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ANNAPOLIS CITY COUNCIL

The Annapolis Police Department's Response to the
Caucus of African American Leaders



Chief of Police
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Foreword

In August 2014 a series of events related to policing in America began to unfold with the police involved shooting death of Michael Brown. Since that time the public has asked for police reform and better relationships with those who police their community. The Annapolis Police Department welcomes community input and scrutiny. We always take community concerns seriously and invite meaningful dialogue to help us make improvements and to explain our policies and practices.

The Annapolis Police Department began community conversations shortly after the death of Michael Brown. There were frank discussions about policing in Annapolis and these discussions continue. The Department recently participated in the Department of Justice SPIRIT program. This was a full day forum involving many diverse people from Annapolis who discussed issues with the Annapolis Police Department and ways to improve and resolve them. Some of the issues are generational, some involved our method and manner of community outreach and communication with the public to name only a few. We continue to move forward with the recommendations with an eye toward improved communication and relations between citizens and the police.

Every agency can improve. We believe the Annapolis Police Department is far ahead of other police agencies. However, no agency is perfect including our Department. As a member of the Commission for Accreditation of Law Enforcement Agencies (CALEA) our standards are reviewed on a continuum to determine if we are in compliance with recognized national standards. We have been accredited since 2006.

We appreciate the Caucus of African American Leaders, the American Civil Liberties Union and local clergy for their input and recommendations concerning the Annapolis Police Department. The recommendation "Town Hall Report" (December 2015) was thoroughly examined with the Department's command staff and management.

The Annapolis Police Department will respond to each recommendation. Our response is broken down into four (4) categories; Legislative, Administrative, Public Relations and Policies. There are recommendations we accept, recommendations we accept but actions of others are required, and recommendations we feel are not necessary for a variety of reasons, yet in each case we explain our reasoning.

As we move through the process we will continue to have an open and honest dialogue. In the end, we will continue to be an active member of the community, committed to positive police-community relations.

Legislative

1. Body Cameras

The Caucus of African American Leaders recommended that APD officers be equipped with Body Worn Cameras. The Caucus suggested the Council draft legislation based on a law passed by the Maryland State Legislature. Part of that legislation has tasked the Maryland Police Training Commission to develop guidelines for both Policy and a Procedural Reference Guide. Body Worn Cameras are a new technology in the United States, accepted by some jurisdictions but not others. Many jurisdictions are in the process, much like Annapolis, in considering their use and deployment by examining the issues, benefits and other aspects and challenges.

Pros

A common belief about Body Worn Cameras is that the recording of citizen interactions will generate police accountability. It is also believed that citizens' behavior toward police officers will be affected. The video and audio footage can provide an unbiased and tangible account of the police and citizen contact. This can alleviate false or incomplete statements by both parties. A Body Worn Camera should offer a more accurate version of events.

The use of Body Worn Cameras may reduce the number of complaints against officers. Officers will be held accountable by the camera and it should encourage proper and ethical behavior. The Body Worn Cameras influence on officers' actions should protect the City and the Police Department from potential liability. Since all contacts are recorded, the officer is expected to act in a professional manner. Although there are legitimate concerns about the cost of the technology, it could prove to be less than a potential lawsuit.

Another likely benefit of Body Worn Cameras is report accuracy. An officer can review the audio and video to depict a clear-cut account of the incident. The audio and video may also be used for evidence collection. Similarly, video often supports prosecutorial efforts by corroborating witness accounts.

Body Worn Cameras can protect the police against frivolous complaints. Citizens would be less likely to make a complaint if they know that it can be disputed by the officer's camera.

Concerns

Although holding police officers accountable by utilizing Body Worn Cameras seems like an obvious solution to police misconduct, there are numerous other factors to consider including cost, user logistics, policy, public information requests, privacy concerns, and officer perception. Depending on the evidence retention requirements (assuming 12 months), the initial cost for Body Worn Cameras for the Annapolis Police Department would be approximately \$300, 000.00. There is also a yearly maintenance fee (@\$40,00.00/ annually) for the cameras and the costs associated with cloud storage

(@\$200,000.00). Because of the lack of technical resources, APD would need to use outsourced, "cloud" storage for the recordings.

