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**DATE:** January 31, 2015

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

**FROM:** Professional Standards Unit

**SUBJECT:** Professional Standards Unit 2014 Calendar Year Summary Report (**CALEA 52.1.5**)

This report is the 2014 calendar year activity summary for the City of Peoria Police Department Professional Standards Unit (PSU).

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
- Use of Force Committee
- Vehicle Operations and Safety Committee
- Early Intervention Program
- 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, the unit is also responsible for the training of Department personnel in matters relating to the functions of PSU.

In 2014, PSU saw a complete turnover of personnel. Lieutenant Jason Christofferson and Sergeant Greg Larson were both promoted and assigned to new positions in other areas of the Department. Sergeant Chris Webb was appointed to PSU in January 2014, and is serving as the acting lieutenant. Sergeant Matthew Simon was appointed to PSU in August 2014.

### **Use of Force (CALEA 1.3.13)**

The following is a report of the force used by Peoria Police Officers from January 1, 2014 through December 31, 2014. This report was conducted by utilizing the information entered into Blue Team and retained in IA Pro. The following areas are covered in Use of Force reports and entered into Blue Team for Use of Force:

- Injury/Death
  - Officer's use of force resulted in an injury/alleged injury to himself/herself
  - Officer's use of force resulted in an injury/alleged injury to another
  - Officer's use of force resulted in a death of another
- Less-Lethal Options
  - Officer used Oleoresin Capsicum (OC) spray and discharged it at another person
  - Officer used hard empty hand control technique
  - Officer used as a hard impact weapon (i.e. expandable baton, flashlight, etc.).

- Officer used a Stun Bag Shotgun discharging it at another person
- Police Service Dog was utilized
- Taser
  - Laser point utilized
  - Arc for compliance
  - Discharge of Probes
  - Drive stun
- Firearms
  - Officer intentionally discharged a firearm
  - Officer unintentionally discharged a firearm
  - Accidental discharge of a firearm
- Special Assignment Unit (SAU) and Mobile Field Force (MFF)
  - Use of Chemicals (OC spray, CS gas, or CN gas)
  - Stun bag shotgun deployed
  - Deployed other less-lethal kinetic batons
  - Deployed smoke or diversionary devices
  - Pepper Ball System deployed in unlawful assembly situation

### **Use of Force Reporting Process**

A sergeant is responsible for ensuring all qualifying incidents of use of force are entered into Blue Team as a Use of Force Incident. Use of Force is tracked by incident, not type of force used or involved officers. One incident can include more than one officer and/or more than one type of force.

Once the sergeant has completed the entry, it is forwarded to that sergeant's lieutenant for review. Once approved by the lieutenant, the entry is forwarded to PSU for dissemination to the Use of Force Committee.

In 2014, PSU reviewed the use of force reporting process. An area identified for improvement was the procedure for routing incidents to the Use of Force Committee and receipt of their findings. Some incidents were taking over two months to be concluded. A goal was made to streamline the process and reduce the overall review time. PSU now gathers all related documents (i.e. case reports, photographs, and audio recordings) and emails them directly to the Use of Force Committee. The Use of Force Committee then has the ability to immediately review the data. Via the same email, the Use of Force Committee can vote on their findings. Their voting options are: within policy, out of policy, or request to meet in person for discussion. The votes are received and tallied by the committee chair (or designee). If the committee chair receives a request for additional discussion, the committee will meet, discuss the incident, and come to a consensus of findings.

If the Use of Force Committee determines the force used was out of policy, a Service Complaint or Administrative Investigation (as directed by the Chief of Police) will be conducted.

The Use of Force Committee has reported the new process is working well and is an improvement on the prior process.

## Incident Review (CALEA 1.3.6)

Figure 1: Use of Force Chart

Description	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
Use of Force Incidents	30	33	38	46	41	-5	-11%
Total number of officer involved	-	43	75	81	71	-10	-12%
Calls for Service	102,412	109,570	116,161	105,187	100,487	-4700	-4.5%
Arrests	4438	3743	3312	3717	3722	5	<1%
Sworn Full Time Employees	187	187	187	188	191	3	1.5%
Use of Force Resulted in Injury-Citizen	24	28	26	25	35	10	40%
Officer Injured in Conjunction with Use of Force	7	4	8	10	12	2	20%
Use of Force Resulted in Death	1	0	0	0	0	0	0%
Description	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
O.C. Spray	1	1	0	0	0	0	0%
Hard Empty Hand	15	11	23	22	26	4	18%
Hard Impact Weapon	3	2	0	1	1	0	0%
Soft Empty Hand	16	14	28	27	22	-5	-18.5%
Less Lethal Stun bag Shotgun	1	2	0	0	1	1	100%
Police Dog	4	4	3	4	6	2	50%
Taser	17	24	20	16	11	-5	-31%
Handcuffing	-	9	10	15	12	-3	-20%
Total	57	67	84	85	79	-6	-7%
Discharge of Firearm	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
Intentional	4	1	2	4	1	-3	-75%
Unintentional	1	1	1	0	0	0	0%
Accidental	0	0	0	0	1	1	100%
SAU/MFF Use of Force	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
Less Lethal Stun bag Shotgun	0	0	0	0	0	0	0%
Less Lethal Kinetic Baton	0	0	0	0	0	0	0%
Smoke or Diversionary Device	17	24	36	14	11	-3	-21%

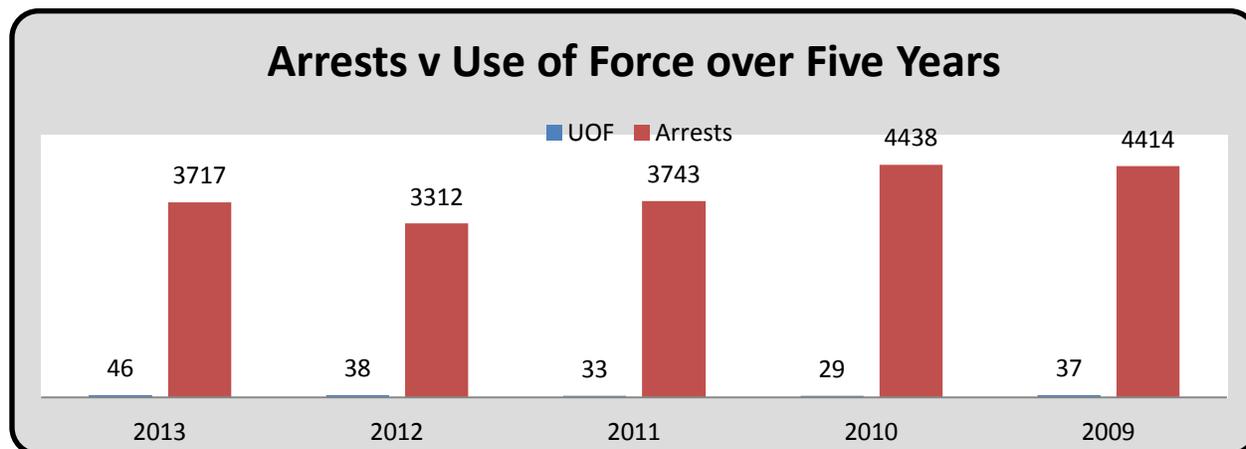
Figure 1: Use of Force Chart

Description	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
SAU (SWAT) Deployments	13	30	42	40	24	-16	-40%
SAU High Energy Breach				3	8	5	166%
Times	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
Day (0600-1600)	5	13	14	8	15	7	87%
Evening (1600-2200)	11	5	4	16	13	-3	-19%
Night (2200-0600)	13	15	17	22	13	-9	-41%

