

Mitchell: Togetik (spelling?).

Lozano: It's crazy looking.

The officers continued talking about the game and remained parked. The DICV continued to pick up dinging sounds as if the officers were being notified of something.

Lozano: You're still trying to catch it.

Mitchell: Yeah man.

Lozano: Gee. I'm lucky then. Dog gone it.

Mitchell: Still trying to catch it. Holy crap.

Lozano: Ultra-ball (inaudible). I'm lucky right now I haven't really needed ultra-balls. I have 250.

Mitchell: Yeah, that's good.

Mitchell: What the heck man. Holy crap man. This thing is fighting the crap out of me. Do I have good stats at least? Decent defense blown away by stats.

Lozano: You said you did or didn't have one of these?

Mitchell: I don't have one.

Lozano: You got lucky catching that thing.

Mitchell: Sure did.

Lozano: It shouldn't be this difficult though.

Mitchell: This thing is crazy difficult. Holy crap.

Lozano: I saw you mess that up. It still bounced out. Is there going to be another poke-ball higher than that one?

Mitchell: Yeah. There's a master-ball.

Lozano: At level what?

The officers continued talking about the game and were still parked near 50<sup>th</sup> and Crenshaw.

Mitchell: Holy crap! Finally! The guys are going to be so jealous.

Lozano: Let's go back to the 7-11 and sit there.

Lozano and Mitchell pulled away from the curb and drove back towards their foot beat area.

Pokemon Go is a free-to-play, location-based reality game developed for iOS and Android devices. The officers' actions and statements to each other indicate they were actively involved in this game for at least 20 minutes. They left their assigned foot beat area and responded to two locations while playing. In the Pokemon Go game, there are characters/species called "snorlax" and "togetic." There are also "ultra balls" used to catch a Pokemon and "master balls."

At 18:31:00, Mitchell stated to Lozano, "Yeah, I got your new Pokemon today, dude." Both Lozano and Mitchell denied they were playing Pokemon Go while on patrol; however, the DICV audio and video clearly showed they were actively engaged in playing the game. Lozano also made a statement that indicated they had been playing the game the day before.

It should also be noted that at 17:24:52, while parked at the Chevron Gas Station at Adams Boulevard and Crenshaw Boulevard, Lozano asked Mitchell, "Are you watching a video or are you playing?" Mitchell said, "No, I'm watching a video." Mitchell admitted he was watching a video at this location while on patrol. Based on the investigation, it is recommended Allegations 11 and 12 be classified as **SUSTAINED**.

**ALLEGATION 3. The Department alleges that on April 15, 2017, Officer Mitchell made a false statement to a Department supervisor when he said that he did not hear the radio call.**



**Note:** Allegation 3 should be re-framed as, "The Department alleges that on April 15, 2017, Officer Mitchell, while on-duty, made a misleading statement to Sergeant Gomez when asked why he did not hear the radio."

**ALLEGATION 13. The Department alleges that on April 15, 2017, Officer Lozano, while on-duty, made a misleading statement to Sergeant Gomez when asked why he did not hear the radio.**

**Note:** Allegation 13 was framed during the completion of the LOT.

### CLASSIFICATION

It is recommended that Allegations 3 and 13 be classified as **SUSTAINED**.

### RATIONALE

At 18:40:50 on the DICV, Gomez met with Lozano and Mitchell to discuss why they did not respond to the robbery-in-progress call at the [REDACTED]. Gomez asked the officers if they heard the back-up that Davenport put out (There was no back-up put out by Davenport. Gomez misspoke). Both officers correctly stated they did not hear a back-up. Lozano stated he heard Davenport go Code 6. Gomez stated he was concerned they were close to the call while other officers were responding from farther away and was wondering why they did not hear the radio.

When Gomez stated he saw the officers go Code 6 on the Crenshaw corridor one minute after the back-up was put out and a supervisor was in route, Mitchell stated, "Where were we before?" Mitchell knew exactly where he was before. The officers had been sitting in the east/west alley across the street from the [REDACTED] for approximately 15 minutes. Mitchell stated he did not recall why he asked Gomez this. Gomez then asked if the officers' radios were working. Mitchell stated, "We're not always at our car because we're walking up and down Crenshaw. So, like I said, at the park they play music pretty loud so we can't always hear everything. But our radios are....usually on Saturdays they have the church at the park, the [REDACTED], so...."

Gomez was concerned about the officers' ability to hear their radios because although being a Crenshaw corridor foot beat unit working in the immediate vicinity of the [REDACTED], the officers did not respond to the robbery-in-progress call. Mitchell's reply to Gomez inferred he and Lozano were in Leimert Park when the call came out and they did not hear the radio because of loud music and the church at the park. Mitchell specifically mentioned these loud activities occurred on Saturday and this incident also occurred on Saturday. Because he specifically referenced the day of the week that this incident occurred, Mitchell's response was not a general statement about the foot beat's difficulties hearing the radio but a specific statement why he and Lozano did not hear the radio on this particular day at the time the robbery-in-progress radio call came out. The officers were not at Leimert Park and were not dealing with music or the [REDACTED] when the call came out and Davenport went Code 6. Mitchell knew exactly where he was when the call came out and chose not to relate this information to Gomez because it would reflect

poorly on him. Instead, he chose to tell Gomez how hard it was to hear the radio on Saturday in the park. Mitchell's response to Gomez was an attempt to deflect attention from why he and Lozano did not respond to the robbery-in-progress call and was clearly misleading because it did not occur and was not relevant to Gomez's specific line of questioning about what happened during this incident.

When Mitchell was asked why he made his statements to Gomez about not hearing the radio, he stated he was explaining to Gomez in a general sense why at times he can't hear the radio. Gomez was not asking Mitchell for a generalization. Gomez was specifically asking why the officers did not hear their radios during this incident. The DICV could be clearly heard in Mitchell's vehicle where he was seated in the alley. Mitchell knew there was a robbery-in-progress call at the [REDACTED], knew Davenport was there by himself and chose to reverse away from the location and go Code 6 somewhere else. Mitchell's actions were not predicated in any way on not being able to hear the radio. Mitchell was not in Leimert Park, was not walking a foot beat and was not engaged in any activity that kept him from hearing and knowing what was occurring.

Later in Gomez's discussion with the officers, Lozano stated, "I apologize for not listening up to the radio. We should have been more cognizant of what was going on at the [REDACTED]." Lozano knew exactly what was going on at the [REDACTED] and he and Mitchell made a deliberate decision not to respond. Gomez suggested the officers put their radios up to their ears to hear more clearly. Lozano stated, "I have it in my ear and it's hard to hear when they have the music or they're using their PA systems. But that's where we're supposed to be at too, to monitor just in case things go off in the park, because that's our main problem, with the [REDACTED], with the [REDACTED], with anyone who ends up at the park, because that's why we're always there." Lozano's reply to Gomez inferred he and Mitchell were in Leimert Park when the call came out and they did not hear the radio because of loud music and the PA systems. Lozano's response to Gomez was also an attempt to deflect attention from why he and Mitchell did not respond to the robbery-in-progress call and was clearly misleading because it did not occur and was not relevant to Gomez's specific line of questioning about what happened during this incident.

When Lozano was asked why he made his statements to Gomez about not hearing the radio, he stated he was explaining to Gomez how he and Mitchell encounter noises that prohibits them from hearing the radio and it was a general statement when they are working around Leimert Park they get involved with things that prevent them from hearing the radio. Gomez was not asking Lozano for a generalization. Gomez was specifically asking why the officers did not hear their radios during this incident. The DICV could be clearly heard in Lozano's vehicle where he was seated in the alley. Lozano knew there was a robbery-in-progress call at the [REDACTED] knew Davenport was there by himself and chose to reverse away from the location and go Code 6 somewhere else. Lozano's actions were not predicated in any way on not being able to hear the radio. Lozano was not in Leimert Park, was not walking a foot beat and was not engaged in any activity that kept him from hearing and knowing what was occurring.

After Gomez left the location, Lozano stated, "I'm not going to go Code 6 everywhere I'm...."

I know why he's here. He's not here because he wants to be. He was here because he was directed by Captain Davenport." Mitchell stated, "I don't think so." Lozano replied, "You think it's because he (Gomez) doesn't like it." Mitchell stated, "Oh no, I know so." Lozano said, "I had to hold back." Mitchell stated, "This is not the first time he (Gomez) did that." Mitchell then related an earlier incident where he had been questioned by Gomez about his location.