The argument can be made that the costs to purchase and operate Body Worn Cameras would be less than a potential law suit; however, the number of complaints against officers should be considered. In 2015, there were 26 officer conduct complaints. According to APD Internal Affairs, Body Worn cameras would have been useful in nine of the cases regarding excessive force/ misconduct. This equates to \$33,333.00 per complaint. On the other hand it may be shortsighted to consider fractional costs considering the uncertainty of what could happen in the future where a camera could prove invaluable.

The Annapolis Police Department would need to devise procedures for distributing the cameras at the beginning of each shift, storing and charging the units (docking), downloading evidence at the end of each shift, logistics for docking stations, time and space for reviewing footage, book marking and retrieving footage, and other procedural considerations.

One of the major concerns of Body Worn Cameras is the anticipated volume of Public Information Requests. Since anyone can make a request, APD foresees the need to hire additional personnel to handle the process. Such personnel cost would be in addition to the costs mentioned above. There are legislative initiatives to curtail public access for "non-interested" parties, however; there is strong opposition to that restriction.

Privacy concerns need to be addressed in the operation of Body Worn Cameras. When and where an officer turns on the recording must be predetermined and adhere to policy. The officer will also need direction/ policy to document when a citizen asks for the camera to be turned off.

Body Worn Cameras can be a valuable tool for the Police Department but many issues must be considered and analyzed before the City makes the investment. The decision to utilize Body Worn cameras should be determined by the needs of the Annapolis Police Department and the citizens it serves, not by special interest.

2. Dash Cameras

The Caucus of African American Leaders recommended that Annapolis police vehicles be equipped with Dashboard Mounted Cameras, aka Dash Cams. The Caucus suggested the Council draft legislation "to equip all Annapolis Police officers with Dashboard Mounted cameras." Dash cams are used by almost fifty percent of police departments in the US.

Dash cams can provide valuable video and audio evidence of a police traffic stop or other encounters when police are in their vehicles. Dash cams have exonerated police as well as incriminated them. They follow the same premise as Body Worn Cameras as to their value for police departments. The Dash Cams provide an unbiased and tangible account

of the police citizen contact. This can alleviate false or incomplete statements by both parties. A Dash Cam should portray an accurate version of events.

The Dash Cams have the same benefits as Body Worn Cameras but are limited. The camera is in a fixed position and can only capture what is in its field of view. If something happens outside the range of the camera, it will be missed; however, there may still be audio. From this viewpoint, Body Worn Cameras are much more practical. The Dash Cam has become almost obsolete and redundant to the Body Worn Camera.

To equip 50 vehicles with Dash Cams and assuming a twelve month retention period, it would cost the City of Annapolis approximately \$670,000.00 to purchase, install, and store audio and video footage. Annual costs would average approximately \$400,000.00 including storage.

Downloading and storing the audio/video could also cause problems as officers change shifts and need to get back on the street. There are logistical issues of downloading (bandwidth requirements), how many cars can download at one time, proper naming/assignment, and the cloud storage needed to retain the audio/ video dependent upon the City's requirement.

If the City is to invest in Body Worn Cameras and/ or Dash Cams, the Body Worn Cameras would be more practical in both usefulness and cost. The Dash Cams do not offer the full range of mobility that the Body Worn Cameras do. There are even some models of Body Worn Cameras that can be placed in a bracket on the dash and serve as a Dash Cam. Investing in both would be extremely costly, overburden limited resources, and duplicate technologies.

3. Honor Guard Protocol

The Caucus of African American Leaders recommended that that the City Council pass legislation mandating the Honor Guard be offered to represent the City of Annapolis at the funerals of all fallen and deceased former Annapolis police officer and fire fighters provided they were in good standing and at the discretion of the member's family.

The Annapolis Police Department already has provisions of when the Honor Guard will be used and under what circumstances. General Order H.11, dated June 2009, Page 5, Section IV, titled Details, states that Honor Guard Details will be governed by the following;

A. Honor Guard Details

1. Department Funerals – Refer to General Order N.3
2. Out of agency funerals.
3. Department events e.g., promotions etc.
4. Community events e.g., parades, dedications, etc.