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

- In 2014, there were 41 incidents involving 71 officers using 79 different levels of non-lethal force. A decline of 5 incidents or 11%, in comparison to 2013.
- The Use of Force Committee reviewed each of the 41 incidents; one was found to be outside of policy. This incident involved the use of a Taser during the foot pursuit of a suspected shoplifter. A Service Complaint was initiated and the officer received a written counseling and additional Taser training. Subsequent to this incident, the Use of Force Committee reviewed the related policy and is recommending some clarification to the verbiage.
- In 2014 there were 100,487 Calls for Service (CFS). In comparison, there were 105,187 CFS in 2013, a decrease of 4,700 or 4.5%.
- In 2014, there were 3,722 arrests. In comparison, there were 3,717 reported arrests in 2013, an increase of 5 arrests. Of the 41 incidents of force reported in 2014, 24 of these force incidents or 59% were the direct result of officers affecting an arrest.
- When comparing Use of Force to the number of arrests in 2014, Peoria officers used force less than 1% of the time when affecting an arrest. With the exception of one incident the remaining incidents involved officers using justifiable force occurred while attempting to control a subject during investigative contacts and the officer had probable cause at the time of the contact.
- Of the 41 total incidents, 4 involved officers assessing the condition of the citizen as “mentally unstable”; with 2 directly related to the service of an involuntary mental health committal order.
- 17 of the 41 incidents officers determined drugs or alcohol to play a contributing factor to the citizen’s actions. Figure 2 is a five year comparison of arrests vs. Use of Force incidents.

Figure 2

**Injury/Death (CALEA 1.3.6)**

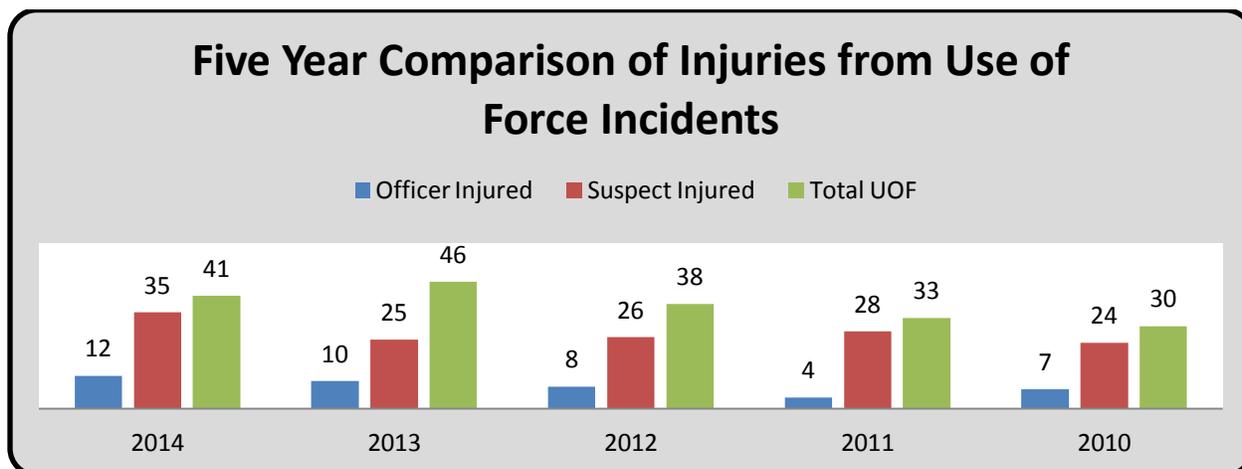
- Of the 41 total Use of Force incidents in 2014, 35 incidents or 85% of the incidents resulted in an injury or alleged injury to the suspect. In comparison to 2013, 25 incidents or 54% of the incidents resulted in an injury or alleged injury to the suspect. This percentile increase can possibly be attributed to a few different factors.

In 2014, an inconsistency was discovered in use of force reporting with regards to the Taser. Some incidents were being recorded as “no injury” to the suspect after discharged Taser probes penetration to the skin. Taser training in 2014, reinforced with officers that every time a Taser probe penetrates the skin, the incident should be logged as an injury to the suspect.

2014 also saw an increase of hard empty hand techniques. This increase also brought an increase in injuries to officers as well as suspects. Abrasions to suspects rose from 8 in 2013, to 20 in 2014.

- There were no uses of force in 2014 that resulted in the death of a human. There was no change compared to 2013.
- Figure 3 is a five year comparison of injuries connected to uses of force. Significant injury was determined if the officer or suspect was transported to the hospital. In 2014, 15 citizens (37%) were transported to the hospital after a use of force. In 2013, 12 citizens (26%) were transported to the hospital after a use of force incident.
- No officers were transported to the hospital after a use of force incident in 2014 or 2013.

Figure 3



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

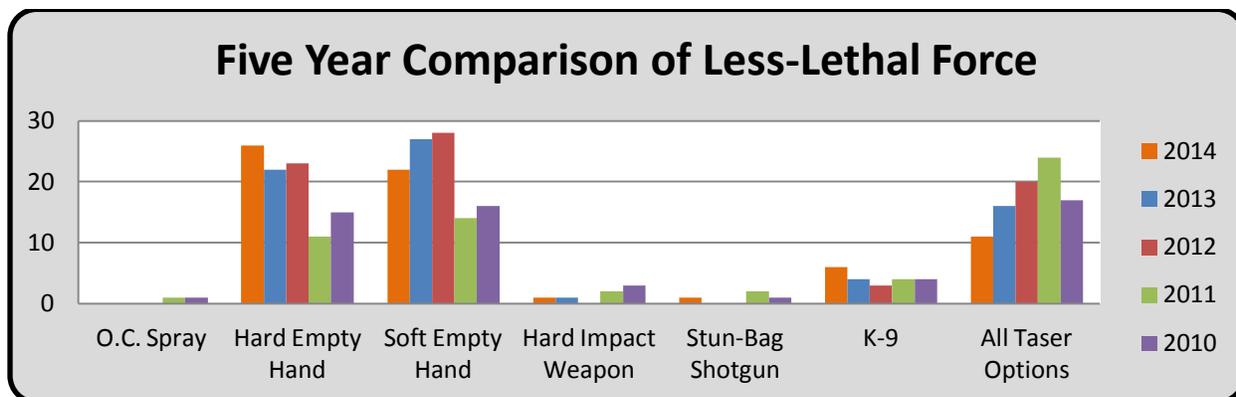
Less-Lethal force response options are defined and explained in Peoria Police policies 300 through 309. Less-Lethal force is defined as a tactic that minimizes the risk of causing death or serious injury and is designed to stop aggression or aid in establishing control of a situation. Several different force options may be used during one incident by various officers to stop aggression and gain control.

The Peoria Police Department uses web based software called Blue Team to document all reportable use of force incidents. One use of force incident may have multiple officers that used different levels of force. In 2014, the Peoria Police Department had 41 reportable use of force incidents involving 71 officers using various levels of force, not including deadly force. Compared to 2013, the Peoria Police Department had 46 reportable use of force incidents involving 81 officers using various levels of force, not including deadly force.

