

Internal Affairs Investigative Findings

Report of complaints investigated by Public Safety's Internal Affairs Division and their findings. Complaints include those made against both sworn and non-sworn personnel.

Some complaints have more than one allegation. Each allegation has a finding. For definitions of findings see page 8.

Refer to the [Internal Affairs Manual](#) for more information.

Investigative Findings 2017 to 2023

2023 Cases	Allegation	Finding
#1	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming 	<ul style="list-style-type: none"> Sustained
#2	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming 	<ul style="list-style-type: none"> Sustained
#3	Citizen Complaint: <ul style="list-style-type: none"> Force 	<ul style="list-style-type: none"> Complaint Withdrawn
#4	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming Procedural 	<ul style="list-style-type: none"> Sustained Sustained
#5	Citizen Complaint: <ul style="list-style-type: none"> Force 	<ul style="list-style-type: none"> Exceptional Clearance
#6	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming Dishonesty 	<ul style="list-style-type: none"> Pending Pending
#7	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming 	<ul style="list-style-type: none"> Pending
#8	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming 	<ul style="list-style-type: none"> Not Sustained
#9	Department Initiated: <ul style="list-style-type: none"> Conduct Unbecoming 	<ul style="list-style-type: none"> Pending

2022 Cases	Allegation	Finding
#1	Department Initiated: <ul style="list-style-type: none"> Conduct unbecoming toward department personnel. 	<ul style="list-style-type: none"> Sustained
#2	Citizen Complaint: <ul style="list-style-type: none"> Improper Procedure when towing a vehicle 	<ul style="list-style-type: none"> Exonerated
#3	<ul style="list-style-type: none"> Department Initiated: Failure to notify a supervisor prior to leaving the scene of an on-duty accident. 	<ul style="list-style-type: none"> Sustained
#4	<ul style="list-style-type: none"> Department Initiated: Using unnecessary force during an arrest 	<ul style="list-style-type: none"> Not Sustained
#5	Department Initiated: <ul style="list-style-type: none"> Improper conduct towards another employee. Improper conduct towards another employee. Improper conduct towards another employee. Improper conduct towards another employee. Violating department safety procedures Dishonestly during an investigation 	<ul style="list-style-type: none"> Sustained Sustained Not Sustained Not Sustained Sustained Sustained
#6	Citizen Complaint <ul style="list-style-type: none"> Conduct unbecoming during a criminal investigation. Failure to have or activate their body-worn camera. Failure to report off-duty enforcement to a supervisor. 	<ul style="list-style-type: none"> Unfounded Sustained Sustained

#7	Citizen Complaint <ul style="list-style-type: none"> • Unnecessary force during an arrest. • Unnecessary force during an arrest. • Unnecessary force during an arrest. 	<ul style="list-style-type: none"> • Exonerated • Exonerated • Exonerated
#8	Department Initiated: <ul style="list-style-type: none"> • Dishonesty to a supervisor. • Not properly completing department forms. 	<ul style="list-style-type: none"> • Sustained • Unfounded
#9	Department Initiated: <ul style="list-style-type: none"> • Improper conduct towards another employee. 	<ul style="list-style-type: none"> • Unfounded
#10	Department Initiated <ul style="list-style-type: none"> • Dishonestly. • Failure to properly document. 	<ul style="list-style-type: none"> • No Finding • Unfounded

2021 Cases	Allegation	Finding
#1	Department Initiated: <ul style="list-style-type: none"> • Consuming alcohol before reporting to duty. 	<ul style="list-style-type: none"> • No finding
#2	Citizen Complaint: <ul style="list-style-type: none"> • Improper procedure allowing the property of another to be collected during a civil matter. • Improper procedure in handling a civil dispute. 	<ul style="list-style-type: none"> • Sustained • Sustained
#3	Department Initiated: <ul style="list-style-type: none"> • Off duty DUI arrest 	<ul style="list-style-type: none"> • Sustained
#4	Citizen Complaint: <ul style="list-style-type: none"> • Improper care for the property of an arrestee. • Improper care for the property of an arrestee. • Improper care for the property of an arrestee. 	<ul style="list-style-type: none"> • Exonerated • Exonerated • Exonerated