5. Any other event as directed by the Chief of Police or his/her designee.
- B. Request for the Honor Guard Unit may be submitted through the office of the Chief, the Commander of the Operations Division, or the HGU Supervisor.
- C. The Chief or his designee must approve all details.
- D. The Chief or his designee has the authority to deny a request of the HGU if it is not within the guidelines of this policy.

Section B of the policy states that: *Request for the Honor Guard Unit may be submitted through the office of the Chief, the Commander of the Operations Division, or the HGU Supervisor.*

Under this section, an individual may request an Honor Guard for a deceased family member. The Police Chief, or his designee, may approve or deny the request, based on criteria which may include, but is not limited to the following:

- A. The availability of Honor Guard Members.
- B. The timeliness of the request.
- C. The travel distance involved.
- D. The cost involved, if any.
- E. The character of the deceased member while on active duty with the Annapolis Police Department.
- F. The character of the deceased following their departure from the Annapolis City Police Department.
- G. Any other relevant information, positive or negative, which could impact the Chief's decision to send an Honor Guard Unit.

We believe that creating legislation mandating how the Honor Guard will represent the Annapolis Police Department and the City of Annapolis is unnecessary or impractical for the following reasons:

1. Under the current policy, an individual may make a request for the Honor Guard for this purpose.
2. Any legislation would have to include language consistent with that which is already contained within the current policy.
3. To mandate Honor Guard Deployment could place an undue burden on the agency and could prove challenging when the needs of the Agency or City outweigh those of the involved member.

4. African American Liaison

The recommendation is for legislative action, and therefore it is a matter for the City Council. The Annapolis Police Department supports improving communication and trust between the community and the Police Department. We have expanded our outreach over the last eight years through the implementation of many programs and diverse hiring and unit assignments. If an African American Liaison enables further outreach and trust building, we support the recommendation. If this position is created, it may be appropriate to staff under the City as opposed to the Police Department.

5. Chief of Police Appointments

The Caucus of African American Leaders recommended the City of Annapolis draft legislation as part of maintaining agency continuity when transition becomes necessary, recommending the Chief of police be limited to appointing: one Major (Deputy Chief), and one Captain from outside the agency, and “all subsequent Command Staff members should either be appointed from within or promoted by way of a duly recognized and accredited assessment program.”

We disagree that legislation is necessary in this matter. First, the Annapolis Police Department is in compliance with this recommendation. In 2008, the Police Chief appointed one Major and one Captain from outside the agency. No other command staff members are from outside the Department. Second, although the Police Chief does not intend to appoint command members other than from within the Department, there should be no codified prohibition. Circumstances beyond the City’s or the Police Department’s control or contemplation may cause the need to promote from outside the Department. Finally, legislation is unnecessary in matters where policy or administrative direction suffice.

As to the alternative recommendation that command staff members be promoted by a recognized and accredited program, the Annapolis Police Department has a promotional process for ranks up to Police Lieutenant. Captains and Majors are exempt under Chapter 3.08.010 of the City Code and appointed by the Police Chief which is consistent with national best practices and standards.

6. Civilian Review Board

The recommendation is the City of Annapolis should develop legislation which establishes a Civilian Review Board (CRB) with the following components:

- Full investigative powers including subpoena
- Access to Internal Affairs files
- Funded and staffed
- Should reflect community most impacted by police abuse, surveillance and brutality. Majority to be made up of community members.
- Review of all policies regarding public trust and fairness.

- Meaningful say in officer discipline
- Make disciplinary recommendations public despite the law.
- Board should accept anonymous complaints and third party complaints.

The Annapolis Police Department takes seriously complaints received by the Department. All complaints are thoroughly investigated by Internal Affairs (IA). Oversight of IA investigations is conducted by the respective employee's Commander, the Office of Professional Standards, Deputy Chief of Police, and lastly the Chief of Police. The Chief is necessarily tasked with the management of the Department to include but not limited to budget, community outreach, police policy and strategy, and discipline.

