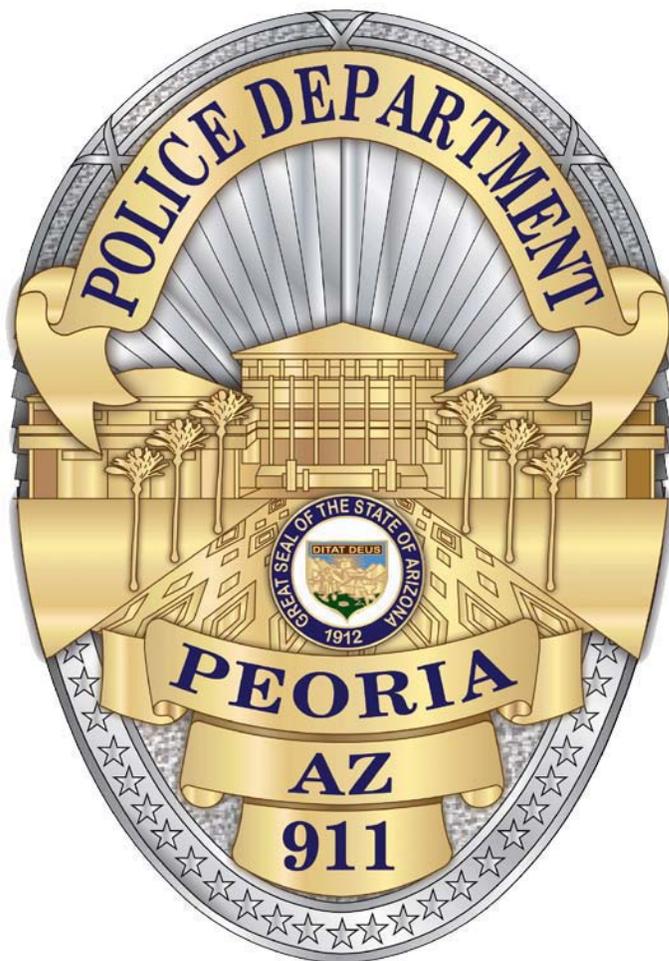


# Professional Standards Unit

2012 Annual Report





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**DATE:** January 31, 2013

**TO:** Roy W. Minter, Jr., Chief of Police

**FROM:** Professional Standards Unit

**SUBJECT:** Professional Standards Unit 2012 Calendar Year Summary Report (CALEA 52.1.5)

This report is the 2012 calendar year activity summary for the City of Peoria Police Department Professional Standards Unit.

The Professional Standards Unit is responsible for the records regarding all administrative investigations and specific administrative matters. The unit is responsible for the coordination and records storage of the following;

- Discipline Review Panel
- the Use of Force Committee
- the Vehicle Operations and Safety Committee
- the Early Intervention Program
- the Department grievance and appeal processes
- Department Controlled Substance Screening Program
- Department Inspections and Audits

In addition to assisting the City Attorney's Office and the Human Resources Department with matters pertaining to Police Department personnel matters. The unit is also responsible for the training of Department personnel in matters relating to the functions of the Professional Standards Unit.

The Professionals Standards Unit has three personnel assigned—Lieutenant Michael Ashley, Sergeant Jason Christofferson and Sergeant Greg Larson.

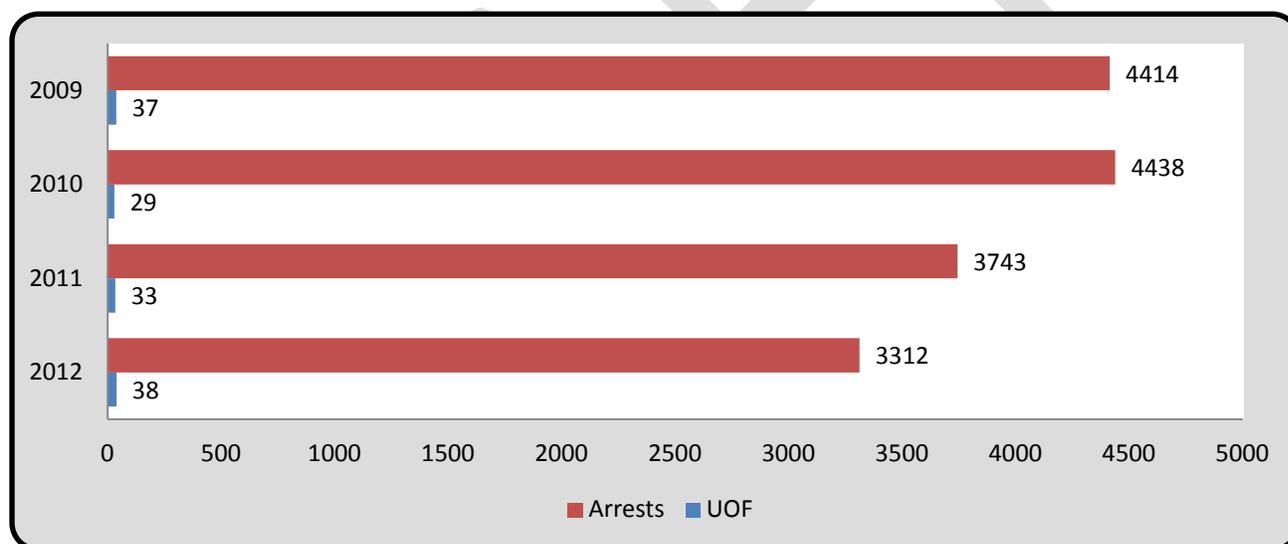
**Incident Review (CALEA 1.3.6)****Figure 1****Use of Force Chart**

