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OIG | OFFICE *of the* INSPECTOR GENERAL

Independent Prison Oversight

May 2026

Monitoring Internal Investigations, Staff
Misconduct Complaint Investigations,
and the Employee Disciplinary Process
of the California Department
of Corrections and
Rehabilitation

Semiannual Report
July – December 2025



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May 5, 2026

The Governor of California
President pro Tempore of the Senate
Speaker of the Assembly
State Capitol
Sacramento, California

Dear Governor and Legislative Leaders:

Enclosed find the Office of the Inspector General's report titled *Monitoring Internal Investigations, Staff Misconduct Complaint Investigations, and the Employee Disciplinary Process of the California Department of Corrections and Rehabilitation*. This is our 42nd semiannual report, issued pursuant to California Penal Code section 6126(a) et seq., which summarizes the department's performance in conducting internal investigations into allegations of staff misconduct and handling the employee disciplinary process in cases that we monitored and closed from July 1, 2025, through December 31, 2025.

We assessed the overall performance of the three entities within the department responsible for conducting internal investigations and managing the employee disciplinary process: hiring authorities (such as prison wardens), the Office of Internal Affairs, and department attorneys. We used three performance indicators, one for each entity, to determine the department's overall performance rating for each case. The OIG's assessment was based on the department's adherence to laws, its own policies, and the OIG's opinion of what constituted sound investigative practice and appropriate disciplinary processes and outcomes.

Of the 226 administrative disciplinary and criminal cases we monitored and closed, we rated the department's overall performance *adequate* in 110 cases, *improvement needed* in 48 cases, and *inadequate* in 68 cases. Of the 141 staff misconduct complaint cases we monitored and closed, we rated the department's overall performance *adequate* in 44 cases, *improvement needed* in 41 cases, and *inadequate* in 56 cases.

Sincerely,



Amarik K. Singh
Inspector General



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LADY JUSTICE

The Inspector General

shall be responsible for contemporaneous oversight of internal affairs investigations and the disciplinary process of the Department of Corrections and Rehabilitation, pursuant to Section 6133 under policies to be developed by the **Inspector General**.

(California Penal Code section 6126(a))

The **Office of the Inspector General** shall be responsible for contemporaneous public oversight of the Department of Corrections and Rehabilitation investigations conducted by the Department of Corrections and Rehabilitation's Office of Internal Affairs. . . . The **Office of the Inspector General** shall also be responsible for advising the public regarding the adequacy of each investigation, and whether discipline of the subject of the investigation is warranted.

(California Penal Code section 6133(a))

The **Office of the Inspector General** shall also issue regular reports, no less than semiannually, summarizing its oversight of Office of Internal Affairs investigations pursuant to subdivision (a).

(California Penal Code section 6133(b)(1))

— State of California
Excerpted from Penal Code sections

Introduction

California Penal Code sections 6126 and 6133 mandate that the Office of the Inspector General (the OIG) provide contemporaneous public oversight of the California Department of Corrections and Rehabilitation’s (the department’s) investigations and disciplinary process. Section 6126(h) also directs that we “provide contemporaneous oversight of grievances that fall within the department’s process for reviewing and investigating inmate allegations of staff misconduct and other specialty grievances, examining compliance with regulations, department policy, and best practices.”

Our office monitors internal affairs investigations, both criminal and administrative, as well as any disciplinary processes the department initiates in cases where misconduct has been found to have occurred. The department also has a process by which an incarcerated person, a parolee, or any third party can submit an allegation of staff misconduct to the department for review and handling.

Experienced OIG attorneys with diverse legal backgrounds in areas such as administrative law, criminal prosecution and defense, and civil litigation monitor all these processes. In doing so, our attorneys assess the performance of three entities (the hiring authority, the Office of Internal Affairs, and the department attorney) involved at the inception of a case, when an investigation is launched, through the disciplinary phase, and when a case is concluded.

Providing valuable, real-time feedback and recommendations to the department, OIG attorneys evaluate whether investigators conduct thorough and timely investigations, whether department attorneys provide appropriate advice to investigators and hiring authorities and effectively litigate disciplinary actions, and whether hiring authorities make reasonable decisions about investigative findings, choose appropriate penalties, and reach appropriate settlement agreements.

California Penal Code section 6133(a)(3) requires that our office advise the public about the adequacy of the department’s internal affairs investigations we monitor and whether discipline in those cases was warranted. The mandate requires that we issue regular reports, no less than semiannually, summarizing our oversight of the department’s Office of Internal Affairs’ investigations. We satisfy these statutory requirements by publishing our discipline monitoring reports twice a year.

This report covers the OIG’s monitoring and assessment of administrative employee disciplinary cases, including those originating from staff misconduct complaints and criminal investigations we assessed from July 1, 2025, through December 31, 2025. We also publish

on our website summaries and assessments of each case we monitor. These individual case summaries can be found at www.oig.ca.gov by accessing the Data Explorer tab.

The Department's Investigative and Disciplinary Process

The California Department of Corrections and Rehabilitation's (the department) investigative process begins when the department discovers allegations of employee misconduct. There are two main ways in which the department discovers allegations of misconduct. First, the hiring authority can discover potential misconduct after reviewing incidents that occur at their facility or in the field, from other staff who report misconduct, or from contact with outside law enforcement. If a hiring authority discovers an allegation of employee misconduct and determines there is a reasonable belief that misconduct occurred, the hiring authority must refer the allegations to the traditional section of the Office of Internal Affairs for review.¹ Second, any individual can make an allegation of staff misconduct and submit a complaint to the department. Incarcerated people and supervised people generally utilize the department's grievance and appeal process, while third-party individuals and groups can submit complaints through the citizen complaint process or by directly contacting a hiring authority or the Office of Internal Affairs. These complaints are routed to the department's Centralized Screening Team for review.

After proceeding through various routing mechanisms, all allegations of staff misconduct—acts that violate a law, regulation, departmental policy, or ethical or professional standard—are routed for investigation by different entities within the department.

The Office of Internal Affairs' Field Operations and Special Investigation Unit (referred to as the *traditional section* of the Office of Internal Affairs throughout this report) generally investigates allegations of staff misconduct that are not directed toward an incarcerated or supervised person, allegations of criminal misconduct, and four of the most serious types of allegations that are directed toward incarcerated people: sexual violence; involvement in a coordinated effort to prohibit the reporting of misconduct; intimidating, dissuading, or threatening witnesses; and misconduct resulting in significant injury or death. The OIG monitors the investigative and disciplinary process for the most serious allegations of misconduct investigated by the Office of Internal Affairs. The cases the OIG identifies for monitoring from the traditional section of the Office of Internal Affairs are referred to as administrative disciplinary and criminal cases throughout this report.

1. The Office of Internal Affairs' Field Operations and Special Investigation Unit, known as the Office of Internal Affairs' *traditional section*, generally investigates allegations of staff misconduct that are not directed toward an incarcerated or supervised person, allegations of criminal misconduct, and four of the most serious types of allegations that are directed toward an incarcerated person: sexual violence; involvement in a coordinated effort to prohibit the reporting of misconduct; intimidating, dissuading, or threatening witnesses; and misconduct resulting in significant injury or death.

The Allegation Investigation Unit generally investigates the remainder of the most serious allegations of staff misconduct directed toward incarcerated and supervised people that do not rise to the level of criminal misconduct but still require formal internal investigation. These cases often involve allegations of dishonesty, excessive or unnecessary force, retaliation, discrimination, harassment, overfamiliarity, introduction of contraband, and sexual misconduct.

The cases the OIG identifies for monitoring from the Allegation Investigation Unit are referred to as staff misconduct complaint cases throughout this report.

Less serious allegations of staff misconduct are referred for a routine review by local prison staff. The OIG monitors a sample of these routine reviews and reports on them through a separate annual report and individual case summaries published quarterly on the OIG's website.

Regardless of the process by which allegations of employee misconduct are identified and opened for investigation, all cases referred to the traditional section of the Office of Internal Affairs and the Allegation Investigation Unit are assigned to an investigator who conducts interviews and gathers evidence. The investigator consults with an OIG attorney on cases the OIG monitors and consults with a department attorney on cases the Employment Advocacy and Prosecution Team designates for assignment. Once the investigation has concluded, the investigator completes a report and forwards it to the hiring authority for review. The hiring authority meets with both the OIG attorney and the department attorney to discuss disciplinary findings. The hiring authority makes a finding of sustained, not sustained, exonerated, no finding, or unfounded for each allegation.

When a hiring authority sustains at least one allegation, the hiring authority determines the appropriate discipline by referring to guidelines listed in the department's disciplinary matrix. The department attorney drafts a disciplinary action, and the department serves the disciplinary action on the employee who committed misconduct. The employee can then request a predeprivation hearing, otherwise known as a *Skelly* hearing, which provides the employee with the opportunity to present facts or arguments in favor of reducing or revoking discipline. After the disciplinary action takes effect, the employee can file an appeal with the State Personnel Board, through which an evidentiary hearing is later conducted. At the hearing, the department has the burden of proving the allegations in the disciplinary action by a preponderance of evidence.

Assessing Departmental Stakeholders

The OIG assesses the department's performance in investigating and disciplining employees for misconduct. We use standardized assessment questions to assess each of the three departmental stakeholders and summarize our findings holistically. The three entities we assess are the following:

- The hiring authority: responsible for making investigative findings and imposing discipline.
- The Office of Internal Affairs: responsible for investigating allegations of staff misconduct.
- The Employee Advocacy and Prosecution Team: responsible for prosecuting sustained allegations of misconduct and providing legal advice.

At the conclusion of our monitoring of each case, we provide an individual rating of either *adequate*, *improvement needed*, or *inadequate* for each of these three entities. In general, an *adequate* rating means the OIG did not identify any significant deficiencies. An *improvement needed* rating means the OIG found significant deficiencies, but the deficiencies did not appear to cause a negative outcome for the department or for the case. An *inadequate* rating means the OIG found significant deficiencies that caused a negative outcome for either the department or the case. If the department failed to consult with the OIG, for example by not providing the OIG with a critical document or by preventing the OIG from attending a critical investigative or disciplinary event, it will receive an *inadequate* rating. Throughout this report, we compare each departmental stakeholder's performance against the last reporting period by examining the combined number of cases we rated *adequate* and *improvement needed* in each reporting period, as this represents the total number of cases in which the departmental stakeholder performed its role without causing a negative outcome.

The following are examples of negative outcomes that could cause a case to be rated *inadequate*: the department allowed the deadline to take disciplinary action to expire before disciplinary action could be taken; the department failed to dismiss an employee who should have been dismissed; or the department delayed an investigation or service of disciplinary action, thereby causing an employee who had committed serious misconduct to either spend an excessive amount of time on administrative time off or be redirected from a post within the secure perimeter of a prison to the mail room.

After considering the individual ratings for each of the three entities we assess (the hiring authority, the Office of Internal Affairs, and the department attorney), we determine an overall rating for the case.

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Summary

In this reporting period, the OIG monitored and closed 226 administrative disciplinary and criminal cases and 141 staff misconduct complaint cases, for a total of 367 cases. Our overall assessment of these cases is as follows:

Administrative Disciplinary and Criminal Cases

- The department's performance was rated *adequate* in 110 of the 226 cases, or 49 percent.
- The department's performance was rated *improvement needed* in 48 of the 226 cases, or 21 percent.
- The department's performance was rated *inadequate* in 68 of the 226 cases, or 30 percent.

Staff Misconduct Complaint Cases

- The department's performance was rated *adequate* in 44 of the 141 cases, or 31 percent.
- The department's performance was rated *improvement needed* in 41 of the 141 cases, or 29 percent.
- The department's performance was rated *inadequate* in 56 of the 141 cases, or 40 percent.

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The Hiring Authority

Hiring authorities are individuals within the department who are authorized to hire, dismiss, and discipline employees. Hiring authorities are responsible for timely referring allegations to the Office of Internal Affairs when they have a reasonable belief misconduct occurred, reviewing the investigative report and evidence gathered by the Office of Internal Affairs, making findings regarding allegations of misconduct, determining the appropriate level of discipline, and deciding whether to enter into a settlement agreement with the disciplined employee. The OIG assesses the performance of hiring authorities throughout this process—from the time a hiring authority receives a completed investigation from the Office of Internal Affairs through the cessation of any employee discipline-related proceedings. In most cases we monitor, the sole hiring authority is a warden.

After the Office of Internal Affairs completes an administrative investigation or returns a case to the hiring authority to address misconduct allegations without an investigation or interview of the employee, the hiring authority must determine whether the investigation was sufficient, make findings concerning the allegations, identify the appropriate penalty, and serve the disciplinary action if discipline was ordered.

Before holding the investigative and disciplinary findings conference, a hiring authority is required to review available evidence regarding the misconduct allegations. At the conference, the hiring authority consults with the department attorney, if one is assigned, and the OIG attorney. The hiring authority then determines whether there is enough evidence to make decisions regarding the allegations, and if the Office of Internal Affairs submitted a report, whether the report is sufficient or if additional investigation is necessary. If the hiring authority determines there is sufficient evidence and the investigative report is sufficient, the hiring authority makes findings regarding the allegations. If the hiring authority sustains any allegation, the hiring authority determines whether to impose corrective action or discipline, and if so, the specific action to be taken.

Hiring Authorities' Overall Performance Improved Since the Last Reporting Period

During this reporting period, the OIG monitored 226 administrative disciplinary and criminal cases. We rated hiring authorities' performance as *adequate* in 117 cases, *improvement needed* in 56 cases, and *inadequate* in 53 cases. Hiring authorities' performance was rated as either *adequate* or *improvement needed* in 173 cases or 77 percent. In the last reporting period, we rated hiring authorities' performance as either *adequate* or *improvement needed* in 69 percent of staff misconduct complaint cases.

For the 141 staff misconduct complaint cases we monitored during this reporting period, we rated hiring authorities' performance as *adequate* in 84 cases, *improvement needed* in 26 cases, and *inadequate* in 31 cases. Hiring authorities' performance was rated as either *adequate* or *improvement needed* in 110 cases or 78 percent. In the last reporting period, we rated hiring authorities' performance as either *adequate* or *improvement needed* in 64 percent of staff misconduct complaint cases, showing a significant improvement this reporting period.

