



AGENDA

Community and Police Relations Commission

Council Chambers – City Hall
1243 National City Blvd
National City, CA 91950

Daniel Orth, Chair

Vacant, Vice-Chair

Jared Blackwell, Commissioner

Kimberly Cumming-Serrano, Commissioner

William Phillips, Commissioner

Rob Rice, Commissioner

Rosemary Vazquez, Commissioner

Jake Zindulka, Commissioner

Shane McClure, Police Member

Meetings: Regular Community and Police Relations Commission Meetings are held once a quarter on the third Thursday of the month at 6:00 p.m.

Location: Regular Community and Police Relations Commission Meetings are held in the Council Chamber located at City Hall, 1243 National City Boulevard, National City, CA 91950, the meetings are open to the public.

Agendas and Material: [Agendas and Agenda Packet](#) for items listed are available on the City website, and distributed to the Commissioners no less than 72 hours prior to the Community and Police Relations Commission Meeting. Sign up for [E-Notifications](#) to receive alerts when items are posted.

Public Participation: Members of the public may attend the Community and Police Relations Commission Meeting in person, watch the Community and Police Relations Commission Meeting via [live web stream](#), or participate remotely via [Zoom](#). [Recording of Meetings](#) are archived and available for viewing on the City's website.

Public Comment: Persons wishing to address the Commissioners on matters not on the agenda may do so under Public Comment. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the Clerk prior to the meeting or immediately following the announcement of the item. All comments will be limited to up to three (3) minutes. The Chair shall have the authority to reduce the time allotted to accommodate many speakers. *(City Council Policy 104)*

If you wish to submit written comment via [email](#) your comment must be received 2 hours prior to the meeting.

Disabilities Act Title II: In compliance with the American Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Title II. Any person with a disability who requires a modification or accommodation to participate in a meeting should direct such request to the City Clerk's Office (619) 336-4228 at least 24 hours in advance of the meeting.



AGENDA

COMMUNITY AND POLICE RELATIONS COMMISSION

Thursday, May 21, 2026, 6:00 p.m.

Council Chambers – City Hall

1243 National City Blvd

National City, CA 91950

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 4. APPROVAL OF MINUTES – Regular Meeting of February 19, 2026**
- 5. PUBLIC COMMENT**

In accordance with State law, an item not scheduled on the agenda may be brought forward by the public for comment; however, the Commission will not be able to discuss or take action on any issue not included on the agenda. Speakers will have up to three (3) minutes.

- 6. APPROVAL OF EXCUSED ABSENCES**
- 7. ELECTION OF OFFICERS – SELECT VICE CHAIR**
- 8. CPRC BYLAWS: ARTICLE V – COMPLAINT REVIEW SUBCOMMITTEE**
- 9. ESTABLISH BYLAWS AND OPERATING PROCEDURES SUBCOMMITTEE**
- 10. AMEND NATIONAL CITY POLICE DEPARTMENT POLICY MANUAL, CHAPTER 10, POLICY 1010**
- 11. AB481 REPORT**
- 12. TRAINING OPPORTUNITY – 2026 ANNUAL NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT (NACOLE) CONFERENCE, NOVEMBER 8-12, 2026, IN LOUISVILLE, KENTUCKY**

13. NEW BUSINESS – COMMISSION ITEM REQUESTS

13.1 CPRC Bylaws - ARTICLE III – MEETINGS - Section 11. Docketing of Items for Agenda – Request report from the National City Police Department regarding its use of artificial intelligence by Commissioner Zindulka

13.2 CPRC Bylaws - ARTICLE III – MEETINGS - Section 11. Docketing of Items for Agenda – Review and adoption of the Bylaws and Operating Procedures Subcommittee’s proposed amendments by Commissioner Zindulka

14. CLOSED SESSION

14.1 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #1

14.2 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #2

14.3 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #3

14.4 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #4

14.5 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #5

14.6 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #6

14.7 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #7

14.8 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #8

14.9 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #9

14.10 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #10

14.11 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #11

14.12 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6 Case #12

14.13 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code Section 54957.6 Case #13

15. CITY STAFF COMMENTS

16. COMMISSIONER REPORTS

17. ADJOURNMENT

Regular Meeting of the Community and Police Relations Commission - Thursday
– August 20, 2026 - 6:00 p.m. - Council Chambers - National City, California.



COMMUNITY AND POLICE RELATIONS COMMISSION

Minutes of the Regular Meeting of Thursday, February 19, 2026

1. CALL TO ORDER

Chair Orth called the meeting to order at 6:19 p.m.

