



Chapel Hill Police Department Report on Professional Standards

Quarterly Report 2013 – October, November, December

Statement of Accountability

The Chapel Hill Police Department is dedicated to protecting the rights of all citizens and we carefully investigate all complaints relating to police service and/or police misconduct. Policing is often difficult and complex. We strive to be courteous, thorough, and impartial in our investigations and fair in our judgments. We are the *Guardians of the Hill: Serving, Protecting, Partnering*. Our primary mission is to enhance the quality of life in our community. We will accomplish this through the delivery of the highest level of service and principled enforcement of the law.

People who work in the police service should behave appropriately at all times. Expectations about the behavior of both police officers and members of police staff are set out in their respective Standards of Professional Behavior. These expectations include requirements to:

- Act with honesty and integrity, fairness, and impartiality
- Treat members of the public and fellow employees with respect
- Not abuse their powers and authority
- Act in a manner that does not discredit or undermine public confidence in police service

Citizen Complaints and the Investigative Process



Citizens who file complaints are treated respectfully and allegations against police officers are taken seriously. Citizens who wish to express dissatisfaction with members or policies of this Department are provided with information about how to express their dissatisfaction. Citizens who believe they have been mistreated or have not received adequate service have a moral and legal right to express dissatisfaction. Citizen input ultimately helps to improve the department.

Negative citizen feedback is characterized as either a complaint or a contact. As a general rule, a complaint is negative feedback that on its face alleges a violation of a department policy or rule. For example, feedback that an officer used force that was excessive and in a manner that violated the department's Use of Force policy. As a general rule, a contact is negative feedback that on its face does not rise to the level of a violation of policy or rule. An example might be feedback that an officer used an inappropriate tone of voice. The department investigates both complaints and contacts, although the review process is more rigorous for complaints. In some situations investigation of a contact will produce information that requires it to be re-categorized as a complaint and investigated under the more rigorous complaint process. The reverse also may occur: feedback initially logged a complaint may be determined not to have alleged a violation of policy or rule and thus is re-categorized as a contact. Both types of

feedback are captured in this report. Citizen contacts may also describe an issue of procedure/policy or may refer to a judicial matter for the courts such as a disagreement over a speeding citation. These types of citizen inquiries do not result in an internal investigation. Complaints about the overall policies or procedures of a police force are often referred to as 'direction and control issues'. These can include complaints about the organization of a police force or general policing standards.

All citizen complaints are investigated by the employee's direct supervisor or the Office of Professional Standards, depending on the seriousness and complexity of the alleged violation. Similarly, all Citizen Contacts are referred to the employee's direct supervisor for review. Upon completion of the review, the supervisor is directed to provide a summary of their findings along with recommendations for corrective action if required. This review is then submitted to the employee's division commander for review before filing by OPS.

In the course of the investigation all witnesses as well as officers are interviewed. An investigators summary report that includes all statements, findings of fact, recordings (if available) or any other pertinent evidence is compiled and submitted for review. During that review, each member of the officer's chain of command is tasked with reviewing the investigation for accuracy and completeness. During this review, the supervisor makes a recommendation about discipline. Once the report is reviewed by each member in the officer's chain of command, it is submitted to the Department's Senior Legal Advisor for review before ultimately making its way to the Chief of Police, who then makes his final determination.

Internal/Administrative Investigations



Internal investigations may review vehicle accidents, vehicle pursuits, police conduct, and performance-related issues. They also review allegations of more serious violations such as excessive use of force and detrimental conduct.

The chart below lists investigations, both those generated externally and internally. Upon completion, each investigation must undergo a final review that includes the Department's Senior Legal Advisor and Chief of Police. All concerns are treated as a valuable opportunity to improve.

Investigations (Internal and External)				
	Citizen Complaint	Citizen Contact	Administrative Investigations	Total
Oct. – Dec. 2012	0	3	4	7
Oct. – Dec. 2013	2	1	3	6

Types of Allegations	Unsatisfactory Job Performance		
	Demeanor	Use of Force	
	2	3	1

During the fourth quarter of 2013, a total of two demeanor related concerns, three allegations of unsatisfactory job performance, and one allegation of excessive use of force were documented for review.

In one demeanor complaint the officer was exonerated. The other remains open pending supervisory review.

One of the investigations into unsatisfactory job performance resulted in the allegation being substantiated and the officer receiving a written reprimand. The other two remain open pending further investigation.

The excessive use of force allegation remains open pending supervisory review of the investigation.

Outcomes Defined: All complaints are investigated thoroughly and all findings by the Police Chief are based upon the evidence developed during the investigation. The outcomes of investigations are categorized as follows:

- a) Substantiated: The evidence is sufficient to prove that the alleged incident occurred and that actions taken by the employee constitute misconduct.
- b) Unsubstantiated: The evidence is insufficient to either prove or disprove the facts of the allegation.
- c) Exonerated: The evidence proves that the incident occurred, and the employee's conduct was lawful and/or proper.
- d) Unfounded: The evidence proves that the allegation is false and not factual.
- e) Administratively Closed: The complaint or investigation is closed prior to reaching a finding. Examples may include withdrawal of the complaint by the complainant or an employee leaving Town employment prior to the completion of the investigation.



Lessons Learned

Generally, complaints are raised about employee behavior or demeanor, not service delivery. The recent implementation of an Employee Performance Management Development System will provide an opportunity to better address issues of unsatisfactory job performance. We continue to look for areas where there are observable trends or patterns.

It is noteworthy that significant decreases in overall complaints compared to previous years were maintained during this quarter. We are encouraged by the maintenance of this decrease and will continue to provide additional training opportunities such as Crisis Intervention and Customer Service Training in an effort to improve further.

The Office of Professional Standards continues to monitor all interactions and investigations to recognize trends and to evaluate the need for specific training regarding the delivery of services to our community. We will continue to treat all complaints as an opportunity to improve our level of service.