Description	2009	2010	2011	2012	Difference 2011/2012	% Change 2010/2011
Use of Force Incidents	37	29	33	38	5	13.16%
Calls for Service	103,557	102,412	109,570	116,161	6591	5.67%
Arrests	4414	4438	3743	3312	-431	-13.01%
Sworn Full Time Employees	190	187	187	187	0	0.00%
Use of Force Resulted in Injury	8	22	26	30	4	13.33%
Use of Force Resulted in Death	0	1	0	0	0	0.00%
Description	2009	2010	2011	2012	Difference 2011/2012	% Change 2010/2011
O.C. Spray	1	1	1	0	-1	-100.00%
Hard Empty Hand Control Technique	18	15	11	23	12	52.17%
Hard Impact Weapon	1	3	2	0	-2	-200.00%
Soft Empty Hand	14	16	14	28	14	50.00%
Less Lethal Stun bag Shotgun	0	1	2	0	-2	-200.00%
Police Dog	4	4	4	3	-1	-33.33%
Taser	12	17	24	20	-4	-20.00%
Discharge of Firearm (Intentional)	1	4	1	2	1	50.00%
Discharge of Firearm (Unintentional)	0	1	1	1	0	0.00%
Discharge of Firearm (Accidental)	0	0	0	0	0	0.00%
SAU/MFF Use of Force	2009	2010	2011	2012	Difference 2011/2012	% Change 2010/2011
Pepper Ball System	0	0	0	0	0	0.00%
Less Lethal Stun bag Shotgun	0	0	0	0	0	0.00%
Less Lethal Kinetic Baton	0	0	0	0	0	0.00%
Smoke or Diversionary Device	1	17	24	36	12	33.33%
SAU (SWAT) Deployments	11	13	30	42	12	28.57%
Times	2009	2010	2011	2012	Difference 2011/2012	% Change 2010/2011
Day (0600-1600)	8	5	13	14	1	7.14%
Evening (1600-2200)	12	11	5	4	-1	-25.00%
Night (2200-0600)	17	13	15	17	2	11.76%

(Note: Calls for Service and Arrests were extracted from the Peoria Police Department Star Site based on information available at the time of this report.)

- In 2012, there were 38 incidents in which Peoria Police Officers documented at minimum, one level of force utilized. In comparison, there were 33 incidents in 2011, an increase of five incidents or a 13%. The increase in Use of Force incidents may be attributed to the continued increase in calls for service in 2012.
- In 2012 there were 116,161 total Calls for Service. In 2011, there were 109,570. This is an increase of 6591 calls for service or a 5% increase.
- In 2012, there were 3,312 arrests. In 2011, there were 3,743 reported arrests. This is a decrease of 431 arrests or a 13% decrease. Of the 38 incidents of force in 2012, 33 of the incidents or 86% were the direct result of officers affecting arrests.
- When comparing Use of Force to the number of arrests in 2012, Peoria officers used force less than 1% of the time when affecting an arrest. Examining the remaining five incidents, four or 10% were related to mentally ill subjects that were a danger to themselves or others requiring justifiable force to control the subject to assist them in seeking mental health care. The remaining incident involved an officer using justifiable force to control a subject during an investigative stop. Figure 2 is a four year comparison of arrests vs. Use of Force incidents.

Figure 2

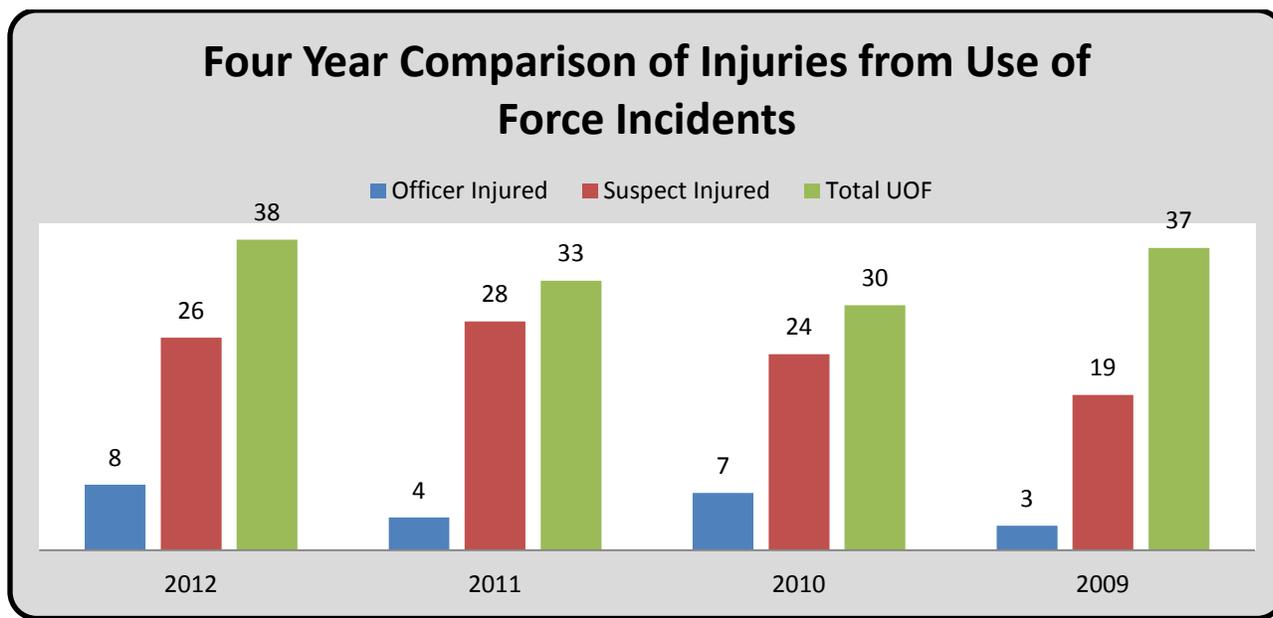


### Injury/Death (CALEA 1.3.6)

- Of the 38 total Use of Force incidents in 2012, 26 incidents or 68% of the incidents resulted in an injury/alleged injury to the suspect. In 2011, 28 incidents or 85% of the incidents resulted in an injury/alleged injury to the suspect. This was an overall 7% decrease of injuries/alleged injury to suspects in 2012.
- Of the 38 total Use of Force incidents in 2012, eight incidents or 21% resulted in an injury to the officer. This is an increase of four incidents or a 50% increase compared to 2011.
- There were no uses of force in 2012 that resulted in the death of a human. There was no change compared to 2011.
- Figure 3 is a four year comparison of injuries connected to uses of force. Significant

injury was determined if the officer or suspect were transported to the hospital. Injuries to suspects decreased by 7% in 2012 but significant injuries to suspects rose slightly. The minor raise in injuries can be attributed to the increase in Use of Force incidents in connection with the increase in calls for service.