2. ROLL CALL

Commissioners Present

Daniel Orth, Chair
Michael Lesley, Vice Chair
William Phillips
Zachary Francisco-Gomez
Marisa Rosales
Jake Zindulka
Shane McClure, Police Member

City Staff:

Heidi Skinner, Interim City Attorney
Walter Amedee, Emergency Manager
Matthew Cardoza, Sergeant

Commissioners Absent

Kimberly Cumming-Serrano

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Vice Chair Lesley led the Pledge of Allegiance.

4. APPROVAL OF MINUTES – Regular Meeting of November 20, 2025

ACTION: Motion by Commissioner Zindulka and seconded by Vice Chair Lesley to approve the November 20, 2025, meeting minutes.

Motion approved unanimously.

5. PUBLIC COMMENT

No public comments received.

6. APPROVAL OF EXCUSED ABSENCES

6.1 Commissioner Cumming-Serrano notified the Commission Clerk that illness was the reason for his absence from the February 19, 2026 meeting.

ACTION: Motion by Commissioner Zindulka and seconded by Vice Chair Lesley to accept Commissioner Cumming-Serrano's excused absence.

Motion approved unanimously.

7. NEW BUSINESS – COMMISSION ITEM REQUESTS

7.1 CPRC Bylaws - ARTICLE III – MEETINGS - Section 11. Docketing of Items for Agenda – Establish Bylaws and Operating Procedures Subcommittee Requested by Commissioner Zindulka

ACTION: Motion by Commissioner Lesley, seconded by Commissioner Gomez, to add agenda item "Establish Bylaws and Operating Procedures Subcommittee" to the May 21st CPRC Agenda.

Motion approved unanimously.

7.2 CPRC Bylaws - ARTICLE III – MEETINGS - Section 11. Docketing of Items for Agenda – Amend National City Police Department Policy Manual, Chapter 10, Policy 1010 Requested by Commissioner Zindulka

ACTION: Motion by Commissioner Gomez, seconded by Commissioner Rosales, to add agenda item "Amend National City Police Department Policy Manual, Chapter 10, Policy 1010" to the May 21st CPRC Agenda.

Motion approved unanimously.

8. CLOSED SESSION

CPRC Commissioners retired into Closed Session at 6:25 p.m. and returned at 8:00 p.m.

Interim City Attorney Heidi Skinner reported that the Commissioners heard 26 cases in Closed Session. Case # 1-26 received a unanimous vote of support by those Commissioners in attendance.

8.1 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #1

8.2 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

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Case #13

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Government Code Section 54957.6
Case #14

8.15 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #15

8.16 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #16

8.17 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #17

8.18 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #18

8.19 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #19

8.20 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #20

8.21 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #21

8.22 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #22

8.23 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #23

8.24 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #24

8.25 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #25

8.26 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957.6

Case #26

9. CITY STAFF COMMENTS

None

10. COMMISSIONER REPORTS

Commissioner Phillips mentioned that he will be absent at the May 21st meeting due to travel.

Commissioner Zindulka mentioned the possibility of promoting CPRC at August’s National Night Out.

Commissioner Gomez mentioned his participation at the NACOLE Conference; encourage the City to apply to be a member for any CPRC member to receive the registration discount and plan toward early bird discounts.

Vice Chair Lesley mentioned that the CPRC has caught up with backlog of cases, revisiting of bylaws.

11. ADJOURNMENT

ACTION: Motion by Vice Chair Lesley, seconded by Commissioner Gomez to adjourn the meeting.

Motion carried unanimously.

The next Regular Meeting of the CPRC is scheduled for Thursday, May 21, 2026, at 6:00 p.m.

Respectfully Submitted:

Accepted by:

Walter Amedee, Emergency Manager

Daniel Orth, Chair

From: Roberto Umana [REDACTED]
Sent: Thursday, February 19, 2026 3:09 PM
To: CMO <CMO@nationalcityca.gov>
Subject: ACCOUNTABILITY!!!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear National City Community and Police Relations Commission,

The City Of National City is appealing the Cummins vs. National City case. This commission is supposed to provide oversight and accountability, yet none of you have publicly addressed this serious matter. Your silence makes it seem like you are ignoring the community instead of standing up for it.

It is also very concerning that the new city manager is police chief Alejandro Hernandez. Promoting leadership connected to these costly and controversial cases does not show accountability. It gives the impression that poor leadership is being rewarded instead of questioned!

Last year alone, the NCPD cost the city \$11 million in the Umana vs. National City and Cummins vs. National City cases, both involving police negligence. That is an enormous financial burden on the community. Residents are paying the price while those responsible face zero consequences!