Therefore, of a combined 367 administrative disciplinary, criminal, and staff misconduct complaint cases, we rated hiring authorities' performance as *adequate* in 55 percent of cases, *improvement needed* in 22 percent of cases, and *inadequate* in 23 percent of cases. For a breakdown of hiring authority ratings, see Table 1 below (percentages may not total 100 percent due to rounding).

Table 1. Hiring Authority Performance Ratings

Case Type	Adequate	Improvement Needed	Inadequate	Total
Administrative Disciplinary and Criminal	52% (117 cases)	25% (56 cases)	23% (53 cases)	100% (226 cases)
Staff Misconduct Complaint	60% (84 cases)	18% (26 cases)	22% (31 cases)	100% (141 cases)
Totals	55% (201 cases)	22% (82 cases)	23% (84 cases)	100% (367 cases)

Source: The Office of the Inspector General Tracking and Reporting System.

Hiring Authorities' Delays During the Investigative and Disciplinary Process Frequently Contributed to *Inadequate* Ratings

Although hiring authorities generally performed better this reporting period than in the previous reporting period, one of the areas most in need of improvement was the timeliness with which they act regarding allegations of staff misconduct. Departmental policy sets forth three critical time frames within which hiring authorities must take action in this area. Hiring authorities must:

1. Refer matters of suspected misconduct to the Office of Internal Affairs within 45 days of discovering the alleged misconduct;
2. Conduct the investigative and disciplinary findings conference no more than 14 calendar days after receipt of the final investigative report; and
3. Serve peace officers with disciplinary actions within 30 days of deciding to impose discipline.

As has been the case in prior reports, one of the most frequent delays we observed this reporting period was hiring authorities' failure to conduct the investigative and disciplinary findings conference within 14 days after the Office of Internal Affairs transmits the investigative report and supporting materials to the hiring authority at the completion of the investigation. The investigative and disciplinary findings conference is the meeting at which the hiring authority makes findings on the allegations and determines the appropriate penalty for any sustained misconduct.

Department Operations Manual section 33030.13 states, in part: "As soon as operationally possible, but no more than fourteen (14) calendar days following receipt of the final investigative report, the Hiring Authority shall review the investigative report and supporting documentation. The Hiring Authority shall consult with the Vertical Advocate, for all designated cases, and the SAIG, for all cases monitored by the [OIG] when reviewing the investigation and making investigative findings."

The OIG and the department have a difference in opinion regarding the interpretation of this policy. The OIG's position is that the hiring authority is to hold the investigative and disciplinary findings conference and to make findings within 14 days of receipt of the Office of Internal Affairs' investigative report. The department interprets the policy to require only that the hiring authority review the investigative report and does not require a hiring authority to hold a conference and make findings within 14 days of receipt of the Office of Internal Affairs' investigative report.

While the department’s policy leaves room for ambiguity, the OIG maintains that the most reasonable interpretation of the policy is that it requires a hiring authority to conduct an investigative and disciplinary findings conference to determine a finding for each completed investigation it receives from the Office of Internal Affairs within 14 days. The requirement to review the completed investigation is meaningless without the concomitant requirement to take action based on the completed investigation. Timely decisions regarding allegations of staff misconduct benefit the department, the employees accused of misconduct, and the State as a whole. When misconduct has occurred, the department must address the behavior as soon as possible to prevent its recurrence. When misconduct has not occurred, the employee should be informed that the allegations have not been sustained or that they have been otherwise cleared of the allegations as soon as possible. And when dismissal or monetary penalties are imposed, these penalties must be imposed swiftly to prevent the waste of public funds, particularly since many employees choose to resign soon after being notified of these significant penalties. The OIG continues to recommend the department clarify its policy and impose a concrete deadline for hiring authorities to conduct investigative and disciplinary findings conferences.

In this reporting period, hiring authorities failed to handle the investigative and disciplinary process without undue delay in 99 of 178 administrative disciplinary cases, or 56 percent of the cases we monitored. This was a slight improvement from the previous reporting period, when we found that hiring authorities failed to timely conduct the investigative and disciplinary findings conference in 61 percent of cases

In 35 of 141 of the staff misconduct complaint cases we monitored, or 25 percent, the hiring authority failed to consult with the OIG and the department attorney regarding investigative and disciplinary findings within 14 calendar days after receipt of the final investigative report. This was a significant improvement from the previous reporting period, when we found that hiring authorities failed to timely conduct the investigative and disciplinary findings conference in 45 percent of cases.

The following examples of cases we rated *inadequate* demonstrate the potential harm caused when hiring authorities delay the investigative and disciplinary process.

OIG Case No. 23-0062063-DM

An off-duty officer allegedly punched her husband on the back of the head, which caused abrasions to his head, neck, and arm. The officer also allegedly lied to outside law enforcement and to the Office of Internal Affairs about the incident. The hiring authority sustained the allegations and dismissed the officer. After an evidentiary hearing, the State Personnel Board upheld the officer’s dismissal.

The hiring authority delayed multiple phases of the investigative and disciplinary process. The Office of Internal Affairs first referred the matter to the hiring authority to address the allegations without an investigation on August 16, 2023. However, the hiring authority delayed conducting the investigative and disciplinary findings conference until December 4, 2023, 110 days thereafter and 96 days after policy required. The hiring authority then determined that an investigation was necessary to make a proper decision. The Office of Internal Affairs conducted an investigation and referred the matter back to the hiring authority on April 8, 2024. The hiring authority again delayed conducting the investigative and disciplinary findings conference until May 14, 2024, 22 days after policy required, determining that the officer's misconduct warranted dismissal. The hiring authority delayed serving the disciplinary action on the officer until July 12, 2024, 59 days after the hiring authority decided to impose discipline and 29 days after policy required. The department had redirected the officer to another position on June 23, 2023, and the officer continued to receive her full salary and benefits during the pendency of the investigative and disciplinary process. Had the hiring authority complied with departmental timelines, the officer would have been dismissed 147 days sooner.

OIG Case No. 23-0063218-DM

An off-duty officer allegedly hit his girlfriend in the face, causing redness and swelling to her left eye. The officer allegedly lied to outside law enforcement and to the Office of Internal Affairs about the incident. The hiring authority sustained the allegations and dismissed the officer. After an evidentiary hearing, the State Personnel Board upheld the officer's dismissal.

Even though the allegations were serious enough to warrant dismissal if sustained, the hiring authority did not conduct the investigative and disciplinary findings conference until 60 days after the Office of Internal Affairs referred the matter to the hiring authority without an investigation. The investigator referred the matter to the hiring authority on February 12, 2024. However, the hiring authority did not conduct the investigative and disciplinary findings conference until April 12, 2024, 60 days later and 44 days after policy required. The officer received full pay and benefits during that time.

OIG Case No. 24-0088395-INV

An officer allegedly grabbed an incarcerated person by the back of his neck and slammed his face onto a cement floor. The hiring authority found insufficient evidence to sustain the allegations.

Even though the allegations involved an alleged assault of an incarcerated person, the hiring authority did not hold the investigative and disciplinary findings conference until June 26, 2025, 119 days after

the investigator completed the investigation. By the time the hiring authority made the decision not to sustain these serious allegations, the officer had been under investigation for nearly 11 months. Had the hiring authority timely held the investigative and disciplinary findings conference, the officer could have been informed three months sooner that the charges would not be sustained.

Although the OIG Agreed With the Hiring Authorities' Decisions in Most Cases, We Disagreed With One or More of Their Disciplinary Decisions in 29 Percent of the Cases We Monitored, Most Often Because We Believed the Hiring Authority Should Have Sustained Additional Allegations or Imposed a Higher Penalty

The hiring authority, after consultation with the department attorney and the OIG, is responsible for deciding whether to sustain allegations of misconduct, what level of discipline to impose, and whether to settle the matter in exchange for the disciplined employee withdrawing their appeal. In a simple case, a hiring authority may need to make a decision about just one allegation against a single employee. However, in more complex investigations, a hiring authority may be faced with multiple allegations made against several employees. For each employee, if the hiring authority sustains an allegation and imposes a penalty, the hiring authority might enter into a settlement agreement at a later juncture. The OIG disagreed with the hiring authority in at least one of these critical junctures in 91 of the 319 administrative and staff misconduct complaint cases we monitored and closed this reporting period. Table 2 below breaks down the rates at which we disagreed at each juncture. The data displayed in the table represents the number of cases in which the OIG disagreed with the hiring authority's decision on any single finding, the penalty imposed against any employee in the case, or a settlement agreement entered into with any employee after the penalty was selected.

Table 2. OIG Disagreements With Hiring Authorities' Decisions

Case Type	Disagreement with Allegation Findings	Disagreement with Penalty	Disagreement with Settlement	Disagreement at Any Juncture
Administrative Disciplinary and Criminal	13% (24/178 cases)	16% (23/145 cases)	37% (20/54 cases)	30% (53/178 cases)
Staff Misconduct Complaint	23% (32/141 cases)	48% (14/29 cases)	86% (6/7 cases)	27% (38/141 cases)
Totals	18% (56/319 cases)	21% (37/174 cases)	43% (26/61 cases)	29% (91/319 cases)

Source: The Office of the Inspector General Tracking and Reporting System.

Of the 91 cases featuring a disagreement at any juncture, a department attorney was assigned to represent the department in 66 of them. Of those cases, the OIG disagreed with the department attorney's recommendations in 55 of them, or 83 percent of the time. Accordingly, the statistics show that when presented with different perspectives, hiring authorities typically align with the department attorneys' positions. Although we may have disagreed with the hiring authority's decision or the department attorney's recommendations in these cases, our disagreement did not result in an *inadequate* or *improvement needed* rating unless the hiring authority's decision was based on an unreasonable interpretation of the evidence or we determined the hiring authority made an unreasonable penalty assessment.

In 36 of the 37 cases in which we disagreed with the hiring authority's penalty determination, the OIG determined the hiring authority's penalty determination was too lenient considering the seriousness of the misconduct and aggravating factors—either because we believed there was sufficient evidence to sustain allegations that would have led to a higher penalty, such as dishonesty, or because we believed the allegations that the hiring authority sustained warranted a higher penalty than the penalty ultimately imposed. In nine of those cases, the OIG recommended dismissal as the appropriate penalty, but the hiring authority imposed a lesser penalty that allowed the staff member to remain employed. Two of those cases are discussed later in our executive review discussion, and the rest are summarized below.

- A hiring authority sustained allegations that two sergeants and an officer behaved unprofessionally and misused their body-worn cameras, but did not sustain an allegation that the sergeants and the officer interfered with the reporting of misconduct when they turned off their body-worn cameras and demanded that an incarcerated person provide information about an internal affairs interview. The OIG believed there was sufficient evidence to sustain these allegations and that dismissal would have been the appropriate penalty, but the hiring authority imposed salary reductions. The department attorney agreed with the OIG. (23-0057478-INV)
- A hiring authority sustained an allegation that an officer made unprofessional statements toward an incarcerated person and failed to report the comments, but did not sustain an allegation that the officer lied during his Office of Internal Affairs interview. The OIG believed there was sufficient evidence to sustain the dishonesty allegation and that dismissal would have been the appropriate penalty, but the hiring authority imposed a salary reduction. The hiring authority later entered into a settlement agreement with the officer reducing the duration of the salary reduction by more than half. (24-0085972-INV)

- A hiring authority sustained allegations that an off-duty officer drove a vehicle while under the influence of alcohol with a minor child as a passenger and struck a curb, but did not sustain allegations that the officer lied to outside law enforcement, to the hiring authority, and during an Office of Internal Affairs interview. The OIG believed there was sufficient evidence to sustain the dishonesty allegations, and that dismissal would have been the appropriate penalty, but the hiring authority imposed a salary reduction of 10 percent for 20 months. (24-0071903-DM)
- A hiring authority sustained allegations that an officer failed to submit a written report after using force and that the officer told a sergeant that he did not use force, but did not sustain allegations that the officer lied to the sergeant or to the Office of Internal Affairs. The OIG believed there was sufficient evidence to sustain allegations that the officer lied to the sergeant and to the Office of Internal Affairs, and that dismissal would have been the appropriate penalty, but the hiring authority imposed a 5 percent salary reduction for 36 months. The hiring authority later entered into a settlement agreement with the officer agreeing to reduce the penalty by half. (23-0070490-DM)
- A hiring authority sustained allegations that an off-duty officer drove a vehicle under the influence of alcohol and lied to outside law enforcement during the investigation. Despite sustaining the dishonesty allegation, the hiring authority imposed a salary reduction of 10 percent for 45 months, contrary to the recommendations of the OIG and the department attorney to dismiss the officer. (25-103640-DM)
- A hiring authority sustained allegations that an off-duty officer crashed his vehicle into two parked vehicles, fled the scene, and failed to cooperate with officers who were conducting an investigation. The officer resigned prior to the completion of the investigation, but the hiring authority determined that a salary reduction of 10 percent for 36 months would have been the appropriate penalty. Based on the seriousness of the misconduct, the OIG believed dismissal was the appropriate penalty. (24-0096212-DM)
- A hiring authority sustained an allegation that a sergeant violated a lieutenant's order to keep an outside patrol vehicle on a paved road, but did not sustain an allegation that the sergeant lied to the Office of Internal Affairs. The OIG believed there was sufficient evidence to sustain the dishonesty allegation and that dismissal would have been the appropriate penalty, but the hiring authority issued a 5 percent salary reduction for 30 months. (24-0085664-DM)

There were five other cases in which the hiring authority had served an employee with a notice of dismissal but later reduced the penalty by way of a settlement agreement or after a *Skelly* hearing and reinstated the employee back to work despite the OIG’s disagreement.

In the one case in which the OIG determined the hiring authority’s penalty would have been too severe, the hiring authority determined dismissal was the appropriate penalty. However, the employee had already retired prior to the investigation being completed, so the department did not impose discipline.

