

Office of the Police Monitor (OPM)



City Council Presentation

August 23, 2007

Agenda

- Mission statement
- Functions of the OPM
- Complaint Process
- Critical Incident Flow Chart
- Oversight Models
- Duties and Responsibilities of Citizen Review Panel
- Data and Statistics
- Recommendations
- Outreach
- Conclusion
- Key Contacts
- Q & A

Mission

Created and developed to promote mutual respect between the Austin Police Department (APD) and the community it serves.

Through our outreach efforts, we will educate the community and law enforcement to promote the highest degree of mutual respect between Police Officers and the Public. By engaging in honest dialogue over issues and incidents that impact the community and law enforcement, the Office Of Police Monitor will enhance public confidence, trust, and support in the fairness and integrity of the Austin Police Department.

Function

The OPM is the vehicle for citizens to voice and file complaints against APD.

- Assess citizens complaints
- Monitor Internal Affairs investigation
- Make recommendations on policy, procedures & discipline
- Monitor APD policies and practices
- Publish reports (6-months & annual)
- Conduct community outreach programs and educational forums

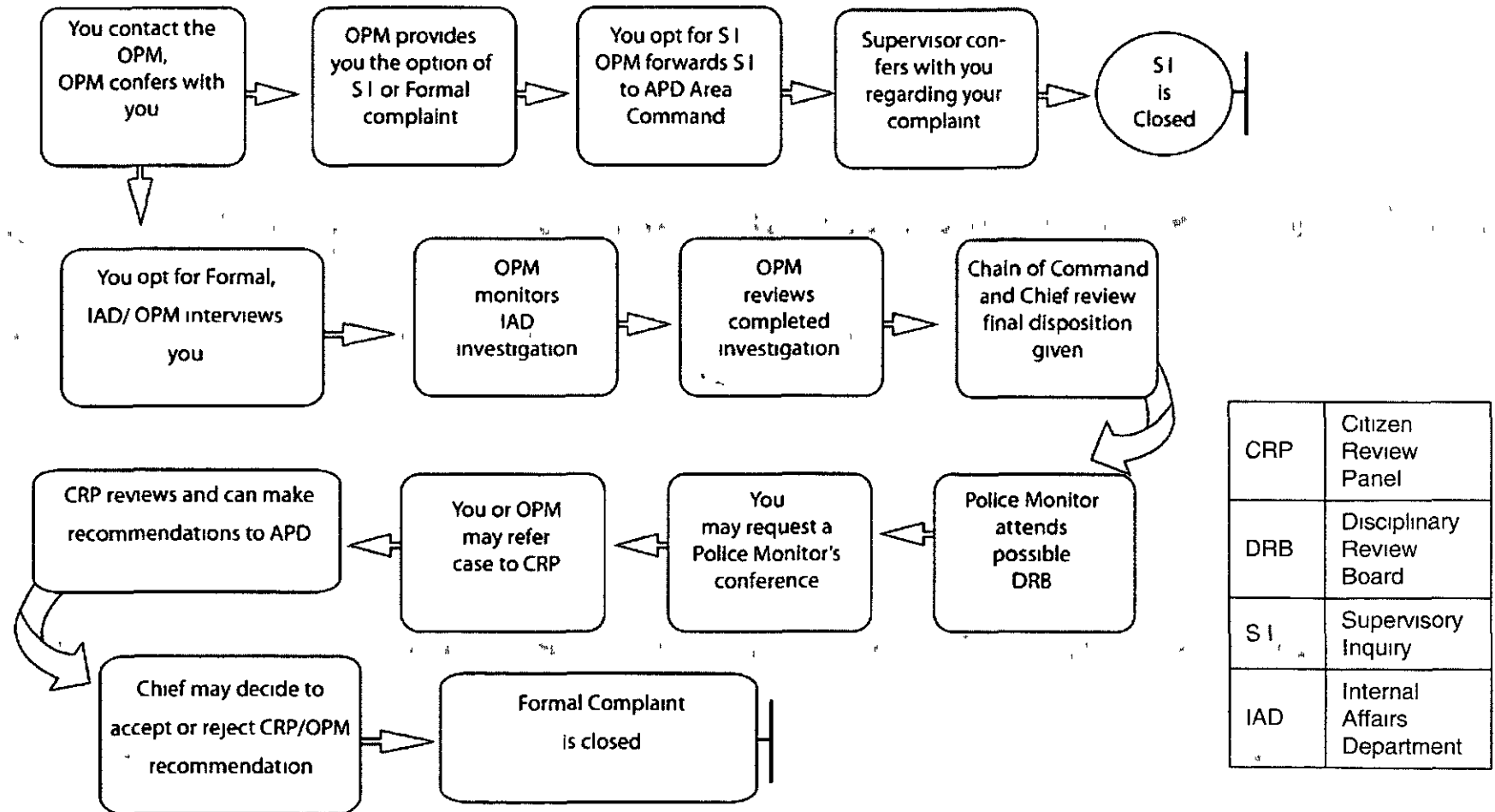
Complaint Process Overview

Established to create a comfortable environment to help facilitate a citizen filing a complaint against APD.

- OPM interviews and assesses your issues
- OPM explains oversight and the investigative process
- Formal complaint or Supervisory inquiry
- You are encouraged to not delay – witnesses are harder to find over time
- Investigation requires time
- After 180 days, the maximum disciplinary action is a written reprimand

