

# City of Manassas

## Police Department

### Office of Professional Standards

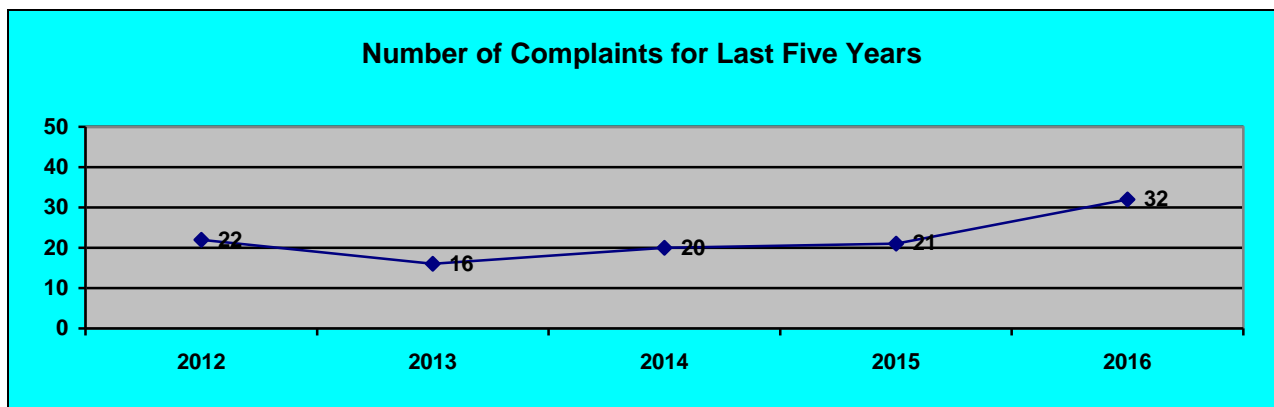
#### Memorandum



**TO:** Douglas W. Keen, Chief of Police  
**FROM:** Captain B.K. Larkin  
**DATE:** January 31, 2017  
**SUBJECT:** Complaint Summary Report for Calendar Year (CY) 2016  
CALEA Standard 52.1.5

The purpose of this report is to present a statistical summary and analysis of the complaints received and tracked by the Office of Professional Standards (OPS) in Calendar Year (CY) 2016. As complaints regarding the actions of Department members are received, they are tracked through the OPS from initiation to completion. In 2016, there were a total of 32 complaints made regarding the actions of 25 employees, all but three (3) were sworn members. Two officers had three (3) separate complaints, while two each had two (2); the rest had one (1) each. Of all the complaints, four (4) were made internally by other members of the department and the remainder from citizens outside the Department. This year's listing also show that two (2) sworn supervisors received one complaint and one (1) non-sworn Supervisor received one complaint the ended in resignation. .

In 2016, the Department responded to 54,462 calls for service. This gives a ratio of one (1) citizen generated complaint for every 1945 calls for service. Although this is a overall slightly higher rate of complaints as compared to the 2015 statistics (1:3130), the numbers are statistically comparable and do not suggest any troubling trends. These numbers essentially show that less than one (1) percent of calls for service result in a complaint. The chart below shows the number of complaints for the past five years. These numbers continue to be statistically low, which reflects favorably upon the Department and its members when dealing with the public.



## COMPLAINTS INVESTIGATED SUMMARY

	2012	2013	2014	2015	2016
Total Investigated	22	16	20	21	32
Total Sustained Complaints	8 (36%)	5 (31%)	7 (35%)	9 (42%)	7 (22%)
*Total Other Dispositions	14	11	13	12	25

\* This category includes all other findings such as exonerated, not sustained, unfounded or withdrawn.