The Maryland Public Safety Article (PSA) Title 3 Section 101-113 codifies the Law Enforcement Officers Bill of Rights (LEOBR) which establishes procedures for the investigation and discipline of police officers. This legislation is absolute in its application as it reads in pertinent part "this subtitle supersedes any law of the state, a county, or a municipal corporation that conflicts with this subtitle." (Section 3-102 [A]). Simply put, the city could not enact legislation contrary to the LEOBR in forming a CRB as suggested. Several recommendations made by the Caucus their report would require a substantive change in state law. The creation of a Citizen Review Board with investigative power, subpoena power or a "say in the discipline of officers," etc. is not something the City can undertake absent an amendment to the State's LEOBR.

Additional considerations when addressing the idea of a CRB would include the following:

- Board responsibility
- Board composition
- Board authority
- Board training
- Funding
- Staffing
- Volunteers
- Vetting

CRBs, depending upon their construct can be expensive. Persons involved in these boards would have to undergo training on police tactics, participate in intra-agency functions to understand the nature and breadth of police work.

CRBs, depending on their mandate could undermine the ability of the Chief to direct the Department and have final say in police discipline. Without full authority over these important management matters, the Department and police chief lose accountability to the public. Perhaps this is the reason only two police departments – to our knowledge – among approximately 155 in Maryland have civilian review board, though without oversight or disciplinary authority.

There is much to be said about police transparency to the public. Transparency within the Department is important to the community as it helps build and maintain trust between the police and community. However, trust and transparency can be improved without a CRB through alternative measures. Ideas to foster improved transparency include general posting of internal affairs findings, use of force statistics, officer involved shootings, etc. on the Department's web sites, social media, and message boards. Public discussions and forums between the Department and public also aid in transparency. In terms of police discipline, IA command could attend community meetings to help explain the complaint and disciplinary processes. This type of outreach, we believe, would go a long way in building trust and accountability with the community.

Administrative

1. Mission Statement Update

The recommendation is to change the Annapolis Police Department's Mission Statement indicating the Department embraces diverse communities, but commit to having a diverse work force from top to bottom. The current Mission Statement states:

The Annapolis Police Department is dedicated to preventing and controlling crime and preserving the quality of life in Annapolis through firm, fair and impartial law enforcement strategies.

The Mission Statement is a road map for the Police Department. As the road changes, a new course is required and perhaps a new Mission Statement should be developed. Our Mission Statement has changed twice over the last eight years. This year the Annapolis Police Department will be conducting a survey of our employees, citizens and government officials to help pick a motto for the agency. The motto will set the tone for a new Mission Statement.

2. Organizational Values

The recommendation is the Organizational Values should embrace diversity as a means to building partnerships through respect and trust. The Department's current Organizational Values are:

Maintain professionalism in every facet of our operations and maintaining only the highest levels of personal integrity;

Preserve democracy and freedom by recognizing constitutional rights of all;

Develop and actively build a strong community partnership to help with the identification and solutions to neighborhood problems;

Establish a mutual trust within the community, through honor, deeds and actions.

The Department believes that our Organizational Values guide our conduct in a variety of settings and with all people. In addition, the other actions are included such as “strong community partnership” and “trust.” When we review of our Mission Statement, we will also review our Organizational Values.

3. Transparency

The recommendation is the Annapolis Police Department should post all records of discipline to ensure fairness and equity in punishments.

The Annapolis Police Department is more transparent than ever. We have opened our doors to civilians and invited them to volunteer in the office or as Auxiliary Officers. We hold “Citizens Police Academies” to show our citizens how we operate and how we respond under certain circumstances. We provide police reports to various news outlets seven days a week. We have expanded our social media and released a smart phone application to broadcast information as quickly as possible. We list our internal complaints in the Annapolis Police Department’s Annual Report and provide a monthly demographic chart with the Department’s monthly report.

By March 1, 2016 we will post our internal complaints and our demographics on the Annapolis Police Department’s website. The internal complaints document will include the type of complaint, whether the complaint was an internal or external, the number of each type and the outcome.

4. Open Disciplinary Hearings

The recommendation is the Annapolis Police Department should be required to have open disciplinary hearings when the accused officer makes a request to have one.

