

2007 Office of the Police Monitor City Council Presentation

Please refer to this addendum as a reference point for terminology and further explanation on the presented materials discussed by the OPM during this power point presentation

Administratively Closed – No allegations were made or misconduct discovered and /or complaint closed by a supervisor

Administrative Inquiry – No allegation of misconduct can be found but the matter is considered of concern to the public and/or the department

Allegation Dispositions:

Exonerated – The incident occurred but is considered lawful and proper

Inconclusive – There is insufficient evidence to prove/disprove the allegation

Sustained – The allegation is supported or misconduct discovered during investigation

Unfounded – The allegation is considered false or not factual

APA – Austin Police Association

APD – Austin Police Department

Case Classifications

“A” – Allegations are of a serious nature

“B” – Allegations are less serious violations of departmental policy, rules, and regulations

“C” – Allegations do not rise to the level of a policy violation, but contain a training or performance issue, allegations are initiated after a prolonged period of time, allegations are made against an officer who cannot be identified, allegations are of a less serious nature and the complainant refuses to cooperate

“D” – There is no allegation of misconduct by an officer

CRP- Citizen Review Panel – A seven member civilian volunteer panel that hears and reviews disputed IAD cases on a monthly basis and is tasked with making administrative policy recommendations or suggestions to APD

Code of Conduct

Compliance – knowing, understanding, complying with, and reporting violations of laws, ordinances, and governmental orders

Individual Responsibilities – dishonesty, acts bringing discredit to the department, police action when off duty, etc

Responsibility to the Community – courtesy, impartial attitude, duty to identify, etc

Responsibility to Co-workers – relations with co-workers, sexual harassment, etc

Complainant – Individual(s) contacting the OPM with the intention of filing a complaint

Contacts – Contacts include all individuals contacting the OPM with the intention of filing a complaint. During a consultation with a complaint specialist, the complainant is made aware of the complaints made available to him/her. Contacts can evolve into Supervisory Inquiries, Formal Complaints, or stay as a Contact meaning that the individual called with the intention of filing a complaint but the incident involved an agency other than APD, a matter best handled by the courts or another agency, does not meet the criteria outlined in APD's General Orders, Policies, and Procedures, the individual does not provide sufficient information for follow up, the individual is not available for follow up, or the individual fails to follow through with the complaint process.

Critical Incidents – An alleged use of force or other action by an APD officer that results in serious bodily injury or death, death in custody, or an officer involved shooting.

DRB – Disciplinary Review Board – Consists of the subject officer's chain of command and is utilized in the disciplinary process by conveying to the Chief their perspective on the sustained allegations in an IAD investigation prior to the Chief taking disciplinary action.

Formal Complaints – Complaints investigated by the Internal Affairs Division or IAD.

IAD – Internal Affairs Division – The APD unit that investigates allegations of administrative policy violations. IAD is the authority in classifying the complaint, applying General Orders violations, and recommending conclusive outcomes to investigations.

OPM – Office of the Police Monitor

PM - Police Monitor

Supervisory Inquiries – Informal complaints handled by the officer's supervisor within 30 days of the inquiry

Types of Contacts

| | 2004 | 2005 | 1/2 2006 |
|----------------------------------|------------|-------------|------------|
| Contacts | 12% (85) | 53% (685) | 62% (347) |
| Supervisory Inquiries | 42% (306) | 20% (259) | 23% (130) |
| Formal Complaints | 46% (340) | 27% (339) | 15% (84) |
| Internal | 64% (218) | 60% (204) | 25% (21) |
| External | 36% (122) | 40% (135) | 75% (63) |
| Total | 100% (731) | 100% (1283) | 100% (561) |

Raw numbers in parentheses

Most Common Allegations

| | 2004 | | 2005 | | 1/2-2006 | |
|---|----------|----------|----------|----------|----------|----------|
| | External | Internal | External | Internal | External | Internal |
| Code of Conduct | 126 | 119 | 156 | 128 | 54 | 24 |
| Use of Force and Duty Weapons | 42 | 13 | 41 | 23 | 16 | 7 |
| Interviews/Stops/Arrests/ Bookings/ Fugitive Warrants/ Care & Transport of Prisoners | 32 | 3 | 33 | ~ | 21 | 1 |
| Bias-Based Profiling/ Incident Reporting & Documentation | 13 | 1 | 15 | 4 | 6 | 1 |
| Preliminary, Follow-up, & Collision Investigations | 9 | 2 | 8 | 2 | 4 | |
| Police Vehicles/ Pursuit Policy/ Emergency Use of Vehicles | 2 | 23 | 6 | 137 | ~ | 3 |