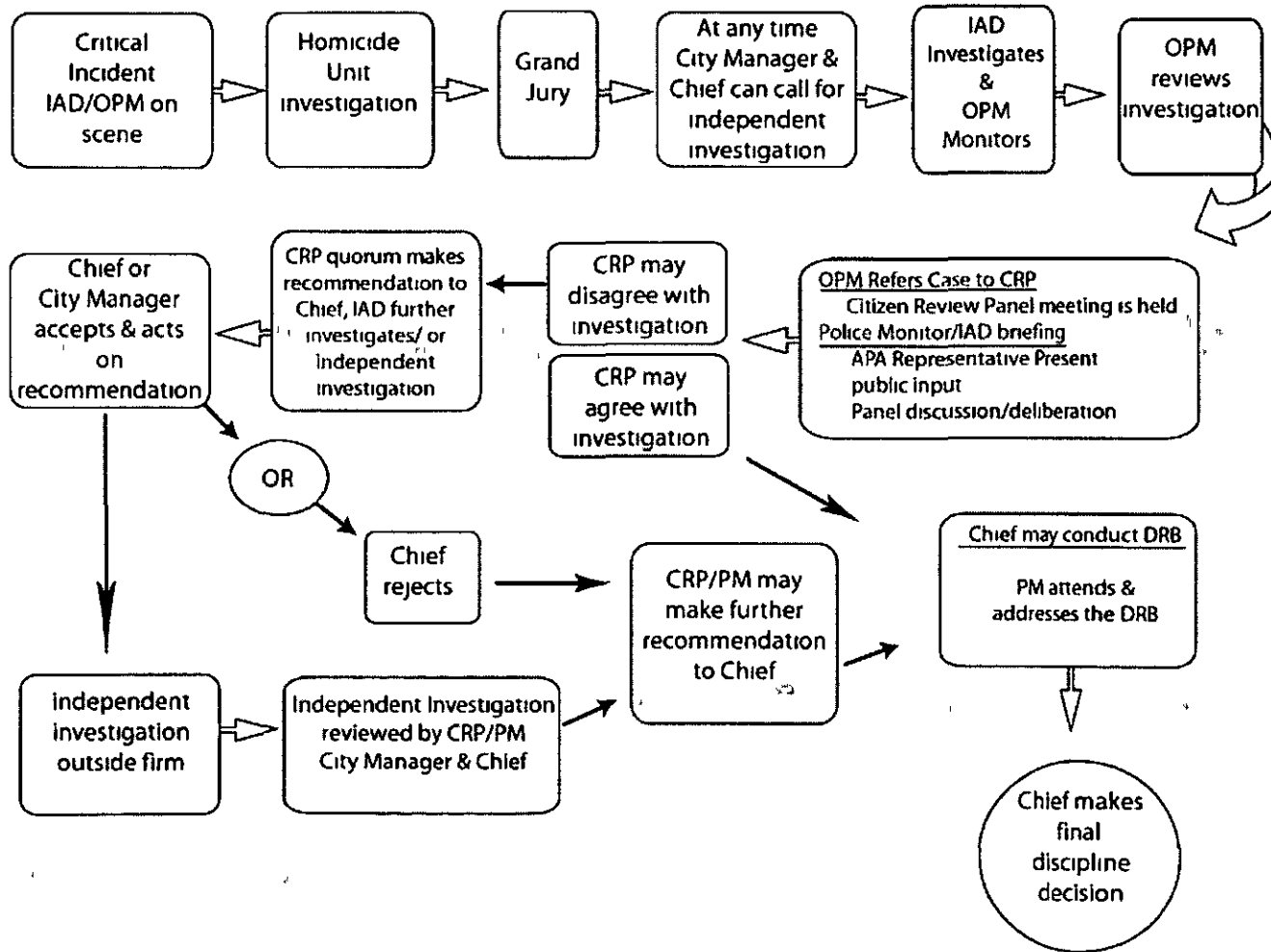
Complaint Process Flow Chart

Depending on the type of complaint filed, the cycle is 1 week to 180 days.



Critical Incident Process

Begins immediately with OPM responding to the scene of all critical incidents.



CRP	Citizen Review Panel
DRB	Disciplinary Review Board
IAD	Internal Affairs Division
PM	Police Monitor
APA	Austin Police Association

Oversight model

Austin is a hybrid model for citizen oversight of Police.

- Oversight can be conducted by:
 - Individual
 - Board or Commission
 - Hybrid
- Oversight agency can be:
 - Internal (within police department)
 - External (independent of police department)
- Oversight can involve:
 - Investigating
 - Monitoring
 - Hybrid (reviews IAD investigations but may also conduct other investigations and has power to compel evidence)

Comparisons of Oversight Model

There is no definitive evidence as to the effectiveness of any particular model.

Type of Model	Strengths	Weaknesses
Investigative Board	Can give complainant greater sense of participation and that decision is made outside PD	Much time/labor required of volunteer Board; if not skilled, staff may conduct poor investigations; may foster adversarial process
Monitoring Board	Can produce findings faster than investigative model, can provide more citizen input	Much time/labor required of volunteer Board, if not skilled, staff may not see deficiencies in IAD investigations, more vulnerable to being co-opted
Auditor with Board Powers	Can operate more flexibly than Board, allows for a broader mission	Depends on the skills and commitment of one person; public may want more than one person's oversight

Citizen Review Panel Responsibilities

CRP is the second prong to our oversight model allowing citizens to be intimately involved in oversight of APD.

- Serve for 2 years.
- Complete required training
- Attend monthly meetings to review complaints and make recommendations.
- Become educated in police policies and procedures.
- Become aware of the needs and interests of the community and police officers.
- Serve as a link between APD and the community.
- Confidentiality

Citizen Review Panel Training

Adequate and relevant training is critical to credible and impartial citizen oversight.