- There were no reported uses of OC spray in 2014. There was no change compared to 2013.
- Hard empty hand control techniques were used 26 times or 63% of all reported force used in 2014. This is an increase of 4 or 18% when compared to 2013. Officers reported that of these 26 uses, the technique was not effective 27% of the time. It is also worth pointing out that hard empty hand techniques are the most common type of force used by officers, with 19 separate uses.
- Soft empty hand control techniques were used 22 times or 53% of all reported force used in 2013. This is a decrease of 5 incidents or 18% compared to 2013. Soft empty hand techniques are the second most common force type with 17 separate uses.
- There were no reported uses of an expandable baton 2014. In 2013, an officer displayed the expandable baton and the suspect immediately complied with no further action by the officer. This was the only incident in 2013.
- There was one use of the stun bag shotgun in 2014. This incident involved a patrol officer responding to a call for service, regarding a subject walking down a residential street and cutting himself with a knife. Officers deployed the Taser first, which did not have the desired effect. Officers then deployed the stun bag shotgun, which caused the subject to fall to the ground and allowed officers to control him and provide aid.

- There was one reported use of a flashlight as an impact weapon in 2014. This incident involved a detained suspect pulling away and breaking the grasp of an officer while the suspect reached into his pant pocket that was already known by officers to contain a pocket knife. There were no uses of a flashlight as an impact weapon in 2013.
- Figure 4 is a five year comparison of less-lethal force used by the Peoria Police Department.

Figure 4



### Significant Increases/Decreases

The most notable change in any one type of use of force was in the use of the Taser. In 2013 there were 16 uses of the Taser. This dropped to 11 uses in 2014. Taser deployments are also tracked by the manner in which the device is used; discharge of probes, “drive stun” or “laser pointed”. In 2013, officers discharged probes at suspects 9 times. In 2014, this number dropped to 6. In 2013, officers pointed the Taser laser at a suspect 6 times. In 2014, this number dropped to 2. In 2013, officers used the “drive stun” only once. In 2014, this number rose to 3. The use of a “drive stun” is discouraged by Taser International Inc. as it is considered less effective. The preferred alternate method is a “contact deployment.” This practice is reinforced during annual Taser training. However, officers did report that each of those 3 “drive stuns” in 2014 were considered effective by officers in subduing the suspect.

Although there was an overall decline of use of force incidents in 2014, there were 4 types of force that saw an increase. Hard empty hand techniques rose from 22 to 26 in 2014. Use of force involving K-9s rose from 4 to 6. The use of a flashlight as an impact weapon rose from 0 to 1 and the use of a stun bag shotgun rose from 0 to 1.

A trend that has consistently declined each year since 2011 is the use of the Taser. There are less than half the number of uses of the Taser in 2014 as there were in 2011. During this same time period the use of hard empty hand techniques has more than doubled. Unfortunately, another trend that has seen an increase each year since 2011 is injuries to officers. This number rose from 10 in 2013 to 12 in 2014. Continued training in hands-on force options along with exploring other force options could help reduce officer injuries when applying force to affect an arrest.

### Other Contributing Factors

Use of force incidents in 2014 involving drugs, alcohol, or mentally unstable subjects equaled 51% of the reported 41 incidents. When examining use of force data over the past four years, officers are more likely to use force on suspects that are under the influence of drugs and/or

alcohol or who are mentally unstable. The number of incidents that involved suspects under the influence of drugs or alcohol or who are mentally unstable could be higher than what has been reported because the information is dependent on supervisors reporting this information in Blue Team.

Specific analysis of use of force incidents in relation to mental health reveals 4 incidents in which the officer attributed the citizen's behavior to mental illness. Of those 4 incidents, 2 occurred while officers were attempting to serve the citizen with an involuntary mental health evaluation. Additionally, the department added a "mental health" category under use of force entries to allow for more accurate tracking of when an involuntary mental health evaluation results in a use of force.

### **Firearms (CALEA 1.3.2/1.3.3/1.3.6)**

#### **Deadly Force Review Board:**

The Deadly Force Review Board did not convene in 2014, as there were no uses of deadly force by members of the department.

#### **Unintentional/Intentional/Accidental Discharge of a Firearm**

- There were no noted unintentional discharges of a firearm in 2014. (CALEA 1.3.6.)
- One intentional discharge of a firearm was reported in 2014. On 11-25-14, an officer used a shotgun to dispatch a wild donkey that had been struck by a vehicle in a northern area of the city. The officer received permission from the Bureau of Land Management, prior to taking action.
- One accidental discharge of a firearm was reported in 2014. On 6-6-14, officers responded to an attempted suicide call. While investigating the call, an officer was securing the suspect's .22 cal rifle. The rifle fell apart with the barrel separating from the stock. A round was chambered and the barrel hit the ground with the muzzle pointing down. The round fired into the carpet and there were no injuries.

(**Note:** An **Unintentional Discharge and Accidental Discharge** of a firearm is defined in AZ POST Firearms manual section 2 "SAFETY." An *Unintentional Discharge* can be voluntary or involuntary. A *Voluntary Unintentional Discharge* is defined as consciously pressing the trigger but not really intending to fire. An *Involuntary Unintentional Discharge* is defined as outside the realm of conscious intention. Some causes of *Involuntary Unintentional Discharge* of a firearm are sympathetic response, startle reaction and balance disruption. An **accidental discharge** is a mechanical malfunction of the weapon allowing it to fire or outside forces cause the discharge, such as a holster strap getting inside the trigger guard while holstering.)

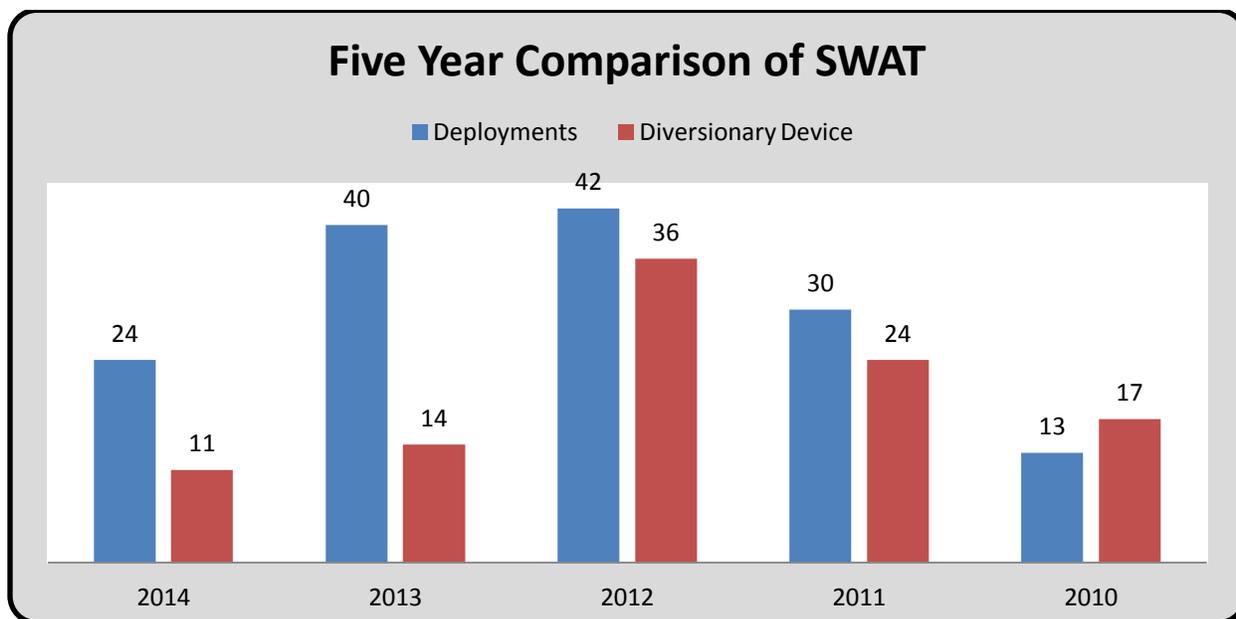
**Warning shots** are prohibited by Peoria Police Department SOP PTY 300—there were no violations of this policy in 2014. (CALEA 1.3.3)

#### **Special Assignments Unit (SAU) and (Mobile Field Force (MFF) Use of Force (CALEA 1.3.6)**

- There were no incidents in which the stun bag shotgun (less-lethal) was deployed in 2014 by SAU or MFF. There was no increase or decrease when compared to 2013.
- There were no uses of less-lethal kinetic batons in 2014. There was no increase or decrease when compared to 2013.