Figure 3



### Less-Lethal Force Options (CALEA 1.3.6)

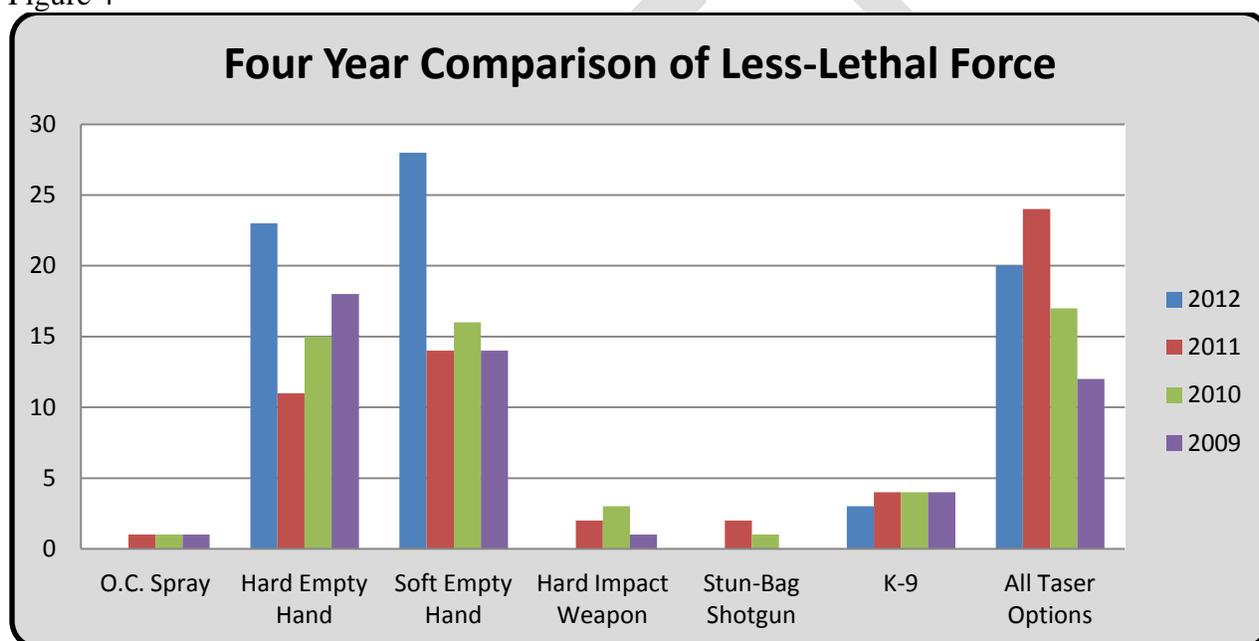
Less-Lethal force response options are defined and explained in Peoria Police policy 1.03 and 1.03A. Less-Lethal force is defined as a tactic that minimizes the risk of causing death or serious injury and is designed to stop aggression or aid in establishing control of a situation. Several different force options may be used during one incident by various officers to stop aggression and gain control.

Blue Team use of force reporting documents all levels of force used during one incident by all the officers involved. In 2012, the Peoria Police Department had 38 reportable use of force incidents involving 75 officers using various levels of force, not including deadly force. Compared to 2011, the Peoria Police Department had 33 reportable use of force incidents involving 52 officers using various levels of force, not including deadly force.

- There were no reported uses of O.C. spray in 2012. This is a 100% decrease in the use of O.C. spray compared to 2011.
- The Pepper Ball System was not utilized in 2012. There was no increase or decrease in the usage of the Pepper Ball System when compared to 2011. In 2009 the Pepper Ball system was removed as a force option for patrol due lack of use and cost of maintaining the system. The Pepper Ball System is still an option for SWAT and MMF.
- Hard empty hand control techniques were used 23 times or 27% of all less-lethal force used in 2012. This is an increase of 12 usages when compared to 2011.
- Soft empty hand control techniques were used 28 times or 33% of all less-lethal force used in 2012. This is an increase of 14 usages when compared to 2011.

- There were no reported uses of the expandable baton. There was no increase or decrease when compared to 2011.
- There were no reported uses of a flashlight in 2012 as an impact weapon or as a tool to gain control of a suspect. This is a 100% decrease when compared to 2011.
- There were no reported uses of the stun bag shotgun in 2012. This is a 100% decrease when compared to 2011.
- A police service dog or K-9 was used in 3 incidents or 3% of all less-lethal force used in 2012 involved the use of a K-9. This is a decrease of two incidents or a 60% reduction in the use of a K-9 as a force option when compared to 2011.
- All available options for the Taser were used 18 times or 21% of all less-lethal force used in 2012. This is a decrease of 6 usages when compared to 2011. Figure 4 is a four year comparison of less-lethal force used by the Peoria Police Department.