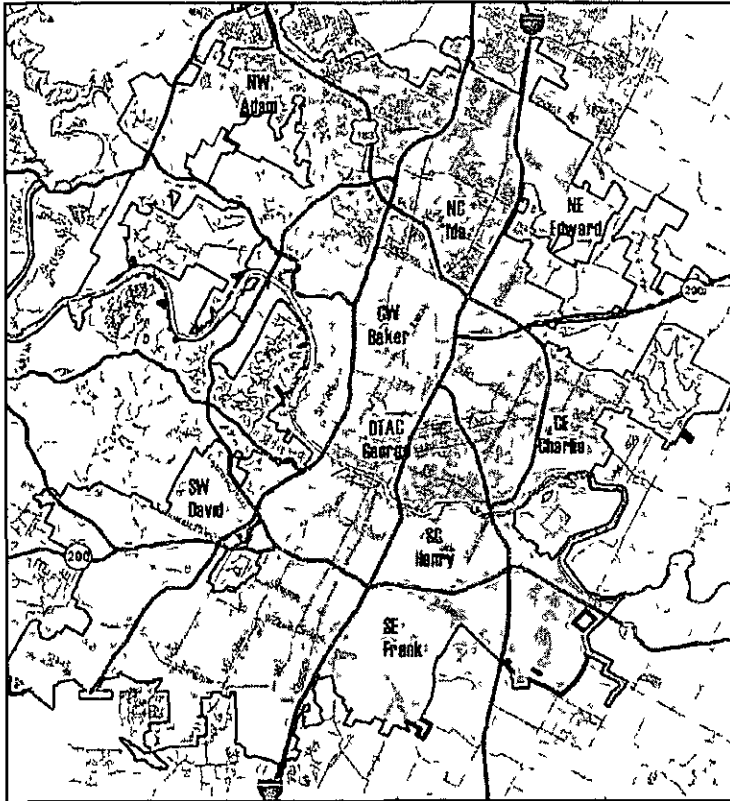
- 2-3 day training from parts of the Austin Police Academy
- 3-hour ride along in each of the 9 police area commands
- Meet with community groups and individuals about police oversight
- 6 hours of Internal Affairs training
- Attend Citizen Police Academy (11 weeks)
- 4-hour with walking beat officer in Downtown Area Command (DTAC) (Friday, Saturday evening or night shift)

Citizen Contacts

Continued increase in number of contacts due to improved accounting practices.

- What is a contact?
- Supervisory Inquiries have ranged from 259 to 306 between 2004 and present
- Formal complaints average about 340 per year over the same period
- On average more internals than externals are processed by IAD; the reverse is true for OPM

APD Area Commands



- DTAC continues to have the highest number of complaints over the past 3 years
- NE & CE have more Supervisory Inquiries then formal complaints
- These statistics do not reflect complaints filed in or against specialized units

Types of Allegations

- Most common internal and external allegations involve code of conduct
- Code of Conduct allegations include Impartial Attitude/ Compliance Required/Explanation to Persons
- Second most common allegations for Internal complaints is Use of Police Vehicles i.e. collisions

Case Classifications

- Internal cases appear to be classified A & B at significantly higher percentages than external cases
- OPM & IAD tend to have higher level of agreement rates in classification of A & B cases
- OPM & IAD tend to have less agreement in classification of C & D cases

Internal Affairs Allegation Recommendations

Significant difference in sustain rate of internal -v- external allegations.

- IAD recommended sustaining internal allegations at a rate of 56% to 74% between 2004 and first half of 2006
- IAD recommended sustaining external allegations at a rate of 8% to 17% between 2004 and first half of 2006
- OPM monitors this trend closely

Chief of Police Allegation Dispositions

The Chief is in agreement with the vast majority of IAD recommendations.