Later in the DICV, Mitchell was talking with someone outside his car about his conversation with Gomez. Mitchell was complaining that Gomez questioned him and said he was not always at his car and may have been somewhere else and he may have been at the park. Mitchell was not at the park. Mitchell knew exactly where he was when the robbery-in-progress call came out and Davenport went Code 6. Lozano was also speaking with someone but his conversation was hard to hear. At the end of the DICV, Lozano stated, "I was so close to telling him how much time I have on the job and what he was saying has no meaning." Based on the investigation, it is recommended Allegations 3 and 13 be classified as **SUSTAINED**.

**ALLEGATION 14. The Department alleges that on October 20, 2017, Officer Lozano, while on-duty, made false statements to a Department supervisor during a complaint investigation.**

**ALLEGATION 15. The Department alleges that on October 20, 2017, Officer Mitchell, while on-duty, made false statements to a Department supervisor during a complaint investigation.**

#### **CLASSIFICATION**

It is recommended that Allegations 14 and 15 be classified as **SUSTAINED**.

#### **RATIONALE**

The investigation revealed there were several instances where Lozano and Mitchell provided false statements to a Department supervisor during a complaint investigation.

Both Lozano and Mitchell stated they were not playing Pokemon Go while on patrol but were having a conversation about the game. Lozano stated the pinging sounds heard in the DICV were Mitchell receiving text message alerts regarding the game on his cellular phone. Mitchell stated he is involved in a large group of Pokemon Go players and receives text alerts and messages regarding people bragging about their scores. Based on the lengthy and specific conversation between the officers and their response to both 46<sup>th</sup> and Leimert and 50<sup>th</sup> and Crenshaw, it is clear they were actively engaged in playing Pokemon Go. The officers drove to those two locations, both out of their assigned foot beat area, with urgency, mentioning time frames in which they had to respond. The officers were trying to catch or capture something and Mitchell commented after he made a capture that "the guys are going to be so jealous." The dinging sound that could be heard throughout the DICV may very well have been Mitchell's phone providing alerts about the game; however, it is clear the officers were also actively



engaged in playing the game and their statements to the complaint investigator they were not were untruthful.

When asked why he responded to 46<sup>th</sup> and Leimert, Lozano stated this location was part of his extra patrol assigned by Davenport through the week. He and Mitchell went to 50<sup>th</sup> and Crenshaw because of numerous robberies in the area and Lozano stated going to both locations had nothing to do with the Pokemon Go game. Mitchell stated he did not recall why he went to these locations because he was not driving. Mitchell did state that he was in the area because he was preparing for the Days of Dialogue which was going to be held at Dulans restaurant (4859 Crenshaw Boulevard). Mitchell drove past Dulans because they were helping to host the event and he wanted to see the parking lot and provide extra patrol. Mitchell stated going to both locations had nothing to do with the Pokemon Go game. Based on the DICV, it is clear the officers were actively playing the Pokemon Go game and they responded to both locations because they were trying to catch or capture things at those locations. At no time in the DICV did either officer say anything about going to those locations to provide extra patrol. Dulans restaurant and the Days of Dialogue was also not mentioned in the DICV. Davenport stated there was no reason for Lozano and Mitchell to go south of Vernon Avenue because that was beyond their assigned foot beat area. Davenport had no recollection of having any conversation with Lozano and Mitchell telling them to go to either location or provide extra patrol and advised there would be no reason to provide extra patrol for the Days of Dialogue because it was not occurring on that day, was a peaceful event and no one from the event ever asked for extra patrol. Both Lozano and Mitchell gave false statements to the complaint investigator when they explained why they drove to 46<sup>th</sup> and Leimert and 50<sup>th</sup> and Crenshaw.

Lozano stated he and Mitchell stayed Code 6 on the 415 group call (Inc [REDACTED] for 17 minutes because the [REDACTED] had been known to return. Lozano terminated the call after he felt they would not be returning. When Lozano and Mitchell entered the east/west alley on the south/east corner of MLK Boulevard and Crenshaw Boulevard, there was no discussion at all about the [REDACTED] or waiting in the alley to see if they returned to the north/east corner. Both officers had commented while responding they believed the suspects were gone and there was no indication they did any type of investigation or inquiry into the call. In fact, the call was five hours old. After staying on the call for 17 minutes, the officers cleared because of the robbery-in-progress call across the street and Davenport's arrival there. Lozano made comments about not wanting to be Davenport's help and told Mitchell he wanted to be Code 6 on the corridor (Crenshaw). The 415 group call was not terminated because Lozano determined the [REDACTED] were not coming back. The call was terminated because the officers did not want to show at scene on a call across the street from the robbery-in-progress call and they did not want to assist Davenport. Lozano gave a false statement to the complaint investigator when he said he terminated the 415 group call after determining the [REDACTED] were not returning.

While they were in their vehicle at Adams Boulevard and Crenshaw Boulevard, Lozano asked Mitchell, "Are you watching a video or are you playing?" Mitchell said, "No, I'm watching a video." Lozano told the complaint investigator Mitchell was not playing or watching a video game and he and Mitchell were having a conversation about Pokemon Go. Mitchell told the


complaint investigator he was not playing a video game and he and Lozano were having a conversation about Pokemon Go. Based on Mitchell's response to Lozano, Mitchell was watching a video and Lozano was aware of it. Lozano and Mitchell gave false statements to the complaint investigator when asked if Mitchell was watching a video while the officers sat in their vehicle at Adams Boulevard and Crenshaw Boulevard.

Both Lozano and Mitchell stated since they work out of the Community Relations Office (CRO) they occasionally assisted the SLOs with duties the SLOs were unavailable or unable to handle. Although Lozano's and Mitchell's willingness to help the SLOs with community/police matters is commendable, it does not coincide with their responses why they failed to assist Davenport on the robbery-in-progress call. Both officers stated they were to stay south of MLK Boulevard and north of Vernon Avenue along Crenshaw Boulevard. The officers had no qualms driving way out of their assigned foot beat area to handle a non-emergency request regarding a transient at Adams Boulevard and Crenshaw Boulevard, allegedly for SLO Aceves, but believed they had no duty or responsibility to assist Davenport, who was by himself, on a Code 3 robbery-in-progress radio call across the street from where they were parked (Per Lozano and Mitchell, the [REDACTED] bordered their assigned foot beat area. The Operation Plan for the foot beat, though, included this location). If this was the logic used to justify their decision not to assist Davenport, they would not assist any SLO who asked them to respond outside their assigned foot beat area to conduct police business. Based on the investigation, it is recommended Allegations 14 and 15 be classified at **SUSTAINED**.



#### DIGITAL IN-CAR VIDEO/BODY WORN VIDEO/AUDIO RECORDINGS

Digital In-Car Video (DICV) was used to adjudicate these allegations.



**POLICE OFFICER II LOUIS LOZANO, SERIAL NO. 35355**

**EMPLOYEE DEVELOPMENT PLAN**

None.

**PENALTY**

Allegations 1, 9, 11, 13 and 14: **SUSTAINED – BOARD OF RIGHTS**

Officer Lozano is a tenured officer with 18 ½ years on the job [REDACTED]. Lozano was chosen to work a coveted foot beat position that allowed him considerable flexibility and freedom to engage the community, provide police presence and engage in enforcement when he deemed necessary. Lozano took gross advantage of the position he was entrusted with by failing to assist the community and an officer who was at an emergency call alone and by allowing other officers to respond Code 3 from a distance away when he was parked across the street and could have provided immediate aid. Lozano reversed out of the alley he was parked in to avoid being seen, ignored the on-going critical incident to conduct non-essential police duties nearby and then spent time out of his assigned area playing Pokemon Go. When questioned by a supervisor about his failure to respond to the robbery-in-progress call, Lozano gave misleading statements inferring he was at Leimert Park and could not hear his radio. Lozano also gave false statements to the complaint investigator by stating he was not playing Pokemon Go, was at locations outside of his assigned area doing extra patrol when he was actually playing Pokemon Go, cleared a 415 group call because he determined the [REDACTED] were not coming back and stating Mitchell was not watching a video at Adams Boulevard and Crenshaw Boulevard.

Lozano's actions during this incident were reprehensible and inexcusable. As a senior officer, Lozano is expected to uphold the core values of the Department. Lozano failed to provide service to the community, showed poor commitment to leadership and lacked integrity throughout this incident. Lozano showed blatant disregard for the safety of the community and his co-workers because he was not interested in doing his job. There was approximately three hours of DICV that captured Lozano's statements and actions before, during and after this incident. Despite this, at no time did Lozano take responsibility for his actions or lack thereof. Lozano's failure to take any responsibility was compounded by the misleading statement he made to Gomez and the false statements he made to the complaint investigator. Based on the investigation, the Command recommends Allegations 1, 6, 11, 13 and 14 be **SUSTAINED** and Lozano be directed to a **BOARD OF RIGHTS**.