Raw numbers in parentheses

~ zero cases documented

Case Classifications

| | 2004 | | 2005 | | 1/2 2006 | |
|----------------------|----------|-----------|----------|-----------|----------|----------|
| | External | Internal | External | Internal | External | Internal |
| A | 13% (16) | 19% (41) | 10% (14) | 16% (32) | 8% (5) | 62% (13) |
| OPM Agreement Rate | 93% | 93% | 93% | 97% | 100% | 92% |
| B | 44% (54) | 72% (156) | 44% (59) | 77% (158) | 33% (21) | 19% (4) |
| OPM Agreement Rate | 80% | 95% | 90% | 97% | 95% | 100% |
| C | 19% (23) | 1% (3) | 14% (19) | 1% (2) | 21% (13) | ~ |
| OPM Agreement Rate | 45% | 67% | 89% | 100% | 77% | ~ |
| D | 20% (24) | ~ | 31% (42) | 1% (2) | 37% (23) | 5% (1) |
| OPM Agreement Rate | 88% | ~ | 69% | 75% | 74% | 0% |
| Admin Inquiry | 4% (5) | 8% (18) | 1% (1) | 5% (10) | 1% (1) | 14% (3) |
| OPM Agreement Rate | 100% | 94% | 100% | 90% | 100% | 67% |

Raw numbers in parentheses ~ zero cases documented

IAD Allegation Recommendations

| | 2004 | | 2005 | | 1/2 2006 | |
|---------------------|----------|-----------|-----------|-----------|----------|----------|
| | External | Internal | External | Internal | External | Internal |
| Sustained | 8% (21) | 62% (126) | 17% (48) | 74% (238) | 16% (17) | 56% (23) |
| OPM Agreement Rate | 100% | 100% | 100% | 99% | 100% | 100% |
| Inconclusive | 11% (27) | 10% (19) | 16% (44) | 5% (17) | 6% (6) | 12% (5) |
| OPM Agreement Rate | 85% | 92% | 73% | 65% | 67% | 100% |
| Exonerated | 15% (37) | 3% (6) | 12% (32) | 2% (7) | 14% (15) | 2% (1) |
| OPM Agreement Rate | 92% | 80% | 47% | 57% | 67% | 0% |
| Unfounded | 35% (88) | 7% (14) | 17% (46) | 9% (30) | 13% (14) | 10% (4) |
| OPM Agreement Rate | 79% | 86% | 40% | 77% | 57% | 100% |
| Admin Closed | 31% (76) | 18% (37) | 38% (105) | 10% (33) | 51% (54) | 20% (8) |
| OPM Agreement Rate | 75% | 81% | 79% | 78% | 89% | 75% |

Raw numbers in parentheses

~ zero cases documented

Chief of Police Allegation Disposition

| | 2004 | | 2005 | | 1/2-2006 | |
|---------------------|----------|----------|----------|-----------|----------|----------|
| | External | Internal | External | Internal | External | Internal |
| Sustained | 82% (18) | 87% (94) | 65% (37) | 94% (212) | 76% (13) | 85% (17) |
| OPM Agreement Rate | 100% | 99% | 100% | 100% | 100% | 100% |
| Inconclusive | 14% (3) | 6% (7) | 9% (5) | 4% (8) | 6% (1) | 10% (2) |
| OPM Agreement Rate | 100% | 83% | 0% | 0% | 0% | 50% |
| Exonerate | ~ | 1% (1) | 5% (3) | 1% (3) | 12% (2) | ~ |
| OPM Agreement Rate | ~ | 100% | 0% | 67% | 50% | ~ |
| Unfounded | 4% (1) | 6% (6) | 4% (2) | ~ | ~ | 5% (1) |
| OPM Agreement Rate | 100% | 100% | ~ | ~ | ~ | 100% |
| Admin Closed | ~ | ~ | 17% (10) | 1% (2) | 6% (1) | ~ |
| OPM Agreement Rate | ~ | ~ | 0% | 0% | 0% | ~ |

Raw numbers in parentheses

~ zero cases documented