2020	Allegation	Finding
#1	Department Initiated: <ul style="list-style-type: none"> Sleeping on-duty. 	<ul style="list-style-type: none"> Sustained
#2	Department Initiated: <ul style="list-style-type: none"> Unreasonable use of force during an arrest. 	<ul style="list-style-type: none"> Sustained
#3	Citizen Complaint: <ul style="list-style-type: none"> Biased-based policing during an investigation. No reasonable suspicion for a detention. Failure to activate Body Worn Camera. Improperly sharing confidential information with a member of the public. 	<ul style="list-style-type: none"> Not Sustained Unfounded Sustained Sustained
#4	Department Initiated: <ul style="list-style-type: none"> Conduct unbecoming towards department personnel. Conduct unbecoming towards department personnel. Conduct unbecoming towards department personnel. 	<ul style="list-style-type: none"> Sustained Sustained Not Sustained
#5	Citizen Complaint: <ul style="list-style-type: none"> Allegation of unlawful search Improper procedures during prisoner transport Improper search of a prisoner 	<ul style="list-style-type: none"> Exonerated Exonerated Exonerated
#6	Department Initiated: <ul style="list-style-type: none"> Improper storage of a firearm 	<ul style="list-style-type: none"> Exonerated
#7	Citizen Complaint: <ul style="list-style-type: none"> Alleged excessive force while handcuffing. Rude and unnecessary conduct 	<ul style="list-style-type: none"> Exceptional Clearance Exceptional Clearance

2019	Allegation	Finding
#1	Citizen Complaint: <ul style="list-style-type: none"> Stopping a vehicle without cause Bias-Based Policing 	<ul style="list-style-type: none"> Unfounded Unfounded
#2	Citizen Complaint: <ul style="list-style-type: none"> Allegation of excessive force and unlawful search Improper conduct during an investigative detention 	<ul style="list-style-type: none"> Exceptional Clearance Exceptional Clearance
#3	Citizen Complaint: <ul style="list-style-type: none"> Unlawful detention Not being courteous during an investigation 	<ul style="list-style-type: none"> Exonerated Sustained
#4	Department Initiated: <ul style="list-style-type: none"> Conduct unbecoming towards department personnel. Conduct unbecoming towards department personnel. Conduct unbecoming towards department personnel. 	<ul style="list-style-type: none"> Not Sustained Not Sustained Not Sustained
#5	Department Initiated: <ul style="list-style-type: none"> Conduct unbecoming of an off-duty employee Discourteous conduct during an investigation 	<ul style="list-style-type: none"> Sustained Sustained
#6	Citizen Complaint: <ul style="list-style-type: none"> Improper procedure during a search 	<ul style="list-style-type: none"> Sustained

2018	Allegation	Finding
#1	Department Initiated: <ul style="list-style-type: none"> Failure to act as a supervisor for an employee who failed to take the appropriate action during an investigation 	<ul style="list-style-type: none"> Sustained
#2	Department Initiated: <ul style="list-style-type: none"> Misuse of a law enforcement database 	<ul style="list-style-type: none"> Sustained
#3	Department Initiated: <ul style="list-style-type: none"> Truthfulness and integrity regarding an off-duty investigation 	<ul style="list-style-type: none"> Sustained
#4	Department Initiated: <ul style="list-style-type: none"> Discourteous and inappropriate conduct towards other department personnel Truthfulness and Integrity Violation of department policy 	<ul style="list-style-type: none"> Sustained Sustained Sustained
#5	Citizen Complaint: <ul style="list-style-type: none"> Improper conduct during a vehicle enforcement stop Improper conduct during a vehicle enforcement stop Allegation of Bias-Based Policing Allegation of unnecessary force during a search 	<ul style="list-style-type: none"> Sustained Not Sustained Unfounded Sustained
#6	Department Initiated: <ul style="list-style-type: none"> Improper procedure during a vehicle pursuit 	<ul style="list-style-type: none"> Sustained
#7	Citizen Complaint: <ul style="list-style-type: none"> Discourteous conduct during a call for service Prolonged detention during an investigation Improper search 	<ul style="list-style-type: none"> Unfounded Exonerated Sustained

#8	Department Initiated: <ul style="list-style-type: none"> Off-duty DUI 	<ul style="list-style-type: none"> Sustained
#9	Department Initiated: <ul style="list-style-type: none"> Improper use of a police database 	<ul style="list-style-type: none"> Sustained