The OIG Invoked Executive Review Five Times This Reporting Period, Elevating Our Disagreements With Hiring Authorities' Disciplinary Decisions to the Department's Executive Leadership

During this reporting period the OIG invoked executive review in five cases, while the Employment Advocacy and Prosecution Team (EAPT) invoked executive review in three cases. Executive review is the process used when either the OIG or EAPT disagrees with a hiring authority's decision during the disciplinary process and elevates the disagreement to the hiring authority's supervisor for reconsideration. The OIG will generally only invoke executive review in the most serious misconduct cases where there is significant disagreement and the OIG believes the hiring authority has abused its discretion or acted unreasonably. Below are summaries of the cases in which the OIG or EAPT invoked executive review.

OIG Case No. 23-0049973-DM

An officer failed to conduct proper counts of incarcerated people three separate times in two different housing units and made false entries into the department's database indicating that he had performed the counts. About an hour after the first officer's shift ended, an incarcerated person was found dead in his cell by staff working the next shift.

The hiring authority sustained the allegations against the officer and decided to impose a 90-day suspension, claiming that this was in line with what the prison had historically done when officers confirmed counts in the database that were not actually performed. The department attorney initially recommended the hiring authority dismiss the officer but eventually agreed with the hiring authority that a suspension was appropriate. The OIG recommended that the hiring authority dismiss the officer for making false entries in the database regarding his failure to conduct the most basic, and arguably most essential duty of an officer: to ensure that all incarcerated people are alive and safe and have not escaped. The OIG invoked executive review, but the hiring authority's supervisor agreed with the hiring authority's decision not to dismiss the officer. Because of the impending deadline to take disciplinary action, the OIG did not elevate its disagreement further, and the department imposed a 90-day suspension on the officer. After the officer appealed his suspension, the department entered into a settlement agreement with the officer agreeing to remove the disciplinary action from his personnel file after just one year instead of the standard three-year term but leaving the suspension undisturbed. The OIG did not concur with the decision to enter into the settlement agreement.

OIG Case No. 24-0086007-DM

An officer allegedly shared confidential information about an incarcerated person with the incarcerated person's wife, whom the officer knew outside of work through a church where the officer's father was a pastor. The incarcerated person's wife exchanged text messages with the officer about her husband. The officer also lied to the Office of Internal Affairs about what confidential information he accessed, lied when he said that he only accessed confidential information once, and lied when he said he did not know that the incarcerated person and the person the officer had exchanged text messages with were married.

The hiring authority sustained most of the allegations including one allegation that the officer had lied, but not the other dishonesty allegations and decided to impose a salary reduction of 10 percent for 45 months. The OIG and the department attorney disagreed with the decision not to sustain the other dishonesty allegations and not to dismiss the officer who had clearly demonstrated his lack of fitness to be a peace officer. After the OIG invoked executive review, the hiring authority's supervisor also did not sustain the dishonesty allegations but increased the penalty to a dismissal. The officer filed an appeal with the State Personnel Board but later entered into a settlement agreement with the department in which he agreed to resign in lieu of termination.

OIG Case No. 24-0071240-INV

A sergeant and 10 officers were involved in an incident in which an officer attempted to place an incarcerated person in hand restraints, the incarcerated person resisted, and multiple officers used physical force to restrain the incarcerated person. The Allegation Investigation Unit investigated several officers who allegedly failed to report the force they observed, failed to wear their body-worn cameras, failed to respond to the incident, copied another officer's report, and inappropriately collaborated on a report. Three of the officers also allegedly lied during their investigative interviews about what they did and did not observe.

In line with the department attorney's recommendations, the hiring authority only sustained the allegation that one of the officers copied another officer's report. The OIG elevated the decision not to sustain allegations against five of the officers, including three officers who allegedly lied during their investigative interviews. Upon executive review, the hiring authority's supervisor decided to dismiss three officers for lying during their interviews. One of the three officers retired before the department served the dismissal action. The other two officers appealed their dismissals, but the State Personnel Board upheld the dismissals after an evidentiary hearing.

OIG Case No. 24-0078344-INV

An officer grabbed a handcuffed incarcerated person's throat after he heard another officer order the incarcerated person to spit something out and he refused. A captain allegedly told the officer to lie about why he grabbed the incarcerated person's throat in his report, which the officer did. The hiring authority sustained the allegations and dismissed the officer and the captain. After a *Skelly* hearing, the hiring authority decided to withdraw the officer's dismissal and impose a 90-day suspension citing the large number of officers who congregated outside of the *Skelly* hearing room in support of the officer, and his belief that the officer was not trying to lie. The department attorney and OIG did not agree, and the OIG elevated the matter to the hiring authority's supervisor who reviewed the case and determined dismissal was appropriate. The officer resigned after service of the dismissal action, but before it could take effect. The captain was later reinstated by the State Personnel Board but demoted to sergeant after a full evidentiary hearing.

OIG Case No. 24-0071606-INV

A hiring authority sustained allegations that a sergeant and two officers grabbed and pulled an incarcerated person's arm while applying restraints on the incarcerated person who was seated in a wheelchair. The incident cascaded into a larger incident with multiple uses of force after the incarcerated person resisted, which ended with the incarcerated person suffering a fractured shoulder. The hiring authority imposed a 5 percent salary reduction for two months on the sergeant, a 5 percent salary reduction for one month on one officer, and a letter of reprimand on the second officer. The OIG concurred with all the hiring authority's decisions.

After *Skelly* hearings, the hiring authority decided to withdraw all the disciplinary actions and instead issue letters of instruction. The OIG did not concur and invoked executive review. The hiring authority's supervisor elevated the sergeant's penalty to a salary reduction but agreed with the hiring authority's decision to issue letters of instruction to the two officers. The OIG did not concur but did not elevate the matter further. After an evidentiary hearing, the State Personnel Board revoked the salary reduction.

OIG Case No. 22-0043810-DM

Two officers were video recorded having a discussion with an incarcerated person about him potentially assaulting another incarcerated person. The two officers also failed to act when they became aware that the incarcerated person had been planning the assault. One of the officers observed the assault and failed to report it. Both officers lied during their investigative interviews about the incident.

The hiring authority sustained the allegations and decided to dismiss both officers. The OIG agreed with the hiring authority's decisions. However, the department attorney disagreed with the decision to sustain the allegations against the officer who did not witness the assault and the decision to dismiss the officer and invoked executive review. The hiring authority's supervisor agreed with the hiring authority and upheld the dismissal.

The first officer resigned before the disciplinary action took effect. The second officer appealed the dismissal to the State Personnel Board. Prior to the evidentiary hearing, the department entered into a settlement agreement with the officer, agreeing to withdraw the dismissal, impose a 20-day suspension, and remove two of the allegations from the disciplinary action. The OIG did not concur with the settlement.

OIG Case No. 24-0093045-DM

A high-ranking department attorney engaged in a romantic relationship with a captain but failed to notify her supervisor despite working closely with the captain. She also allegedly had a sexual relationship with a client. The hiring authority did not sustain the allegations. The OIG and the department attorney did not concur with the decision to not sustain the allegation that she had a sexual relationship with a client, and the department attorney invoked executive review. The hiring authority's supervisor sustained the allegation but decided written counseling was appropriate. However, the high-ranking attorney separated from the department prior to the completion of the investigation. Therefore, no counseling was provided. The OIG did not concur with the supervisor's decision that counseling was appropriate but did not elevate the matter.

OIG Case No. 24-0095180-DM

A senior special agent decided to test a pistol in a parking lot of a training facility. The senior special agent pulled the slide of the pistol back and confirmed that a round had not been chambered. However, the senior special agent failed to remove a loaded magazine from the pistol. The special agent pointed the pistol at the bed of a pickup truck and pulled the trigger. A round did not discharge, but the senior special agent had caused a round to be chambered from the loaded magazine. The senior special agent then failed to check the chamber or remove the magazine and pulled the trigger a second time thereby firing a round into the pickup truck. No one was injured.

The hiring authority sustained the allegation that the senior special agent negligently discharged a firearm and determined a 5 percent salary reduction for one month was the appropriate penalty. The OIG and department attorney did not concur with the penalty, and the department attorney invoked executive review. The hiring authority's supervisor reviewed the matter and determined a five-day suspension

was appropriate. The OIG concurred with the penalty. The senior special agent appealed the suspension, and prior to an evidentiary hearing, the department entered into a settlement agreement with the senior special agent agreeing to reduce the penalty to a two-day suspension. The OIG did not concur because the penalty did not reflect the seriousness of the misconduct in repeatedly failing to ensure the weapon was safe before intentionally pulling the trigger multiple times in a parking lot while employees were present.

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The Office of Internal Affairs

The Office of Internal Affairs is a unit within the department responsible for investigating allegations of staff misconduct. There are two separate investigative teams within the Office of Internal Affairs: The Field Operations and Special Investigation Unit (referred to as the traditional section of the Office of Internal Affairs) and the Allegation Investigation Unit. The traditional section of the Office of Internal Affairs, staffed with special agents, generally investigates the most severe cases of staff misconduct, including both criminal misconduct, and allegations of administrative misconduct that are not directed toward incarcerated people. The Office of Internal Affairs' Allegation Investigation Unit is staffed with sergeants and lieutenants who conduct investigations into allegations of serious staff misconduct directed toward incarcerated people. The Office of Internal Affairs sends less serious allegations of staff misconduct involving incarcerated people back to local prison staff to conduct routine reviews.²

The OIG monitors and assesses the performance of both investigative units within the Office of Internal Affairs from the time an investigation is opened until the time the investigative report is finalized and sent to the hiring authority for review. If the hiring authority sends the case back for further investigation, the OIG also monitors and assesses the supplemental investigation performed.

In addition, in certain exigent circumstances, the traditional section of the Office of Internal Affairs responds immediately to the scene of the incident to investigate allegations of both criminal and administrative staff misconduct. The OIG designated one staff member in each of its three regional offices as an administrative officer-of-the-day available to respond at any day or time to monitor the Office of Internal Affairs during its on-scene investigation as well as the subsequent completion of the investigation. Examples of exigent circumstances include investigation of sexual misconduct between staff and incarcerated people, staff bringing contraband into the prison, and uses of deadly force by staff that are investigated by the Office of Internal Affairs' Deadly Force Investigation Team (DFIT).

2. The OIG performs retrospective reviews of cases that are referred to the prison for a routine review. The OIG issues a separate report summarizing its monitoring of this process.

The Office of Internal Affairs' Overall Performance Improved Since the Last Reporting Period

As shown in the table below, during this reporting period the OIG monitored and closed 226 administrative disciplinary and criminal cases. We rated the traditional section of the Office of Internal Affairs' performance as *adequate* in 175 cases, *improvement needed* in 41 cases, and *inadequate* in 10 cases. The traditional section of the Office of Internal Affairs' performance was rated as either *adequate*, or *improvement needed* in 213 cases or 96 percent. In the last reporting period, we rated the traditional section of the Office of Internal Affairs' performance as either *adequate* or *improvement needed* in 86 percent of administrative disciplinary or criminal cases, showing a 10 percent improvement rate this reporting period.

We also monitored 141 staff misconduct complaint cases the Office of Internal Affairs' Allegation Investigation Unit investigated. Of these cases, we rated the Allegation Investigation Unit's performance as *adequate* in 44 cases, *improvement needed* in 53 cases, and *inadequate* in 44 cases. The traditional section of the Office of Internal Affairs' performance was rated as either *adequate* or *improvement needed* in 97 cases, or 69 percent. In the last reporting period, we rated the Allegation Investigation Unit's performance as either *adequate* or *improvement needed* in 63 percent of administrative disciplinary or criminal cases, showing a 6 percent improvement rate this reporting period. Table 3 below shows overall performance ratings for all investigations we monitored and closed in this reporting period.

Table 3. Office of Internal Affairs Performance Ratings

Office of Internal Affairs Section	Adequate	Improvement Needed	Inadequate	Total
Office of Internal Affairs' Traditional Section	77% (175 cases)	18% (41 cases)	4% (10 cases)	100% (226 cases)
Office of Internal Affairs' Allegation Investigation Unit	31% (44 cases)	38% (53 cases)	31% (44 cases)	100% (141 cases)
Totals	60% (219 cases)	25% (91 cases)	15% (54 cases)	100% (367 cases)

Source: The Office of the Inspector General Tracking and Reporting System.

During this Reporting Period, the OIG Identified Several Cases that Involved High-Quality Investigative Work by the Office of Internal Affairs' Investigators

Among the investigations we rated *adequate* this reporting period, the OIG observed some quality investigations that warrant highlighting. In these cases, investigators' timely and efficient investigative measures helped the department identify and take actions against staff who had engaged in serious misconduct.

OIG Case No. 25-0113246-DM

A parole agent allegedly engaged in sexual misconduct with a supervised person. The parole agent also allegedly exchanged nude photographs with a second supervised person, provided alcohol to the second supervised person, and then engaged in sexual misconduct with her.

The Office of Internal Affairs assigned the case to an investigator, who reviewed the case the same day and scheduled an interview with the parole agent within two weeks. The investigator's efforts to expedite the interview led to the parole agent's resignation. The swift resignation of the employee allegedly involved in egregious sexual misconduct benefited the department by sparing it the responsibility of paying the employee's salary during a prolonged investigation.

OIG Case No. 24-0096217-CM

An unknown custody staff member allegedly used a mobile phone to record a prison surveillance video showing the attempted murder of an officer by an incarcerated person. The video appeared on a popular social media site. The Office of Internal Affairs approved an investigation to determine who had unlawfully recorded the surveillance video and who had published it on social media. The Office of Internal Affairs assigned a senior investigator to investigate 18 lieutenants, one sergeant, and four officers. The investigator authored search warrants of staff members' mobile phones and conducted numerous witness interviews. The investigator sorted through voluminous digital records and located evidence identifying the officer who had used his personal mobile phone to record the surveillance video.

The investigator learned that a sergeant had improperly viewed the video using a lieutenant's departmental login credentials, which the lieutenant later admitted he improperly provided to the sergeant. During the investigation, the senior investigator also found an additional officer had been in possession of a personal firearm while on prison grounds. Although the investigator was unable to determine who had uploaded the video to the social media site, the agent's considerable efforts uncovered

sufficient evidence to establish probable cause that crimes had been committed, and the case was forwarded to the district attorney's office.