**DOWNGRADE**

None.

**RELIEF FROM DUTY RECOMMENDATION**

None.

**RISK MANAGEMENT ANALYSIS**

Officer Lozano's work and complaint history was reviewed via his Training Evaluation and

Letter of Transmittal  
CF No. 17-000915  
Page 16  
5.4

Management System (TEAMS) Report. Officer Lozano has been with the Department for 18 ½ years and has been assigned to Southwest Area for 17 years.



**POLICE OFFICER II ERIC MITCHELL, SERIAL NO. 40169**

**EMPLOYEE DEVELOPMENT PLAN**

None.

**PENALTY**

Allegations 2, 3, 7, [REDACTED] 12 and 15: **SUSTAINED – BOARD OF RIGHTS**

Officer Mitchell is a tenured officer with 8 ½ years on the job [REDACTED]. Mitchell was chosen to work a coveted foot beat position that allowed him considerable flexibility and freedom to engage the community, provide police presence and engage in enforcement when he deemed necessary. Mitchell took gross advantage of the position he was entrusted with by failing to assist the community and an officer who was at an emergency call alone and by allowing other officers to respond Code 3 from a distance away when he was parked across the street and could have provided immediate aid. Mitchell and his partner reversed out of the alley they were parked in to avoid being seen, ignored the on-going critical incident to conduct non-essential police duties nearby and then spent time out of their assigned area playing Pokemon Go. When questioned by a supervisor about his failure to respond to the emergency call, Mitchell gave misleading statements inferring he was at Leimert Park and could not hear his radio. Mitchell also gave false statements to the complaint investigator by stating he was not playing Pokemon Go, was at locations outside of his assigned area doing extra patrol and driving by a restaurant hosting the Days of Dialogue when he was actually playing Pokemon Go and stating he was not playing or watching a video at Adams Boulevard and Crenshaw Boulevard.

Mitchell's actions during this incident were reprehensible and inexcusable. As a tenured officer, Mitchell is expected to uphold the core values of the Department. Mitchell failed to provide service to the community, showed poor commitment to leadership and lacked integrity throughout this incident. Mitchell showed blatant disregard for the safety of the community and his co-workers because he was not interested in doing his job. There was approximately three hours of DICV that captured Mitchell's statements and actions before, during and after this incident. Despite this, at no time did Mitchell take responsibility for his actions or lack thereof. Mitchell's failure to take any responsibility was compounded by the misleading statement he made to Gomez and the false statements he made to the complaint investigator. Based on the investigation, the Command recommends Allegations 2, 3, 7, [REDACTED] 12 and 15 be **SUSTAINED** and he be directed to a **BOARD OF RIGHTS**.

**DOWNGRADE**

None.

**RELIEF FROM DUTY RECOMMENDATION**

None.



Letter of Transmittal  
CF No. 17-000915  
Page 18  
5.4

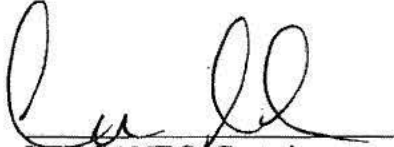
**RISK MANAGEMENT ANALYSIS**

Officer Mitchell's work and complaint history was reviewed via his Training Evaluation and Management System (TEAMS) Report. Officer Mitchell has been with the Department for 8 ½ years and has been assigned to Southwest Area for almost a year and a half.



Letter of Transmittal  
CF No. 17-000915  
Page 19  
5.4

**APPROVED BY:**

A handwritten signature in black ink, appearing to read 'Lee Sands', written over a horizontal line.

LEE SANDS, Captain  
Commanding Officer  
Southwest Area

1 This investigation, including revisions, was completed on September 7, 2017.

2  
3 **INVESTIGATIVE RESPONSIBILITY:** The Investigating Officer (I/O) for this case is  
4 Detective II Tracy McClanahan, Serial No. 30131, Operations-South Bureau Complaint Unit.  
5 McClanahan can be contacted telephonically at (323) 421-2511. Any requests for a  
6 supplemental investigation must be approved by the Commanding Officer, Operations-South  
7 Bureau, via an Intradepartmental Correspondence Form 15.2.

8  
9 **STATUTE:** This investigation involved administrative misconduct only; therefore, the statute  
10 date remains as **April 16, 2018.**

11  
12 **SUMMARY OF INVESTIGATION:** On April 15, 2017 at approximately 1745 hours,  
13 Captain I Darnell Davenport, Serial No. 25877, Commanding Officer Southwest Patrol Division  
14 (SPD) responded to a robbery in progress (211) radio call at the [REDACTED]  
15 located in the [REDACTED]. The comments of the  
16 call stated there were three male suspects, stealing merchandise and possibly fighting with the  
17 [REDACTED] security. About one minute after the call was broadcasted, Davenport arrived and requested  
18 an air unit.

19 Police Officer III Louis Lozano, Serial No. 35355, and Police Officer II Eric Mitchell, Serial No.  
20 40169, both of Southwest Community Police Station, unit 3FB2 were parked in an alley east of  
21 Crenshaw Boulevard (Blvd) and south of Martin Luther King Blvd (MLK). Mitchell and  
22 Lozano showed their location status as at scene on the Crenshaw Blvd Corridor, approximately  
23 one minute after Davenport arrived at [REDACTED] Sergeant Jose Gomez, Serial No. 33330, SPD,  
24 noticed the officers were on the Crenshaw Corridor and asked over the radio frequency if they  
25 could respond to assist Davenport. However, the officers did not acknowledge.  
26 Communications Division attempted to raise Lozano and Mitchell over the air and again there  
27 was no response.

28 **Note:** During the time of the incident, the officers Digital in Car Video was recording.

29  
30 **ALLEGATION 1.** The Department alleges that on April 15, 2017, Officer Lozano, while  
31 on duty and available, failed to respond and assist a Commanding Officer with a robbery  
32 in progress radio call.

33  
34 **ALLEGATION 2.** The Department alleges that on April 15, 2017, Officer Mitchell, while  
35 on duty and available, failed to respond and assist a Commanding Officer with a robbery  
36 in progress radio call.

37  
38 **ALLEGATION 3.** The Department alleges that on April 15, 2017, Officer Mitchell made a  
39 false statement to a Department Supervisor when he said that he did not hear the radio  
40 call.

41 [REDACTED]  
42 [REDACTED]  
43 [REDACTED]  
44 [REDACTED]

1  
2  
3  
4  
5 **ALLEGATION 6. The Department alleges that on April 15, 2017, Officer Lozano, failed to**  
6 **properly listen to the radio resulting in multiple summons to reach him.**

7 **ALLEGATION 7. The Department alleges that on April 15, 2017, Officer Mitchell, failed**  
8 **to properly listen to the radio resulting in multiple summons to reach him.**  
9

10  
11  
12  
13  
14 **Captain Davenport**<sup>1</sup> [REDACTED] stated that on Saturday, April 15<sup>5</sup>, 2017, he was in the  
15 process of responding to a homicide radio call. While enroute to the crime scene, a robbery in  
16 progress radio call with suspects fighting with security guards was broadcasted over the air at the  
17 [REDACTED] located at [REDACTED] When  
18 Davenport stopped at a red tri-light heading northbound on Crenshaw Blvd., at Martin Luther  
19 King Blvd., he noticed a marked black and white Ford Explorer police vehicle parked in the alley  
20 east of Crenshaw Blvd. Davenport saw the unit in the alley right after the call was broadcasted.  
21 After Davenport reached [REDACTED] he showed himself at scene and parked in the parking lot so he  
22 could monitor the exit and enter [REDACTED] when another unit arrived.  
23

24 Davenport did not request an additional unit over the radio because he heard the watch  
25 commander request another unit. He also heard over the radio that unit 3L320 was responding  
26 code three from SCPS and unit 3A58 was responding from the homicide crime scene code three.  
27

28 Davenport stated that the direction of the foot beat units were to be responsible for the Crenshaw  
29 Corridor, which includes patrolling Crenshaw Blvd. from Vernon Avenue to MLK Blvd. and the  
30 surrounding area. Davenport was unaware of any direction given to the officers advising them  
31 not respond to an emergency call if they are in the area.  
32

33 Davenport stated the fact that he did not request a back-up or put out a help call did not relieve  
34 Lozano and Mitchell of their responsibility to respond to an emergency call that they were 300  
35 feet or less away from. If it was Lozano's and Mitchell's belief that they weren't personally  
36 requested or a back-up was not requested, it is a false believe. Even if the officers walked  
37 across the street it would have taken less than a minute to respond. Davenport admitted that  
38 since he has been the Captain of Southwest Patrol Division, he has put pressure on the foot beat  
39 officers to be more engaged with the criminal activity along the Crenshaw Corridor. Davenport  
40 does not know if it was personal, or a clear neglect of duty on the officer's behalf. However, he  
41 has not had any negative interactions with Lozano or Mitchell.  
42

<sup>1</sup> Job No. 712794

1 Davenport stated that his expectations as a Commanding Officer and as a community member, is  
2 that the unit assigned to the Crenshaw Corridor (Lozano and Mitchell), should have driven  
3 across the street to stop a crime in progress. To believe that the officers did not drive across the  
4 street is concerning because Lozano and Mitchell did not show any concern for the safety of  
5 others. Davenport believed that Lozano and Mitchell would not respond 300 feet to back him up  
6 as the Commanding Officer, they most likely will not back up their peers. No one should have to  
7 tell an officer that if a robbery is occurring across the street from where they are that they need to  
8 respond. Davenport felt that the officer's behavior was inconsistent with how we operate as a  
9 Department, the Core Values, and the motto on the side of the police car "to protect and to  
10 serve."