The NCPD'S repeated failures reflect serious problems in leadership, training, and accountability. At the same time, this commission has failed to act in a meaningful way. If this commission does not speak up, investigate, or demand change then it's not fulfilling its purpose, which means it condones the disgusting behavior!

Sincerely,
Roberto Umana



AGENDA REPORT

Community and Police Relations Commission

Prepared by: Walter Amedee, Emergency Manager
Meeting Date: Thursday, May 21, 2026

SUBJECT:

CPRC Election of Officers – Select Vice Chair

RECOMMENDATION:

That the Commissioners vote to select a Vice Chair for calendar year 2026.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable

EXPLANATION:

Annually the National City Community and Police Relations Commission (CPRC) elects a Vice-Chair, according to Bylaws Article II - Officers section 3. Additionally, it should be noted that this position must be filled by a National City resident per City Council Policy #107.

CPRC Bylaws

Section 3. Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the Chairperson's absence. The Vice Chairperson shall be a current resident of National City. The Commission shall not have a current or former member of a National City Police Department serve as Vice Chairperson.

CPRC Operation Procedures, Section 3.02, Section 13

Only City Residents may be elected to Chair, and Vice-Chair positions. To be eligible to be elected as the Chairperson of a City Board, Committee or Commission, the member must be a resident of the City.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review. CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Not Applicable



AGENDA REPORT

Community and Police Relations Commission

Prepared by: Walter Amedee, Emergency Manager
Meeting Date: Thursday, May 21, 2026

SUBJECT:

CPRC Complaint Review Subcommittee

RECOMMENDATION:

That the Commissioners vote to select a Complaint Review Subcommittee for calendar year 2026.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable

EXPLANATION:

Annually, the National City Community and Police Relations Commission (CPRC) select a Complaint Review Subcommittee, according to Bylaws Article V - Subcommittees.

CPRC Bylaws: ARTICLE V – SUBCOMMITTEES

Section 1. Establishment

The Commission shall have the authority to, and may, establish subcommittees as necessary to accomplish the purposes set forth in Section 3 of Article I of these Bylaws.

Section 2. Membership

Each subcommittee shall be composed of a minimum of two (2) but not more than three (3) members of the Commission.

Section 3. Appointment of Members

Members on a subcommittee shall be appointed by the Chairperson of the Commission by a majority vote of the Commission.

Section 4. Officers and Meetings

Subcommittee chairpersons shall be designated by the Chairperson of the Commission from among the Commission members appointed to the subcommittee. Each subcommittee shall elect a vice chairperson, and shall establish the date, time and place for meetings to conduct the subcommittee's business.

Section 5. Subcommittee Reports

From time to time, subcommittees shall submit reports to the Commission, which reports summarize the subcommittee's activities, findings and/or recommendations on matters for which the subcommittee was established.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review. CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Not Applicable

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the National City Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The National City Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

See Procedures Manual on Personnel Complaints Procedure for further information.

[National City Police Department Procedures Manual: 1005.1 PERSONNEL COMPLAINTS PROCEDURE](#)

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance (including poor service) that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Watch Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs Unit, depending on the seriousness and complexity of the investigation.

National City Police Department

Policy Manual

Personnel Complaints

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.3.3 COMPLAINT CATEGORIES

Citizen Complaint investigations will fall into two categories; Category I and Category II.

- (a) Category I Complaints include:
 - 1. Department initiated confidential or sensitive investigations;
 - 2. Allegations of serious misconduct, i.e. excessive force, corruption, alleged or suspected breach of integrity in a case of moral turpitude;
 - 3. Allegations of any criminal misconduct;
 - 4. Other investigations as assigned by the Chief of Police or a member of the command staff.
 - (a) Category I complaints will normally be investigated by personnel of the Internal Affairs Unit unless otherwise determined by the Chief of Police or his designee. Some Category I complaints may be assigned to a command outside of the Internal Affairs Unit based upon Department needs.
 - (b) Immediately upon receipt of a Category I complaint, it is the responsibility of the Administrative Support Lieutenant or IA Sergeant to notify the Chief of Police.
 - (c) In allegations of criminal misconduct which occurs in the City of National City, a separate criminal investigation shall be conducted by the Investigations Division at the direction of the Chief of Police or his designee.
 - (d) The Investigations Division will maintain a liaison with the San Diego County District Attorney's Office. The resulting criminal investigation will be reviewed by the District Attorney for appropriate action.

National City Police Department

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Personnel Complaints

(b) Category II Complaints include:

1. Complaints of a minor nature alleging discourtesy, disrespect, attitude or perceived rudeness;
2. Complaints alleging abusive or foul language;
3. Complaints that, upon review of the allegations, will not require extensive interviews or lengthy complex investigations.