Figure 4



### Significant Increases/Decreases

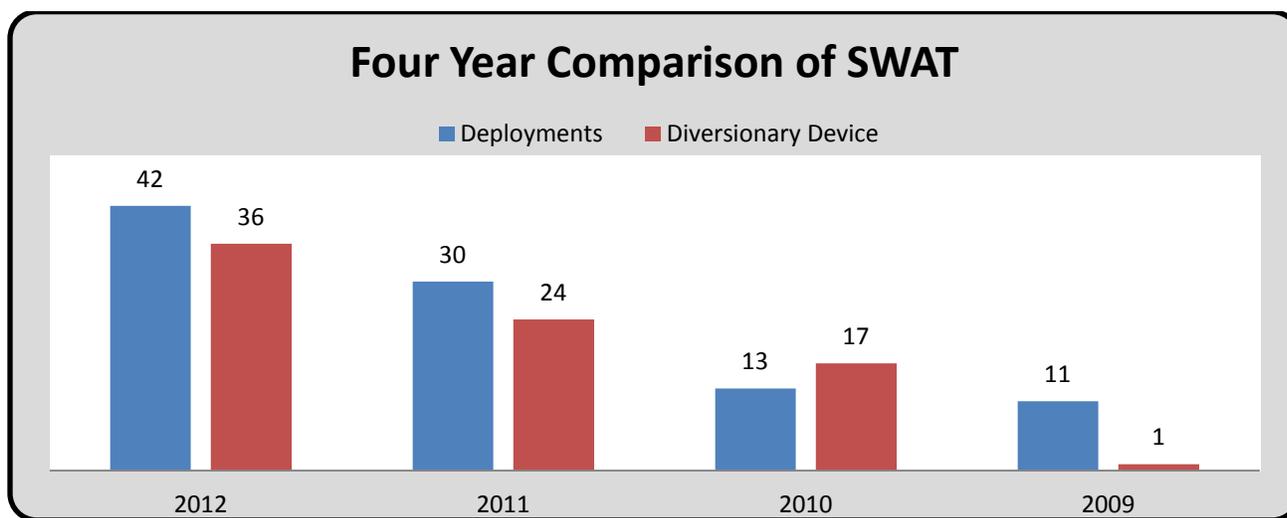
A review of the 2012 use of force statistics shows a rise in the use of hard and soft empty hand techniques to control violent or potentially violent subjects while the use of the Taser decreased. Injuries to officers involved in use of force incidents increased by 50% in 2012 when compared to 2011. In 2011 officers used more effective Taser deployments while dealing with violent or potentially violent subjects instead of using hands-on techniques. The increase of hard and empty hand techniques may be a contributing factor to increased reported incidents of injuries to officers in 2012.

### SAU and MMF Use of Force (CALEA 1.3.6)

- There were no incidents in which the Pepper Ball System (less-lethal) was deployed in 2012. There was no increase or decrease when compared to 2011.
- There were no incidents in which the Stun bag Shotgun (less-lethal) was deployed in 2012.

- There were no uses of less-lethal kinetic batons in 2012.
- There were 36 incidents where SAU deployed a diversionary device in 2012. This was an increase of 12 uses or a 66% increase from 2011. The increase could be attributed to the dramatic increase in SAU deployments in 2012 compared to 2011. Figure 5 is a four year comparison of SAU deployments and the use of diversionary devices.

Figure 5



### Training (CALEA 1.3.13)

In 2012, Peoria Police Officers received mandatory in-service training on Taser deployment and completed a written test focused on Use of Force. In addition, all officers received Low Light Firearms Training related and completed a “discretionary shoot” using Multiple Interactive Learning Objectives (MILO).

### Analysis (CALEA 1.3.13)

Overall, the department saw an increase in Use of Force incidents when compared to 2011 by approximately 13%. It should be noted that each Use of Force incident may have multiple officers using several different types or levels of force. When examining 38 use of force incidents, 84 different types of force were utilized by 75 officers in 2012, this is a 15% increase compared to 2011. Although the number of use of force incidents increased along with the number of officers that used force in 2012, officers were more effective when utilizing force to control suspects by 20%

The deployment of O.C Spray or the department issued collapsible baton is almost non-existent by officers in the field. It is reasonable to believe that a decrease in the use of O.C Spray, Taser, and the collapsible baton would increase the use of hard/soft empty hand techniques. This could also be directly related to the increase in officers’ injuries in 2012. The department may benefit in expanding the available hard impact weapons options (straight stick batons or PR-24) in an effort to increase officers’ confidence in the effectiveness of impact weapons. Effective and justifiable use of impact weapons may help to reduce officer injuries.

Taser was the second most used less-lethal force option deployed by Peoria officers in the field but the overall use of the Taser decreased by 25% in 2012. Peoria officers continue to use the minimal amount of force necessary to control and/or take subjects into custody when confronted with resistance.

**Professional Standards Unit**

Figure 6

<b>Description</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Total of all Incidents Received in PSU	254	456	715	794	79	9.95%
Administrative Investigations	11	17	14	10	-4	-40.00%
Service Complaints	71	155	129	88	-41	-46.59%
Citizen Commendations	61	137	102	108	6	5.56%
Commendations	0	61	191	200	9	4.50%
Early Intervention Program	0	1	2	1	-1	-100.00%
Employee Grievance	0	2	0	3	3	100.00%
Vehicle Accidents	29	16	24	24	0	0.00%
Vehicle Pursuits	4	0	3	2	-1	-50.00%
Photo Radar	24	22	19	6	-13	-216.67%
<b>Service Complaint Findings</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Exonerated	13	38	40	30	-10	-33.33%
Unfounded	25	53	40	29	-11	-37.93%
Not Sustained	25	9	4	2	-2	-100.00%
Sustained	14	54	43	24	-11	-45.83%
<b>Service Complaint Discipline</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Letter of Reprimand	2	11	10	8	-2	-25.00%
Written Counseling	1	6	7	3	-4	-133.33%
Verbal Counseling	11	45	23	11	-12	-109.09%
Training	2	0	2	2	0	0.00%
<b>Administrative Investigation Findings</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Exonerated	4	4	2	0	-2	-200.00%
Unfounded	1	3	2	1	-1	-100.00%
Not Sustained	1	0	3	1	-2	-200.00%
Sustained	5	10	6	7	1	14.29%
Resigned Prior to completion	0	0	0	1	1	100.00%
<b>Administrative Investigation Discipline</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Termination	1	2	1	1	0	0.00%
Resigned	1	0	0	1	1	100.00%
Demotion	0	0	0	2	2	100.00%
Suspension	2	2	2	3	1	33.33%