- There were 11 incidents where SAU deployed a diversionary device in 2014. This was a decrease of 3 uses from 2013.
- The High Energy Breach (HEB) program was started in 2013 and SWAT utilized HEB entries three times or on 7% of their operations. In 2014, SWAT utilized HEB entries in 8 of the 24 deployments, or 33%. There was a realization that in some tactical situations the speed of getting officers into a structure would be invaluable and increase the likelihood of a positive outcome. Examples of these situations include hostage rescue operations and high risk search warrant service. The HEB program of the Peoria Police Department is based on the premise that the minimum amount of explosives is used to guarantee a positive entry into the structure.
- Figure 5 is a five year comparison of SAU deployments and diversionary devices used.

Figure 5



### Training (CALEA 1.3.13)

In 2014, 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 and completed a “discretionary shoot” using either Multiple Interactive Learning Objectives (MILO) or Simunitions Technology.

### Analysis (CALEA 1.3.13)

The department saw a decrease of 5 use of force incidents when compared to 2013. It should be noted that each Use of Force incident may have multiple officers using several different types or levels of force. When examining 41 use of force incidents, 79 different types of force were utilized by 71 officers in 2014, this is an 11% decrease compared to 2013. Although the number of use of force incidents increased along with the number of officers that used force in 2013, officers continue to be effective when utilizing force and using the minimal amount of force necessary to control the situation.

The deployment of O.C Spray and collapsible baton is non-existent by officers in the field. It is reasonable to believe that the continual 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 2014. The Department should explore different options in hard impact weapons (straight stick batons or PR-24) and increase training with hard impact weapons in an effort to increase officers' confidence in the effectiveness of impact weapons. Effective and justifiable use of impact weapons in conjunction with increased training may help to reduce officer injuries.

### Professional Standards Unit

**Figure 6**

Description	2010	2011	2012	2013	2014	Difference 2013/2014	% Change 2013/2014
Total Incidents Received	456	715	794	1305	1637	332	25%
Administrative Investigations	17	14	10	5	5	0	0%
Service Complaints	155	129	88	86	120	34	39%
Citizen Commendations	137	102	108	118	116	-2	-1%
Commendations	61	191	200	241	241	0	0%
Early Intervention Program	1	2	1	0	0	0	0%
Employee Grievance	2	0	3	1	0	1	-100%
Vehicle Accidents	16	24	24	22	33	11	50%
Vehicle Pursuits	0	3	2	2	4	2	100%
Photo Radar	22	19	6	4	3	-1	-25%
<b>Service Complaint Findings</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>
Exonerated	38	40	30	24	31	7	29%
Unfounded	53	40	29	34	44	10	29%
Not Sustained	9	4	2	3	4	1	33%
Sustained	54	43	24	24	41	17	70%
Retired	0	0	0	1	0	-1	-100%
<b>Service Complaint Discipline</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>
Letter of Reprimand	11	10	8	4	4	0	0%
Written Counseling	6	7	3	4	8	4	100%
Verbal Counseling	45	23	11	16	38	22	137%
Training	0	2	2	2	1	-1	-50%
<b>Administrative Investigation Findings</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>

Exonerated	4	2	0	2	0	-2	-200%
Unfounded	3	2	1	0	1	1	100%
Not Sustained	0	3	1	0	0	0	0%
Sustained	10	6	7	2	3	1	50%
Resigned Prior to completion	0	0	1	1	1	0	0%
<b>Administrative Investigation Discipline</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>
Termination	2	1	1	0	0	0	0%
Resigned	0	0	1	1	0	0	-100%
Demotion	0	0	2	0	0	0	0%
Suspension	2	2	3	1	2	1	100%
Letter of Reprimand	4	2	0	0	1	1	100%
Written Counseling	1	0	0	0	1	1	100%
Verbal Counseling	1	0	0	1	0	-1	-100%
Retired	2	0	0	0	1	1	100%
No Action Taken	0	1	0	0	0	0	No Change
<b>Vehicle Accident Findings</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>
Preventable	10	16	15	9	21	12	133%
Non-Preventable	6	8	9	13	12	-1	-.7%
Preventable/Justified	0	0	0	0	0	0	0%
<b>Vehicle Accident Discipline</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>
Suspension	0	0	0	0	0	0	0%
Letter of Reprimand	1	2	0	0	1	1	100%
Written Counseling	3	1	0	0	0	0	0%
Verbal Counseling	6	12	15	9	20	11	122%
Training	0	1	0	0	0	0	0%
<b>Vehicle Pursuits Findings</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>
Out of Policy	0	1	0	0	0	0	0%
Within Policy	0	2	1	2	4	2	100%
Determined Not a Pursuit	0	2	1	0	0	0	0%
<b>Vehicle Pursuit Discipline</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>		<b>Difference 2013/2014</b>	<b>% Change 2013/2014</b>

Suspension	0	0	0	0	0	0	0%
Letter of Reprimand	0	0	0	0	0	0	0%
Written Counseling	0	0	0	0	0	0	0%
Verbal Counseling	0	2	0	0	0	0	0%
Training	0	2	0	0	0	0	0%

### Commendations/Complaints (CALEA 52.1.1)

The Professional Standards Unit uses a tracking software system called IA Pro. IA Pro allows for accurate records of complaints and commendations received by the Peoria Police Department and citizens. Additional software called Blue Team augments the IA Pro software. Blue Team allows certain incidents traditionally tracked in an employee's individual performance record (IPR) or in CAD to be entered into Blue Team. The IA Pro database has improved the accuracy in which complaints, commendations, and other performance issues are processed, tracked, and monitored for consistency. IA Pro also tracks use of force incidents, vehicle accidents, supervisor notes, firearm discharges, employee grievances, drug screening, and inspections. IA Pro and Blue Team continue to be a valuable tool for PSU and the members of the Peoria Police Department as we strive to meet our department goal of building partnerships and trust with the community we serve.

### Complaint/Commendation Process

When a complaint is received, it is classified into one of two categories based upon the potential discipline or allegation 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.

Complaints classified as Administrative Investigations (AI) are investigated by the Professional Standards Unit (PSU) due to the severity of allegations and/or the potential level of discipline. Complaints classified as Service Complaints (SC) will normally be investigated by the involved employee's supervisor. (CALEA 26.1.5; 52.2.1)

### 2014 Incidents

PSU received 1637 contacts from citizens and Department personnel. Compared to 2013, PSU received 332 more incidents or a 25% increase in entries tracked through IA Pro. Of the 1637 contacts, 357 or 22% resulted in commendations for Peoria Police Department employees. In comparison, only 125 or 7% of the 1637 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 located in the figure 6 of this report.

When looking at the 1637 incidents received in PSU, 204 were from citizens. There are multiple methods for citizens to file commendations and complaints.

- Citizens can call the PSU hotline.
- Download the Commendation/Complaint Form from the City of Peoria website and mail it. This form can also be submitted on-line.