The Annapolis Police Department has already considered this matter prior to any recommendation. We are aware that the Maryland Chiefs of Police Association had discussions relative to open disciplinary hearing boards in Maryland. Administrative disciplinary hearing boards are open to the public in two counties. The Law Enforcement Officers Bill of Rights (LEOBR) does not specify if the hearing is open or closed. In order to maintain credibility and transparency in the disciplinary process, the Annapolis Police Department can adopt the practice, absent special circumstances, that our disciplinary hearing boards will be open to the public during presentation of evidence and argument.

If the Annapolis Police Department proceeds with open disciplinary hearings, we would consider enabling public observation from a close or adjoining room in headquarters using electronic media feed for remote observation. This will provide real-time observation and eliminate the potential of influence and overcrowding at the immediate location. This procedure goes further than the recommendation.

5. Access and Authentication of Data

The recommendation is that the Annapolis Police Department as a matter of policy should be required to authenticate all information captured and stored by way of electronic device.

Clarification was requested for this recommendation and we understand that it goes to the retention and collection of information and video from body worn or dashboard mounted cameras. The Annapolis Police Department will follow the law as provided by the State of Maryland.

Public Relations

1. Disclosure of Officer Demographics

The recommendation is the Annapolis Police Department should be required to post the race, gender and ethnicity make up of the rank and file members of the agency.

The Annapolis Police Department is more diverse now than at any time in its history. The Department is 40% minority and 25% African American. The Department routinely discloses demographic information to public officials and the media. We will post demographic information on our website and provide the information to others upon request.

2. Minority Recruitment

The recommendation is the Annapolis Police Department staff should accurately reflect the population it serves.

Every department should strive to reflect the community it serves. However, this is easier said than done. No matter how hard a department works in recruiting a diverse workforce it sometimes proves difficult for a variety of reasons including competition among other workforces and police departments to recruit qualified minorities. Currently, the Annapolis Police Department is 40% minority and 25% African American. The Annapolis Police Department engages in best practices and broad recruitment efforts including media use, job fairs, and colleges and universities.

Policies

As part of the annual review process and based on recommendations from the Commission on Accreditation for Law Enforcement Agencies the Department has begun reviewing all of its general orders, Mission Statement and Organizational Values.

The Caucus recommended changes to several of the Department's general orders. Many of the recommendations are a result of scrutinizing a paragraph in a general order without

either first reviewing the entire general order or looking at other sections of the order. For example, there was a recommendation to define who sits on the Review Committee when making a recommendation for punishment. The definition can clearly be found in the section entitled Definitions and states the member's commanding officer and the Director of Professional Standards are the committee. In another example, there is a recommendation to clarify when a suspended officer will have a suspension hearing. The general order clearly states the member will report on the next business day for a suspension hearing.

We thought it would be easier to understand the concerns raised by CAAL and the response if each was put in a table format. Below you will find all of the concerns raised by general order cited and a response.

Concern	Response
General Order B.9 Administrative Duty	
Should incorporate light duty and modified duty into the general order.	The term administrative duty is all encompassing and includes times when an officer's powers may be suspended due to a variety of reasons or they are injured and placed on modified duty when certified by a physician.
The reasons why an officer can be placed on administrative duty is too vague. For example, "The interests and welfare of the public..." and "member is accused of ...criminal misconduct, or other violations of a serious nature." What if the officer is under investigation for committing a felony, is there suspension with or without pay?	We are examining some of the language in the policy section. We believe that most of the language will stay as is because it is impossible to list and explain every possibility. As to whether an officer receives pay or not and, is or is not suspended, is discussed in General Order G.3.
General Order C.4 Biased Based Policing	
What happens when an investigative stop occurs? Does the police department mandate completing a form?	General Order K.4 Stop and Frisk for Weapons /Firearms Search Report requires officers to complete Maryland State Police Form 97.
Extended traffic stops for searches.	All officers have been trained to conform to the requirements of Rodriguez vs. United States. However, language consistent with the decision will be added to the general order.