11 **Commander Woodyard**<sup>2</sup> stated that the direction given to the foot beat units were to engage  
12 with both the community and the businesses along the Crenshaw Corridor as well as Leimert  
13 Park, which would include the [REDACTED]. At one time, there was a limited  
14 amount of foot beat units and the initial instructions were to patrol between Vernon Avenue and  
15 MLK Blvd., including both sides of Crenshaw Corridor Blvd. However, there are key stake  
16 holders that the foot beat units must be in contact with that are further north of MLK. One being  
17 [REDACTED] and the [REDACTED]. The officers check in [REDACTED] with the [REDACTED]  
18 [REDACTED]  
19 [REDACTED]

20 If a hot shot radio call, or a [REDACTED] is broadcasted at [REDACTED] Woodyard would have  
21 expected Lozano and Mitchell to assist and stop the clock on the response time. Although  
22 Lozano and Mitchell were responsible for interacting with the community, they are still police  
23 officers. If a crime occurred, Woodyard still expected Lozano and Mitchell to conduct  
24 themselves as police officers. Lozano and Mitchell were never instructed to stay on the east side  
25 of the Crenshaw Corridor.  
26 [REDACTED]

27 Woodyard was very clear with the instructions given to all the foot beat units. If a robbery call,  
28 or any typical crime occurred in front of them, Woodyard expected Lozano and Mitchell to be  
29 police officers and respond. Woodyard expressed that if another officer or detective was nearby  
30 and heard that another officer was alone and may need help, and the officer did not use the exact  
31 verbiage, common sense would tell them to go help. Woodyard would hope that any officer  
32 would have the common sense to know that it is their job to assist when necessary.  
33 [REDACTED]

34 **Sergeant Gomez**<sup>3</sup> stated that he was in the station assisting the watch commander and taking  
35 telephone calls for a homicide when he heard a radio call of a 211 in progress at the [REDACTED]  
36 [REDACTED] Gomez heard [REDACTED] Captain Davenport, show himself Code 6 at  
37 [REDACTED] Gomez looked at the screen located in the watch commander's office to see if there was  
38 a unit that could assist Davenport. The only unit he saw available was 3FB2, Lozano and  
39 Mitchell. Gomez requested Communications Division to raise unit 3FB2 over the air to assist  
40 and back up Davenport. There was no response from 3FB2, even though Gomez heard the  
41 request made by Communications Divisions. After several minutes passed, the situation at  
42 [REDACTED] sounded chaotic. Communications Division came back over the radio frequency and

<sup>2</sup> Job No. 712794 At the time of the incident, Commander Woodyard was the Captain III assigned to SCPS.

<sup>3</sup> Job No. 712796



1 broadcasted that one suspect was running over the bridge, and the second suspect got away from  
2 [REDACTED] security and ran upstairs. Due to the chaos, Gomez got on the air again and asked  
3 Communications Division if 3FB2 acknowledged. Communications Division Radio Telephone  
4 Operator (RTO) replied no.  
5

6 A short time later, Gomez met with Lozano and Mitchell. Gomez asked both officers if they  
7 heard Davenport handling a robbery in progress radio call. Both officers said they did not.  
8 Gomez reiterated that if the Captain shows his location as Code 6 on a robbery radio call by  
9 himself, they should respond. Lozano acknowledged and said that he heard something occurring  
10 on Crenshaw Blvd., but really didn't pay attention." Gomez told Lozano and Mitchell that he  
11 was disappointed because they were assigned to the foot beat detail, and the corridor covers the  
12 [REDACTED]; and it was their responsibility to be a back-up when someone shows themselves at a  
13 possible dangerous location. Mitchell told Gomez that they did not hear the radio because of the  
14 loud music and the traffic at the park.  
15

16 **Officer Lozano**<sup>4</sup> stated that he and his partner, Eric Mitchell were on a 415-man radio call  
17 parked in the alley on Crenshaw and MLK Blvd., when he heard a robbery radio call broadcasted  
18 at the [REDACTED]. Lozano did not respond to the radio call because he was  
19 waiting to see if a patrol unit was going to respond and based on Davenport's comments over the  
20 radio, Lozano did not feel that he was in distress. Even though Lozano heard the suspects were  
21 fighting, he still did not perceive that Davenport was in danger because he is a police officer. As  
22 Lozano reversed the police vehicle out of the alley, Mitchell asked him if he wanted him to put  
23 their location on the Crenshaw Corridor.  
24

25 Lozano did not hear the watch commander attempt to raise him over the radio frequency,  
26 however he heard Communications Division attempt to reach him. Lozano did not respond to  
27 Communications Division because he heard Communications Division say there was a unit  
28 responding. Lozano also stated that he knew a unit was responding from the station code three,  
29 but chose not to respond because based on his unit assignment he was not obligated to handle  
30 radio calls unless the watch commander or a supervisor activated them to handle radio calls.  
31

32 Lozano recalled Mitchell saying "It's up to you senior, but denied laughing and saying "awe  
33 screw it" (Referring to responding to Davenport's location). Lozano stated that if a request  
34 would have been made for a back-up or an additional unit, he would have responded. Lozano  
35 recalled laughing when he said "it sounds like they want us to help out." He laughed because the  
36 situation was under control and he thought it was funny that the units still needed help.  
37

38 Even though the watch commander was trying to reach Lozano, he stated that he did not know  
39 why the watch commander was attempting to reach them. Lozano did not respond to  
40 Communications Division because there were other radio transmissions going over the radio and  
41 he did not want to interrupt the radio activity. After knowing the call was under control, Lozano  
42 did not feel that it was necessary to acknowledge Communications Division. However, Lozano  
43 recalled asking Mitchell, should we see if there is a message? (Referring to the Mobile Digital

<sup>4</sup> Job No. 712797

1 Computer). Mitchell told him that he overheard Captain Davenport say that it was a code four  
2 over simplex, therefore they did not respond.

3 Lozano's understanding of the Crenshaw Foot Beat Corridor, was to handle the Crenshaw  
4 Corridor from south of MLK, north of Vernon Avenue and Leimert Park, which included one  
5 street west and one street east of Crenshaw Blvd. The [REDACTED] was not included.

6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 I/O asked Lozano if he thought he used good judgment when he did not respond to the radio call.  
10 Lozano replied that he believed he used his own judgement because Davenport received  
11 assistance.

12  
13 Mitchell<sup>5</sup> stated that he was working unit 3FB2 with Lozano and was assigned to the Crenshaw  
14 Corridor, when he heard the radio call of a robbery in progress at the [REDACTED]  
15 They were parked in the east west alley, east of Crenshaw Blvd. south of Martin Luther King  
16 Blvd. completing a 415-group call. Mitchell monitored the radio call load on the mobile digital  
17 computer and knew the radio calls were backing up, but he did not hear the RTO state that all  
18 units were going to be held over to handle calls. Mitchell stated a radio call came out of a 484-  
19 shop lift call at the [REDACTED] Mitchell heard other units responding code three from the  
20 station, but did not respond to the radio call because he was not assigned the call and he did not  
21 hear an assistance<sup>6</sup> or a request for a back-up. If Davenport would have requested help, Mitchell  
22 would have responded. Mitchell added that it is up to the officer at the scene to determine  
23 what's going on with the call; and what is needed.

24 Mitchell stated that he monitored the radio call on both simplex and the duplex, however he did  
25 not recall hearing the RTO say there were multiple suspects at [REDACTED] He heard Davenport  
26 respond to [REDACTED] but did not know why he was responding. Mitchell recognized Davenport's  
27 voice over the radio frequency and heard him request an airship. Mitchell heard that a supervisor  
28 was responding code three from Southwest Station, however, he remained in the area to provide  
29 assistance if needed.

