



MODESTO POLICE DEPARTMENT

Mission - Vision - Values

**Response to OIR Group Independent Review
2024 Annual Report**

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—BRANDON GILLESPIE, CHIEF OF POLICE

To Our Modesto Community,

The Modesto Police Department continues to uphold its commitment to transparency, accountability, and public trust. As your Chief of Police, I take seriously the responsibility to ensure our department operates with professionalism, integrity, and a relentless drive to improve.

Every day, our officers serve this community with courage and compassion, making critical decisions in rapidly evolving situations. I'm proud of their efforts and the strong culture of professionalism that has become foundational to how we serve Modesto. We hold ourselves to high standards—and that includes being open to constructive feedback and oversight.

The Independent Police Auditor's (IPA) second annual report provides another opportunity to reflect, adapt, and strengthen our systems. While we do not agree with every recommendation, we value the collaborative nature of this process and the shared goal of continuous improvement. In many cases, we are already taking action or reinforcing existing practices to ensure the effectiveness and accountability our community deserves.

As we move forward, I invite our community members to remain engaged, ask questions, and continue supporting the work of our officers. Together, we can continue to build a Modesto that is safe, fair, and thriving for everyone.

Respectfully,

BRANDON GILLESPIE
CHIEF OF POLICE

INTRODUCTION

The Modesto Police Department is proud to serve a diverse and growing community with professionalism, compassion, and a commitment to excellence. Our mission, as outlined in our 2023–2025 Strategic Plan, is to improve the quality of life for all through public safety and service. We do this by embracing innovation, fostering community partnerships, and remaining responsive to the evolving needs of our city.

As part of our commitment to transparency and accountability, we continue to collaborate with both the Community Police Review Board and the Independent Police Auditor. These partnerships, based on transparency, mutual respect, and a shared interest in public safety, are key to advancing both public confidence and departmental performance.

The 2024 IPA report provides a series of recommendations aimed at strengthening how we investigate, train, and hold ourselves accountable. Many of the issues raised align with our strategic priorities, including officer professionalism, fair enforcement, and responsible use of force review. In several cases, we have already taken steps to address these areas, and we will continue to evaluate our operations with a forward-thinking and data-informed approach.

Our responses reflect a department committed to high standards, careful self-assessment, and the thoughtful adoption of best practices where appropriate.

RESPONSE TO RECOMMENDATIONS

RECOMMENDATION 1:

MPD should ensure that officers involved in a use of deadly force are interviewed before the end of the shift in which the incident occurred, either through a voluntary statement to criminal investigators or a compelled administrative statement.

MPD respectfully disagrees with this recommendation. While we understand the intent behind recommending interviews prior to the end of shift, our current process reflects evidence-based best practices and widely accepted guidance from national law enforcement leadership organizations. Specifically, the Department draws guidance from the U.S. Department of Justice and the International Association of Chiefs of Police (IACP), whose 2016 joint publication, *Officer-Involved Shootings: A Guide for Law Enforcement Leaders*, provides the following recommendation:

“At a point following the incident (shooting), investigators should conduct an interview with each involved officer. Some law enforcement agencies require these interviews to be conducted as soon as is practical. The IACP Police Psychological Services Section recommends delaying personal interviews from 48–72 hours in order to provide the officer with sufficient recovery time to help enhance recall. This interval is particularly recommended for officers who were directly involved in the shooting, but it may also be necessary for officers who witnessed the incident but did not discharge their firearm.”

This approach is based on well-documented research in the fields of cognitive psychology and traumatic stress response, which recognize that memory recall can improve after a period of rest and recovery following a high-stress event. As such, we believe our current practice of scheduling administrative interviews within a short but reasonable time frame, often within 24 to 72 hours, strikes an appropriate balance between investigative integrity, officer wellness, and due process. The IACP, along with experts from the Force Science Institute and other law enforcement advisory groups, continue to support this position as the most effective balance between investigative integrity and officer health.

RECOMMENDATION 2:

MPD should work to align the work product of the MIRT process with the final evaluation of the Shooting Review Board, and should incorporate identified MIRT "action items" and their status in the final case memorandum prepared by Internal Affairs.

MPD agrees with recommendation and appreciates OIR’s recognition of our Major Incident Review Team (MIRT) process as a meaningful step toward holistic review of critical incidents.

We concur that integrating the findings and action items generated by the MIRT process into the final case memorandum prepared by Internal Affairs, particularly as part of the Shooting Review Board documentation, would enhance both efficiency and continuity. Doing so will ensure that

all identified lessons, whether tactical, supervisory, procedural, or equipment-related, are formally tracked and addressed through the same review pipeline that evaluates officer performance and policy compliance.