- Citizens can enter the lobby of both precincts and fill out a Commendation/Complaint Form. This form is also available in Spanish.
- Citizens can email commendations and complaints directly to PSU without completing the form.
- Commendations and complaints can also be filed with any police supervisor. (CALEA 52.1.4)

PSU takes action on all complaints, regardless if the citizen provides their identity or remains anonymous. (CALEA 52.1.1)

### **Investigations of Complaints**

The Professional Standards Unit utilizes a process, developed in 2003 and modified in 2011, to comply with 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:**

A total of five Administrative Investigations (AI) were authorized by the Chief of Police in 2014. AI's are reviewed by a Discipline Review Panel (DRP) that consists of the employee's chain of command. Of the five investigations in 2014, a DRP convened for four of them. Three investigations were "sustained" and one was unfounded. One investigation was closed due to the officer retiring prior to the conclusion of the investigation; The DRP did not convene for this investigation. Of the four sustained investigations, discipline ranged from written counseling to suspension.

- PSU met all required time limit requirements for notification and completion of investigations as directed by policy. (CALEA 52.2.3)

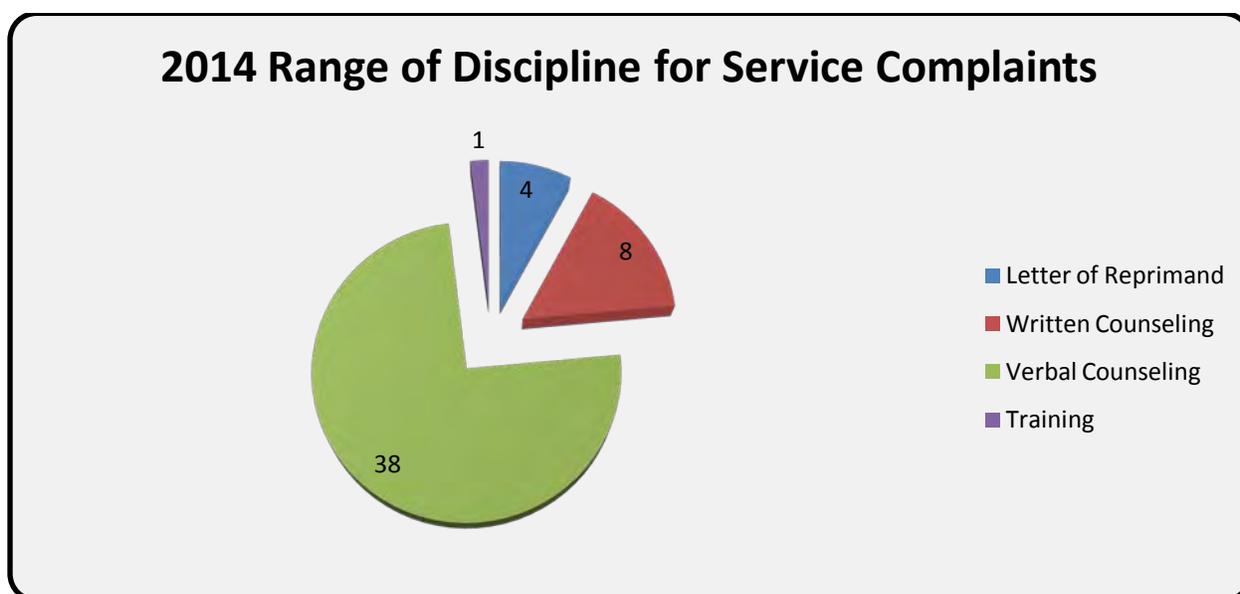
### **Dismissals/Terminations (CALEA 26.1.8)**

The Peoria Police Department did not dismiss any employees in 2014.

### Service Complaints (CALEA 26.1.5)

During 2014 a total of 120 service complaints were processed by PSU. Service Complaints are tallied by incident, not the involved officer or allegation. One service complaint can involve more than one officer and more than one allegation. These 120 complaints involved 69 different employees, with 20 employees involved in 2 or more complaints. 33 complaints involved “unknown officers”. PSU uses the category “unknown officer” to track citizen complaints that truly involve an unidentified officer. Additionally, the “unknown officer” category is also used to track complaints that are not directed at a specific employee, or the allegation is baseless. PSU uses this process to document not just the complaint, but the citizen filing the complaint, or any action taken. The findings of these 120 complaints are shown in figure 6. Discipline resulting from sustained investigations is shown in figure 7:

Figure 7



There were no investigations that required officers to have medical or laboratory examinations, photographs, be subjected to a line-up, disclose financial statements, or take a test that would detect deception. This criterion is outlined in Peoria Police Department policy 1020. (CALEA 52.2.6.)

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

Figure 8

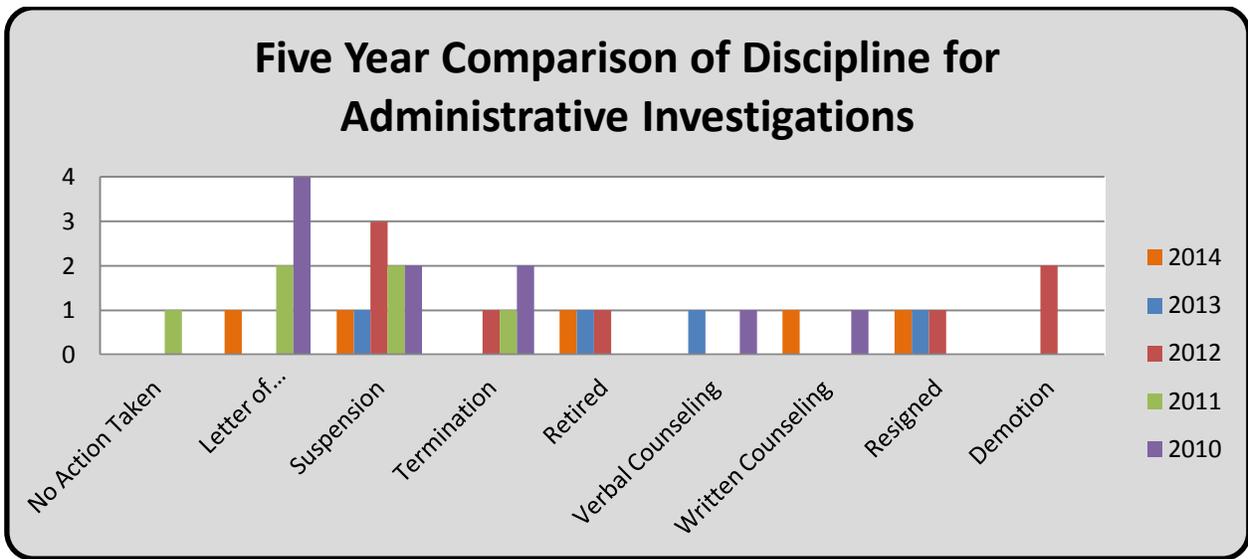


Figure 9 is a five year comparison of discipline in connection to sustained Service Complaints. (CALEA 26.1.5)