Letter of Reprimand	0	4	2	0	-2	-200.00%
Written Counseling	1	1	0	0	0	0.00%
Verbal Counseling	3	1	0	0	0	0.00%
Retired	0	2	0	0	0	0.00%
No Action Taken	0	0	1	0	-1	-100.00%
<b>Vehicle Accident Findings</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Preventable	19	10	16	15	-1	-6.67%
Non-Preventable	9	6	8	9	1	11.11%
Preventable/Justified	1	0	0	0	0	0.00%
<b>Vehicle Accident Discipline</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Suspension	0	0	0	0	0	0.00%
Letter of Reprimand	5	1	2	0	-2	-200.00%
Written Counseling	0	3	1	0	-1	-100.00%
Verbal Counseling	14	6	12	15	3	20.00%
Training	0	0	1	0	-1	-100.00%
<b>Vehicle Pursuits Findings</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Out of Policy	2	0	1	0	-1	-100.00%
Within Policy	2	0	2	1	1	-50.00%
Determined Not a Pursuit	0	0	2	1	-1	-50.00%
<b>Vehicle Pursuit Discipline</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Difference 2011/2012</b>	<b>% Change 2010/2011</b>
Suspension	0	0	0	0	0	0.00%
Letter of Reprimand	0	0	0	0	0	0.00%
Written Counseling	0	0	0	0	0	0.00%
Verbal Counseling	2	0	2	0	-2	-200.00%
Training	0	0	2	0	-2	-200.00%

### Complaint/Commendation Process

When a complaint is received it is classified into one of two categories based upon the potential discipline an employee would receive if the allegation is proven to be true. These two classifications are:

- Administrative Investigation: The allegation, if true, would result in more than a letter of reprimand.
- Service Complaint: The allegation, if true, would result in no more than a letter of reprimand.

Due to the severity of allegations and the level of potential discipline, investigations classified as Administrative Investigations (AI) are investigated by the Professional Standards Unit (PSU).

Service Complaints (SC) will normally be investigated by the involved employee's supervisor. (CALEA 26.1.5; 52.2.1)

### 2012 Incidents

PSU received 794 contacts from citizens and department personnel. Compared to 2011, PSU received 79 more contacts or 9% increase. Of those 794 contacts, 308 or 61% of PSU's contacts resulted in commendations for Police department employees. In comparison, only 88 or 11% of PSU's contacts resulted in a complaint. The remaining contacts consisted of use of force, vehicle accidents, drug screens, K-9 kit audits, MDC audits, and other incidents tracked by IA Pro (which will be discussed later in this report).

Of the 794 contacts received in PSU, 162 were from citizens. Of the 162 citizen contacts, 95 were received by telephone, 14 were received by the Professional Standards On-line complaint/commendation process, 8 were received by walk-in, 38 were received by written letters and 7 were received from the Citizens' Pipeline.

### Investigations of Complaints

The Professional Standards Unit utilizes a process, developed in 2003 and modified in 2011, to comply with new Arizona Revised Statute (ARS 38-1101) laws concerning officers' bill of rights on how investigations are handled. The department has two forms of investigative formats;

- **Administrative Investigation** – a non-criminal investigation, ordered by the Chief of Police, to determine the facts of what occurred in response to an alleged or suspected violation of an established rule, regulation, policy, or procedure. The investigation is reviewed by the involved employee's chain of command to determine if a violation has occurred and recommend corrective action to the Chief of Police.
- **Service Complaint (CALEA 26.1.5)** – The investigative process conducted by the initiating supervisor to determine if a violation of policy has occurred and to administer the appropriate level of corrective action or procedural changes.

The possible findings for complaints investigated at any level are:

- a. **Unfounded:** The events or allegations reported by the complainant did not happen or were false.
- b. **Exonerated:** The allegation did occur but the employee's actions were lawful, proper, and within department policy.
- c. **Not Sustained:** The allegation against the employee could not be proven or disproven during the investigation.
- d. **Sustained:** The allegation against the employee met the "standard of proof" and was determined to be true.

### Administrative Investigations:

During 2012 a total of 10 Administrative Investigations (AI) were authorized by the by the Chief of Police. The investigations were reviewed by a Discipline Review Panel (DRP) that consisted of the employee's chain of command. Of the 10 investigations in 2012, the DRP determined the following: none of the investigations were "exonerated" by the DRP, one investigation was "not sustained," seven were "sustained," one was "unfounded," and one investigation was closed due to the officer resignation prior to the start of the investigation. Of the seven sustained allegations,

discipline ranged from suspension to termination.

**Dismissals/Terminations (CALEA 26.1.8)**

The Peoria Police Department dismissed one employee for conduct unbecoming, violations of ACJIS, and Conduct Personal (AI 12-007,008, & 009).