30 The Watch Commander attempted to reach 3FB2 approximately two times. Mitchell stated that  
31 he did not hear the watch commander, nor hear the RTO say the suspects were fighting, but he  
32 knew Davenport was responding to the radio call.

33 Mitchell did not recall Lozano saying that the suspects were out of control and did not recall why  
34 Lozano laughed after asking him if they should go help. Mitchell did not recall Lozano saying  
35 "that he did not want to help out today." Mitchell also said he did not hear a request for an  
36 additional unit or a back-up. Mitchell acknowledged that he said "we should ask 3L90 if there is  
37 a message." However, he does not remember Lozano saying, "they want us to help" and then  
38 laugh. Mitchell said the RTO said that they do not need to respond.

<sup>5</sup> Job No. 712798

<sup>6</sup> Assistance is no longer used.

1 Mitchell stated that he was advised by current and previous Captains, including Commander  
2 Woodyard, who started the foot beat units, not to respond to any radio calls unless activated by  
3 the watch commander. Mitchell said that he was not activated to handle radio calls because he  
4 was working as a specialized unit assigned to Leimert Park and would only respond to a call if it  
5 was an emergency, such as an officer needs help or a back-up call. Mitchell further explained  
6 that as a specialized unit he was not to handle radio calls unless activated by the watch  
7 commander. He was also advised not to handle radio calls unless it is in his immediate area of  
8 assignment, which is south of MLK Blvd. and north of Vernon Avenue on Crenshaw Blvd.

9  
10 **DIGITAL IN-CAR VIDEO SYSTEM (DICVS) and BODY WORN VIDEO (BWV)**

11  
12 1713 hours, 3FB2 went Code 6 on a 415 Group (Inc. [REDACTED])  
13 1739 hours, 3FB2 arrives in the alley at MLK/ Crenshaw. The Officers park in the alley facing  
14 the [REDACTED] Officers remain there for 12 minutes conversing.  
15 1746 hours, 3L90 advises that Watch 2 is being held over. 3FB2 - Officer Lozano states,  
16 "Oh shit, the calls are backing up." The officers remain parked in the alley way facing the [REDACTED]  
17 1747 hours, 3L90 requests to have any available units clear from the Homicide Crime Scene and  
18 assist with handling calls.  
19 1751:10 hours, Communications Division broadcast a 211 in progress at the [REDACTED]  
20 [REDACTED] and [REDACTED]  
21 1751:50 hours, [REDACTED] shows himself Code 6 at the 211 in Progress,  
22 Crenshaw/MLK.  
23 1751:56 hours, Mitchell, states, "That's Davenport."  
24 1752:02 hours, [REDACTED] requests a suspect description.  
25 1752:06 hours, 3FB2 reverses their vehicle away from the [REDACTED]  
26 1752:26 hours, Officers discuss the fact they are still Code 6 on the 415 Group.  
27 1752:36 hours, Officer Mitchell asks, "You want to put us Code 6 on the Corridor?" Officer  
28 Lozano replies, "Yeah, ha-ha."  
29 1753:15 hours, 3FB2 initiates a new incident via MDC (Inc [REDACTED]). 3FB2 proceeds to  
30 drive away from the [REDACTED] via the alley.  
31 1753:50 hours, Lozano and Mitchell stop in the alley. Mitchell says "I'm going to take his  
32 alcohol."  
33 1753:59 hours, Lozano says "that's the least you can do."  
34 1757:30 hours, Communications Division gives an update. The suspects already 211d the  
35 Macys. They came out and are back inside [REDACTED]  
36 1757:33 hours, Communications Division advises Security is trying to prevent them from  
37 returning into the [REDACTED]  
38 1757:40 hours, Lozano has a conversation with an unknown male in the alley about a restraining  
39 order.  
40 1800 hours Airship requests all units enter [REDACTED] parking lot on [REDACTED]  
41 1802 hours "3L90, can you see if 3FB2 can respond to the [REDACTED] and assist with the  
42 211."  
43 1802:46 hours, Communications Division, "3FB2, 3FB2, come in."  
44 1804:03 hours, Lozano says "I thought they had one in custody, sounds like three."



1 1803:22 hours, 3A57 advises they are responding to the [REDACTED] Code 3 from Figueroa/Exposition  
2 Blvd.  
3 1803:39 hours, Code 4 suspects in custody.  
4 1804:15 hours, "3L90, did 3FB2 acknowledge?" Communications Division, "Negative, 3A57 is  
5 responding."  
6 1804:19 hours, Both Lozano and Mitchell say "for what"  
7 1804:30 hours, Lozano, "Should we asked to see if there is a message, maybe they want us to go  
8 over there and help out." Mitchell, "It's up to you senior." Officer Lozano, "Ahh screw it."  
9 1805 hours, Lozano, "I don't want to make it seem like we weren't listening to the radio.  
10 1807 hours, Mitchell, "you want to walk up Crenshaw?"  
11 18:18 hours, RTO "All units switch on Crenshaw switch to Simplex 2."  
12

13 Sergeant Gomez met with 3FB2

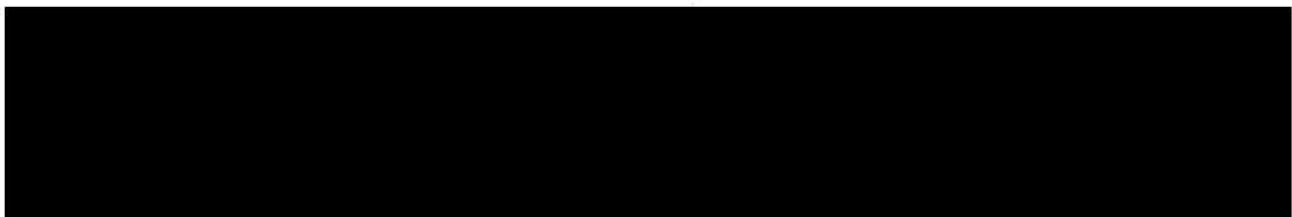
14 1843:22 hours, Sergeant Gomez asked Lozano and Mitchell if the they heard the back up at the  
15 [REDACTED] Mitchell said, "No I didn't."  
16 1843:44 hours, Mitchell stated, "I didn't hear the back-up."  
17 1843:50 hours, Sergeant Gomez elaborated that Captain Davenport went Code 6 on a 211 and  
18 officers had to respond from the crime scene. Mitchell stated, "I didn't hear the back-up."  
19 Lozano stated, "I heard him going Code 6 but I didn't know it was a backup".  
20 1844:20 hours, Sergeant Gomez indicated to Mitchell and Lozano that they went Code 6 on the  
21 Crenshaw Corridor one minute after Captain Davenport went Code 6 on the 211 in progress.  
22 Officer Mitchell questions, "What were we doing before?" Sergeant Gomez, "I don't know."  
23 Sergeant Gomez asked the officers if their radios were working. Mitchell suggested that on  
24 Saturdays the music in the park is loud and the radios are hard to hear.  
25 1845:30 hours, Lozano advised, "I know the Captain went there, but I didn't know it was a back-  
26 up."  
27 1853:24 hours, Mitchell told Lozano that on a previous occasion Gomez spoke to him about not  
28 handling a radio call on Brynhurst Avenue.  
29

30 **INVESTIGATOR'S NOTES**

- 31
- 32 1. I/O's investigation revealed neither Lozano or Mitchell knew the DICVS was in  
33 operation and recording during this incident.  
34
  - 35 2. On April 16, 2017, Gomez conducted a review of Lozano and Mitchell's CAD Summary  
36 Report and their DICV. The officers were on a 415-group call from 1723 hours to 1752  
37 hours on Crenshaw and MLK Blvd. The calls disposition was gone on arrival. The  
38 robbery call came out at 1750 hours. At 1753 hours, the officers showed themselves on  
39 the Crenshaw Corridor until further.  
40
  - 41 3. When the robbery call came out, the officers DICV showed their vehicle in the alley east  
42 of the [REDACTED]. Based on Lozano and Mitchell's conversation they were sitting inside the  
43 vehicle. Right after Davenport showed himself at the location, Mitchell stated "that's  
44 Davenport." Approximately ten seconds later, the officer's vehicle is seen reversing  
45 away from the [REDACTED] in the alley. When the officers reached a "T" in the alley, they turned