<p>Are there methods to measure, review, report and disseminate traffic stop information for corrective action when appropriate?</p>	<p>The policy will remove the review process from the Watch Commander and put the burden on the Director of Professional Standards. The Director will review traffic stops, arrests, and field interviews on a quarterly basis, examine officers' assignments, crime patterns and traffic accidents to determine if there is a pattern of biased policing. A report will be forwarded to the Chief and all commanders to take appropriate action when necessary.</p>
<p>If an officer finds no traffic violation the officer may release without a citation. The term "may" indicates the officer may issue a citation upon finding no violation.</p>	<p>If an officer did not find a violation yet issued a citation the officer submitted a false report. However, the line will be changed.</p>
<p>Supervisors will review citations prior to submission to Central Records. What corrective action are the supervisors taking?</p>	<p>The role of the supervisor in this case, was to ensure the citation, warning etc. we properly completed. This is no longer the case as citations are electronically completed. This will not be in a revised order.</p>
<p>Review of citations, warnings etc. by Watch Commanders periodically and take correction action.</p>	<p>No longer will sit with the Watch Commander. See Response to Recommendation 3 above.</p>
<p>The Department needs to define training.</p>	<p>Training is provided during initial training, in-service training and during roll call. Training will vary but may include the legal aspects of bias based policing, proactive enforcement tactics, courtesy, cultural and human diversity and interpersonal skills. This will be written into the policy.</p>
<p>APD needs to gather and analyze data to include field interviews, traffic stops and arrests.</p>	<p>The policy will remove the review process from the Watch Commander and put the burden on the Director of Professional Standards. The Director will review traffic stops, arrests, and field interviews on a quarterly basis, examine officers' assignments, crime patterns and traffic accidents to determine if there is a pattern of biased policing. A report will be forwarded to the Chief and all commanders to take appropriate action when necessary.</p>

The policy states the statistical reports are confidential but they should be available to the public.	Although written in the policy the MPIA would supersede the language. The report has been disseminated to a number of outlets without delay. The language will be removed.
Policy should state quotas are illegal.	Language will be in updated order.
General Order G.2 Investigation of Complaints	
Policy section includes the line, "This includes anonymous complaints." Are these internal or anonymous complaints or anonymous citizen complaints?	The language is clear that it includes both types of complaints. There is not an exception in the language.
Section II A. Professional Standards Director will review each complaint and determine if the complaint will be forwarded. The issue is who is filing the complaint? Does this include citizens' complaints or internal complaints?	The term complaint, because it does not limit who are what, includes all complaints internal and external.
Subsection B Who is being notified by the Director when a complaint is made?	Language is clear the Director will send a letter to those known individuals who made a complaint by mail, telephone or email.
Section III A The complaint form should be on line and citizens should not be referred to anyone on the police department to explain why they want to make a complaint.	There is language on-line that explains how someone can make a complaint without appearing at the Department. The person can send an email, call or send a letter. We will work to put a form on-line. The Department is open 24 hours and people feel that they may need redress immediately. A supervisor is present to provide them with a complaint form that the citizen can fill out at the Department and submit it or take with them to complete.
Section III B – Notification process is vague as there is no notification process outlined in the order.	See Section XI Notification Process.
Policy doesn't state what the process is if the internal investigator receives the complaint as it does when a supervisor receives a complaint.	The internal investigator is a supervisor and will follow that administrative process. A number would be attached; a decision would be made who would investigate the complaint based on the severity of the allegation etc.
Specify which cases are to be investigated by a supervisor and IAS.	See Section IV A.