**Service Complaints (CALEA 26.1.5)**

During 2012 a total of 88 service complaints were processed by PSU. Of the 88 complaints, 30 were exonerated, 2 were not sustained, 24 were sustained, and 29 were unfounded. The 24 sustained complaints involved 26 employees. Discipline resulting from these investigations is shown in figure 7:

Figure 7

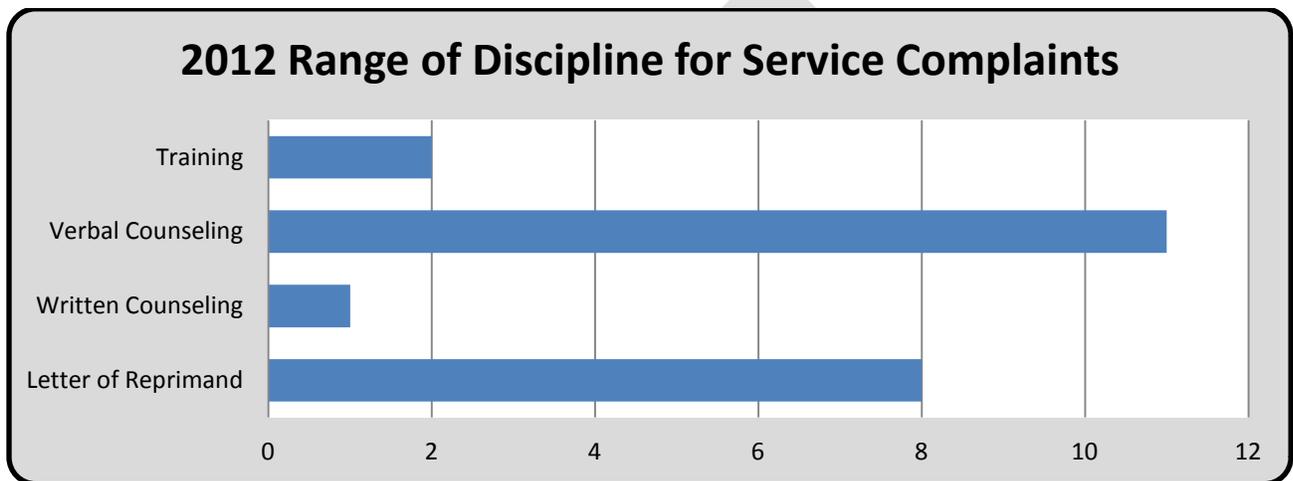


Figure 8 is a four year comparison of discipline in connection to sustained Administrative Investigations. (CALEA 26.1.8)

Figure 8

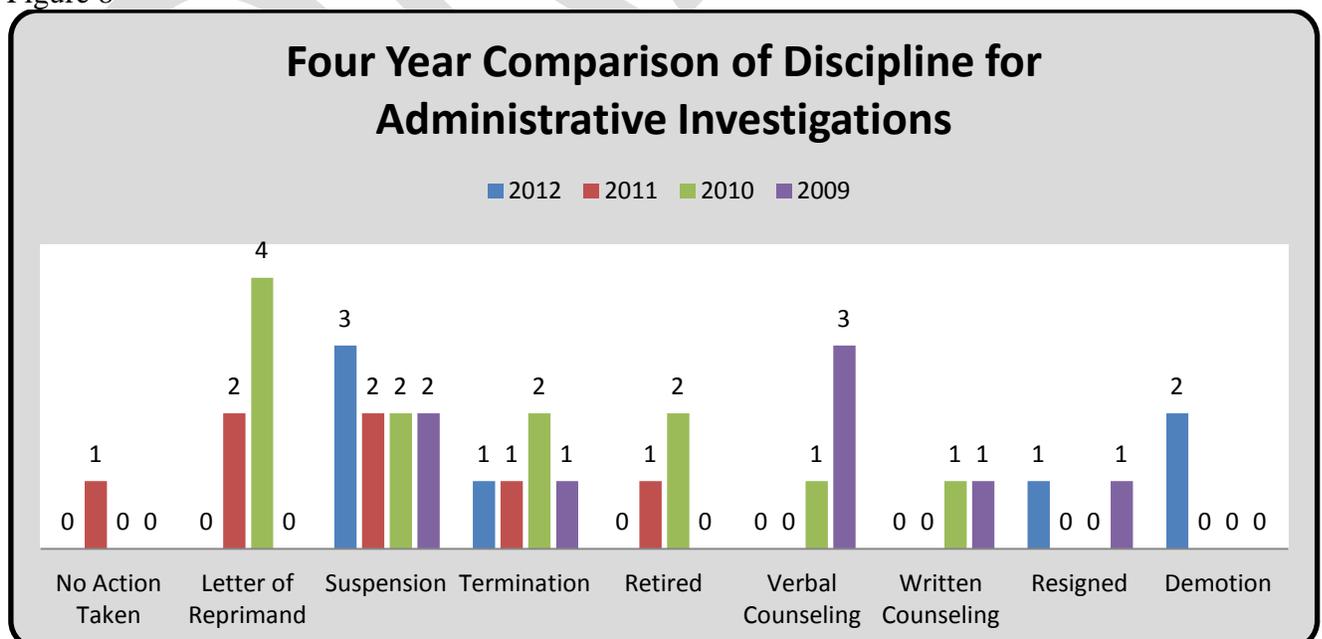


Figure 9 is a four year comparison of discipline in connection to sustained Service Complaints. (CALEA 26.1.5)