1 southbound in the alley that runs east of Crenshaw Blvd. Based on the DICV, the  
2 officers were aware Davenport was at a robbery in progress call and chose not to respond,  
3 despite being parked across the street from the [REDACTED]. Lozano reversed the police vehicle  
4 and drove down the alley a short distance from the radio call and showed themselves on  
5 the corridor until further. After showing themselves in the alley, Mitchell is observed  
6 exiting the vehicle and walking in the alley speaking to a citizen.  
7

- 8 4. Gomez met Mitchell and Lozano at 43rd Street and Crenshaw Blvd. Gomez asked  
9 Mitchell did he hear the back up. Mitchell told Gomez that he did not hear a back-up  
10 call, he heard a radio call of a 484. Mitchell advised I/O that if the call would have  
11 turned into a back- up, he would have responded. Mitchell recognized the voice over the  
12 radio as Davenport, but did not know he was in the car by himself.
- 13 5. Sergeant Gomez asked if Lozano heard the back up call at the [REDACTED]. Lozano  
14 told Gomez that he did not hear the back up call, he heard Davenport go code six, but did  
15 not know it was a back-up.  
16
- 17 6. During the interview, Lozano told I/O that in the past, he has responded to officer back-  
18 up calls without being requested.  
19
- 20 7. Gomez advised I/O that approximately a year ago he was at the station going end of  
21 watch and was assigned a code three call to Leimert park for an unknown trouble radio  
22 call. When Gomez arrived at the park there was no sign of trouble, only a festival.  
23 While at scene, Gomez observed a black and white police vehicle and two officers. One  
24 of the officers was Mitchell. Gomez spoke to the officers and found out they were the  
25 foot beat unit assigned to the park and the Crenshaw Corridor. Gomez asked why didn't  
26 they cancel him from the call if they were at the park. Mitchell said the music was loud  
27 and they did not hear the radio. Gomez advised the officers that they should find a way  
28 to hear the radio even if there is loud music.  
29
- 30 8. The Crenshaw Corridor Foot beat Unit is a Community Relations Office outreach unit,  
31 designed to support patrol officers, the Vice unit, Senior Lead Officer 3SL73, and other  
32 Department entities in handling quality of life issues in basic car areas 3A41, 3A63 and  
33 3A73. [REDACTED] is in the Reporting District 3A63 (Addenda 5).  
34
- 35 9. During I/O's interview with Lozano he stated that Operations South Bureau has a  
36 description of their duties and areas that the foot beat units were responsible for  
37 patrolling. In the DICV at 1846 hours, Mitchell also mentioned a ten-page document that  
38 addressed their duties. I/O obtained a copy of the Operational Plan for the Crenshaw  
39 Corridor, dated July 25, 2015. (Addenda 6).  
40



11. The investigation was completed within the Department's five-month goal.

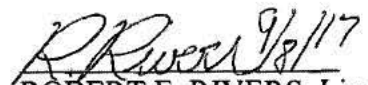
**ADDENDA**

- 1A,B. Communications Division, Incident Recall, Inc. [REDACTED]
- 2. Incident Recall, Inc. [REDACTED], Foot beat Unit 3FB2.
- 3. Incident Recall, Inc. [REDACTED], Foot beat Unit 3FB2.
- 4. Los Angeles Police Department CAD Summary Report, Foot beat Unit 3FB2.
- 5. Copy of the Reporting Districts for Southwest Division.
- 6A-F. Operational Plan for the Crenshaw Corridor.
- 7. Sergeant Gomez Daily Report, dated April 15, 2017.

**SUBMITTED BY**

  
TRACY MCCLANAHAN, Detective II  
Operations South Bureau Complaint Unit

**APPROVED BY**

  
ROBERT E. RIVERS, Lieutenant  
Officer-in-Charge  
Operations South Bureau Complaint Unit

INTRADPARTMENTAL CORRESPONDENCE

December 12, 2017

1.5

**TO:** Commanding Officer, Southwest Area

**FROM:** Commanding Officer, Operations South Bureau

**SUBJECT:** SUPPLEMENTAL INVESTIGATION ON CF NO. 17-000915

On September 18, 2017, the Commanding Officer, Southwest Area requested additional information regarding Complaint Investigation CF No. 17-000915<sup>1</sup>.

Concern No. 1

Who was the Senior Lead Officer (SLO) who asked Officers Lozano and Mitchell to respond to Adams Boulevard and Crenshaw Boulevard to conduct an investigation of a transient with a tent?

Response No. 1 Lozano<sup>2</sup>

Senior Lead Officer Aceves requested that he and Mitchell respond to Crenshaw and Adams Blvd. to speak with a transient.

Response No. 1 Mitchell<sup>3</sup>

Senior Lead Officer Aceves requested that he and Lozano respond to Crenshaw and Adams Blvd. to speak with a transient.

Concern No. 2

Did the SLO make the request to respond of Officers Lozano and Mitchell to respond to Crenshaw and Adams Blvd.? How and when?

Response No.2 Lozano

Lozano thought the request was made either in a text, or in person. However, he did not remember the date the request was made.

Response No. 2 Mitchell

Mitchell stated that Aceves asked him and Lozano to run an errand because he has a homeless problem that he wanted them to address. The request was made the same day.

<sup>1</sup> The Complaint was delayed due to the officers unavailability and vacation.

<sup>2</sup> Job No. B712830

<sup>3</sup> Job No. B712831

Concern No. 3

Why did Officers Lozano and Mitchell conduct an investigation at Adams and Crenshaw Boulevards when it was well out of their foot beat area?

Response No. 3 Lozano

Lozano stated that he and Mitchell were out of their area because they work for the Community Relations Office (CRO) and on occasion they would get requests to assist with tasks that the SLO Officers were unable or unavailable to handle (As referenced in Response No. 1).

Response No. 3 Mitchell

Mitchell stated that due to working out of the CRO and SLO offices, occasionally he and Lozano would help the Senior Lead Officers (As referenced in Response No. 1).

Concern No. 4

Was Officer Mitchell watching a video while the officers sat in their vehicle at Adams Boulevard and Crenshaw Boulevard? If so, what video and why?

Response No. 4 Lozano

Lozano advised that Mitchell was not playing or watching a video game. They were having a conversation about "Pokémon Go."<sup>4</sup> The pinging sound heard in the DICVS was Mitchell receiving text message alerts regarding the game on his cellular telephone.

Response No. 4 Mitchell

Mitchell denied playing a video game, however he and Lozano had a conversation about a game called Pokémon Go. Mitchell is involved in a large group of Pokémon Go players and receives text alerts and messages regarding people bragging about their scores. Mitchell has not played the video game on patrol. Mitchell was referring to the text alerts when he spoke with Lozano regarding a video game.

Concern No. 5

How did Officers Lozano and Mitchell handle the radio call they received of a 415 group at Crenshaw and Martin Luther King Junior (MLK) Boulevards on the northeast corner?

Response No. 5 Lozano

Lozano handled the call by driving over to the area and searched for any suspects matching the description given. Lozano and Mitchell stood by in their vehicle in the area in the adjacent alley to see if the suspects might return. In Lozano's experience with the group [REDACTED], they have been known to return to the location. So therefore, he and Mitchell decided to stay in the area.

<sup>4</sup> Pokémon Go is a location based augmented reality game.



Response No. 5 Mitchell

Mitchell stated the radio call was dispositioned "gone upon arrival (GOA)." He and Lozano drove from Crenshaw and Adams Blvd, southbound on Crenshaw Blvd which would bypass Martin Luther King Blvd, so they could see the front and rear parking lot on Crenshaw and Martin Luther King Blvd at the Krispy Kreme Donut Shop from a tactical advantage. The 415 group, [REDACTED] usually consists of [REDACTED], however, when they got to the location, the group was gone.

Concern No. 6

Why did Officers Lozano and Mitchell stay Code 6 on the 415 group call at the northeast corner of Crenshaw and MLK Boulevards for 17 minutes when they were sitting in the east/west alley at the southeast corner of Crenshaw and MLK Boulevards?

Response No. 6 Lozano

Lozano said he and Mitchell stayed Code 6 at the location because the [REDACTED] have been known to return. The call was terminated after Lozano felt that since the time they had been there the group was not going to return. They showed themselves Code 6 so they could stay in their assigned area.

Response No. 6 Mitchell

Mitchell advised that a part of their job description was to make sure the alley southeast of Crenshaw Blvd stayed clear and monitor any gang or violent crime activity along with parking enforcement.

Concern No. 7

Why did Officers Lozano and Mitchell clear from the 415-group radio call at Crenshaw and MLK Boulevards after being there for 17 minutes and put themselves Code 6 on the Crenshaw corridor immediately after Captain Davenport went Code 6 at the [REDACTED] Did they want to change their location so they did not show Code 6 right across the street from the robbery-in-progress radio call?

