

Las Cruces Police Department Police Auditor Presentation

Review of Cases

January – June 2018

December 10, 2018

Presented by: The Public Safety Strategies Group LLC

Updates from June 2018

- PSSG and PSU/Chief have held three meetings to discuss cases that have been reviewed and to provide technical assistance as needed.
- Staffing in PSU remains stable.
- Improvement is still required with follow-up questioning (training will occur in this area).

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.	10
Total	10

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.	3
II - Internally initiated - Formal Complaint when there is an internal allegation related to misconduct or operational actions of employees on or off-duty.	6
Total	9

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	9	1	2	2	4	0	0
II	6	8	16	3	3	8	2	0	0
Total	9	11	25	4	5	10	6	0	0

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		2	1			
Code of Conduct - Insubordinate Conduct				1		
Code of Conduct - Notices Required				1		
Compliance of Rules		1				
Conduct Unbecoming		1		1		
Criminal Conduct		1	2			

General Order - Dispositions

	Exonerated	Sustained	Not Sustained	Sustained Other	Unfounded	Officed Investigation
General Order						
General Standards of Conduct		1				
Initial Response to DV	1					
Investigative Detention				1		
Law Enforcement Code of Ethics			1			
Loss of License		1	1			
Pursuits	1	1				
Recording Devices		1				

General Order - Dispositions

	Exonerated	Sustained Not Sustained	Sustained Other	Unfounded	Officed Investigation
General Order					
Required Reporting	1				
Supervisory Duties		1			
Unmarked Police Vehicles	1		1		
Vehicle Operation - Emergency Equipment			1		

Complaints without Merit

Example complaints/allegations without merit include:

- Failure to provide care
- Forcing to sign paperwork
- Violation of right regarding service animal
- Talking forcefully
- Damage to property
- Lack of action
- Inappropriate touching

Areas of Proficiency for PSU/LCPD

- Very courteous to community members
- Detail writing of case information
- Adherence to deadlines
- Documentation / photographs
- Use of cameras is very consistent

Areas of Improvement Addressed

- Case filing / organization is much better.
- Clarity of who made statements has improved, but needs to be monitored.
- Complaint summary information is more consistent.

Areas of Improvement – Interviewing

- Better follow-up during interviews when there is conflicting information is needed.
- Questioning need to be more direct to address the complaints and for thoroughness.
- Questions could be rephrased to address inconsistencies or uncover more details.
- Questions should not supply information or make assumptions of why things occurred.

Areas of Improvement – Clarity of Statements

- Sometimes it is unclear who made a statement / observation.
- Opinions of complainants are sometimes stated as facts, clarification needs to be supplied.

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