Figure 9

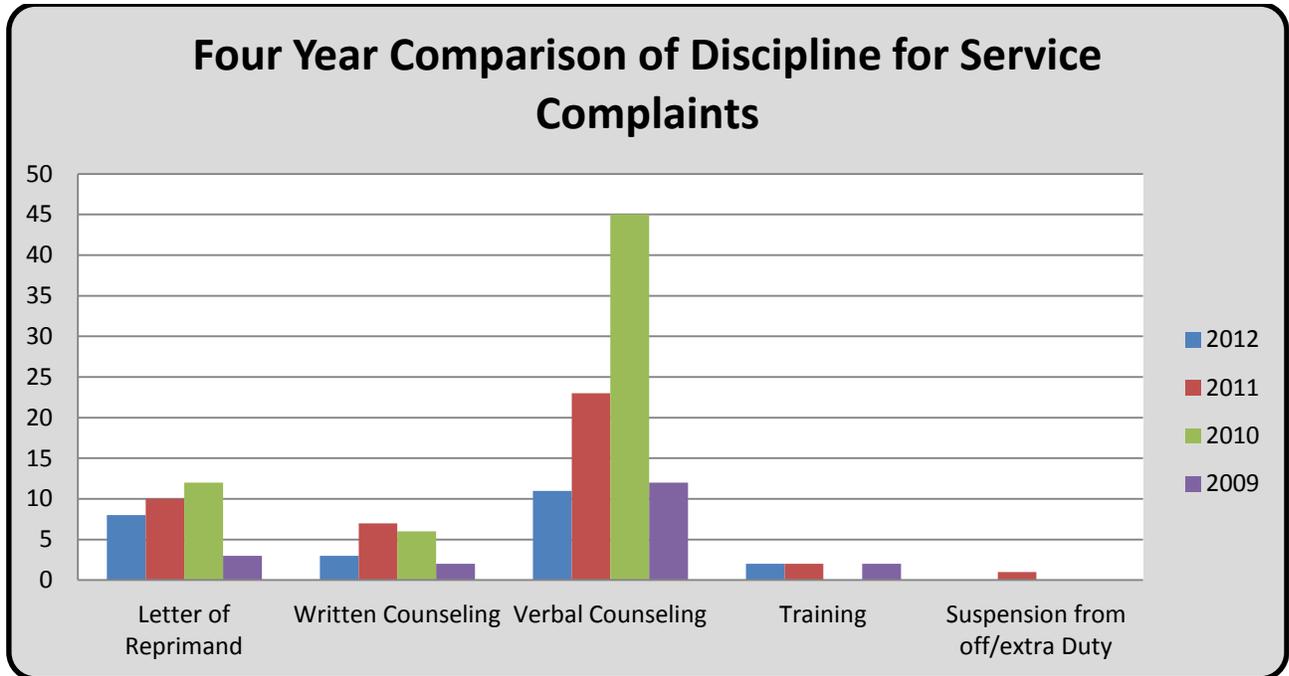
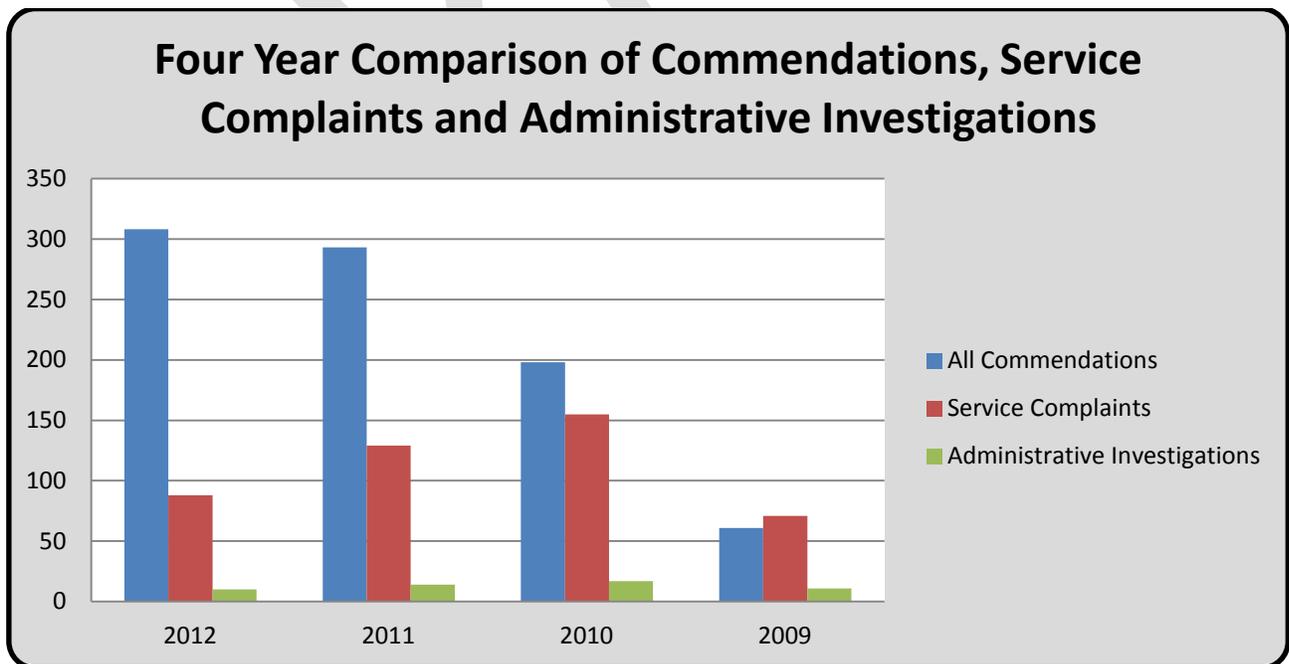


Figure 10 is a four year comparison of Citizen Commendations, Commendations, Service Complaints, and Administrative Investigations received in PSU. (CALEA 52.2.1)

Figure 10



**Biased Based Profiling Investigations: (CALEA 1.2.9)**

The department received no complaints of Biased Based Profiling Investigations in 2012.

**Vehicle Operations and Safety Committee (VOSC)**

During 2012 there were a total of 24 vehicle incidents. There was no increase or decrease of incidents compared to 2011. Of the 24 vehicle incidents, 9 were determined “not preventable” and 15 were determined “preventable” by the Vehicle Operation Safety Committee or the chain of command. Figure 11 is a four year comparison of preventable and non-preventable vehicle collisions. Figure 12 is a four year comparison of all the Primary Collision Factors. Inattention appears to be the leading cause of collision three out of the four years. In an effort to bring driving safety and awareness to the attention of officers a program called “Below 100” is currently being implemented in the department. Part of the programs focus to get officers to wear their seatbelts, slow down, and focus on their driving.