Response No. 7 Lozano

Lozano said they completed the radio call from the 415 group and being that they were assigned to the Crenshaw Corridor they assigned themselves there. The radio call of the robbery in progress had nothing to do with why their status was changed because they were still monitoring the 415 group. The location change had nothing to do with him not wanting to show Code 6 across from the robbery call.

Response No. 7 Mitchell

Mitchell advised that after monitoring the alley, he and Lozano moved from the location and wanted to put themselves Code 6 on the Crenshaw corridor because they were patrolling at the location. He changed the status because they moved to another location. Mitchell heard

Davenport show Code 6 and [redacted] Lozano should they respond and he said "we will continue patrol at our location."

Concern No. 8

What game/video game were Officers Lozano and Mitchell playing in their patrol car while they were patrolling?

Response No. 8

Neither Lozano or Mitchell play or have played any type of video game while on patrol.

Concern No. 9

Why were Officers Lozano and Mitchell playing a game/video game while they were patrolling? Have they played this game/video game before while on patrol? If so, how often?

Response No. 9 Lozano

Lozano denied playing a video game while on patrol.

Response No. 9 Mitchell

Mitchell denied playing a video game while on patrol.

Concern No. 10

Why did Officers Lozano and Mitchell drive to 46th Street and Leimert Boulevard and 50th Street and Crenshaw Boulevard? Was this part of the game/video game? Did these locations have anything to do with their foot beat/patrol duties?

Response No. 10 Lozano

Lozano stated that 46<sup>th</sup> Street and Leimert Park is a part of their extra patrol area assigned by Captain Davenport through the week. They were advised because of the numerous robberies in the area to monitor the area around 50<sup>th</sup> Street and Crenshaw Blvd. Going to these locations had nothing to do with the Pokémon Go game.

Response No. 10 Mitchell

Mitchell does not recall why they were around 46th Street and Crenshaw Blvd, because he was not driving. However, he remembered that the Days of Dialogue was going to be held at Dulans Restaurant located at 46th Street and Crenshaw Blvd. Mitchell was there because he was preparing to set up for the Days of Dialogue (April 27, 2017) and drove past Dulans because they were helping to host the event and he wanted to see the parking lot and provide extra patrol for the individual that was going to host the event. The location had nothing to do with the Pokémon Go game.

Concern No. 11

Why did Officer Mitchell ask Sergeant Gomez, "Where were we before?" when Gomez met with Officers Lozano and Mitchell and stated he saw them go Code 6 on the Crenshaw corridor?



Response No. 11 Lozano

Lozano did not recall hearing Mitchell ask Gomez, where were we before and does not know what Mitchell meant by the statement. After watching the DICV's Lozano heard Mitchell ask Gomez the question.

Response No. 11 Mitchell

Mitchell did not recall why he asked Gomez "where were we before?" and was not trying to misdirect Gomez with his response.

Concern No. 12

Why did Officer Mitchell make statements to Sergeant Gomez about walking up and down Crenshaw Boulevard and loud music and church groups being in the park on Saturday making it hard to hear the radio when Gomez asked if the officers' radios were working? Was this statement made by Officer Mitchell to infer he was walking up and down Crenshaw Blvd. or was at the park (Leimert) when the robbery-in-progress call came out and was active?

Response No. 12 Mitchell

Mitchell stated that he was explaining to Gomez in a general sense why at times he can't hear the radio. Mitchell only made the statement to tell Gomez why it was hard to hear the radio.

Concern No. 13

Why did Officer Lozano make statements to Sergeant Gomez about having his radio in his ear and it was hard to hear when there was music and PA systems in the park if they were to be in Leimert Park. Was the statement made to infer that Lozano was in Leimert Park when the robbery-in-progress radio call was broadcasted?

Response No. 13 Lozano

Lozano advised Gomez that during their duties they encounter noises that prohibits them from hearing the radio. It was a general statement that when they are working around Leimert Park sometimes they get involved with things that prevent them from always hearing the radio. Lozano did not infer that he and Mitchell were in the park when the robbery-in-progress call was broadcasted.

Concern No. 14

Why did Officer Mitchell fail to tell Sergeant Gomez he was sitting in the east/west alley across the street from the robbery-in-progress radio call if he believed, per his statement, that previous and current Southwest captains told him not to respond to any radio calls unless activated, and Captain Davenport did not seem to need any assistance and it was not in his foot beat area?

Response No. 14 Mitchell

Mitchell did not tell Gomez where they were because he did not ask.

Concern No. 15

Why did Officer Lozano fail to tell Sergeant Gomez he was sitting in the east west alley across the street from the robbery-in-progress radio call if he believed, per his statement that it was alright that he did not respond, Captain Davenport did not seem to need any assistance and it was not in his foot beat area?

Response No. 15 Lozano


Lozano did not tell Gomez that they were in the alley when the radio call came out because Gomez did not ask.

During the second interview with Lozano, Detective II Tracy McClanahan, Serial No. 30131, asked Lozano why he told Mitchell that he did not want to be his (Davenport's) help. Lozano stated that he did not recall saying that he did not want to be his (Davenport's) help. However, Lozano replied that if it is on the DICVS, he does not deny saying it and does not know why he made the statement.

On October 25, 2017, Captain Davenport was re-interviewed by McClanahan to verify Lozano and Mitchell's statement<sup>5</sup>. Davenport stated that there was no reason for Lozano and Mitchell to go south of Vernon to 46<sup>th</sup> Street and Leimert Park and there would be no reason to tell them to go beyond 50<sup>th</sup> Street and Crenshaw Blvd because that area is beyond the foot beat assigned area. The foot beat area stops at Vernon Avenue. Davenport had no recollection of having a conversation with Lozano or Mitchell telling them to go to 46<sup>th</sup> or 50<sup>th</sup> Streets.

Davenport also advised that there would be no need to provide extra patrol for the days of dialogue because the days of dialogue were not held on that day and no one has ever asked a unit to give extra patrol for the event. The Days of Dialogue is a peaceful event, where extra patrol is not needed.

On December 8, 2017, McClanahan interviewed Senior Lead Officer III+1, Luis Aceves, Serial No. 38381.<sup>6</sup> Aceves stated that there was a day, however he could not remember the exact date, that he asked Lozano and Mitchell to help him out with a transient issue on Adams and Crenshaw Blvds. Aceves thought that he was on a day off and telephoned Lozano to see if he could help him out. Per the Automated Days Off System, Aceves showed working on April 15, 2017.



GERALD A. WOODYARD, Commander  
Assistant Commanding Officer  
Operations-South Bureau

<sup>5</sup> Job No. B712832

<sup>6</sup> Job No. B712833

**COMPLAINT STATISTICAL INFORMATION**  
01.19.00 (02/16)

Complaint Form No. 17-000915

Investigating division completes items A through P.