The above chart shows the percentage of sustained complaints made against department members. This indicates that the complaint was sustained either completely or partially. **Example:** An officer may receive a complaint for excessive force and unprofessional conduct. A portion of the complaint can be sustained, while the other portion may receive a finding of exonerated. Of the 25 non-sustained complaints, five (5) were deemed *Unfounded*, meaning the evidence revealed that the alleged act never occurred, was not based on facts, or there was not a credible basis for a possible violation of policy. Of the remaining dispositions, ten (10) were *Exonerated* (accused acted reasonably, lawfully and properly) while the other nine (9) were *Not Sustained* (allegation could not be proven). There was one (1) disposition noting *Policy Failure* regarding K-9 procedures.

The percentage of complaints with a finding of a “Sustained” policy violation for 2016 is 22%. Of these complaints, two (2) was sustained against supervisors, three (3) against non-sworn members, and the remaining two (2) sustained complaints were against non-ranking sworn officers. The average of sustained complaints is fairly consistent with past years. Overall, the data does not indicate the existence of a complaint pattern or trend amongst department members for 2016. It should be noted however, that two (2) of the seven complaints sustained were against one officer. These complaints were for an accidental discharge and conduct unbecoming. It is noted that another sustained complaint resulted in a resignation and possible pending criminal charges.

## INVESTIGATION TYPE SUMMARY

There are three types of investigations that result from complaints. The type of investigation is determined by the manner in which the complaint is made and also the seriousness of the allegations to be investigated. The investigation types include the following: **Informal, Formal, and Internal Affairs**. Generally, the type and seriousness of the allegation(s) are determinants in the assignment of the investigator and investigation type.

The following table depicts a comparison of the percentage of each investigation type for the past five years.

Investigation Type	2012	2013	2014	2015	2016
<b>Informal</b>	45%	31%	50%	71%	72%
<b>Formal</b>	23%	25%	15%	19%	12%
<b>Internal Affairs</b>	32%	44%	35%	10%	16%

Informal and Formal investigations comprised 85% of all complaints for 2016. This indicates that a significant portion of the complaints received were deemed to be those of a less serious nature and did not meet the criteria for an Internal Affairs designated investigation. Most of these complaints involved performance of duty issues or allegations of unprofessional or unbecoming conduct. There were only 5 complaints classified as *Internal Affairs* investigations. Of these complaints, two (2) were sustained and the others deemed *Unfounded*. One sustained complaint was a bifurcated investigation which involved embezzlement/larceny. Criminal charges are declined by the Officer of the Commonwealth Attorney at this time. Prior to the finding and conclusion of the administrative investigation, the accused officer resigned from the agency.

**COMPLAINT RESOLUTION TIME**

The goal of all complaint investigations is to produce a thorough analysis of each incident in an expeditious fashion for the member, to allay the concerns of the citizen complainant, to address policy or training deficiencies identified as a result, and take appropriate disciplinary action when necessary. The resolution period of 30 days has been set as the goal for investigators handling these complaints. If the complaint cannot be handled within that time period, a request for extension must be made and authorized by the Chief of Police or his designee. The following chart is a five year breakdown of resolution times, shown by days.