OIG Case No. 25-0120015-CM

The Office of Internal Affairs responded on scene to conduct surveillance of a teacher who had allegedly engaged in an overly familiar relationship with an incarcerated person. An OIG attorney also responded to the prison to monitor the investigation. The investigator observed the teacher and the incarcerated person conversing alone in an office for three hours, then entering the teacher's office bathroom together. The investigator intervened, detained them both, and conducted an interview of the teacher wherein she admitted to engaging in a sexual relationship with the incarcerated person. The investigator also located corroborating evidence of a previous sexual encounter in the teacher's office. The Office of Internal Affairs referred the matter to the district attorney for prosecution and opened an administrative investigation. The hiring authority later dismissed the teacher.

Delays by the Office of Internal Affairs Continue to Contribute to Negative Assessments

Notwithstanding the laudable investigative work described above, the OIG continues to observe significant delays in the Office of Internal Affairs' completion of investigations. The OIG again observed a significant difference in delays between the traditional section of the Office of Internal Affairs and the Office of Internal Affairs' Allegation Investigation Unit. In this reporting period, the traditional section of the Office of Internal Affairs took an average of 166 days to complete an investigation, but the Allegation Investigation Unit took an average of 233 days to complete an investigation. The traditional section of the Office of Internal Affairs completed investigations in a timely manner in 191 out of 212 cases that were actively investigated, or 90 percent. However, the Allegation Investigation Unit timely completed investigations in only 53 of 141 cases, or 38 percent. In determining whether the Office of Internal Affairs completed an investigation in a timely manner, we consider a number of factors including but not limited to whether there were lapses in time with no investigative work performed; whether the investigator delayed the initial case consultation; if the investigator did not conduct an investigation while the employee had a pending criminal case; if the employee was on administrative leave or redirected to the mail room; or whether the allegations, if sustained, would be likely to result in a dismissal. Table 4 below shows the breakdown of timely investigations by the Office of Internal Affairs.

Table 4. Office of Internal Affairs Timely Investigations

Office of Internal Affairs Section	Percentage of Timely Investigations
Office of Internal Affairs' Traditional Section	90% (191 of 226 cases)
Office of Internal Affairs' Allegation Investigation Unit	38% (53 of 141 cases)
Total	69% (244 of 353 cases)

Source: The Office of the Inspector General Tracking and Reporting System.

Investigative delays can negatively affect individual investigations and the department's operations as a whole in several ways. First, the Public Safety Officers Procedural Bill of Rights requires the department to provide notice of any disciplinary action to an officer within one year of the date the department discovers the possible misconduct.³ Hiring authorities cannot impose discipline against peace officer employees if

3. CA Govt. Code § 3304(d) (2026).

the Office of Internal Affairs does not complete the investigation prior to this one-year deadline. Second, delays in investigations that ultimately result in an employee's dismissal waste taxpayers' money because the department must continue paying the employee a salary during the delay. Third, the department retains video evidence for only 90 days. Delays can lead to lost video-recorded evidence, thereby undermining the value of body-worn cameras and surveillance video cameras installed not just to capture staff misconduct but also to refute false allegations. Finally, witnesses can become unavailable. For instance, incarcerated witnesses can be released from custody and become hard to find, or employees can retire and refuse to cooperate. Even cooperative witnesses forget details if enough time passes.

Generally, for cases in which delays caused no apparent harm, the OIG assessed the Office of Internal Affairs' performance as *improvement needed*. However, if an investigator's delay resulted in actual harm or a negative outcome as described above, the OIG will rate the case *inadequate*. We highlight examples below.

OIG Case No. 25-0102867-INV

A lieutenant and two officers allegedly lied about an incarcerated person expressing safety concerns as a pretext to house the incarcerated person in a restricted housing unit in retaliation for the incarcerated person filing a complaint against staff. A sergeant allegedly threatened the incarcerated person with a cell extraction when the incarcerated person refused to go to the restricted housing unit.

The investigator's delay in gathering evidence in this investigation caused the relevant video footage to be purged due to the department's 90-day video retention policy. The investigator did not submit the request for video evidence until 92 days after the incident occurred and 78 days after being assigned to the investigation. By that time, the 90-day video retention period had expired, and video footage of the incident was no longer available.

During the incarcerated person's interview, which occurred two months after the investigator received notice that the video evidence no longer existed, the incarcerated person asked the investigator about the video footage. The investigator responded that he was working on it, even though he was aware the video footage was no longer available. The body-worn-camera footage could have corroborated or refuted the incarcerated person's claims that he was never interviewed about the safety concern. However, because the investigator did not preserve the evidence, the hiring authority had little evidence to rely on in making a finding on the allegation other than conflicting statements from the incarcerated person and staff. The hiring authority determined there was insufficient evidence to sustain the allegations.

OIG Case No. 24-0089811-INV

An incarcerated person filed a grievance alleging a lieutenant falsified a report by stating the incarcerated person pleaded guilty to violating a prison rule. The incarcerated person also alleged that an officer did not interview witnesses the incarcerated person had identified as favorable to the incarcerated person's defense. The investigator for the Office of Internal Affairs' Allegation Investigation Unit did not interview the officer and the lieutenant until nine months and 10 days after receiving the investigative assignment. At the time of the interviews, both the officer and the lieutenant stated that they had no independent recollection of the incident due to the lengthy passage of time. As a result, the hiring authority found insufficient evidence to sustain the allegations.

OIG Case No. 25-0102400-DM

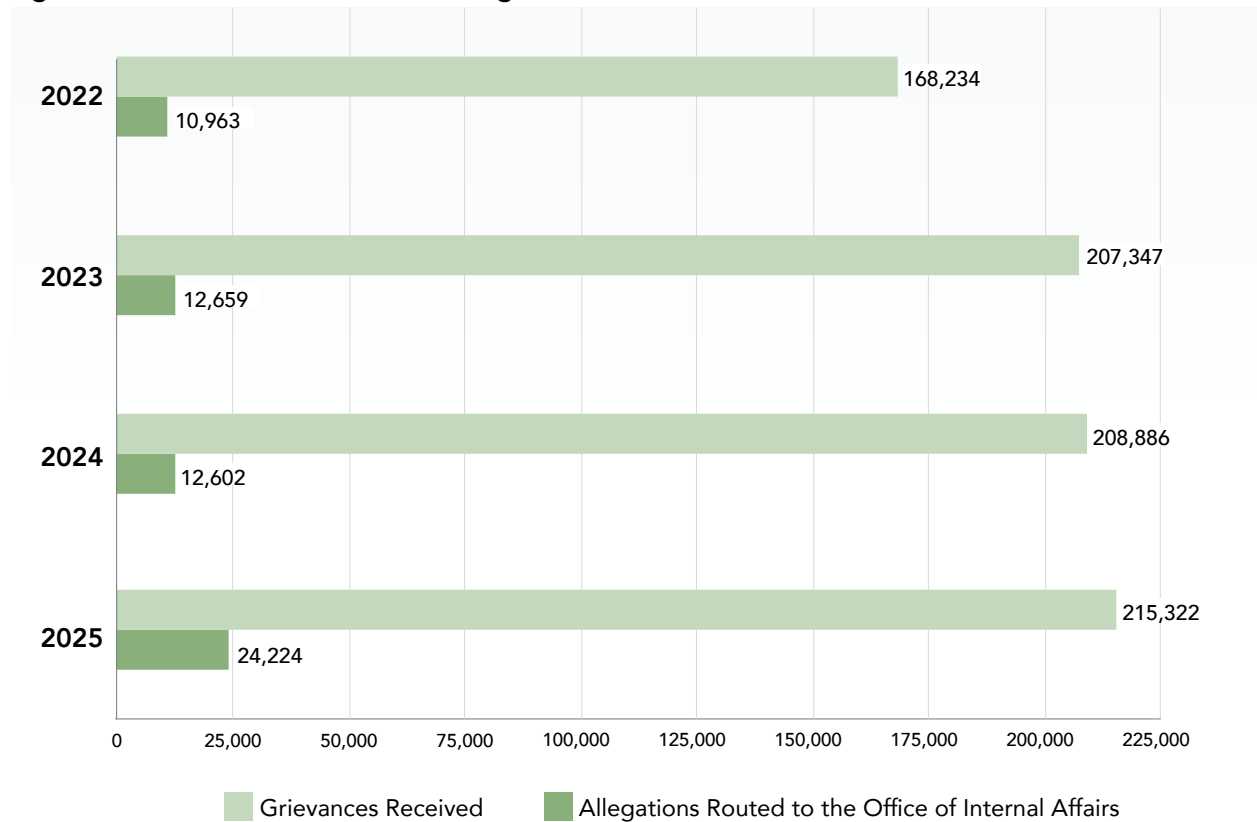
A sergeant was allegedly under the influence of a controlled substance while on duty inside a prison. On October 1, 2024, as the prison's investigative services unit escorted the sergeant to a urine analysis testing laboratory, the sergeant admitted to a lieutenant that he would test positive for "meth." On October 9, 2024, the department received the laboratory results showing the sergeant tested positive for amphetamines and methamphetamine. The Office of Internal Affairs' Central Intake Unit opened a criminal investigation on November 13, 2024, but did not approve opening a concurrent administrative investigation.

Instead, the Office of Internal Affairs' Central Intake Unit waited until January 29, 2025, to open an administrative investigation. The administrative investigator did not conduct any interviews until the criminal investigation was completed on February 27, 2025, and did not ask the district attorney's office whether it had any objection to the administrative investigation proceeding before the criminal investigation was concluded. The administrative investigator did not conduct the first interview until April 1, 2025, did not interview the sergeant until May 20, 2025, and did not complete the investigation until June 13, 2025. As a result of the Office of Internal Affairs' delays, the department continued to employ the sergeant for nearly 10 months despite possessing the sergeant's confession and laboratory results confirming the sergeant had used illegal drugs. The sergeant was paid his full salary as an officer while redirected to work in the mail room from October 1, 2024, through July 29, 2025, when the department served the sergeant with a notice of dismissal. The sergeant resigned on August 4, 2025, before the dismissal took effect.

The Department Is Failing to Complete a Significant Number of Investigations Before Expiration of the Statute of Limitations, but Is Testing New Processes Intended to Reduce Delays and Improve the Quality of Its Investigations

As we outlined in our last report, the Allegation Investigation Unit has been struggling to complete timely investigations given the high volume of allegations being referred to the unit. As the department has rolled out its new staff misconduct grievance process over the past few years, the volume of grievances and allegations of staff misconduct have increased each year, which has led to an annual increase in the number of investigations the department's Office of Internal Affairs must perform.

In 2022, the department received 168,234 grievances that contained 10,963 allegations of staff misconduct that were routed to the Office of Internal Affairs for investigation. In 2023, the department received 207,347 grievances, routing 12,659 allegations of staff misconduct to the Office of Internal Affairs for investigation. In 2024, the department received 208,886 grievances, routing 12,602 allegations of staff misconduct to the Office of Internal Affairs for investigation. Finally, in 2025, the department received 215,322 grievances, routing 24,224 allegations of staff misconduct to the Office of Internal Affairs for investigation. The data shown in Figure 1 on the next page reveals that although the number of grievances incarcerated people file have generally leveled off, the number of allegations of staff misconduct contained in those grievances nearly doubled in the past year.

Figure 1. Grievances Received and Allegations Referred to the Office of Internal Affairs Over Time

Source: Data Provided by the California Department of Corrections and Rehabilitation.

Despite this high volume of allegations, the Allegation Investigation Unit closed only 5,379 investigations in 2025 and had an additional 13,393 investigations pending at the end of the year. With this drastic increase in the number of complaints being referred to the Allegation Investigation Unit over the past few years, the department has been unable to complete investigations into all of these allegations before the expiration of the statute of limitations to complete investigations. Of the 5,379 investigations the Allegation Investigation Unit closed in 2025, the deadline to impose discipline had expired before the investigations concluded in 265 investigations, or 5 percent. Of 13,393 investigations that were open at the end of the year, the deadline to impose discipline had already expired in 1,774 investigations, or 15 percent.

To get a better sense of investigator workload, we requested the department provide data regarding Allegation Investigation Unit investigator caseloads. On January 1, 2025, department data showed there were 88 sergeants and lieutenants actively conducting investigations for the Allegation Investigation Unit. At that time, there were 5,493 open investigations, for an average of 62 cases per investigator. In contrast, the traditional section of the Office of Internal Affairs had 114 special agents

actively conducting investigations with 694 open investigations, for an average of six cases per special agent.

The data also showed that one year later, the caseloads for Allegation Investigation Unit investigators have nearly doubled. As of January 1, 2026, there were 95 sergeants and lieutenants actively conducting investigations, with 10,652 open investigations, for an average of 112 cases per investigator.

Between January 1, 2024, and January 1, 2026, the department expanded the Allegation Investigation Unit, increasing its total number of allocated investigator positions in the Allegation Investigation Unit by 14 total positions. Although the department has indicated that it has been actively recruiting these positions, investigator staffing in the Allegation Investigation Unit has not consistently increased over time, with the number of filled positions at the beginning of 2024 matching the number of filled positions at the start of 2026. However, even at its current allocated capacity of 123 total investigators, each investigator would still need to carry an average of 86 active investigations to process all investigations being referred to the Allegation Investigation Unit. Table 6, below, provides the Allegation Investigation Unit's staffing levels over the past three years.

Table 5. Investigator Staffing Within the Allegation Investigation Unit

Date	Filled Positions	Vacant Positions	Allocated Positions
January 1, 2024	95	14	109
January 1, 2025	88	33	121
January 1, 2026	95	28	123

Source: The California Department of Corrections and Rehabilitation.

In previous reports, we have noted that the department has wasted valuable resources by investigating duplicative allegations because it did not have a system in place to flag allegations that appeared to be duplicative in nature. At times, this lack of a system has led to different investigators independently investigating identical allegations and being unaware that they were performing this duplicative work. Based on these observations, the OIG recommended the department implement a process to identify allegations that have already been investigated, are currently being investigated, or are related to an open investigation, and combine all related allegations into a single investigation. During this reporting period, in response to our recommendation, the department

developed a new feature within its Allegation Against Staff Tracking System database that allows staff to link and consolidate related cases, check whether new complaints they receive are duplicative of earlier complaints, and run reports to identify potentially related cases based on having similar criteria, such as complainant name, date of incident, location of incident, and other information contained in the complaint. The department tested this new feature in late 2025 and released the new feature in late January 2026. This updated functionality should greatly reduce the number of duplicative investigations the department performs in the future.