Figure 9

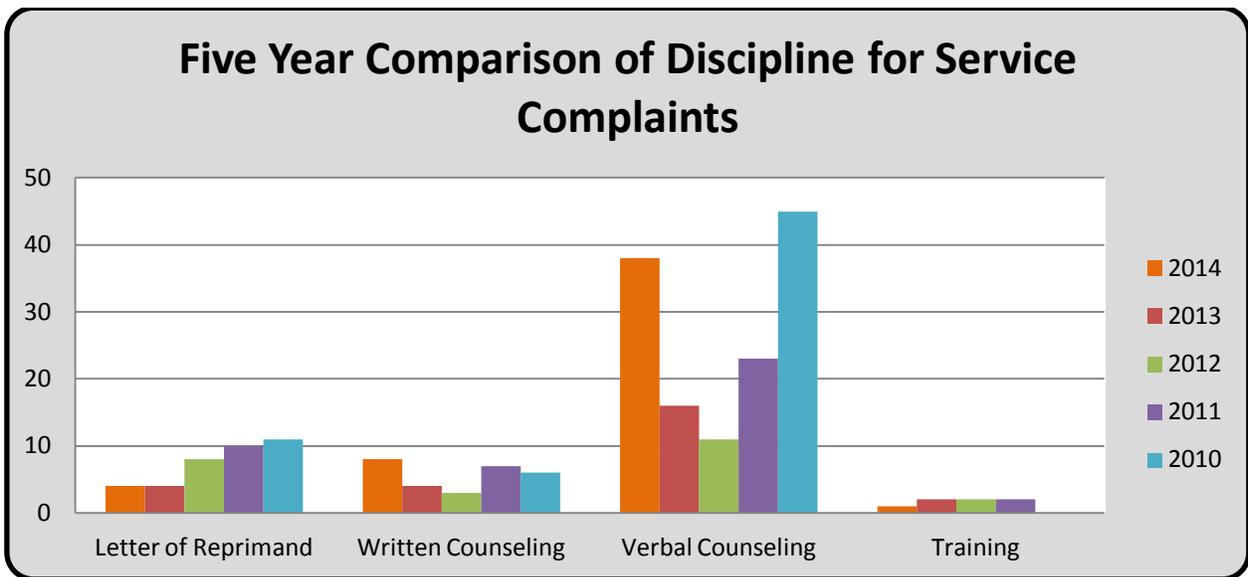
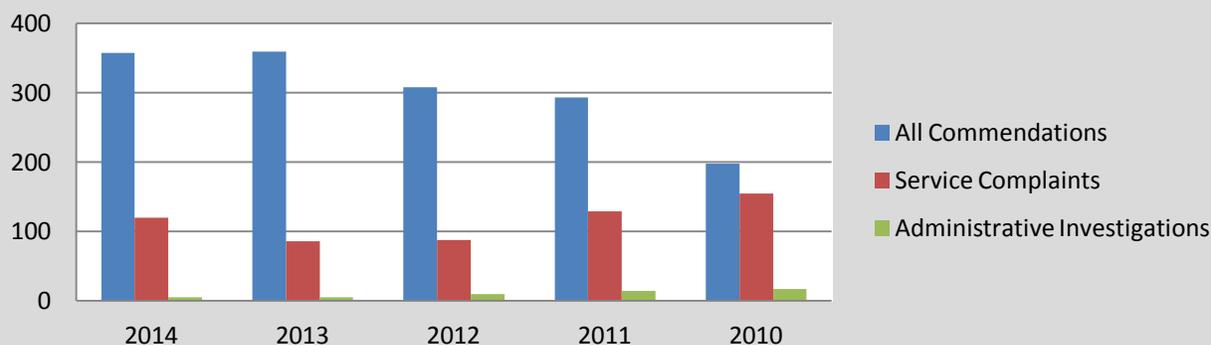


Figure 10 is a five year comparison of Citizen Commendations, Commendations, Service Complaints, and Administrative Investigations received in PSU. (CALEA 52.2.1)

Figure 10

### Five Year Comparison of Commendations, Service Complaints and Administrative Investigations



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

The Department received two complaints of Biased Based Profiling in 2014.

The first incident occurred in January and was initiated by the citizen mailing in the Commendation/Complaint Form. The citizen stated he was the target of racial profiling by officers after he was stopped by police and arrested for DUI. 911 recordings and dispatch logs, show several citizens calling 911 to report a vehicle swerving and driving erratically. Citizens provided the vehicle description and license plate number. Officers responded to the reported area, found the vehicle, confirmed the license plate and initiated the traffic stop. When contacted by PSU the citizen would not cooperate with the investigator and hung up the phone. Blood results returned with a reported BAC of .186%. The incident was closed as “unfounded.”

The second incident occurred in April 2014 and was initiated by the citizen calling the PSU Hotline. This incident originated from a traffic stop. The citizen wished to file a formal complaint of “racial profiling” and challenged a speeding ticket he received. When contacted by PSU, the citizen wished to drop the complaint. The citizen was advised the complaint would still be investigated due to the nature of the allegation. This incident was investigated by PSU and the employee’s supervisor and was closed as “unfounded.”

In 2013, the Peoria Police Department Traffic Service Section participated in a commercial safety checkpoint with the Arizona Department of Transportation in the area of 8600 W Grand Avenue. An aspect of the checkpoint was to stop all vehicles to confirm the vehicle was registered, insured, and that the driver was properly licensed. A complaint was received alleging the checkpoint was intentionally singling out Hispanic drivers. The investigation revealed the checkpoint in no way was racially motivated or biased. The checkpoint followed set guidelines and protocols used in sobriety checkpoints that have been upheld in the U.S. Supreme Court. A Discipline Review Panel determined the officers had not violated Department policy on biased based policing.

In 2012, there were no complaints of bias based profiling.

A review of all three complaints received over the past 3 years, identified a trend originating from some type of traffic contact. Efforts should be made by officers to pay close attention to the language they use while speaking with the public, as some routine questions during a traffic

stop can be interpreted negatively. This information was shared with training staff to assist in the development of bias based profiling training in the future.

Training on racial or bias based profiling is conducted as directed by the Training Section. Each new member to the department receives bias based training during their initial orientation. In July 2014, the department sent out a Daily Training Bulletin covering bias based profiling. The bulletin included different scenarios an officer is likely to encounter while on patrol and offered analysis and conclusions to the scenarios. The bulletin also covered portions of Department Policy 402 – Racial or Bias Based Profiling.

An annual review of departmental efforts to prevent bias based profiling is conducted by the Deputy Police Chief of Operations. The review is forwarded to the Chief of Police to identify any changes in training or operations.

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

The VOSC is comprised of 9 department employees from various rank and positions within the department and is chaired by a department lieutenant. The VOSC is responsible for reviewing all employee involved collisions and pursuits. Their review involves actions made by employees, policy and training. The VOSC determines if the collision was “preventable” or “not preventable” with regard to the employee’s actions. If the VOSC determines the collision was preventable the involved employee is subject to discipline. The VOSC will also make recommendations on policy changes or training needs.

Employee involved collisions are entered into Blue Team in the same manner already described for Use of Force entries. The positive feedback on the new streamlined process for reviewing Use of Force incidents inspired the same process to be carried over to the VOSC. All VOSC members are reporting that the new procedure is working well and allows for a more timely review and conclusion to employee collisions.

During 2014, Peoria Police employees were involved in a total of 33 vehicle collisions. This was a 50% increase from the 22 collisions in 2013. Of those 33 vehicle collisions, 12 were determined “not preventable” or the employee was not at fault for the collision and 21 were determined “preventable” or the employee was at fault for the collision, as determined by the Vehicle Operation Safety Committee. Figure 11 is a five year comparison of preventable and non-preventable vehicle collisions. Figure 12 is a five year comparison of all the primary collision factors. Inattention and backing were the top reasons cited as the primary cause of collisions in 2014.

This dramatic increase in vehicle accidents, more notably the 122% increase in “preventable” collisions is of great concern. This increase was first identified early in the year. The Chief of Police ordered all “preventable” vehicle collisions forwarded to him for final review.

In an effort to bring driving safety and awareness to the attention of Peoria Police employees a program called “Below 100” was implemented in 2012, and officers continued to receive training in 2014. Part of the program’s focus is to get officers to wear their seatbelts, slow down, and focus on their driving. The department also scheduled a full day of driving training held at the driving track for all sworn employees. Training covered pursuit driving as well as safe backing.