2017	Allegation	Finding
#1	Department Initiated: <ul style="list-style-type: none"> Display of a firearm off-duty 	<ul style="list-style-type: none"> Not Sustained
#2	Citizen Complaint: <ul style="list-style-type: none"> Unprofessional telephone etiquette 	<ul style="list-style-type: none"> Sustained
#3	Department Initiated: <ul style="list-style-type: none"> Off-duty DUI 	<ul style="list-style-type: none"> Sustained
#4	Citizen Complaint: <ul style="list-style-type: none"> Officer did not have probable cause to arrest. 	<ul style="list-style-type: none"> Exonerated
#5	Department Initiated: <ul style="list-style-type: none"> Improper procedures during a vehicle pursuit. Failure to obey orders. When to initiate a pursuit. When to continue a pursuit. Termination tactics during a pursuit. 	<ul style="list-style-type: none"> Sustained Sustained Sustained Sustained Sustained
#6	Citizen Complaint: <ul style="list-style-type: none"> Improper procedure during a call for service. 	<ul style="list-style-type: none"> Exonerated
#7	Department Initiated: <ul style="list-style-type: none"> Failure to obey orders during a vehicle pursuit. Officer responsibilities during a pursuit. When to initiate a pursuit. When to continue a pursuit. 	<ul style="list-style-type: none"> Sustained Sustained Sustained Sustained

#8	Citizen Complaint: <ul style="list-style-type: none"> • Rude conduct during a traffic enforcement stop. • Use of obscene language. • Failure to provide name and badge number 	<ul style="list-style-type: none"> • Unfounded • Sustained • Exonerated
#9	Department Initiated: <ul style="list-style-type: none"> • Failure to obey orders during a vehicle pursuit • Officer responsibilities • When to initiate a pursuit • When to continue a pursuit • Supervisory responsibilities • Supervisory control of a pursuit 	<ul style="list-style-type: none"> • Unfounded • Sustained • Sustained • Sustained • Unfounded • Sustained
#10	Department Initiated: <ul style="list-style-type: none"> • Attendance at work/failure to obey orders • Standards of conduct 	<ul style="list-style-type: none"> • Not Sustained • Sustained

Findings Defined

- **Unfounded:** The investigation determined conclusively that the act(s) alleged in the complaint either did not occur or that the Department member named in the allegation was not involved in the alleged act(s).
- **Exonerated:** The act(s) alleged in the complaint occurred. However, the investigation revealed the acts were justified, lawful, and proper.

The Command Officer making this finding should consider whether training and counseling might still be recommended for the subject employee if such actions may provide ways for the employee to provide public safety services in a manner that does not lead to a complaint. Consideration should also be given as to whether the Strategic Services Captain may need to consider altering or updating training content for all personnel to avoid similar complaints in the future.

- **Not Sustained:** The Internal Affairs investigation determined that there was not sufficient evidence to prove clearly that the alleged act(s) did or did not occur.

The Command Officer making this finding should consider whether training and counseling may still be recommended for the subject employee if such actions might provide ways for the employee to provide public safety services in a manner that does not lead to a complaint. Consideration should also be given as to whether the Strategic Services Captain may need to consider altering or updating training content for all personnel to avoid similar complaints in the future.

- **Sustained:** The internal affairs investigation determined that sufficient evidence existed to prove that the act(s) alleged in the complaint occurred.
- **No Finding:** The complainant failed to provide information promised to complete the investigation, the complainant is no longer available to clarify details needed to make a finding in the case, and the complainant has advised he or she is no longer willing to cooperate in the investigation, or the SDPS employee is no longer employed with the City of Sunnyvale before the internal affairs investigation could be completed.
- **Complaint Withdrawn:** The complainant alleging the act(s) involved in the case indicates he or she would like to withdraw the complaint. This finding will only be used with the approval of the Chief of Public Safety, as misconduct issues may have been brought to light that need to be investigated even though a complainant expresses a desire to withdraw the complaint.
- **Exceptional Clearance:** When the initial investigation of a complaint reveals that the misconduct alleged in the complaint did not occur, based on immediately available evidence and/or recorded media, the complaint is categorized as Exceptional Clearance. Complaint investigators complete formal written documentation of the incident using the Internal Affairs Investigations Report Format to explain why the case was cleared exceptionally.