The Office of Internal Affairs has implemented two other notable measures with the intent to reduce future investigative workload and delays: the Central Intake Triage Team and the Grievance Response Team.

Central Intake Triage Team

Before passing an investigation along to the assigned investigator, the department's newly formed Centralized Intake Triage Team (CITT) performs initial investigative work on cases that the Office of Internal Affairs' Centralized Screening Team refers to the Allegation Investigation Unit for investigation. Once assigned a case, a CITT analyst reviews the complaint and other case documents, determines whether the case was appropriately routed, combines the case with prior similar claims if appropriate, performs initial document-gathering, and preserves video evidence. After performing these preliminary investigative steps, the CITT analyst either forwards the case for assignment to an investigator, or flags the case for review by a sergeant to determine if it might qualify for the newly developed special conditions closure process.

Special Conditions Closure Process

The special conditions closure process, which the department implemented via emergency regulation in January 2025 and formally adopted in regulation in January 2026, allows an investigator to recommend closure of an investigation when specific, narrowly defined regulatory criteria are met. These closures enable the department to resolve investigations into allegations of staff misconduct when further investigative steps are unnecessary or unavailable. In late 2025, the OIG began monitoring the department's use of special conditions to close investigations into allegations of staff misconduct. The OIG implemented this monitoring to evaluate whether the department appropriately applied regulatory standards when closing investigations and whether such closures were supported by sufficient documentation and evidentiary review.

Under the special condition framework, an investigation may be closed without further investigative efforts when either:

1. A review of all relevant video and audio recordings provides conclusive evidence that the alleged misconduct did not occur;⁴
2. A review of all relevant video and audio recordings conclusively establishes misconduct did occur and the involved employees were provided an opportunity to respond and offer mitigating information for the hiring authority's consideration;⁵
3. No reasonable investigative steps remain because the allegation lacks sufficient detail and the incarcerated person refuses to participate in an interview, is unable to provide adequate detail despite participation, or cannot participate due to long-term unavailability;⁶ or
4. For an allegation that staff failed to take a specific action, documentary evidence within the department's information technology systems clearly demonstrates that the staff action at issue was, in fact, taken.⁷

When an investigator determines that a special condition applies, departmental policy requires the investigator to clearly document the evidence supporting that determination and forward the investigative report to a supervisor who is at least one rank higher and to the department attorney, if one has been assigned. If either the supervisor or the department attorney determines the case does not qualify for the special conditions closure process, the matter must be returned to the investigator for further investigation. Otherwise, the supervisor forwards the truncated investigative report to the hiring authority to hold an investigative and disciplinary findings conference and determine whether the matter is appropriate for closure under the appropriate special conditions closure category.

The OIG's monitoring focuses on whether the department complied with the evidentiary requirements governing special condition closures and whether the investigation conducted was sufficient to support the recommended decision to close the case due to the existence of a special condition.

In this reporting period, the OIG monitored 14 cases the department closed pursuant to the special conditions closure process by assigning

4. Cal. Code Regs., tit. 15, § 3486.2(d)(1)(A) (2026).

5. Cal. Code Regs., tit. 15, § 3486.2(d)(1)(B) (2026).

6. Cal. Code Regs., tit. 15, § 3486.2(d)(1)(C) (2026).

7. Cal. Code Regs., tit. 15, § 3486.2(d)(1)(D) (2026).

an attorney to review the truncated investigative report and attend the investigative and disciplinary findings conference. In 12 cases, the OIG attended the investigative and disciplinary findings conference and agreed with the hiring authority's determination that no further investigative steps were necessary or available, and the matter should be closed. In the other two cases, we were unable to attend the investigative and disciplinary findings conference, but ultimately agreed that both qualified for closure under the new process. In one of the two cases, the hiring authority held the investigative and disciplinary findings conference prior to the OIG's assignment, but the OIG would have agreed with the finding. In the second case, the deadline to impose disciplinary action expired before the conclusion of the investigation, and it is unclear whether the department held the investigative and disciplinary findings conference, despite the OIG's attempts to contact the department for clarification.

Although we only monitored a small sample of cases to date, the OIG found that special-conditions closures were predominantly applied in a manner consistent with regulatory intent and did not compromise the integrity of the investigative process. We intend to monitor a larger volume of special conditions closure referrals over the course of the next reporting period.

The following case examples illustrate the department's use of the special conditions closure process in two different types of situations that qualify an allegation for referral to the new process:

Allegation Disproven by Video Evidence

C-AIU-PVSP-8630-25

An incarcerated person alleged that a captain sexually assaulted him at a firefighter training facility and further claimed that he had been tortured, raped, and held hostage in his cell by international communists. The investigator was unable to identify or locate the captain named by the incarcerated person. The incarcerated person provided time frames during which he claimed he was removed from his cell, transported to the training facility, and sexually assaulted. The investigator reviewed video footage covering the identified time frames and determined that no one entered or exited the incarcerated person's cell and that he had not been transported to the training facility. The hiring authority determined that the video evidence conclusively established the alleged misconduct did not occur.

Allegation Closed Due to Insufficient Information

S-AIU-RJD-10348-25

An incarcerated person alleged that a female officer verbally abused him, used a racial slur, made a threatening statement suggesting another incarcerated person was there to harm him, and engaged in sexually inappropriate behavior. The incarcerated person could not identify the officer or provide a date, time, or location of the alleged incident and declined to participate in an interview. As a result, the investigator was unable to identify the involved staff member, review relevant video footage, or locate potential witnesses. The hiring authority determined no reasonable investigative steps remained because the allegations lacked sufficient detail and the incarcerated person refused to participate in the investigative process.

Grievance Review Team

Another relatively new process the department created to address its backlog of investigations, which we outlined in our January–June 2025 report, is the Grievance Review Team (GRT). In 2025, the department reviewed its grievance data and discovered that the 50 people who filed the most grievances filed more than 15,000 grievances per year. On average, these grievances resulted in the referral of more than 2,400 new investigations to the Allegation Investigation Unit each year.

The department began piloting the GRT in late 2025 in an attempt to identify the cause of these people's high volume of complaints and address any core issues that are driving them to file such a large number of complaints. The GRT, comprised of staff from the Centralized Screening Team, the Office of Appeals, the applicable prison's Office of Grievances, and in some instances, a mental health representative from the prison, holds monthly meetings with individuals to discuss their complaints with a panel of staff members instead of routing the complaints for investigation.

Each quarter, as part of the GRT process, the department diverts complaints submitted by the 50 incarcerated people who filed the highest number of grievances in the preceding months away from the normal Centralized Screening Process to the Grievance Response Team. However, any allegation within a grievance that warrants an immediate referral as an allegation of staff misconduct on the allegation decision index or as a request to the Reasonable Accommodation Panel, as determined by a manager of the Centralized Screening Team during a preliminary review of each complaint, will proceed through the normal Centralized Screening Process.

The GRT meets in person with each of the 50 complainants to discuss their grievances on a monthly basis. If a complainant chooses not to attend the meeting, the GRT will review and discuss the complaints in

absentia. After the meeting, the panel will render a decision for each allegation raised in each person's grievances. If the panel unanimously agrees that an allegation meets the diversion criteria, the panel will close out the allegation without referral for investigation. If any panel member voices dissent, the allegation will be routed back through the normal Centralized Screening Process.

The Grievance Response Team can close allegations without referral for investigation if any of the following conditions are met:

1. The claim lacks sufficient detail for a meaningful screening determination, and the claimant refuses to participate in a clarifying interview or participates in a clarifying interview but is still unable to provide sufficient detail to clarify the claim;
2. The claim is factually impossible (meaning the claim defies the laws of physics, biology, or any other discipline);
3. The claim is highly implausible (meaning the claim is factually possible but so improbable that any reasonable person would dismiss the claim as preposterous);
4. The claim closely mirrors three or more previous claims submitted by the same claimant during the most recent calendar quarter and is similar to at least one other claim that was previously denied by a reviewing authority or determined to be unfounded, exonerated, or not sustained by a hiring authority; or
5. The claim accuses departmental staff of failing to take a specific action, but documentary evidence found in the department's information technology system clearly shows that the action was taken by that same staff.

After piloting the process in late 2025, the department officially launched the GRT in February 2026. We began informally observing GRT meetings with incarcerated people in late 2025 to get a better sense of how the process works and continue to observe and identify ways to monitor this new process.

The Office of Internal Affairs Adequately Investigated Deadly Use-of-Force Incidents in Most Cases

The department defines deadly force as any force that is likely to result in death or serious bodily injury other than a lawful discharge during weapons qualifications, firearms training, or other legal recreational use of a firearm. Warning shots are considered deadly force but are only allowed in an institutional setting.

The department authorizes the use of deadly force only when an officer reasonably believes, under the totality of the circumstances, that deadly force is necessary for the following reasons:

- To defend the employee or other persons from an imminent threat of death or great bodily injury.
- To apprehend a fleeing person for any felony that threatened or resulted in death or great bodily injury, if the officer reasonably believes that the person will cause death or great bodily injury to another unless immediately apprehended.
- To dispose of seriously injured or dangerous animals when no other disposition is practical.

In those situations where an officer or parole agent fires a deadly weapon with the intent to strike a person or animal, or when an officer intentionally strikes a person in the head with a tool, including a baton or a round from a nonlethal firearm, the Office of Internal Affairs responds to the incident and initiates an investigation with its Deadly Force Investigation Team (DFIT). The DFIT may also respond to an unintentional discharge of a firearm, depending on the circumstances, and to incidents involving nondeadly use of force if a death occurred. Under those circumstances, the DFIT investigates whether the use of nondeadly force may have contributed to or caused the death.

Every DFIT investigation involves an investigator assigned to conduct a criminal investigation of the use of deadly force and a second investigator responsible for conducting an administrative investigation of potential staff misconduct. The OIG monitors all uses of deadly force, including those for which the Office of Internal Affairs does not initiate a DFIT investigation.

Once the deadly force investigation is complete, DFIT refers the case to the Deadly Force Review Board (DFRB),⁸ which collectively reviews the administrative DFIT investigator's report and presentation and

8. The DFRB is responsible for conducting a comprehensive review of all DFIT investigations and is comprised of at least one department representative and four nondepartmental law enforcement professionals.

determines whether there was a violation of departmental policies and procedures in relation to each employee's use of deadly force. The DFRB prepares a memorandum to the department's undersecretary with its analysis and conclusion. The hiring authority is advised of the DFRB's findings and is expected to proceed with an investigative and disciplinary findings conference consistent with the DFRB's findings. This typically results in exoneration of the employee(s) if the use of deadly force was within policy, or discipline if the force did not comply with policy.

During this reporting period, the OIG monitored and closed 13 administrative cases and eight criminal cases the Office of Internal Affairs investigated concerning the use of deadly force. Among the 13 administrative cases, the DFRB found noncompliance with departmental policy in five instances, all of which resulted in sustained allegations and the imposition of discipline. In each of those five instances, the involved employee discharged a firearm. Three of the eight criminal investigations were forwarded to a district attorney for consideration, but the district attorney declined to file charges related to any of the investigations. We rated the Office of Internal Affairs' performance as *adequate* in 18 of these 21 cases and *improvement needed* in the remaining three cases. We did not rate any of the investigations *inadequate*.

In this reporting period, we monitored a case involving the use of a firearm to stop an assault. Our review of this case led us to recommend that the department consider examining the safety and practicality of firearm usage in housing units, particularly near stairs. A summary of that case can be found below.

OIG Case No. 24-0086445-DM

On July 23, 2024, a control booth officer allegedly discharged one round from a Mini-14 rifle after observing two incarcerated people assault a third incarcerated person with makeshift weapons. The round did not strike anyone. However, the officer's actions successfully stopped the assault, and the third incarcerated person survived the assault. One of the attackers had dragged the third incarcerated person behind stairs leading to the second tier. As a result, the officer in the control booth's view was partially obstructed by the staircase. The officer reasonably concluded that deadly force was necessary to stop the assault because he observed incarcerated people using weapons, and the third incarcerated person appeared to be bleeding profusely.

However, the trajectory of the round presented a low likelihood of success in striking either of the incarcerated people committing the assault. The officer fired the round from an elevated position and through a gap between two steps in the staircase. In such a scenario, the higher the elevation of the shooter's position, the smaller the gap in the staircase becomes due to the angle of the shot's trajectory. This angle

decreases the size of the target, which simultaneously decreases the officer's likelihood of success in striking the target. Departmental policy prohibits discharging a firearm if there is a reason to believe that anyone other than the intended target will be injured. In a confined space, such as an indoor housing unit, the potential for ricochet if the target is missed is higher than on an outdoor exercise yard. A ricocheted bullet presents a risk of collateral injury or death. In this matter, the DFRB determined the officer complied with the department's use-of-force policies. Thereafter, the hiring authority found that although the alleged conduct had occurred, the officer's actions were justified, lawful, and proper.

The OIG concurred with the hiring authority's determination and assessed the performance of the hiring authority, the Office of Internal Affairs, and the department attorney as *adequate*. However, we believe the issues of trajectory and ricochet warrant further examination of the practicality of firing a round from an elevated position at a target that is partially obscured by a staircase in a housing unit. The OIG recommends the department review the practicality of taking shots from a control booth and through the staircases of each of the unique housing units across its prisons statewide where applicable. It is critical for peace officers to know whether there is a safe shot to be taken in this situation or whether an officer would be taking an unnecessary risk with such a shot.

The Employment Advocacy and Prosecution Team

The Employment Advocacy and Prosecution Team (EAPT) is the third stakeholder we assess during our monitoring of the department's investigative and disciplinary processes. EAPT attorneys, known as vertical advocates, provide legal advice and recommendations to investigators and hiring authorities. Generally, the same vertical advocate represents the department throughout the entire investigative and disciplinary process. The OIG monitors the vertical advocate's performance, provides real-time feedback during the investigation and litigation processes, and assesses the vertical advocate's performance. If a department attorney was assigned to a case, we assessed the soundness of the legal advice department attorneys provided to hiring authorities during investigative and disciplinary conferences, as well as during settlement discussions after the disciplinary action was served. We also assessed how well department attorneys performed when litigating disciplinary actions before the State Personnel Board when the affected employees filed appeals.