<b>A. No. of Accused Employees:</b> <u>2</u>	<b>C. Source of Complaint:</b> City Attorney Civilian Dept. Employee Defense Attorney Department Judge-County Judge-Federal Non-LAPD LA City Employee	<b>D. Last Name of Complainant:</b> <u>LAPD</u>		
<b>B. Area of Occurrence:</b> <u>SIW</u>	Other Law Enforcement Agency Prosecutor-City, State, Federal Public Person Involved Public Third-Party Sworn Dept. Employee Unknown			
<b>G. Invest. Data:</b> Total Hours: _____ Area: <u>20</u> IAG: _____ Interviews: _____ Area: <u>5</u> IAG: _____	<b>H. Video/Audio:</b> Equipped: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Activated: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Body Worn Video Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Digital In-Car Video Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other Video or Audio Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No. Videos/Audios: <u>1</u> Review Hours: <u>3</u>	<b>I. Use of Force:</b> Categorical _____ Non-Categorical <u>I</u> II _____ UOF No.: _____	
<b>J. Assignment Type:</b> <input checked="" type="checkbox"/> Uniform Patrol <input type="checkbox"/> Area Detective <input type="checkbox"/> Admin/Coveted <input type="checkbox"/> Specialized Div. <input type="checkbox"/> Uniform GED	<b>K. Employee's Div.:</b> <u>Southwest</u> <b>L. Employee's Serial No.:</b> <u>35355</u> <b>M. Employee's Last Name:</b> <u>Lozano</u>	<b>N. Duty Status:</b> <input checked="" type="checkbox"/> On Duty <input type="checkbox"/> Off Duty <input type="checkbox"/> Off Duty Outside Employment <input type="checkbox"/> Unknown	<b>O. Sex of Employee:</b> <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male <input type="checkbox"/> Unknown	<b>P. Ethnicity of Employee:</b> <input type="checkbox"/> American Indian <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Asian <input type="checkbox"/> Other <input type="checkbox"/> Black <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Filipino <input type="checkbox"/> White <input type="checkbox"/> Unknown
<b>J. Assignment Type:</b> <input checked="" type="checkbox"/> Uniform Patrol <input type="checkbox"/> Area Detective <input type="checkbox"/> Admin/Coveted <input type="checkbox"/> Specialized Div. <input type="checkbox"/> Uniform GED	<b>K. Employee's Div.:</b> <u>Southwest</u> <b>L. Employee's Serial No.:</b> <u>40169</u> <b>M. Employee's Last Name:</b> <u>Mitchell</u>	<b>N. Duty Status:</b> <input checked="" type="checkbox"/> On Duty <input type="checkbox"/> Off Duty <input type="checkbox"/> Off Duty Outside Employment <input type="checkbox"/> Unknown	<b>O. Sex of Employee:</b> <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male <input type="checkbox"/> Unknown	<b>P. Ethnicity of Employee:</b> <input type="checkbox"/> American Indian <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian <input type="checkbox"/> Other <input checked="" type="checkbox"/> Black <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Filipino <input type="checkbox"/> White <input type="checkbox"/> Unknown
<b>J. Assignment Type:</b> <input type="checkbox"/> Uniform Patrol <input type="checkbox"/> Area Detective <input type="checkbox"/> Admin/Coveted <input type="checkbox"/> Specialized Div. <input type="checkbox"/> Uniform GED	<b>K. Employee's Div.:</b> _____ <b>L. Employee's Serial No.:</b> _____ <b>M. Employee's Last Name:</b> _____	<b>N. Duty Status:</b> <input type="checkbox"/> On Duty <input type="checkbox"/> Off Duty <input type="checkbox"/> Off Duty Outside Employment <input type="checkbox"/> Unknown	<b>O. Sex of Employee:</b> <input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Unknown	<b>P. Ethnicity of Employee:</b> <input type="checkbox"/> American Indian <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian <input type="checkbox"/> Other <input type="checkbox"/> Black <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Filipino <input type="checkbox"/> White <input type="checkbox"/> Unknown

EMP 1

EMP 2

EMP 3

**TO BE COMPLETED BY INTERNAL AFFAIRS GROUP (Except Non-Disciplinary)**

<b>Q. Entire Complaint Disproven at Intake:</b> <input type="checkbox"/> Body Worn Video <input type="checkbox"/> Digital In-Car Video <input type="checkbox"/> Other Video or Audio <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>R. Investigative Complexity Upon Intake:</b> I II III <u>III</u>	<b>S. Investigative Complexity at Closeout:</b> I II III <u>I</u>
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EMP 1

<b>T. TOTAL NUMBER OF ALLEGATIONS:</b> _____		<b>EMPLOYEE NO. 1:</b> <u>LOZANO, LOUIS</u>								
<b>TOTAL NUMBER OF COUNTS:</b> _____		(Last, First, MI)								
DISCIPLINARY					DESCRIPTION			ASST ADJ		
ALLEGATION TYPE	COUNT	SUST	S-NP	G				BWV	DICV	OTHER
NOD	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Alleg 1 / JEE			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NOD	2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"LP (CHANGE SHEET)			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VISC	4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	" "			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MS	3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	" 13			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FS	6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	" 14			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>V. Appeal:</b> <input type="checkbox"/> Civil Service Hearing, Admin. Appeal, Settlement, Opt BOR, Liberty Hearing	<b>Y. Alcohol Involved:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Z. Non-Punitive Action:</b> *SUST-NP *DIFFERENT <input type="checkbox"/> Training <input type="checkbox"/> Training <input type="checkbox"/> Counseled by Supervisor <input type="checkbox"/> Comment Card <input type="checkbox"/> Referral <input type="checkbox"/> Counseled by Supervisor <input type="checkbox"/> Referral <input type="checkbox"/> NTC <input type="checkbox"/> Referral	<b>BB. Criminal History:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Declined to Review Case <input type="checkbox"/> Not Submitted <input type="checkbox"/> Filed with CA <input type="checkbox"/> Filed with DA <input type="checkbox"/> Hearing CA <input type="checkbox"/> Rejected <input type="checkbox"/> Pending <input type="checkbox"/> Referred to CA
<b>W. Type of Penalty:</b> <input checked="" type="checkbox"/> BOR <input type="checkbox"/> Division <input type="checkbox"/> Dept. <input type="checkbox"/> Civil Service Hearing			
<b>X. Penalty:</b> <input type="checkbox"/> Admonishment <input type="checkbox"/> Demotion to Rank: _____ <input type="checkbox"/> Inactive (RSOF) Days: _____ <input type="checkbox"/> Suspension Length of Penalty: _____ <input checked="" type="checkbox"/> Termination Effective Date: <u>4-7-18</u> (Discharged, Removed, Termination on Probation)			
<input type="checkbox"/> * No Penalty <input type="checkbox"/> Official Reprimand <input type="checkbox"/> Unable to Impose Penalty Effective Date: _____ (Deceased, Resigned, Resigned in Lieu, Retired, Retired in Lieu, Termination On Prior, Transfer to Other City Dept., Unknown Employee)			
<b>AA. Employee Arrested:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

TO BE COMPLETED BY INTERNAL AFFAIRS GROUP (Except Non-Disciplinary)

EMP  
2

T. TOTAL NUMBER OF ALLEGATIONS: \_\_\_\_\_ EMPLOYEE NO. 2: MITCHELL, ERIC  
 TOTAL NUMBER OF COUNTS: \_\_\_\_\_ (Last, First, MI)

ALLEGATION TYPE	COUNT	DISCIPLINARY								DESCRIPTION	ASST ADJ		
		SUST	S-NP	G	NG	NR	EXON	UNF	BWV		DICV	OTHER	
NOD	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	see 0/40027	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MS	2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ally 2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NOD	3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	" 3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	" 7	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	" 12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	" 15	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V. Appeal:  Civil Service Hearing, Admin. Appeal, Settlement, Opt BOR, Liberty Hearing

W. Type of Penalty:  BOR  Division  Dept.  Civil Service Hearing

X. Penalty:  Admonishment  Demotion to Rank: \_\_\_\_\_  Inactive (RSOF) Days: \_\_\_\_\_  Suspension Length of Penalty: \_\_\_\_\_  Termination Effective Date: 4-7-18  
 (Discharged, Removed, Termination on Probation)

Y. Alcohol Involved:  Yes  No

Z. Non-Punitive Action:  SUST-NP  DIFFERENT  
 Training  Commented by Supervisor  Referral

BB. Criminal Filing:  Yes  No  
 Declined to Review Case  Not Submitted  Filed with CA  Filed with DA  Hearing CA  Rejected  Pending  Referred to CA

AA. Employee Arrested:  Yes  No  
 Detained  Booked Msd.  Booked Felony

TO BE COMPLETED BY INTERNAL AFFAIRS GROUP (Except Non-Disciplinary)

EMP  
3

T. TOTAL NUMBER OF ALLEGATIONS: \_\_\_\_\_ EMPLOYEE NO. 3: MITCHELL, ERIC  
 TOTAL NUMBER OF COUNTS: \_\_\_\_\_ (Last, First, MI)

ALLEGATION TYPE	COUNT	DISCIPLINARY									NON-DISCIPLINARY					ALTERNATE DISPO					DESCRIPTION	ASST ADJ		
		SUST	S-NP	G	NG	NR	EXON	UNF	PP	NM	DIFF	FALSE	NDE	ACR	MED	QJR	ETA	WCOP	OCS	DUP		CONS	BWV	DICV
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. Appeal:  Civil Service Hearing, Admin. Appeal, Settlement, Opt BOR, Liberty Hearing

W. Type of Penalty:  BOR  Division  Dept.  Civil Service Hearing

X. Penalty:  Admonishment  Demotion to Rank: \_\_\_\_\_  Inactive (RSOF) Days: \_\_\_\_\_  Suspension Length of Penalty: \_\_\_\_\_  Termination Effective Date: \_\_\_\_\_  
 (Discharged, Removed, Termination on Probation)

Y. Alcohol Involved:  Yes  No

Z. Non-Punitive Action:  SUST-NP  DIFFERENT  
 Training  Commented by Supervisor  Referral

BB. Criminal Filing:  Yes  No  
 Declined to Review Case  Not Submitted  Filed with CA  Filed with DA  Hearing CA  Rejected  Pending  Referred to CA

AA. Employee Arrested:  Yes  No  
 Detained  Booked Msd.  Booked Felony