



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 12/02/2025

ITEM NO: 5

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DATE: December 2, 2025  
TO: Mayor and Town Council  
FROM: Gabrielle Whelan, Town Attorney  
SUBJECT: **Receive an Annual Report Regarding the Independent Police Auditor Function**

RECOMMENDATION: Receive an annual report regarding the Independent Police Auditor function.

FISCAL IMPACT:

Receiving this report will not have a fiscal impact with regard to the program itself. Based upon recent experience, preparing and sending the required notices and handling of a complaint averages approximately 15 hours of staff time, which includes review of the complaint and any related body camera footage and communication with the complainant. Additionally, about five hours of Police Department staff time is necessary per complaint to provide case documentation and footage, consult with the Town Attorney, State reporting requirements, and case retention. The work and the associated costs are absorbed into the Town Attorney's and Police Department's budget. Fees have not been established to recover these costs. The adopted budget contains funds to pay for consultant costs if an independent investigation is warranted.

STRATEGIC PRIORITY:

This action supports the Town's strategic priorities of public safety.

BACKGROUND:

The Los Gatos-Monte Sereno Police Department (LGMSPD) personnel are held to the highest standards of conduct both on and off duty. As a critical component of building and maintaining trust with the community, allegations from the community of misconduct by sworn members of

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Administrative Technician

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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the LGMSPD are reviewed in a manner that is fair, impartial, independent, thorough, and timely.

On November 3, 2020, the Town Council voted to authorize the Town Manager to establish an Independent Police Auditor (IPA) function. A copy of the current Administrative Procedure is attached (Attachment 1).

Currently, complaints may be submitted to the Town Clerk or through an online complaint form. The Town Attorney then reviews the complaint and any applicable materials, such as video footage, in order to determine whether the complaint should be referred to an independent investigator who is overseen by the Town Attorney. This process has been documented in an Administrative Procedure, which has been updated by the Town Manager consistent with Town procedures. The administrative policy provides an annual summary report on the program to the Town Council and the public.

#### DISCUSSION:

The Town received eleven complaints in 2025. Five complaints were walk-in, five were by email, and one was by mail.

Of the eleven complaints, the determinations were as follows:

- Supervisory Referral: One Complaint
- Non-Misconduct Concern: One Complaint
- Demonstrably Unfounded: Eight Complaints
- No Records Found: One Complaint

#### CONCLUSION:

Staff is giving the Council an annual report regarding the Independent Police Auditor function. Eleven complaints have been received thus far in 2025.

#### COORDINATION:

The Town Attorney's Office, Town Manager's Office, Police Department, and Town Clerk's Department coordinated this report.

#### ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

#### ATTACHMENTS:

1. A-22 Administrative Procedure