(a) Category II complaints will normally be investigated by supervisory personnel from the member's command.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of the complaining party's statement at the time it is filed with the Department (Penal Code § 832.7).

1010.4.3 AVAILABILITY OF WRITTEN PROCEDURES

The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

1010.4.4 HATE COMPLAINTS AGAINST PEACE OFFICERS

Internal complaints or complaints from the public shall be accepted and investigated in accordance with this policy where it is alleged that an officer has in the previous seven years, and since 18 years of age, engaged in membership in a hate group, participated in a hate group activity, or advocated any public expression of hate (Penal Code § 13682).

Personnel Complaints

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

See Procedures Manual on Personnel Complaints Procedure (document process) for further information.

[National City Police Department Procedures Manual: 1005.1 PERSONNEL COMPLAINTS PROCEDURE](#)

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Watch Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complainants in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.

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Personnel Complaints

2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Watch Commander.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Commander and the Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the Watch Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Watch Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, they shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the National City Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank, and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.
- (e) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.

Personnel Complaints

- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.
- (i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All members shall provide complete and truthful responses to questions posed during interviews.
- (k) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Personnel Complaints

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of an officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.6.7 LIMITATIONS ON INVESTIGATIONS

Investigations shall not be undertaken against any officer in the following limited circumstances:

- (a) The officer has been placed on a prosecutor's *Brady* list, or the name of the officer may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (Government Code § 3305.5).

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1. An investigation may be initiated based on the underlying acts or omissions for which the officer has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland*.
- (b) A court finding against an officer in a challenge brought under Penal Code § 745 (California Racial Justice Act of 2020) (Government Code § 3305.6).
 1. An investigation may be Initiated based on the underlying acts or omissions which formed the basis of the action brought pursuant to Penal Code § 745 (Government Code § 3305.6).

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

1010.7.1 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

- (a) Pursuant to a state law or proper legal process
- (b) Information exists that tends to indicate a conflict of interest with official duties
- (c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

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1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The National City Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1010.10.1 COMMAND RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the assigned Captain, the assigned Lieutenant shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.10.2 CAPTAIN RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the assigned Captain shall review the recommendation and all accompanying materials. The assigned Captain may modify any recommendation and/or may return the file to the Lieutenant for further investigation or action.

Once the assigned Captain is satisfied that no further investigation or action is required by staff, the assigned Captain shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a pre-

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disciplinary procedural due process hearing (*Skelly*) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief of Police shall also provide the member with:

- (a) Access to all of the materials considered by the assigned Captain in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within ten days after the personal service of the notice to the employee or within of receiving the notice fifteen calendar days after the mail deposit by first class to the employee of the notice of disciplinary action (Civil Service Rule VIII, Section 807).
 - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

1010.10.4 NOTICE REQUIREMENTS

The disposition of any civilian's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

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- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline (Penal Code § 13510.8).

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding, and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that an officer has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

Additionally, any evidence of a court finding that an officer violated Penal Code § 745 (California Racial Justice Act of 2020) shall not be introduced for any purpose in any administration appeal of a punitive action (Government Code § 3305.6).

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have

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acquired a property interest in their position, but shall be given the opportunity to appear before the Chief of Police or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief of Police shall be final.

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1010.16 REQUIRED REPORTING TO POST

The Chief of Police or the authorized designee shall notify POST on the appropriate POST form within 10 days of certain officer personnel events, including but not limited to (Penal Code § 13510.9):

- (a) Termination or separation from employment or appointment. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.
 - 1. A POST affidavit-of-separation form shall be executed and maintained by the Department and submitted to POST as required by Penal Code § 13510.9 and 11 CCR 1003.
- (b) Events that could affect an officer's POST certification, such as:
 - 1. Complaints, charges, or allegations of serious misconduct (as defined by Penal Code § 13510.8).
 - 2. Findings of civilian review boards.
 - 3. Final dispositions of any investigations.
 - 4. Civil judgments or court findings based on conduct, or settlement of a civil claim against an officer or the National City Police Department based on allegations of conduct by an officer.

The Chief of Police or the authorized designee shall be responsible for providing POST access to or duplication of investigation documentation (e.g., physical or documentary evidence, witness statements, analysis, conclusions) within the applicable timeframe provided in Penal Code § 13510.9.

