



# Chapel Hill Police Department Report on Professional Standards

Quarterly Report 2016 – July, August, September

## Statement of Accountability

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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

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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 as 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.

<b>Investigations (Internal and External)</b>				
	<b>Citizen Complaint</b>	<b>Citizen Contact</b>	<b>Administrative Investigations</b>	<b>Total</b>
Jul. – Aug. 2015	0	1	2	3
Jul. – Aug. 2016	0	1	3	4
<b>Types of Allegations</b>				
	<b>Improper Conduct</b>			
	4			

During the third quarter of 2016, one citizen contact was received and three administrative investigations were ordered by the Chief of Police.

The citizen contact involved an allegation of improper conduct. The investigation is completed and is being reviewed through the involved officer's chain of command.

The administrative investigations involved allegations of improper conduct and unsatisfactory job performance. These investigations have been completed. One investigation resulted in the involved officer's resignation. The remaining investigations are being reviewed through the involved officer's chain of command.

**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

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This quarter, we saw a slight increase in the number of administrative investigations compared to the same quarter last year. Generally, investigations that are initiated internally involve unsatisfactory job performance or improper conduct. While we have observed a continuing downward trend in externally generated citizen complaints and citizen contacts, the total numbers are so low that it is hard to detect any significant patterns in the number that come in during a given quarter. We will continue to monitor the numbers to identify any long term trends. Our efforts to track and improve employee performance through our Employee Performance Management Development System is ongoing.

The Chapel Hill Police Department recently implemented a website to allow community members and visitors to provide online feedback on officer performance. The site allows people to fill out a form and provide compliments or file complaints. With feedback from our Community Policing Advisory Committee, we have identified areas for improving the form. This site provides for better tracking of both complaints and compliments without changing the way that these types of feedback are investigated or handled.

The Office of Professional Standards continues to review 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.