

Las Cruces Police Department Police Auditor Presentation

Review of Cases

July 1 – December 31, 2016

April 24, 2017

Presented by: The Public Safety Strategies Group LLC

Updates from October 2016

- PSSG and PSU/Chief have held eight meetings to discuss cases reviewed and to provide policy assistance.
- New Sergeant in the unit.
- Continued improvement in the disposition letters sent to complainants.
- Improved framing and articulation of questions during interviews.

Updates from October 2016

- PSSG provided review of current pursuit driving policies and made suggestions for revisions.
 - Updates based on our feedback and internal feedback were implemented.
 - The department recognized that there were some gaps in the pursuit policy and ordered a stand down on all pursuits until the updated policy was ready. Once established training was provided.

Number of Cases Without Full Investigation

Type	Number
EIC2 - Informal Complaint made by a citizen - non serious – complainant does not want to pursue.	PSSG Does not Review
EIC3 – Formal Complaint of a non serious nature – lack of valid facts or no apparent general order violation.	18
Total	18

In these cases, the preliminary investigation showed that the case/allegations did not have merit.

Number of Cases With Full Investigation

Type	Number
EIC1 - Formal Complaint made by a citizen - serious or non serious nature.	5
II - Internally initiated - Formal Complaint when there is an internal allegation related to misconduct or operational actions of employees on or off-duty.	15
Total	20

Dispositions

- **Sustained** - conduct alleged apparently occurred and amounts to a violation of General Orders or other city policy or procedure.
- **Sustained Other**— the employee was determined to have committed a violation other than was originally alleged.
- **Not Sustained**- insufficient evidence exists to clearly prove or disprove allegation.
- **Unfounded** - act alleged apparently did not occur.
- **Exonerated** - employee's conduct was lawful, justified and proper.
- **Officed Investigation** complainant failed to cooperate with the investigation and there is not enough evidence available to draw a fair conclusion and apply a finding.

Investigative Dispositions

Type	Total Cases	Total Officers/employees	Number of Allegations	Dispositions					
				Exonerated	Not Sustained	Sustained	Sustained Other	Unfounded	Officed Investigation
EIC1	5	11	22	8	-	9	2	3	-
II	15	30	41	8	5	17	7	3	1
Total	20	41	63	16	5	26	9	6	1

The number of cases and allegation outcomes do not equal because of multiple employees and allegations in some cases.

General Order - Dispositions

General Order	Exonerated	Sustained Not Sustained	Sustained Sustained Other	Unfounded	Officed Investigation
Accuracy and thoroughness of reports		1			
Code of conduct		2			
Conduct towards the public	3	1		1	
Conduct unbecoming		1	1	1	1
Consorting prohibited		1			
Crash investigations		1			
Criminal conduct prohibited		2	2		
Delay or interference with complaint			1		

General Order - Dispositions

	Exonerated	Sustained	Not Sustained	Sustained Other	Unfounded	Officed Investigation
General Order						
Domestic family disturbance information gathering		2				
Employee ethics		1				
General standards of conduct			1			
Initial repose to domestic disturbance	1	1				
Insubordinate conduct					1	
Levels of force	1	1				
Maintaining license and certifications		1				
Personal use of assigned vehicle		1				
Preliminary investigations		2				
Pursuit policy violations	3	3				

General Order - Dispositions

	Exonerated	Sustained	Not Sustained	Sustained	Other	Unfounded	Officed Investigation
General Order							
Recording device procedures					1	1	
Reporting and review of use of force	2	2			5		
Rest Periods		1					
Security and Confidentiality						1	
Truthfulness		1					
Unsatisfactory conduct	2						
Unsatisfactory performance	2		2			1	
Use of lethal force	2						
Work rules		1			1		
Total	16	26	5		9	6	1

Complaints without Merit

Example complaints/allegations without merit include:

- Rude/Discourteous
- Use of force
- Failure to Act
- Unsatisfactory Performance
- Harassment/Following

Supervisory /Training Issues in Cases Reviewed

Investigations often reveal minor issues that occurred, that were not part of the initial complaint, but were discovered during the incident. Examples include:

- Use of technology to locate individuals
- Report writing related issues
- Downloading of camera footage
- Pat downs
- Use of profanities

Areas of Proficiency for PSU/LCPD

- Willingness to change operations and policies to improve performance.
- Open to hearing different strategies that will strengthen the written case reports.
- PSU members are highly professional and non judgement when interviewing witnesses and victims.
- Providing appropriate training.
- Handling high profile cases as confidential during the process, but transparent with the outcomes.

Areas of Improvement Addressed

- Disposition letters to complainant clearer.
- Addressing issues through briefings, roll call, training.
- Identity of those in the tapped interviews is clearer and also reflected in the written narrative.
- While not 100% consistent, case summary information is clearer.

Areas of Improvement – Qualifications of Statements

- When detectives are writing case summaries it is important to use qualifiers when appropriate, for example: citizen believes or citizen states rather than writing something as fact when it is the opinion of the person being interviewed. This has improved and we will continue to work on this with PSU staff.

Areas of Improvement - Consistency in Dispositions

- Ensure consistency between Not Sustained and Unfounded.

Contact Information

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