Of the 21 “preventable” collisions, 20 involved employees who had not been involved in a preventable collision for over 3 years.

Figure 11

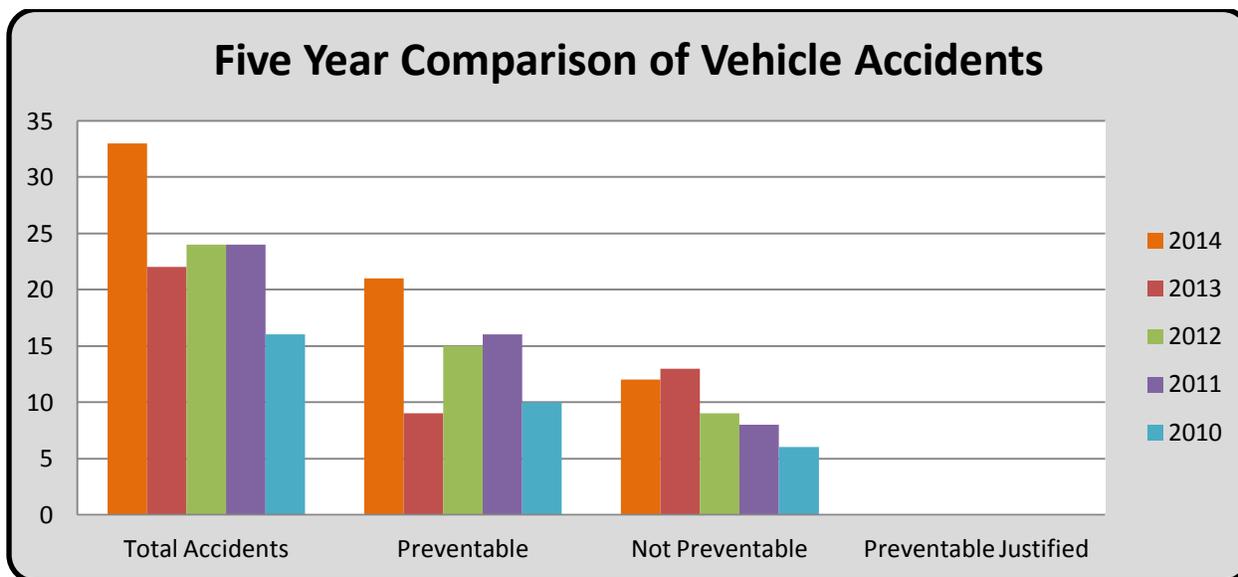
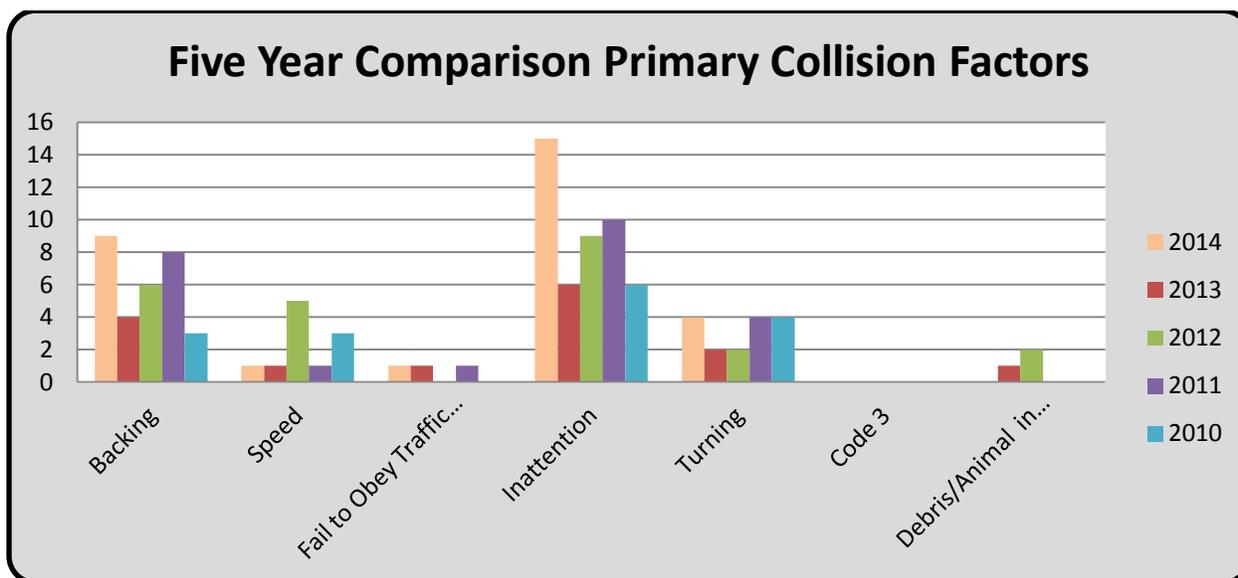


Figure 12



Discipline for Peoria Police employees found to be at fault in a vehicle collision ranges from verbal counseling to suspension and is determined by Department SOP GEN-706. Of the 20 collisions in 2014 that were deemed preventable, 19 officers received a verbal counseling and 1 officer received a letter of reprimand. For all 19 officers this was their first collision within the past 3 years.

**Pursuits (CALEA 41.2.2)**

In 2014, the Peoria Police Department was involved in four vehicle pursuit incidents; each was reviewed by the VOSC. All four pursuits were determined to be within policy.

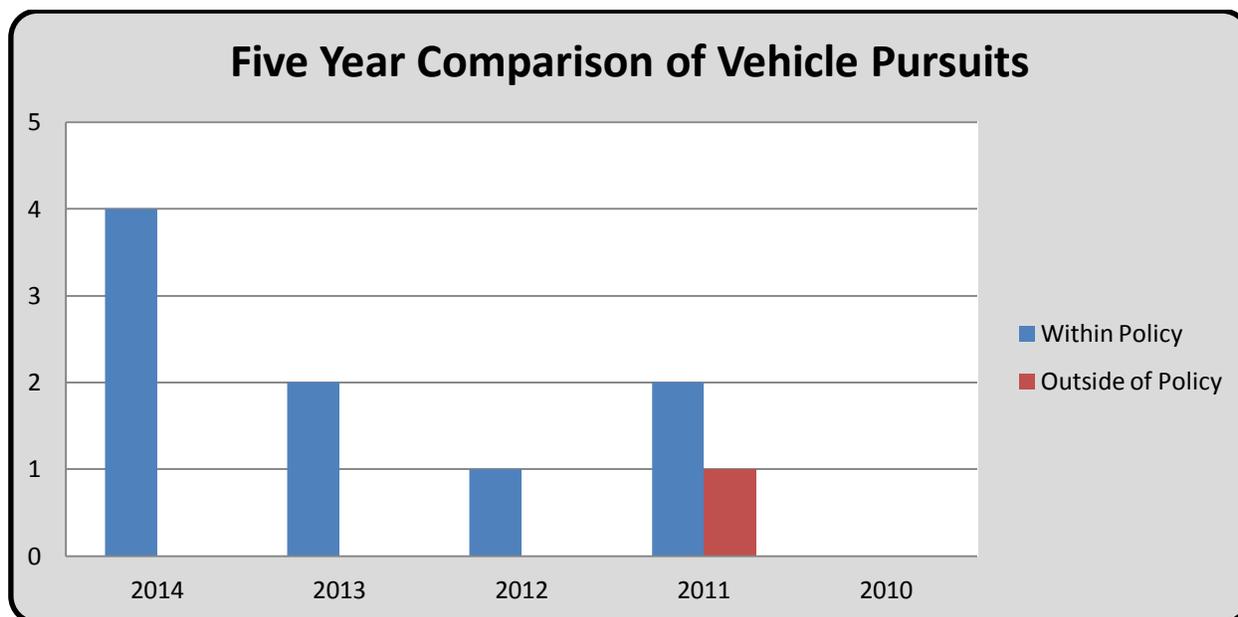
The VOSC conducted a review of the vehicle pursuit policy and pursuit training. The VOSC recommended a minor change to the verbiage of policy PSB 314 (Vehicle Pursuits). The

original verbiage read, "...civil traffic infractions will not be pursued." The recommended verbiage reads, "...civil traffic infractions will not *ordinarily* be pursued." This proposed addition was recommended to allow officers to better evaluate the totality of the circumstances when choosing to initiate a pursuit.