Figure 11

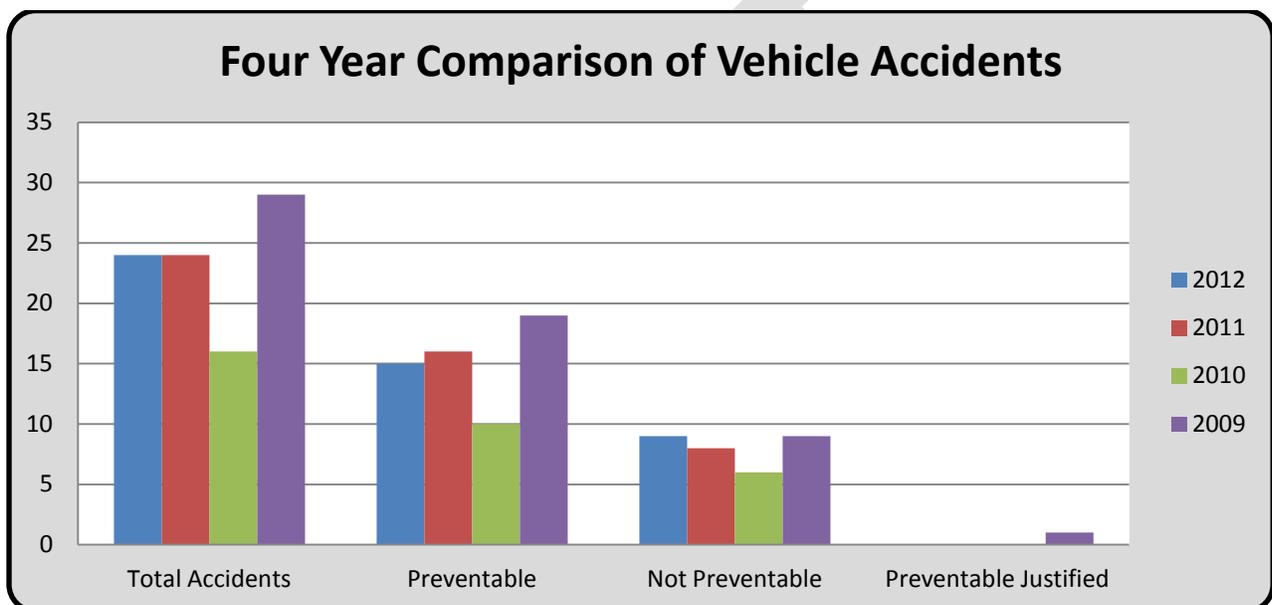
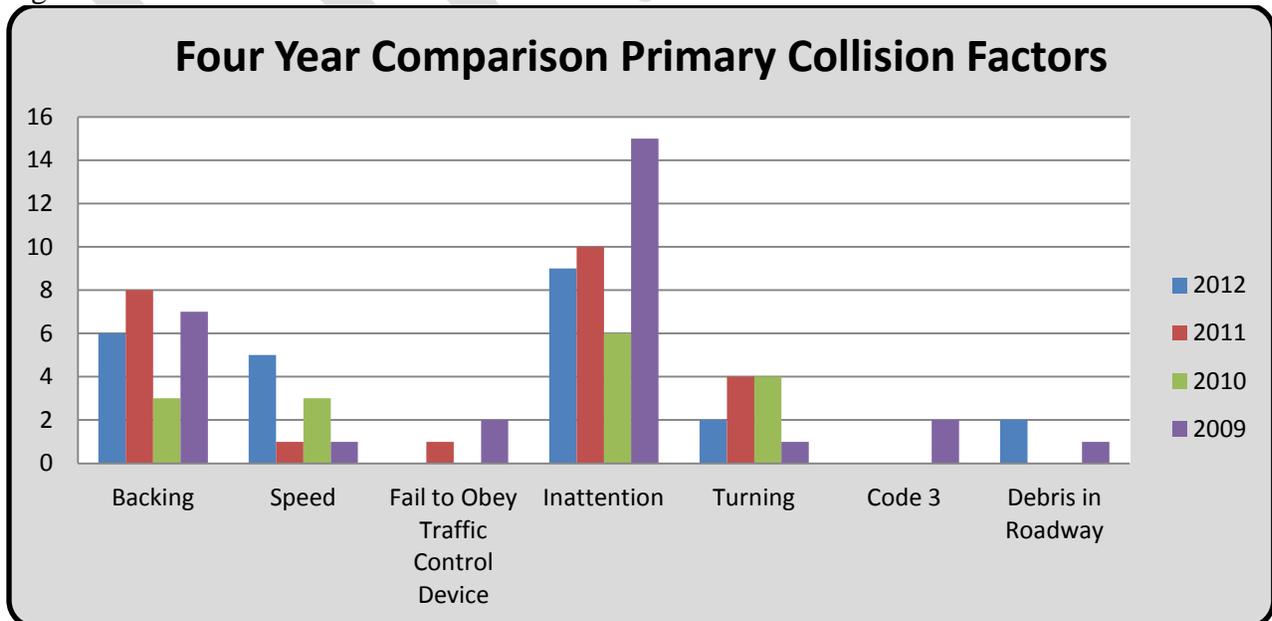


Figure 12



Discipline was given to officers involved in the 15 accidents that were determined to be preventable by the VOSC in 2012. Discipline was determined by Peoria Police Policy 4.08 and may range from verbal counseling to suspension. In all 15 incidents officers received verbal counseling.

**Pursuit (CALEA 41.2.2)**

During 2012, the Peoria Police Department was involved in two vehicle pursuit incidents entered into Blue Team/IA Pro. The VOSC reviewed both entries. One incident was determined to be a pursuit within policy and the other incident was determined not a pursuit.

Figure 13 is a four year comparison of vehicle pursuits. The total number of pursuits reviewed by the VOSC decreased by 50% in 2012 when compared to 2011.

Figure 13