Supervisors should not be investigating cases in which an officer used profanity against a citizen without just cause.	There is no just cause for officers to use profanity toward anyone. See Section IV Internal Affairs will investigate abusive language toward citizens.
Section III F – Investigations must be completed within 30 days thus leading to a rush in judgment. The Department has a year to investigate why not wait?	If a complaint cannot be completed within 30 days the supervisor merely asks for an extension. Citizens do not want to wait a year for a resolution of their complaint and good employee corrective measures should be swift or it loses its intended effect as time passes.
Section III G and H – The complainant can ask for updates and they will be provided and if the investigation is not completed within 30 days the complainant should be given an update in writing and every 30 days thereafter. Which investigations is this referring to? What if it is racial discrimination shouldn't the Department contact the citizen?	The Department does provide updates whenever it is requested by a complainant and when the investigation is not completed within thirty days. In addition, the Department contacts complainants by letter to indicate the case findings. This is in regard to all complaints. This is meant to keep the process transparent and open as much as it can be.
Section III I – Thirty day rule is not good because citizens have 90 days to file a complaint for brutality.	The 30 day rule comes into effect after a complaint has been filed. Thus if someone files a complaint for brutality on day 90 the idea is to have the case closed within 30 days. This is not a hard number. If the case cannot be completely investigated within the 30 days the investigator has to provide notice to various people and provide an update to the complainant.
Section III K - Which Director is being discussed and who makes up the Review Committee?	Discussed throughout the order is the Director of Professional Standards who is referred to as the Director. See the definitions for the composition of the Review Committee.
Are stats actually being compiled and who receives them?	Statistics are compiled annually. It is a breakdown of complaints and findings. Currently, there are no officers on a disclosure list for integrity violations. One officer has been fired in the last three years for an integrity issue.

Section V C & D – Who is the appropriate commander to review cases, who is the commander on the Review Committee and who makes up the Review Committee?	As stated in the previous sections, the appropriate commander is the commander who supervises the division and supervisor to whom a complaint was returned or for whom the subject of the complaint works. The Review Committee is made of that commander and the Professional Standards Director.
Who is the Major and why does that position have such autonomy?	There is only one Major in the Department. The Major only makes a recommendation for punishment after the Review Committee, the commander and Professional Standards Director, can not reach an agreement on the recommended appropriate punishment.
Why can a line supervisor only make a recommendation for non-punitive discipline and not for punishment that exceeds a Category A? The Director of Professional Standards holds the rank equivalent to that of a lieutenant so why it is a lieutenant can not make a recommendation?	Commanders are removed from the situation and are more apt to be objective when it comes to discipline. Commanders will also know what punishment has been issued for others that have committed the same act. Although, first line supervisors do not make a formal recommendation a commander may ask for their input. The fact that a director holds the rank equivalent to a lieutenant goes to interaction between members and not specifically to lieutenants making recommendations.

General Order G.3 Suspension from Duty/Suspension of Police Powers

This general order deals with administrative suspensions and suspensions without pay. For the most part these are not guided by the Law Enforcement Officers Bill of Rights. The only exception is that an officer is entitled to a suspension hearing when suspended without pay. These usually occur when the allegation is made and before an internal investigation is complete. There is confusion on behalf of Caucus of African American Leaders that an administrative suspension is the same type of hearing as a hearing board. A hearing board is held after a sustained internal investigation finding and the member elects to have a hearing and not accept the recommended punishment.

Concern	Response
General Order G.5 Disciplinary Matrix	
<p>Policy states that the discipline ranges from a Category A through Category E. Yet the same general order has a category F.</p>	<p>There are Categories A – F. However, Concern 1 is referring to a statement that indicates a violation of Categories A- E may be elevated to the next highest punishment if a second or subsequent violation occurs within 36 months. This does not refer to Category F as that is termination and it can only occur once.</p>
<p>There are other notes made by Caucus of African American Leaders that are not listed as concerns or suggestions. These include the 74 sections of violations stated in the general order but none for supervisors or management.</p>	<p>Rule 1 Section 16 states members shall perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the member's rank, grade and/or position; the failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention; absence without leave; or unnecessary absence from the assigned patrol during a tour of duty.</p>

<p>General Order M.2 Discrimination and Harassment</p>	
<p>Officers are to refer harassment/discrimination complaints to a supervisor or Director of Professional Standards. Supervisor may talk complainant out of making complaint. Complainant should be given the information to Internal Affairs or the Director of Professional Standards.</p>	<p>Officers are to make the notification because the Department does not want the officer to downplay the importance of being able to file a complaint. A supervisor or the director can explain in detail the different options and methods for filing a complaint. Also, remember that a person does not have to come into contact with anyone to make a complaint as the method is available online. Most people who want to make a complaint believe their issue is important to them and they want to speak with someone immediately.</p>
<p>The policy does not state that once a complaint is made the parties will be separated in their assignments.</p>	<p>This is a fair suggestion and we will take it under advisement.</p>
<p>Make the number of discrimination complaints available to the public.</p>	<p>This is a fair suggestion and we will take it under advisement.</p>