1010.16.1 NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

The Chief of Police or the authorized designee shall report allegations of serious misconduct by an officer to POST and the report shall include the following (11 CCR 1207):

- (a) Name of the Department
- (b) Administrative case number
- (c) Name, current address, and phone number of the complainant, if available
- (d) Name, POST ID, current address, and phone number of the involved officer

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- (e) A summary of the alleged misconduct including:
 - 1. A narrative of the allegations
 - 2. Date and time of incidents
 - 3. Location of occurrence
 - 4. Any witness information, if available
 - 5. Summary of arrest or indictment of involved officer
- (f) A change in employment status of the involved officer (e.g., administrative leave, suspension, termination)
- (g) Name and contact information of the assigned investigator

The Chief of Police or the authorized designee shall provide updates of the investigation to POST every 90 days until the final disposition in the method designated by POST (11 CCR 1207).

Upon completion of the investigation, the Chief of Police or the authorized designee shall submit to POST the final disposition of the investigation as well as investigation materials and the officer's service record as provided by 11 CCR 1207.

1010.16.2 ADDITIONAL NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

Additional notification shall be made to POST (11 CCR 1207):

- (a) If the imposed disciplinary action is pending appeal or other review through an administrative or judicial proceeding:
 - 1. The Department shall provide the name of the body conducting the proceeding.
 - 2. The status of the proceeding, if known.
- (b) If criminal charges are pending:
 - 1. The name of the court having jurisdiction over the criminal charges against the officer.
 - 2. The status of the criminal case, if known.

Assembly Bill 481

Military Equipment Use 2025 Annual Report



Presentation Summary

The goal of this presentation is to seek Mayor and City Council approval and adoption of the following:

- The continued use of Military Equipment, as defined in Assembly Bill 481, by the approval of the Policy
- To accept and approve the AB 481 Annual Report
- To accept and approve the updated Procedure regarding the Use of Military Equipment per AB 481



Assembly Bill 481 Policy

The Mayor and City Council approved the Assembly Bill 481 Policy and Procedure on April 15, 2025, which documented the military equipment as defined, as well as the capabilities, use, inventory, and financial impact of the equipment.

This approval, by resolution, established the Police Department's Policy 706 and Procedure 706 in regard to the use of military equipment.



Annual Report

The Annual Report is to be submitted to the Mayor and City Council for continued approval of the policy as well as the procedure and equipment inventory. The Annual Report details the following:

- How the equipment was used
- If there were any complaints or concerns
- The results of any internal audits
- The annual cost
- The quantity of equipment
- And any future acquisitions being requested

*Refer to the Annual Report for full details



SWAT Team Equipment Use at a Glance

The following equipment was used by the department's SWAT team during the period of January 2025 – January 2026:

<u>Equipment</u>	<u>Training</u>	<u>Critical Incidents</u>
Armored Vehicle:	12	6
UAVs:	0	2
Tethered Drone	2	1
Distraction Devices:	0	1
Chemical Agents:	6	2
Ammunition:	10,000 approx.	0
Night Vision Monocles:	0	0
CTS Bean Bag Rounds	0	1
CTS Foam Baton Rounds	0	1

*This list is only a portion of the total amount of equipment used for the specified time frame



Request for Future Acquisitions

The Annual Report lists "Attachment A" and documents what items are being requested. Both items were previously approved in 2024, but have not been acquired yet:

- **One Lemur 2 sUAS (Small Unmanned Aerial System) (or similar)**
 - Cost using UASI Grant Funds = \$16,999 estimated cost
- **One Lenco Bearcat G3 Armored Rescue Vehicle (grant funded)**
 - Cost using UASI Grant Funds = \$446,011.00 estimated cost
 - Cost using Asset Forfeiture Funds = \$86,179.71 estimated cost
 - Item is pending approval from CAL OES



Assembly Bill 481

The National City Police Department is respectfully asking for the Mayor and City Council to approve the continued use of the equipment as outlined in the Policy, Procedure, and Annual Report.

These tools enable the department to respond appropriately to critical incidents and maintain public safety.



Thank you for allowing me this opportunity to present to you.

Questions?





COMMISSION ITEM REQUEST

The Commission Item Request Form is for members of a National City Board, Commission or Committee (BCC) to submit written requests to City staff for inclusion of an item on a future Meeting Agenda. At the meeting where the initial written request is heard, discussion should be limited to whether the item should be added to an agenda and a date, not the merit of the item. A majority of the BCC is required for the item to be added to a future Meeting Agenda for action.

Requesting Member of Board, Commission or Committee: Jake Zindulka

Today's Date: 05/01/2026

Is this matter considered Time-Sensitive by another entity deadline? No

WRITTEN REQUEST

I, Jake Zindulka, hereby request that the following item be placed on the City of National City – Board, Commission or Committee meeting agenda for consideration.

Request report from the National City Police Department on its use of artificial intelligence.