The Employment Advocacy and Prosecution Team’s Overall Performance Improved Since the Last Reporting Period

Of the 367 cases we monitored and closed in this reporting period, the department assigned an attorney to advise and represent the department in 161 administrative disciplinary and criminal cases, and in 53 staff misconduct complaint cases.

In the 161 administrative disciplinary and criminal cases we monitored and closed in this reporting period, we rated department attorneys’ performance as *adequate* in 83 cases, *improvement needed* in 47 cases, and *inadequate* in 31 cases. In the 53 staff misconduct complaint cases we monitored and closed in this reporting period, we rated department attorneys’ performance as *adequate* in 39 cases, *improvement needed* in two cases, and *inadequate* in 12 cases.

We rate department attorneys’ performance as either *adequate* or *improvement needed* in 171 cases or 80 percent of all cases this reporting period. In the last reporting period, we rated department attorneys’ performance as either *adequate* or *improvement needed* in 71 percent of all cases, showing 9 percent improvement this reporting period. Table 6 below shows overall performance ratings for the Employment and Advocacy and Prosecution Team across all cases we monitored and closed in this reporting period.

Table 6. Employment Advocacy and Prosecution Team Performance

Case Type	Adequate	Improvement Needed	Inadequate	Total
Administrative Disciplinary and Criminal	52% (83 cases)	29% (47 cases)	19% (31 cases)	100% (161 cases)
Staff Misconduct Complaint	74% (39 cases)	4% (2 cases)	23% (12 cases)	100% (53 cases)
Totals	57% (122 cases)	23% (49 cases)	20% (43 cases)	100% (214 cases)

Source: The Office of the Inspector General Tracking and Reporting System.

In Most Cases in Which We Rated Department Attorneys' Performance Adequate, Department Attorneys Provided Sound Advice and Recommendations to Hiring Authorities

In this reporting period, the OIG identified cases in which department attorneys provided sound recommendations to hiring authorities during investigative and disciplinary findings conferences and settlement discussions, particularly when more complex legal concepts were at issue.

Of the 161 administrative disciplinary and criminal cases the OIG monitored, we rated the department attorney's performance *adequate* in 83 cases. In 78 of the 83 *adequate* cases, we found the department attorney provided appropriate advice and recommendations to the hiring authority regarding the investigation, investigative findings, and disciplinary determinations. Department attorneys were also involved in settlement discussions in 21 of the 83 *adequate* cases. In 18 of these 21 cases, we found that the department attorney also provided appropriate advice and recommendations during settlement discussions after disciplinary action had been served.

In 33 of the 39 staff misconduct complaint cases in which the OIG rated the department attorney's performance *adequate*, we found that the department attorney provided appropriate advice and recommendations to the hiring authority regarding the investigation, investigative findings, and disciplinary determinations. Only two of those 39 *adequate* cases involved settlement discussions after disciplinary action was served; we found that the department attorney provided appropriate advice and recommendations during the settlement discussions in both cases.

OIG Case No. 25-0112934-DM

A materials-and-stores supervisor allegedly had unauthorized communications of a sexual nature with a supervised person and engaged in sexual misconduct with an incarcerated person.

During the investigative and disciplinary findings conference, the hiring authority, the department attorney, and the OIG discussed whether the materials-and-stores supervisor's misconduct fell within the department's disciplinary guidelines for sexual misconduct. Social media messages had been exchanged, but no physical contact occurred between the materials-and-stores supervisor and the supervised person. The department attorney advised the hiring authority to find that the materials-and-stores supervisor's misconduct should be categorized under the disciplinary guidelines for sexual misconduct, given the nature of the messages exchanged, and that he should be dismissed. The hiring authority followed the department attorney's advice, sustained

the allegations that the materials-and-stores supervisor engaged in unauthorized sexual communications with the supervised person, and dismissed the materials-and-stores supervisor. After being served with the notice of dismissal, the materials-and-stores supervisor resigned before the dismissal became effective. The hiring authority placed a letter in the materials-and-stores supervisor's official personnel file indicating he had resigned pending disciplinary action.

OIG Case No. 24-0082946-DM

Three prison employees allegedly embezzled state property. An equipment maintenance supervisor allegedly took automobile parts from prison grounds. An officer allegedly removed a tire inflator, a tie-down, a fire extinguisher, and brake cleaner spray from prison grounds and placed the items in his personal vehicle. An automobile mechanic allegedly removed a golf cart charger from prison grounds and placed it in his personal vehicle.

During the investigative and disciplinary findings conference for the officer, the hiring authority sustained the allegations and imposed a salary reduction of 10 percent for 10 months. The department served the officer with the disciplinary action. After a *Skelly* hearing, the department attorney recommended that the hiring authority enter into a settlement agreement with the officer, reducing the penalty to a salary reduction of 5 percent for 14 months. The OIG concurred because the penalty was substantially similar, and the property taken was of minor value. The hiring authority followed the department attorney's recommendation.

When We Rated Department Attorneys' Performance *Inadequate*, We Frequently Disagreed with the Recommendations Department Attorneys Provided to Hiring Authorities

It is the department attorney's role to provide sound legal advice to the hiring authority, particularly when complex or nuanced legal concepts are in question. Hiring authorities depend on department attorneys for counsel when making disciplinary decisions concerning subordinate employees. We often disagreed with recommendations department attorneys made during both investigative and disciplinary findings conferences, and settlement discussions after discipline had been imposed. Although department attorneys' overall performance has improved since the last reporting period, our most frequent criticism pertained to the recommendations and legal advice department attorneys provided during the disciplinary process. In 19 of the 43 cases in which we rated department attorneys' performance *inadequate*, or 44 percent, the *inadequate* rating was due to disagreement with recommendations or legal advice the attorneys provided to hiring authorities during investigative and disciplinary findings conferences.

Investigative and Disciplinary Findings Conferences

In 19 of the 43 cases in which we rated department attorneys' performance *inadequate*, or 44 percent, we disagreed with the department attorney's advice and recommendations to the hiring authority at the investigative and disciplinary findings conferences regarding the sufficiency of the investigation, investigative findings, and disciplinary determinations.

We disagreed with these recommendations more often in staff misconduct complaint cases than in administrative disciplinary cases. In 11 of the 31 administrative disciplinary cases in which the OIG rated the department attorney's performance *inadequate*, we disagreed with the department attorney's advice and recommendations to the hiring authority. In eight of the 12 staff misconduct complaint cases in which the OIG rated the department attorney's performance *inadequate*, we disagreed with the department attorney's advice and recommendations to the hiring authority.

The following case summaries provide examples of cases in which we disagreed with the department attorney's recommendations regarding allegation findings and penalty levels at investigative and disciplinary findings conferences.

OIG Case No. 24-0096212-DM

An off-duty officer allegedly drove his personal vehicle into two parked vehicles, causing a collision, and then fled the scene of the accident.

During the investigative and disciplinary findings conference, the department attorney recommended that the hiring authority impose a salary reduction rather than dismiss the officer, despite the officer's disciplinary history. One year prior to this incident, the officer was arrested for driving while impaired and causing a collision. The officer also had a third pending disciplinary investigation for allegedly possessing and using controlled substances while off duty, which resulted in the need for an emergency call for medical assistance and life-saving measures. For these reasons, the department attorney should have recommended that the officer be dismissed, as he continually demonstrated that he was not suitable for employment as a peace officer. The hiring authority followed the department attorney's recommendation and imposed a salary reduction of 10 percent for 36 months. However, the officer resigned prior to the completion of the investigation. Therefore, the hiring authority placed a letter in the officer's official personnel file indicating he had resigned pending disciplinary action.

OIG Case No. 24-0087144-INV

An officer allegedly deployed two less-lethal rounds to stop three incarcerated people from attacking a fourth incarcerated person. One of the rounds struck the first attacking incarcerated person in the face, requiring stitches. A second officer and a third officer allegedly deployed pepper spray at the first attacking incarcerated person's face, even though he had already complied with orders to stop and lay prone on the floor. The second and third officers allegedly collaborated to falsify their reports about the incident.

During the investigative and disciplinary findings conference, the department attorney recommended that the hiring authority not sustain the allegations that the first officer used excessive and unnecessary force when he discharged the second less-lethal round that struck the incarcerated person in the face, as well as the allegations that the second officer used excessive and unnecessary force when he deployed pepper spray at the incarcerated person.

The department attorney argued that although the first officer admitted he aimed at the incarcerated person knowing the incarcerated person was already in a kneeling position, the second round could not have struck the incarcerated person and, therefore, did not constitute unnecessary or excessive force. Instead, the department attorney argued that the hiring authority should add and sustain an allegation that the first officer misused his duty weapon when he discharged the second round at the incarcerated person, who was not an imminent threat.

Although the OIG agreed that the allegation proposed by the department attorney should be added, the OIG disagreed with the recommendation that the hiring authority not sustain the allegations of excessive and unnecessary force because video-recorded evidence clearly depicted the incarcerated person was kneeling and no longer engaged in the attack when the first officer deployed the second round, and the officer admitted to knowingly deploying the second round regardless.

Regarding the second officer, the department attorney argued that the allegations of unnecessary and excessive force should not be sustained because the incarcerated person's medical records proved only that the incarcerated person reported a burning sensation and was decontaminated, but not specifically that he was pepper sprayed. The department attorney argued the evidence captured on the video recording could have been an optical illusion. The OIG disagreed, because video-recorded evidence very clearly proved that the incarcerated person was laying prone on the ground and complying with orders at the time the second officer deployed pepper spray at the incarcerated person. The department attorney also recommended that the hiring authority not add and sustain allegations that the second officer lied in his initial and supplemental reports when he claimed he deployed the pepper spray to stop the incarcerated person from attacking the victim. The OIG disagreed because the video-recorded evidence clearly showed the incarcerated person was lying prone on the ground and was not moving when the second officer looked over and deployed the pepper spray at him.

The hiring authority agreed with the department attorney that there was insufficient evidence to sustain the allegations. The OIG was unable to seek executive review because the investigative and disciplinary findings conference was held after the deadline to impose discipline had expired.

Settlement Discussions

Similarly, in 15 of the 43 cases in which we rated department attorneys' performance *inadequate*, or 35 percent, we disagreed with recommendations or legal advice the attorneys provided to hiring authorities when deciding whether to settle cases the disciplined employees had appealed to the State Personnel Board.

In 11 of the 31 administrative disciplinary cases in which the OIG rated the department attorney's performance *inadequate*, we disagreed with the department attorney's advice and recommendations to the hiring authority during settlement discussions after disciplinary actions had been served. In four of the 12 staff misconduct complaint cases in which the OIG rated the department attorney's performance *inadequate*, we disagreed with the department attorney's advice and recommendations to the hiring authority regarding settlements of disciplinary matters.

OIG Case No. 24-0088560-DM

A hiring authority sustained allegations that an officer failed to conduct visual observations of an incarcerated person while conducting welfare and security checks. The officer did not ensure the incarcerated person's cell window was unobstructed, and the incarcerated person was later found dead by suicide. The hiring authority also sustained an allegation that the officer lied during his interview with the Office of Internal Affairs about the incident. Therefore, the hiring authority dismissed the officer.

However, after a *Skelly* hearing, the department attorney recommended that the hiring authority enter into a settlement agreement with the officer and modify the penalty from dismissal to a 90-day suspension. The department attorney's advice was flawed because the officer lied to the Office of Internal Affairs by telling the investigator that he had seen the incarcerated person alive during security checks, which was impossible. The OIG did not concur with the settlement agreement because the body-worn camera footage directly contradicted the officer's statement. Furthermore, the officer showed no remorse until he was served with a dismissal action.

Vertical Advocates Handled Fewer Appeals Than in the Last Reporting Period, Continuing to Demonstrate Room for Improvement When Representing the Department in Employees' Appeals

If discipline is imposed, the affected employee has the right to challenge the penalty by filing an appeal with the State Personnel Board. If the affected employee does not withdraw the appeal, or if the State Personnel Board does not dismiss it, and if the case does not settle, it proceeds to hearing. If the department assigns an attorney to the case, the department attorney prosecutes the disciplinary matter before the State Personnel Board. In this reporting period, disciplined employees filed appeals in 35 administrative disciplinary cases and in seven staff misconduct complaint cases, or 20 percent of all cases we monitored. In the previous reporting period, disciplined employees filed appeals in 56 administrative disciplinary cases and eight staff misconduct complaint cases, or 25 percent of all cases we monitored.

In this reporting period, we monitored 14 cases that had been submitted to the State Personnel Board for a decision after a full evidentiary hearing had been held, which represents 33 percent of the total cases appealed. Of the 14 cases we monitored this reporting period, the State Personnel Board either modified the penalty or did not uphold the allegations in six cases, or 43 percent.

These trends have generally remained consistent since the last reporting period, in which 36 percent of the cases we monitored were submitted to the State Personnel Board for a decision after a full evidentiary hearing had been held. The State Personnel Board either modified the penalty or did not uphold the allegations in nine of 23 cases, or 39 percent.

Below is an example of an administrative disciplinary case in which we rated the department attorney's performance as *adequate* due to high-quality representation before the State Personnel Board.

OIG Case No. 21-0041830-DM

An off-duty officer allegedly slapped his girlfriend on the face and grabbed her throat. The next day, the officer allegedly stalked his girlfriend after she attempted to end the relationship, called her 62 times and sent her 52 text messages because she did not return his calls, and stole her vehicle. The following day, the officer's girlfriend contacted an outside law enforcement agency for assistance. The officer allegedly lied to the outside law enforcement officer when he stated that he had never hit his girlfriend. In addition, the officer allegedly lied to an investigator during an interview about the incidents and stated he did not slap his girlfriend or grab her by the throat.