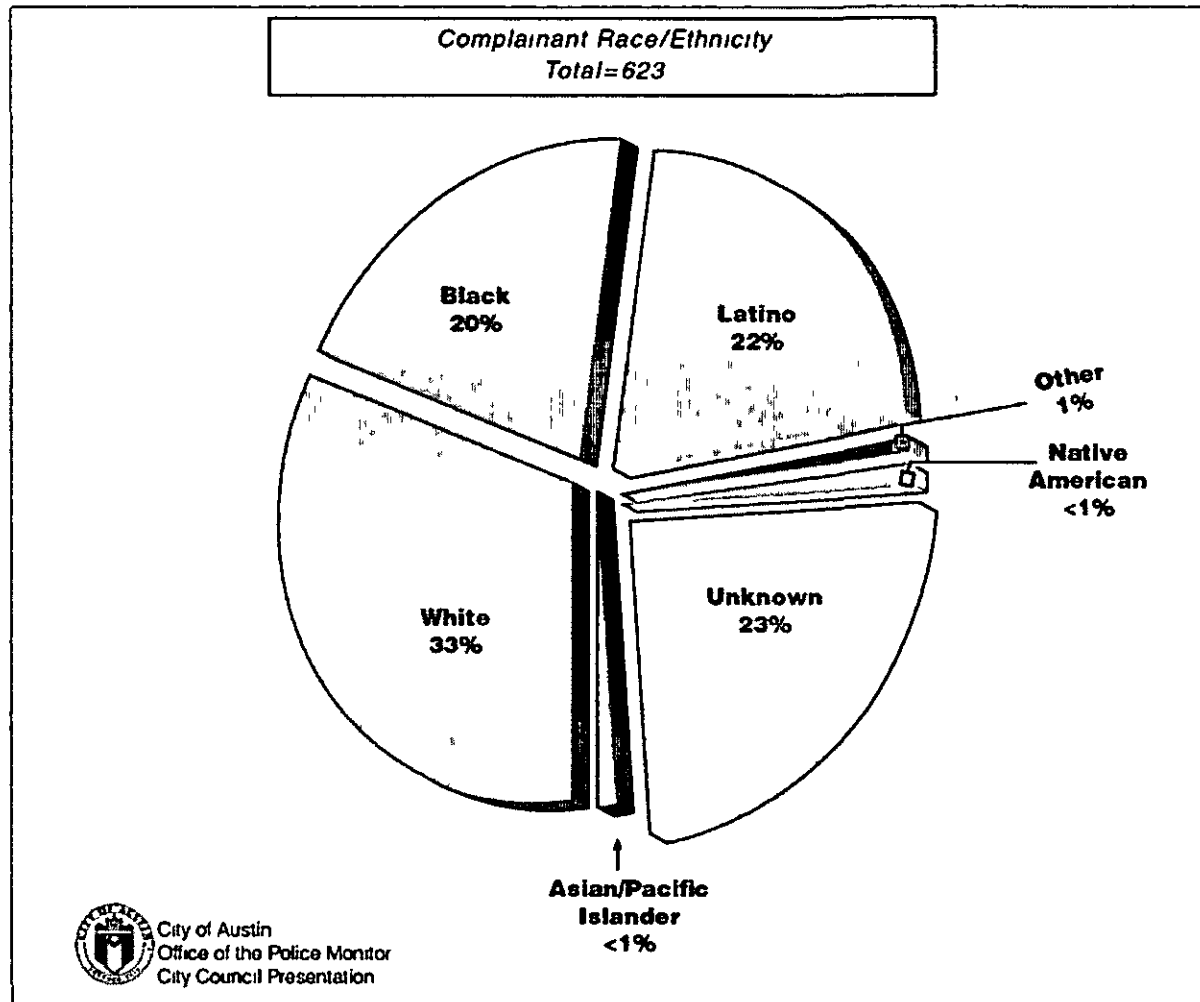
- Over the past 3 years the Chief has agreed with IAD recommendations on over 80% of allegations

- On rare occasions the Chief will make different decisions than IAD recommendations