The VOSC reports that the current reporting and review procedures are functioning well and are recommending no changes to the process.

Figure 13 is a five year comparison of vehicle pursuits.

**Figure 13**



### **Road Blocks and Forcible Stopping of Vehicles (CALEA 41.2.3)**

In 2014, there was one incident involving the forcible stopping of a vehicle. This incident was also included as one of the four pursuits from 2014. The suspect in this incident, a residential burglar, robbed the homeowner of his wallet at knife point and then stole an occupied vehicle by forcing the driver to exit. A pursuit was initiated and officers deployed "stop sticks", but the suspect was able to avoid them and continue on. The driver then began pushing a vehicle out of his way and into oncoming traffic. Officers then boxed the suspect vehicle in and arrested the suspect.

A review of the pursuit, as well as the decision to box in the vehicle, the manner in which the officers boxed in the vehicle, and the vehicle pursuit policy was conducted by the VOSC. The VOSC determined all actions taken by the officers were within policy and did not recommend any policy changes or additional training.

This was also the only use of "stop sticks" by officers in 2014.

### **Grievances: (CALEA 25.1.3)**

A "grievance" is any dispute regarding the meaning, interpretation, or alleged violation of the Administrative Regulations. This includes any written allegation by an employee concerning the interpretation or application of rules and regulations governing personnel practices, Peoria Police Department work rules, working conditions, or alleged improper treatment of an employee, in

which the complaint has not been resolved satisfactorily in an informal manner between the employee and their immediate supervisor.

Employees are encouraged to resolve problems with their immediate supervisor or lowest level of supervision before initiating a formal grievance.

The Police Chief meets weekly with members of the collective bargaining units to discuss potential problems and concerns in an effort to resolve them at the earliest moment. In 2014, monthly meetings began between Human Resources, the City Attorney's Office, the Police Chief and the Peoria Police Officers Association. The purpose of the meeting is to identify possible issues and work together on a mutually agreed upon resolution. Additionally, the Police Chief holds regular "open door" days where any member can have direct access to discuss concerns.

As a result of these efforts, in 2014, there were no formal grievances filed by any department employees. These processes appear to assist in promoting free verbal communication between employees, supervisors, managers and city leadership. Furthermore, city and department grievance policy and procedures which are already in place are effective and function well when or if formal grievances are filed.

Maintenance and control of grievance records are maintained in IA Pro from 2009 until present day. The only people that have access to IA Pro are PSU personnel.

#### **Disciplinary Action Appeals (CALEA 26.1.6)**

No appeals were filed in 2014.

#### **Early Intervention Program CALEA 35.1.9)**

No Peoria Police employees were placed on the Department Early Intervention Program (EIP) in 2014.

In 2014, PSU formalized the process of the Early Intervention Program with the addition of Policy 1019. The Early Intervention Program (EIP) is designed to provide assistance or training to employees experiencing/potentially experiencing performance or personal difficulties and provide them assistance or training in a non-punitive way. EIP was designed as a non-punitive tool that will allow employees an opportunity to overcome problems without the stigma of discipline in a proactive manner. Assistance offered to employees can come from a variety of support services offered through the city's Employee Assistance Plan, such as counseling, financial services, legal services, and childcare or eldercare assistance. Peer counseling, mentoring or additional training may be considered as additional options to assist employees.

In 2014, PSU rolled out updates to the Early Warning System (EWS) that incorporated "alert" features built into IA Pro to assist managers in identifying employees in need of assistance. IA Pro will automatically generate an alert when department personnel reach a pre-determined threshold for certain types of incidents or an overall threshold of combined incidents which have been documented in Blue Team/IA Pro. Once an alert has been generated in IA Pro, PSU will forward the alert to the employee's manager. The manager will then review the alert with the employee's immediate supervisor and determine if further action is necessary.

The IA Pro alert feature was formalized in September 2014. 16 alerts were sent out to the field for review by the involved employee's manager.

Incident thresholds were set at the following levels:

- (3) *Service Complaints* within a 12 month period

- (3) *Use of Force* incidents within a 12 month period
- (3) *Photo Radar* incidents within a 12 month period
- (2) *Pursuits* within a 12 month period
- (2) *Firearm Discharges* within a 12 month period
- (2) *Administrative Investigations* within a 12 month period
- (2) *Vehicle Accidents* within a 36 month period
- (6) *Overall Incidents Listed* within a 12 month period

#### **Audits/Inspections: (84.1.6)**

##### **Controlled Substance Screening**

All Peoria Police Department sworn personnel are subject to quarterly random drug screening. Banner Health supplies the City of Peoria's Human Resources Department with a random selection each quarter. The Human Resources Department then provides the Professional Standards Unit with the names of the randomly selected employees for drug screening. The Professional Standards Unit insures the randomly selected employees are notified and the random drug screen is performed in a timely manner. In the year 2014, there were no positive returns from Banner Health.

##### **Document Purging (CALEA 26.1.8)**

On a monthly basis in 2014, an audit and review for internal PSU files was conducted. Per Arizona State Law and department policy, all Professional Standards files must be purged three years after the completion date of the investigation. Involved employee names were purged from IA Pro per policy and retention laws.

##### **K-9 Drug Testing Kit (CALEA 84.1.4)**

Throughout 2014, the K-9 supervisors periodically inspected all K-9 narcotic training kits and those inspections were processed through Blue Team on a quarterly basis. All of the quarterly inspections returned with no discrepancies.

In September 2014, the Professional Standards Unit conducted an unannounced internal compliance inspection on all K-9 narcotic training kits and facilitated the replacement of each training kit. Each of the four "old" kits issued to the K-9 officers were visually inspected and weighed and each kit was within compliance of Department policy. Each "new" training kit was inspected and weighed prior to issuance.

In November and December 2014, the Professional Standards Unit conducted unannounced inspections on the K-9 officers' assigned vehicles and home kennels. The inspection of the vehicles also included the locked storage compartments within the vehicles used to secure and transport the training kits. The vehicles and home kennels were within compliance of Department policy.

##### **Mobile Data Computer/Positron Messages**

Random audits were conducted quarterly on Mobile Data Computer and Positron messaging in 2014. The messages are read by citizen volunteers and the Professional Standards Unit to ensure employees are following policy. The audits found all reviewed messages to be in compliance with department policy.

**Internet Use**

In late September 2011, the Peoria Police Department released internet access to all Mobile Data Computers in the field. This Audit/Inspection is a result of this release. The Professional Standards Unit conducted quarterly Audit/Inspections of the entire police department's internet usage.

During 2014, the Professional Standards Unit uncovered a concern with an employee's internet use during the fourth quarter 2014 audit. An Administrative Investigation was initiated to further investigate the matter.