The hiring authority sustained the allegations, except for the allegation that the officer stole his girlfriend’s vehicle and dismissed the officer. The officer filed an appeal with the State Personnel Board. During the evidentiary hearing, the department attorney presented an effective opening statement by comprehensively summarizing the facts and appropriately emphasizing compelling facts. The department attorney also lodged appropriate objections during opposing counsel’s cross examination of the officer’s girlfriend. The State Personnel Board upheld the officer’s dismissal. The officer filed a petition for writ of mandamus challenging the State Personnel Board’s decision. The superior court denied the writ petition. The officer filed an appeal in the appellate court, which the court denied.

Regional Hiring Authorities Within the Department’s Centralized Allegation Resolution Unit (CARU) Continue to Review Investigations in a More Timely and Thorough Manner, and Are Sustaining Allegations at a Slightly Higher Rate Than Their Non-CARU Counterparts

In our last report we discussed the preliminary data we had gathered regarding the Centralized Allegation Resolution Unit (CARU).⁹ In this section we update our reporting to provide additional data and information that has been collected since we last reported on this topic. The data discussed below relate only to staff misconduct complaint cases, not administrative disciplinary cases, because CARU only reviews investigative reports submitted by the Office of Internal Affairs’ Allegation Investigation Unit (AIU), not the traditional section of the Office of Internal Affairs. The data discussed below were requested from CDCR’s Office of Research and cover the time period from July 1, 2025, through December 31, 2025, which is the reporting period addressed by this report.

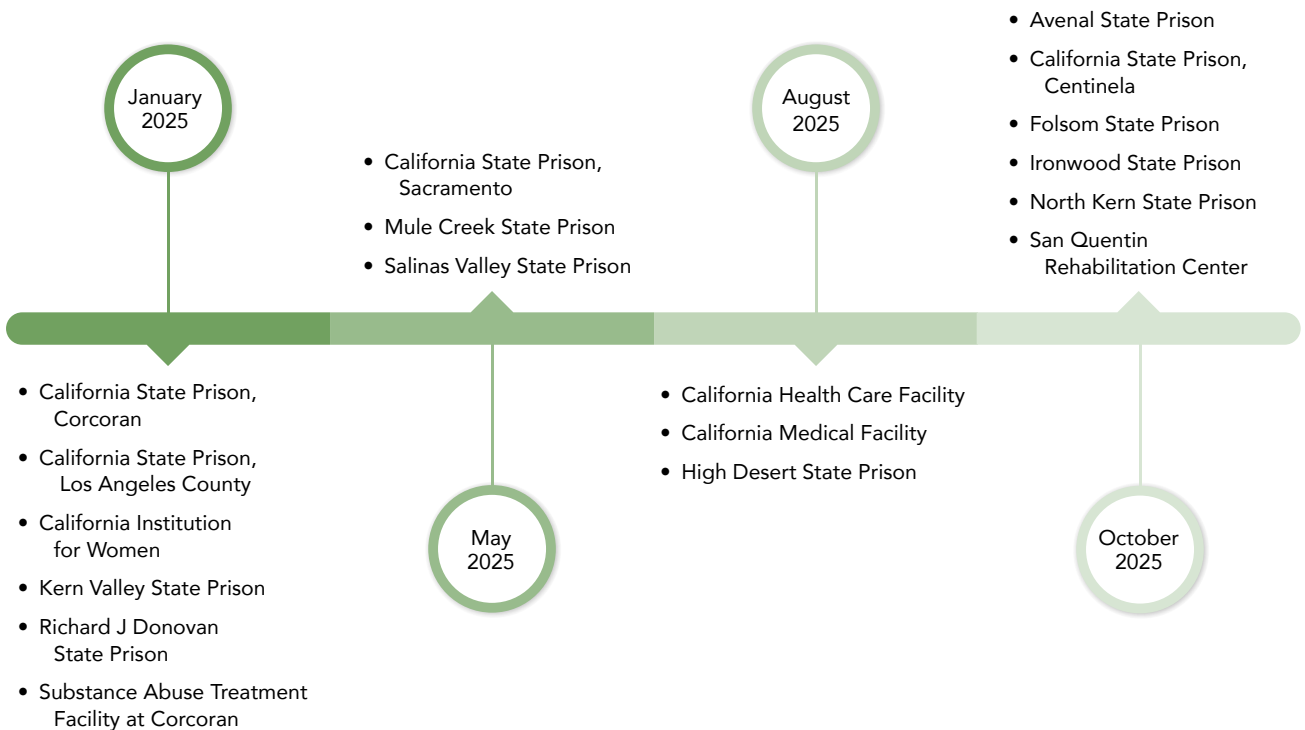
CARU is the unit within the department tasked with reviewing investigative reports submitted by the AIU originating from designated prisons. AIU investigates the most serious allegations of staff misconduct directed towards incarcerated people. After completion of the investigation, AIU submits the investigative report to a hiring authority for review. Usually, the hiring authority for most investigations is the warden at the prison from which the allegation originated. However, beginning in January 2025, CARU started to review reports that originated from designated prisons involving allegations of nonmedical staff misconduct. The CARU hiring authority then conducts the investigative and disciplinary findings conferences for those reports. During such conferences, the sufficiency of the investigation and the allegations against departmental staff are addressed and any necessary

9. While drafting this report and analyzing the data we received from the department, which we rely on for much of the data we present in our discussion of CARU, we identified a significant concern with the accuracy of the data we presented in our January–June 2025 Staff Misconduct Monitoring Report, which can be found at: <https://www.oig.ca.gov/wp-content/uploads/2025/12/Staff-Misconduct-Monitoring-Report-January-June-2025.pdf>. To correct the data provided in the January–June 2025 report pertaining to CARU’s performance, we issued a revised version of our January–June 2025 Staff Misconduct Monitoring Report on May 4, 2026. While the trends we originally described in that report generally remained the same after incorporating the corrected data the department provided in March and April 2026, we revised pages 50 and 51 of the report with the corrected data for accuracy and transparency purposes. We also attached an appendix displaying the original version of pages 50 and 51 as published on December 3, 2025.

penalties are imposed. CARU staff include six chief deputy wardens who have been designated as the hiring authority for any investigative reports sent to CARU for review. A more detailed history and description of CARU can be found in our previous Staff Misconduct Monitoring Report.

In our last report, we noted that the number of prisons involved in the CARU process had increased since its inception in January 2025. When we published our previous report in December 2025, CARU was responsible for handling investigative and disciplinary findings for 18 prisons within the Division of Adult institutions, initially starting with just six prisons that referred investigative reports to CARU in January 2025, with additional prisons being added in May, August, and October. During the period covered by this report, July 2025 through December 2025, CARU was responsible for the first nine prisons for the full duration of the reporting period and the remaining nine prisons for only a portion of the reporting period, as reflected in Figure 2 below.

Figure 2. Timeline of CARU Proliferation at Prisons



Source: California Department of Corrections and Rehabilitation Memorandum dated September 16, 2025, Re: Subject Expansion of the Centralized Allegation Resolution Unit – October 1, 2025.

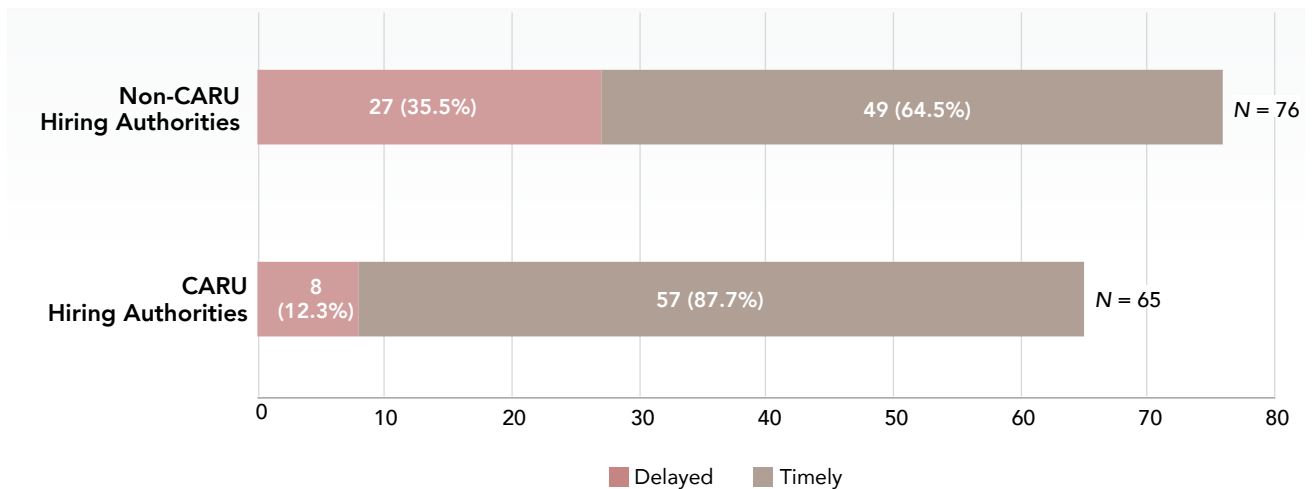
Related to the increased responsibility, data shows that CARU hiring authorities addressed roughly double the number of allegations than non-CARU hiring authorities during the period covered by this report. CARU hiring authorities addressed 2,335 allegations during the first half of 2025. With the addition of nine prisons to CARU during the second half of 2025, the number of allegations CARU hiring authorities addressed increased to 3,640. Conversely, non-CARU hiring authorities addressed 3,145 allegations during the first half of 2025, with the number of allegations addressed during the second half of 2025 decreasing to 1,814 allegations.

CARU Hiring Authorities Timely Reviewed Investigative Reports and Conducted Investigative and Disciplinary Findings Conferences at a Significantly Higher Rate Than Non-CARU Hiring Authorities

In the previous six-month period spanning January 2025 through June 2025, our initial monitoring data reflected that the implementation of CARU appeared to have improved the department's ability to timely conduct investigative and disciplinary findings conferences. From January 2025 through June 2025, CARU hiring authorities conducted timely investigative and disciplinary findings conferences in 93.5 percent of the CARU cases we monitored, compared to only 52.4 percent of the cases we monitored involving non-CARU hiring authorities.

The data from the current period continue to reflect that general trend. As shown in Figure 3 below, CARU hiring authorities held timely investigative and disciplinary findings conferences in 87.7 percent of the cases we monitored. In contrast, non-CARU hiring authorities held timely investigative and disciplinary findings conferences in 64.5 percent of the cases we monitored.

Figure 3. Delayed Investigative and Disciplinary Findings Conferences



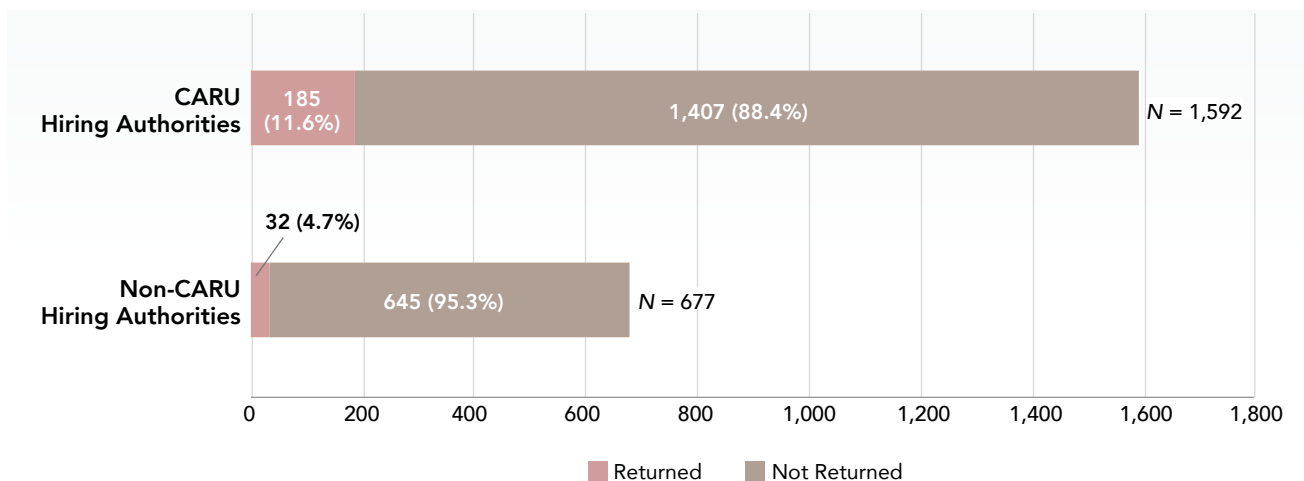
Source: The Office of the Inspector General Tracking and Reporting System.

CARU Hiring Authorities Continue to Find Investigations Insufficient and Return Cases for Further Investigation at a Significantly Higher Rate Than Non-CARU Hiring Authorities

Department data from this reporting period demonstrates that the CARU hiring authorities continue to return cases for additional investigation at a higher rate than non-CARU hiring authorities. From January 2025 through June 2025, CARU hiring authorities found 20.8 percent of all investigations they reviewed insufficient and referred them back to the AIU for further investigation. In comparison, non-CARU hiring authorities returned 10.7 percent of all investigations they reviewed as insufficient.

During this reporting period, as shown in Figure 4 below, CARU hiring authorities found 11.6 percent of all investigations they reviewed insufficient and referred them back to AIU for further investigation. Meanwhile, non-CARU hiring authorities returned 4.7 percent of all investigations they reviewed as insufficient. While this reflects a continued trend in CARU hiring authorities returning cases at a higher rate than their non-CARU counterparts, CARU's return rate has decreased significantly, down more than nine percent from the previous reporting period.