RECOMMENDATION 3:

MPD should strive to conduct follow-up interviews with complainants as soon as is practicable after intake.

MPD agrees with recommendation. We recognize that timely engagement with individuals who file complaints is essential to both the effectiveness and credibility of our investigative process. Early follow-up allows investigators to clarify allegations while the information is still fresh, improves the accuracy of investigations, and demonstrates to the public that their concerns are taken seriously and handled with urgency.

Our Internal Affairs team typically conducts a thorough initial review of each complaint, which includes examining relevant reports, body-worn camera footage, and other available documentation before contacting the complainant. While this comprehensive approach is essential to informed follow-up, the volume and prioritization of complaints, especially those involving serious allegations, can result in delays, sometimes extending beyond 60 days.

To improve responsiveness, MPD will implement an internal goal of initiating follow-up contact with complainants within 14 days of the submission of their complaint. This target timeframe will allow department staff to promptly gather additional details, clarify concerns, and set expectations for the investigative process.

RECOMMENDATION 4:

MPD should consider ways to streamline its case memos for investigations involving multiple subjects, so as to avoid the extensive repetition and allow for a more straightforward application of the evidence to the allegations generated by the complainant.

MPD agrees with this recommendation and appreciates OIR's observation regarding the structure and length of investigative case memoranda, particularly in cases involving multiple subject employees.

We recognize that while thoroughness and transparency are essential in internal investigations, excessive repetition across separately written narratives for each subject can inadvertently reduce clarity and create inefficiencies in both documentation and review. MPD is currently exploring options to streamline case memos while maintaining a high standard of investigative rigor.

RECOMMENDATION 5:

MPD should continue to evaluate the costs and benefits of pretext stops in light of the tension between proactive policing and community trust that such stops often exemplify.

MPD appreciates OIR's focus on the complex balance between proactive policing strategies and maintaining community trust, particularly in the context of pretext stops.

MPD believes strongly in providing police services in a fair, impartial, and constitutional manner while protecting the community and diligently working to uncover crime and those who seek to victimize our residents. Pretext stops, though sometimes misunderstood, are legal and provide officers with the ability to address often minor violations while professionally engaging with the individuals they contact. These lawful contacts often serve as gateways to uncovering weapons, narcotics, stolen property, or wanted individuals, many of whom are actively involved in harming our neighborhoods.

We understand that the key to maintaining legitimacy in these encounters is the interaction itself. The conversation, the officer's demeanor, and the explanation of the reason for the stop can be the difference between someone perceiving bias and someone understanding the basis of a legitimate police action. For this reason, MPD's training emphasizes professionalism, courtesy, and clear communication in every contact, whether it's a traffic stop, a proactive enforcement effort, or a response to a call for service.

Our officers are expected to be both vigilant and community focused. Contacting and engaging with people is not only how crimes are prevented and solved, it is also how relationships are built. We will continue to strive to provide policing that is friendly, fair, and professional while remaining relentless in our efforts to uncover criminal activity that threatens the safety of our community.

MPD remains committed to ongoing training, supervisory review, and community dialogue to ensure that our enforcement strategies are effective, equitable, and rooted in our responsibility to serve all residents with respect.

RECOMMENDATION 6:

MPD should explore the use of additional investigative strategies to evaluate allegations of bias, including the evaluation of patterns of stops and arrests by individual officers or the description of additional, non-discriminatory factors where applicable.

MPD appreciates OIR's recommendation regarding the evaluation of bias-related allegations. We are committed to providing law enforcement services in a fair and impartial manner and recognize the importance of continuously improving our investigative strategies.

We currently utilize a range of practices aimed at identifying and addressing potential bias, including regular review of stops and arrests, ongoing training, and early intervention systems to flag potential concerns.

As a learning organization, MPD is always open to evaluating our practices to ensure they reflect professionalism, fairness, and effectiveness we expect of our staff. Where patterns or practices warrant additional review, we are committed to conducting that analysis in a way that is thoughtful, measured, and grounded in actual data. We will continue to explore improvements when necessary and prudent, while standing behind the integrity of the work our officers do every day to protect our community.

RECOMMENDATION 7:

MPD should consider a policy revision to delineate any authorized exceptions to its general prohibition against officer profanity.

MPD respectfully disagrees with this recommendation. We agree with OIR that professionalism is central to building and maintaining public trust, and we are proud that a high level of professionalism is embedded in our organizational DNA. As such, we train our officers to articulate clear, calm, and direct commands, particularly in high-stress situations, without the need to rely on profanity.

