

# Las Cruces Police Department Police Auditor Presentation

Review of Cases

January 1 – June 30, 2017

November 13, 2017

Presented by: The Public Safety Strategies Group LLC

# Updates from April 2017

- PSSG and PSU/Chief have held seven meetings to discuss cases that have been reviewed and to provide technical assistance as needed.
- Due to planned leave, there have been temporary staff assigned to the unit.
- Reports have improved in terms of consistency and work continues to provide accountability and transparency through investigations.

# Number of Cases Without Full Investigation

Type	Number
<b>EIC2</b> - Informal Complaint made by a citizen - non serious – complainant does not want to pursue.	PSSG Does not Review
<b>EIC3</b> – Formal Complaint of a non serious nature – lack of valid facts or no apparent general order violation.	21
<b>Total</b>	21

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

# Number of Cases With Full Investigation

Type	Number
<b>EIC1</b> - Formal Complaint made by a citizen - serious or non serious nature.	3
<b>II</b> - Internally initiated - Formal Complaint when there is an internal allegation related to misconduct or operational actions of employees on or off-duty.	5
<b>Total</b>	8

# 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	3	3	6	3		1	2		
II	5	6	10	3		4	3		
Total	8	9	16	6		5	5		

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

# General Order - Dispositions

	Exonerated	Sustained	Not Sustained	Sustained Other	Unfounded	Officed Investigation
General Order						
Code of Conduct - Conduct Towards the Public	1	1				
Evidence / Property Processing	1					
Procedures				1		
Vehicles Impounded as Evidence				1		
Accuracy and Thoroughness	1					
Code of Conduct - Reporting for Duty		1				

# General Order - Dispositions

	Exonerated	Sustained	Not Sustained	Sustained Other	Unfounded	Officed Investigation
General Order						
Unsatisfactory Performance	1					
Use of Force		1				
Conducted Electrical Weapons Deployment	1					
Reporting and Reviewing Use of Force	1					
Criminal Conduct				1		
Thoroughness				1		
Conduct Unbecoming		1				
Legal Issues - Voluntary Contacts		1				
Use of Force - Procedure for Applying Force				1		



# Complaints without Merit

Example complaints/allegations without merit include:

- Rudeness/Mistreatment (10)
- Disagrees with decision (4)
- Use of force (2)
- Caused a crash
- Use of handicapped spot

# 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:

- Report writing related issues
- Miranda warning
- NOTE: Use of camera issues *have decreased*

# Areas of Proficiency for PSU/LCPD

- Open to reviewing dispositions and making corrections.
- PSU leadership is striving for the highest level of accountability and professionalism with the work of the unit.
- LCPD is providing appropriate training.
- PSU personnel, both those on permanent and temporary assignment take their responsibility serious and work diligently to adhere to all timelines while still carefully reviewing each incident.

# Areas of Improvement Addressed

- Identity of those in the recorded interviews is clear.
- Filling out of paperwork presented to focus employees during interviews has been filled out more consistently (missing minor information only once in a while).
- Case summary information is much improved.
- Case filing / organization has improved.
- No conflicts between unfounded and not sustained.

# Areas of Improvement – Qualifications of Statements

- PSU detectives at times will not qualify who is saying a statement or if it is fact or opinion. This has improved and only now occurs once in a while.

# Areas of Improvement – Interviewing

- Detectives at times will not go to the next level of questioning and will sometime stop the interviewing despite have some open or unanswered questions.
- Detectives need to ask more follow-up questions.
- Detectives need to be careful when interviewing complainants as on a few occasions they seemed to agree with the complainant. They can be supportive while still remaining neutral.

# Areas of Improvement – Complaint Paperwork

- Complaint paperwork is often missing details such as the date or time of the complaint (typically when taken over the phone).

# Areas of Improvement – Disposition Clarity

- In one case retraining was suggested, but a written reprimand was issued.
- In one case the detective finds that an officer does not follow all the proper steps, but no further investigations was conducted. The letter to the complainant stated there was not a violation. It should have been stated that retraining would occur.



# Contact Information

Public Safety Strategies Group LLC

486 Main Street

West Townsend, Massachusetts 01474

[info@publicsafetystrategies.com](mailto:info@publicsafetystrategies.com)

978-314-7283