DRAFT

Appendix A

	B/M	B/F	W/F	W/M	H/M	H/F	AI/M*	Asian/M	Total
Sworn Personnel	25	2	9	65	4	1	1	2	109
	22.94%	1.83%	8.26%	59.63%	3.67%	0.92%	0.92%	1.83%	100.00%
Part-Time Personnel	6	4	3	2	0	0	0	0	15
	40.00%	26.67%	20.00%	13.33%	0.00%	0.00%	0.00%	0.00%	100.00%
Full-Time Personnel	1	6	13	10	1	1	0	0	32
	3.13%	18.75%	40.63%	31.25%	3.13%	3.13%	0.00%	0.00%	100.00%

Sworn Personnel/Allotted positions	B/M	B/F	W/F	W/M	H/M	H/F	AI/M*	Asian/M	Total
Minority Percentage	22.94%	1.83%	8.26%	59.63%	3.67%	0.92%	0.92%	1.83%	100.00%
Chief (1)				1					1
Major (1)				1					1
Captain (3)		1		2					3
Lieutenant (6)	1			5					6
Sergeant (13)	4		2	5	1				12
Corporal (14)	1		2	8			1		12
Officer First Class (50)	11		3	34	1	1		1	51
Officer (28)	8	1	2	9	2			1	23
Total Sworn Personnel	25	2	9	65	4	1	1	2	109

Sworn Personnel Position Openings	Authorized	Actual	Vacancies
Chief	1	1	0
Major	1	1	0
Captain	3	3	0
Lieutenant	6	6	0
Sergeant	12	11	-1
Corporal	14	13	-1
Officer First Class	51	51	0
Officer	26	23	-3
Total Sworn Personnel Position/Openings	114	109	-5

APPENDIX B

2014 Citizen and Internal Complaints

Citizen Complaints	Excessive Force	6
Citizen Complaint	Discourtesy	10
Citizen Complaint	Harassment	3
Citizen Complaint	Unbecoming Conduct	1
Citizen Complaint	Improper Procedure	5
Citizen Complaint	Property Damage	1
Citizen Complaint	Misconduct (Other)	1
Internal Complaint	Equipment Violation	2
Internal Complaint	Improper Procedure	3
Internal Complaint	Excessive Force	5
Internal Complaint	FTA in Court	3
Internal Complaint	Performance	2
Internal Complaint	Unbecoming Conduct	2
Internal Complaint	Dereliction of Duty	2
Internal Complaint	Misconduct (Other)	1
Internal Complaint	Tardiness	3
Internal Complaint	Misconduct (Criminal)	3
		53

Disposition	Count	Percent of Total
Sustained	24	45%
Non-Sustained	11	20%
Exonerated	13	25%
Unfounded	3	6%
Withdrawn	2	4%
	53	100%

2015 Citizen and Internal Complaints

Citizen Complaint	Discourtesy	4
Citizen Complaint	Excessive Force	2
Citizen Complaint	Unbecoming Conduct	1
Citizen Complaint	Improper Procedure	3
Citizen Complaint	Harassment	1
Citizen Complaint	Misconduct (Off Duty)	1
Internal Complaint	Tardiness	1
Internal Complaint	Misconduct (Criminal)	1
Internal Complaint	Unbecoming Conduct	2
Internal Complaint	Misconduct (Other)	2
Internal Complaint	FTA Court	1
Internal Complaint	Excessive Force	2
Internal Complaint	Policy (Other)	3
Internal Complaint	Misconduct (Off Duty)	1
Internal Complaint	Dereliction of Duty	1
		26

Disposition	Count	Percent of Total
Open	5	19%
Sustained	10	38%
Non-Sustained	5	19%
Unfounded	3	12%
Exonerated	1	4%
Admin. Closed	2	8%
	26	100%