- OPM generally agrees at a very high rate on sustained allegations

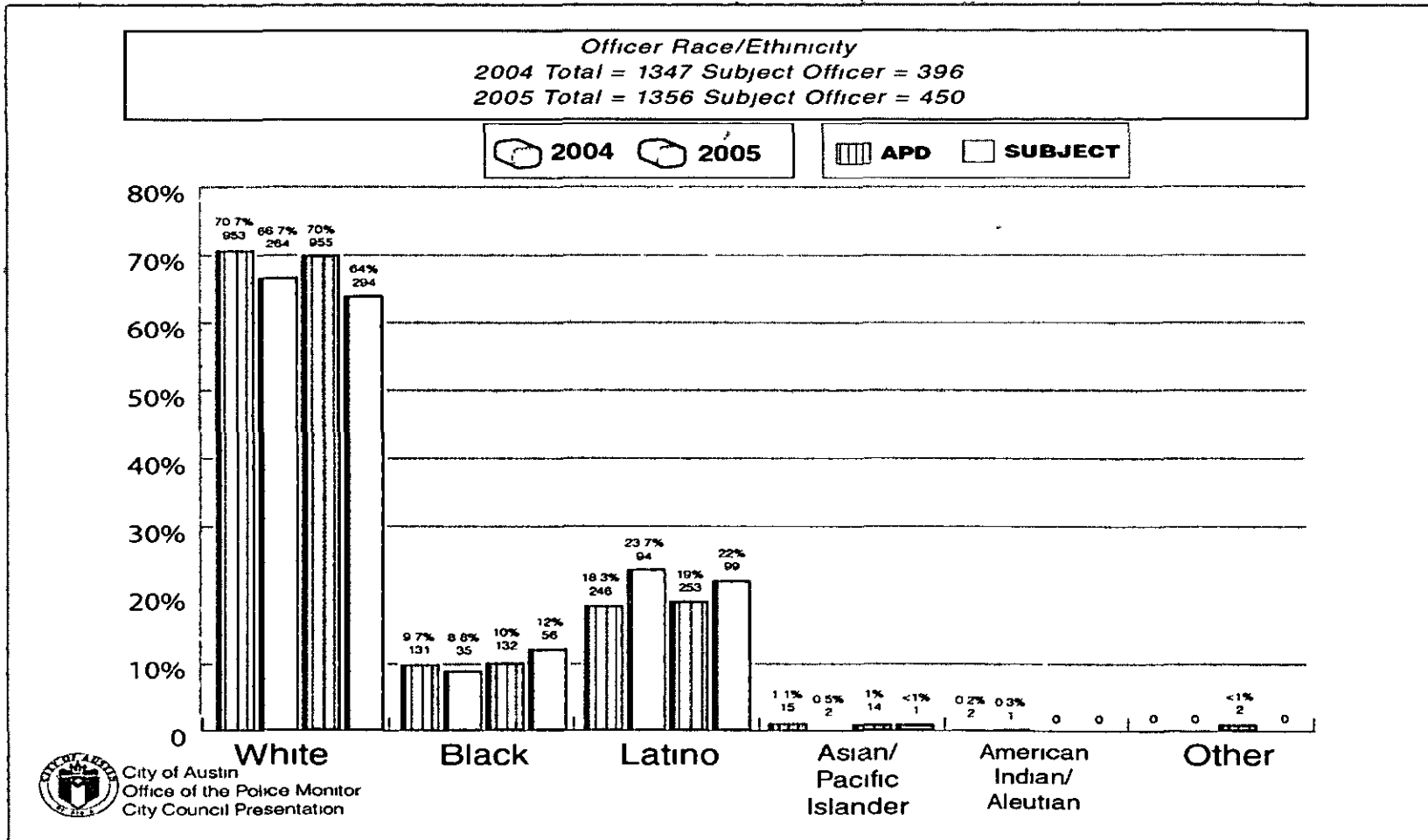
Complainant Demographics

OPM complainants represent diverse demographic backgrounds.



Officer Demographics

Race/ethnicity for subject officers differs somewhat from racial breakdown of all of APD.



Recommendation Categories

The OPM makes recommendations to APD on a regular basis.

- Case-specific recommendations (case re-classification, allegation re-classification, further investigation, independent investigation)
- Officer-specific recommendations (further training, counseling, disciplinary action)
- Policy and procedure recommendations
 - Public Intoxication training bulletin
 - TASER® use policy updates
 - Child Protective Services contact time
 - Mobile video recording

Outreach

Outreach is an integral element of the mission of oversight.

Goals:

- Promote basic agency awareness
- Provide transparency through reporting
- Brokering improved Police/Community relationships
- Education
- Soliciting community input and involvement



Conclusion

- The creation and growth of oversight agencies like OPM across this country have been a major innovation in U.S. law enforcement.
- It has truly allowed a previously closed process to be open and transparent, thus engendering public confidence and trust in the police.
- Our continued challenge as an organization is to seek innovative ways to continually measure our performance to ensure that we are operating effectively in carrying forth our mission and responsibility to all the citizens of Austin.

Key Contacts

<u>Name</u>	<u>Responsibility</u>	<u>Phone</u>	<u>Email</u>
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Questions?