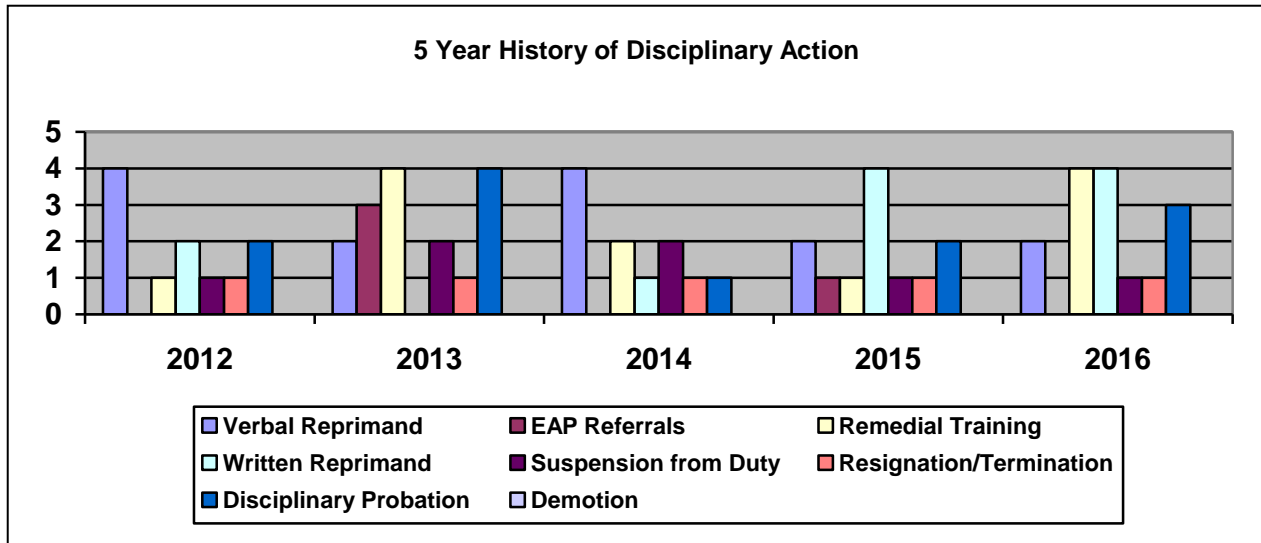
Resolution Time	2012	2013	2014	2015	2016
Longest	47	79	41	27	38
Shortest	1	1	1	1	1
Average	15	26	12	10	10

Once again, the average completion date for investigations was 10 days. There was one investigation that exceeded the 30 day expectation date, with the longest investigation completed in 38 days. The average rate of 10 days is less than half of the expected 30 days and indicates that investigators are completing their investigations in a timely and efficient manner. The Office of Professional Standards continues to monitor complaint resolution times by maintaining deliberate and frequent contact with investigators during the course of the investigations to ensure efficiency.

**DISCIPLINARY ACTION**

The disciplinary measures effected as a result of the investigation and conclusion of a sustained complaint can range from a verbal reprimand to dismissal and may include multiple measures applied against the same person. A progressive discipline approach combined with an Early Intervention Program and an Employee Assistance Program is in effect to enable the department to identify, monitor and assist employees as needed. The following charts below are a breakdown of all disciplinary measures that were taken within the past 5 years as result of internal investigations.

Disciplinary Action	2012	2013	2014	2015	2016
Verbal Reprimand	4	2	4	2	2
EAP Referrals	0	3	0	1	0
Remedial Training	1	4	2	1	4
Written Reprimand	2	0	1	4	4
Suspension from Duty	1	2	2	1	1
Resignation/Termination	1	0	1	1	1
Disciplinary Probation	2	4	1	2	3
Demotion	0	0	0	0	0



**SUMMARY**

In CY 2016, over half (77%) of the 32 complaints investigated were closed with a finding of Exonerated, Not Sustained, or Unfounded. Of all the investigations, where violations were sustained, the majority of the disciplinary action taken resulted in written reprimands. Three (3) of the complaints made were internally reported. This reflects favorably upon our continued ability to hold our members accountable for their behavior and conduct.

This analysis finds no negative trend or pattern in relation to misconduct and policy violations by members of this department. The few disciplinary measures taken were mostly progressive in nature with one (1) administrative leave with pay. These measures have promoted compliance and have lead to more positive outcomes. There were also no grievances filed as a result of any complaint investigation, which indicates that the investigations were conducted fairly with the appropriate disciplinary measures taken.

The Office of Professional Standards will continue to track complaints and monitor investigations to ensure fairness and strict adherence to policy. This office is also responsible in ensuring that citizens, as well as department members, have adequate channels of reporting member misconduct and initiating complaints.

This complaint summary also included a review of our complaint policy and reporting procedures. During this period, several changes were made to the form we utilized to document and track complaints. Additionally, a new form was created to better track administrative measures taken as a result of investigations of misconduct. These changes have made the process of documenting and tracking complaints more efficient. Our complaint policy, as outlined in General Order 1-09, continues to ensure that all complaints from citizens or other members of the department are fully investigated and documented accordingly.