We also recognize that intense, dynamic incidents can occasionally result in the use of profanity by officers. In those instances, our review process typically treats such occurrences as training issues, addressed through coaching, debriefing, or performance reminders. We believe this approach allows us to maintain our high standards without undermining the reality of human responses during rapidly evolving incidents.

While we understand the logic and validity behind OIR's recommendation, we respectfully maintain that the rarity of profanity in our body-worn camera reviews is not the result of a specific policy carveout, it's the result of a consistent mindset that is instilled through regular training, repetition, critique, and cultural reinforcement. Codifying exceptions, even if well-intentioned, risks eroding the clear expectations we work hard to establish.

Though we acknowledge that no organization is perfect, we are proud of the tone our officers consistently set in the field and believe our current approach reflects both professionalism and accountability.

RECOMMENDATION 8:

MPD should expand on its new policy requirement for effective supervisor interviews of individuals subjected to force from MPD officers by making the efficacy and content of those interviews a more routine element of the larger review.

MPD agrees with this recommendation. As part of our ongoing commitment to accountability and professionalism, MPD has already updated policy language to ensure that supervisors are conducting subject interviews in a manner intended to elicit factual, unbiased responses. We recognize, however, that policy alone is not enough; training, oversight, and consistent

expectations are critical to ensuring these interviews are conducted in a way that reinforces trust and enhances the integrity of our review process.

To that end, MPD will continue to focus on this area through additional supervisory training and ongoing guidance. We also intend to place greater scrutiny on this component during our use of force review process to ensure that interviews are not only occurring as expected, but that they reflect the tone, structure, and purpose outlined in our policy.

RECOMMENDATION 9:

MPD should work to ensure officer awareness and effectiveness regarding all elements of the Department taser policy and principles of feasible warning.

MPD appreciates OIR's recommendation regarding Taser deployment and the emphasis on feasible warnings. We agree that issuing a verbal warning, when safe and practical to do so, can be an effective de-escalation tool and may prevent the need for force altogether. MPD will continue to reinforce this principle through training and will place added emphasis on the importance of Taser warnings during use of force reviews, ensuring our officers are consistently aligned with both policy and best practices.

RECOMMENDATION 10:

MPD should re-emphasize its policies and expectations with regard to recording systems, and consider the discipline process as a vehicle for promoting compliance when repeated issues arise.

MPD appreciates OIR's recommendation and will continue to reinforce our policies and expectations regarding the timely activation and appropriate use of body-worn cameras. MPD already scrutinizes body-worn camera usage closely and considers whether an officer has a prior history of failing to activate their camera, or other activation issues, when determining the severity of any corrective action taken. This approach ensures that both individual accountability and overall compliance remain strong. We will continue to scrutinize camera usage closely and take appropriate corrective action when necessary—including formal discipline when warranted—to ensure compliance across the organization.

RECOMMENDATION 11:

MPD should ensure that its K9 program is appropriately rigorous in evaluating performance and remediating as needed, and should integrate documentation of the K9 review process into its main force tracking system.

MPD agrees that strict attention must be given to K-9 programs due to their complexity and potential for high liability. We recognize that while K-9 teams can be extremely effective in carrying out law enforcement functions and enhancing officer safety, improper use or insufficient oversight can harm community relationships and instill fear. MPD takes this responsibility seriously.

While the K-9 Unit regularly conducts internal debriefs to evaluate deployments and identify training points, we agree that these assessments need to be consistently captured through our formal processes. MPD will ensure that all K-9-related training issues identified by K-9 Unit supervisors are documented within the official use of force review process, allowing for consistent oversight and accountability.

RECOMMENDATION 12:

MPD should bring additional attention to the implementation of its new policies regarding documentation and evaluation of de-escalation efforts in the context of force incidents.

MPD agrees with this recommendation and remains committed to reinforcing de-escalation as a key component of our culture. We will continue to work with officers and supervisors to ensure de-escalation efforts are not only prioritized in the field but also properly documented in reports, reviewed during supervisory evaluations, and addressed when deficiencies are identified. Our goal is to embed de-escalation into daily decision-making and maintain it as a foundational element of how we serve our community.

CONCLUSION

The Modesto Police Department remains committed to evolving, improving, and leading with integrity. Our partnership with the IPA and CPRB helps reinforce the trust that the community places in us. We take pride in our progress and acknowledge that our journey to excellence is ongoing.

We thank the IPA for their continued engagement and constructive feedback, and we thank our community for holding us to a high standard. MPD remains focused on protecting Modesto with professionalism, transparency, and unwavering dedication.