Figure 4. Investigations Received and Returned



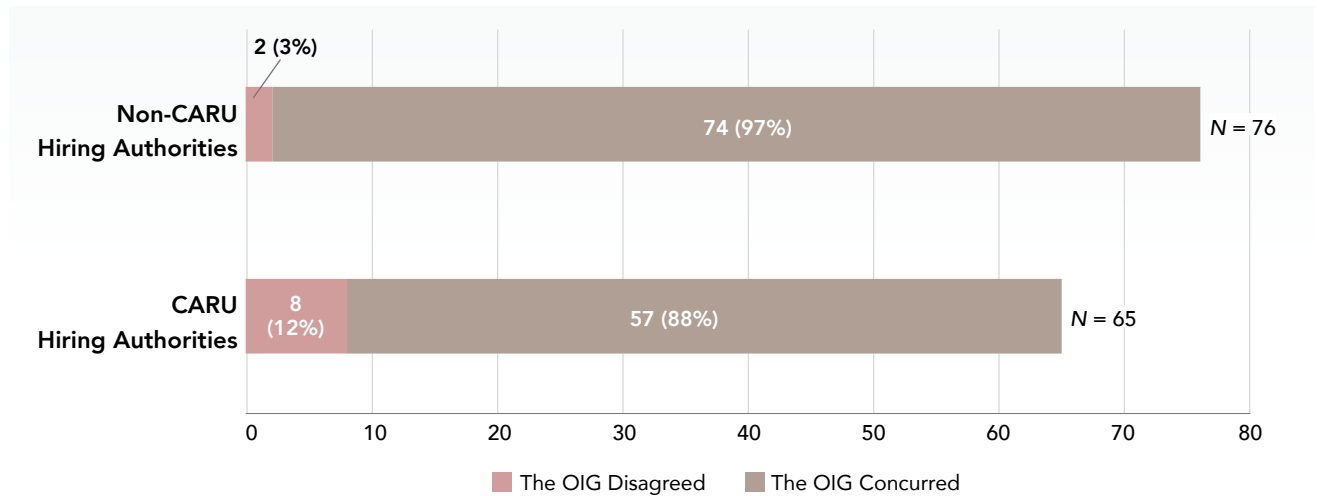
Source: Data provided by the California Department of Corrections and Rehabilitation.

Although our sample size is small, we did not observe this same trend in the cases we monitored. We determined investigations were insufficient and should have been referred for further investigation in nine of the 65 CARU cases we monitored, or 14 percent. The CARU hiring authorities agreed with our assessment in only one of those nine cases, meaning CARU hiring authorities referred only one case back to the AIU for further investigation in the 65 cases we monitored, or 1.5 percent.

Comparatively, we determined only two of the 76 investigations reviewed by non-CARU hiring authorities were insufficient, or 2.6 percent. Neither hiring authority referred either case back to the AIU for further investigation.

In other words, as shown in Figure 5 below, the OIG disagreed with the hiring authority's assessment of the sufficiency of the investigation in 10 of the 141 cases we monitored. Eight of those disagreements arose from cases reviewed by CARU, constituting 80 percent of our disagreements in this area. Comparatively, CARU only comprised 65 of the 141 cases we monitored, or 46 percent. In the two cases below, we believed the investigation was insufficient and the CARU hiring authority should have returned the cases for further investigation.

Figure 5. Cases In Which the OIG Disagreed With Investigation Sufficiency



Source: The Office of the Inspector General Tracking and Reporting System.

OIG Case No. 24-0095467-INV

In one case, the CARU hiring authority determined that the investigation was sufficient even though the investigator did not interview the officer or the lieutenant alleged to have committed misconduct. The evidence showed there were inconsistencies between what the subjects of the investigation wrote in official reports and what was depicted on video. The failure to return the investigation for interviews of the officer and the lieutenant and confront them with the inconsistencies resulted in the hiring authority making a finding without all evidence necessary to make a determination. However, the hiring authority found there was insufficient evidence to sustain the allegation.

OIG Case No. 24-0090675-INV

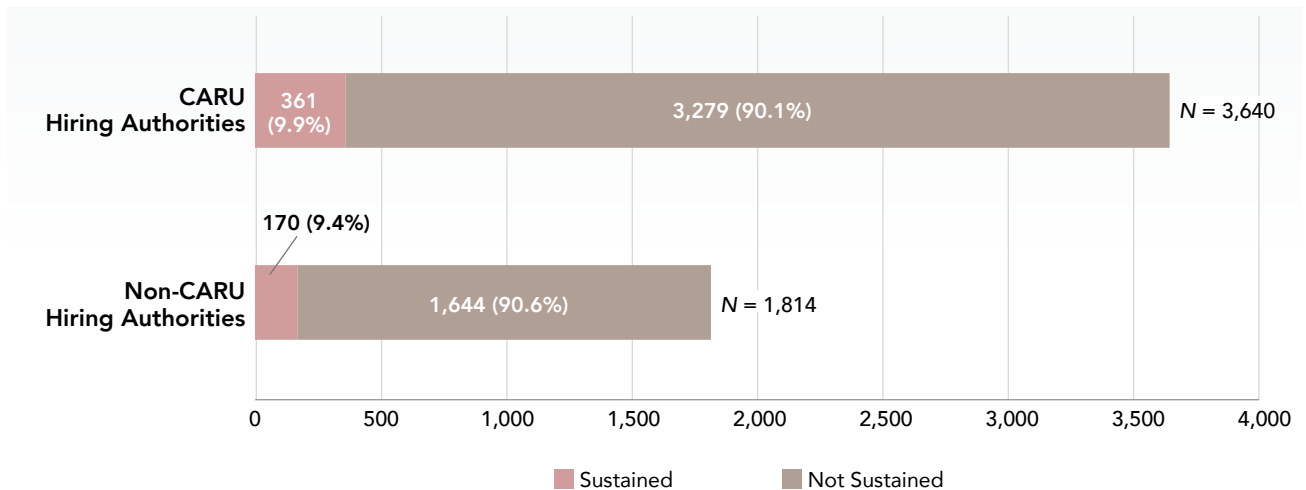
In another instance, the CARU hiring authority determined that the investigation was sufficient despite the fact that two sergeants and six officers were not identified and interviewed as subjects of the investigation. Those eight individuals allegedly observed another officer attempting to punch an incarcerated person who was restrained on the ground, and did not properly report the incident. Moreover, the hiring authority failed to sustain an allegation that the officer who attempted to punch the incarcerated person had engaged in unnecessary force despite no imminent threat being posed by the restrained incarcerated person.

CARU Hiring Authorities Sustain Allegations at a Slightly Higher Rate Than Non-CARU Hiring Authorities

In the previous reporting period, departmental data reflected that CARU hiring authorities sustained allegations at a significantly higher rate than non-CARU hiring authorities. From January 2025 through June 2025, CARU hiring authorities sustained 13.6 percent of allegations and non-CARU hiring authorities sustained 7.4 percent of allegations.

However, as shown in Figure 6 below, data from this reporting period shows the comparative gap between the rate at which the two sets of hiring authorities sustained allegations narrowed to a slim margin. CARU hiring authorities sustained 9.9 percent of allegations they reviewed, while non-CARU hiring authorities sustained 9.4 percent of the allegations they reviewed. Although the data continues to reflect that CARU hiring authorities sustain allegations at a higher rate than their non-CARU counterparts, the data also demonstrates that the rate which CARU sustains allegations has substantially decreased from the prior six-month period, from 12.5 percent to 9.9 percent.

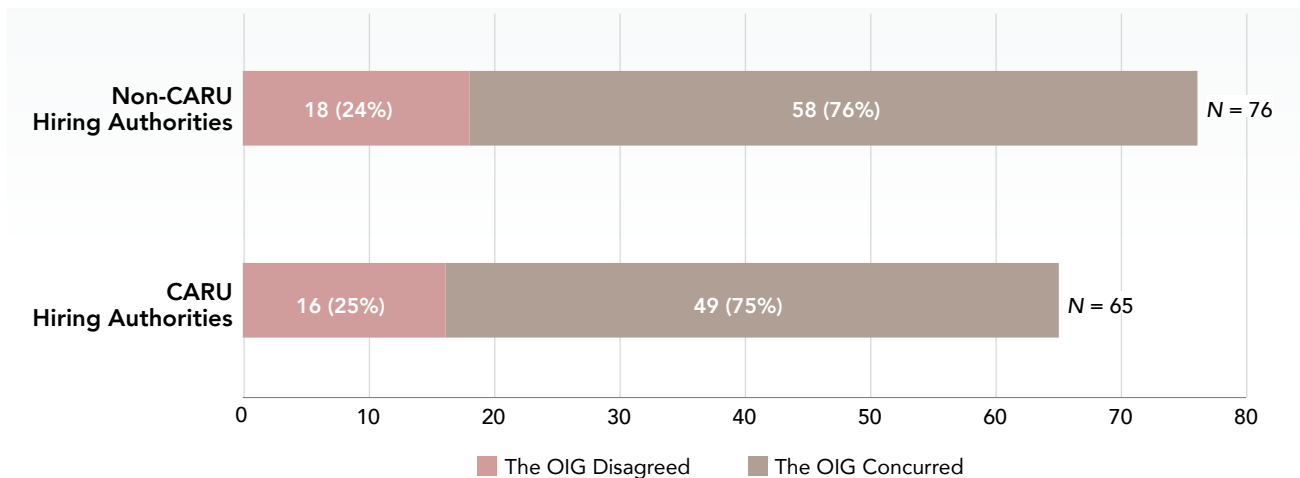
Figure 6. Allegations Addressed



Source: Data provided by the California Department of Corrections and Rehabilitation.

As for cases the OIG monitored in this reporting period, in 24 percent of cases, the OIG disagreed with the CARU hiring authority's allegation findings. This figure does not include cases in which the OIG agreed with the findings but not the penalty. Similarly, the OIG disagreed with non-CARU hiring authorities in 23 percent of cases. As shown in Figure 7 below, the OIG disagreed with the findings of CARU hiring authorities at roughly the same rate as non-CARU hiring authorities. Below are two case examples demonstrating the disagreements.

Figure 7. Cases In Which the OIG Disagreed With Findings



Source: The Office of the Inspector General Tracking and Reporting System.

24-0091655-INV

The CARU hiring authority initially sustained an allegation that an officer used excessive force when he slammed an incarcerated person to the ground, fracturing the incarcerated person's nose. However, before imposing any discipline, the CARU hiring authority changed his mind and reversed the finding on the grounds that there was insufficient evidence to sustain the allegation. The CARU hiring authority stated that the injury the incarcerated person suffered should not be a factor in the determination. However, even in instances in which force is appropriate, the force must be proportionate to the threat posed by the incarcerated person. In this instance, the handcuffed incarcerated person was shown on video pulling away from an officer who was escorting the incarcerated person. However, in response, the officer instantly slammed him to the ground fracturing his nose.

24-0086427-INV

In a second example, the CARU hiring authority found insufficient evidence to sustain an allegation that an officer used an improper physical hold on an incarcerated person's neck despite video-recorded evidence clearly depicting the officer wrapping his arms around the incarcerated person's neck. Departmental regulations prohibit the use of choke holds or any other physical restraint that prevents a person from swallowing or breathing or that restricts blood flow to the brain.

As a final point, we want to note that while the data and information discussed above is more developed now that CARU has been operational for a longer period of time, it is still somewhat preliminary since many of the prisons were not designated for CARU until August and October 2025. Given the length of time the disciplinary process can take once a case is appealed to the State Personnel Board, the OIG has still not had the ability to complete its monitoring for a great number of cases in which CARU hiring authorities participated in settlement discussions or in which the decisions of CARU hiring authorities are adjudicated by the State Personnel Board. Nevertheless, during this reporting period, data reflected a positive trend in which CARU hiring authorities conducted investigative and disciplinary finding conferences more promptly and returned cases for further investigation more often than their non-CARU counterparts. However, data also reflect that CARU hiring authorities are sustaining allegations at only a slightly higher rate than non-CARU hiring authorities. The OIG intends to continue to monitor CARU's performance and address it in subsequent reports.

Conclusion

In monitoring the department’s investigative and disciplinary process, we observed improved performance among all three departmental entities we monitor. For example, hiring authorities’ overall performance improved since the last reporting period, especially with timely consultations when making findings and deciding on penalties. The Office of Internal Affairs’ overall performance has improved since the last reporting period as well. The Employment Advocacy and Prosecution Team’s overall performance has also improved; however, our most frequent criticism of department attorneys pertains to recommendations and legal advice provided during the disciplinary process. The OIG will continue to monitor and assess the department’s performance in handling administrative disciplinary and criminal cases and staff misconduct cases with an eye towards reporting trends in the interest of public transparency.

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The Department's Response to Our Report

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STATE OF CALIFORNIA – DEPARTMENT OF CORRECTIONS AND REHABILITATION

GAVIN NEWSOM, GOVERNOR

OFFICE OF THE SECRETARY

PO Box 942883
Sacramento, CA 94283-0001



4/27/2026

Ms. Amarik Singh
Office of the Inspector General
10111 Old Placerville Road, Suite 110
Sacramento, CA 95827

Dear Ms. Singh:

The California Department of Corrections and Rehabilitation (CDCR) thanks the Office of the Inspector General (OIG) for the opportunity to review the draft report titled *Monitoring Internal Investigations, Staff Misconduct Complaint Investigations, and the Employee Disciplinary Process of the California Department of Corrections and Rehabilitation* for the period of July 1, 2025 through December 31, 2025.

The Department appreciates the OIG's acknowledgment of our improved performance in addressing allegations of staff misconduct. CDCR remains committed to reducing backlogs and meeting statutory timelines, supported by enhanced screening protocols and improved tracking systems that increase efficiency and eliminate duplicative cases. We are encouraged by the strong performance of the Centralized Allegation Resolution Unit and the Grievance Response Team as we continue to refine our investigative model. While we may not always concur with the OIG's assessments, we remain fully committed to delivering comprehensive, timely, and thorough investigations. OIG's findings and recommendations play a critical role in shaping the Department's approach to systemic improvements, and we greatly value our ongoing collaborative partnership.

If you have any questions, contact me at (916) 323-6001.

Sincerely,

DocuSigned by:
Jeffrey Macomber
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JEFF MACOMBER
Secretary

**Monitoring Internal Investigations, Staff
Misconduct Complaint Investigations, and
the Employee Disciplinary Process of
the California Department of
Corrections and Rehabilitation**

*Semiannual Report
July–December 2025*

OFFICE *of the* INSPECTOR GENERAL

Amarik K. Singh
Inspector General

Shaun Spillane
Chief Deputy Inspector General

STATE *of* CALIFORNIA
May 2026

OIG