

# East Bay Regional Park District Police Department



## 2010 Internal Affairs Statistical Report and Analysis of Early Warning System Report

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**Introduction:**

**East Bay Regional Park District Police Department  
2010 Internal Affairs Statistics**

**Introduction:** The Department of Public Safety conducts annual statistical summaries of internal affairs investigations that are made available to the public and agency employees. By providing this information we believe we are demonstrating that the East Bay Regional Park District holds its personnel accountable for their actions.

These findings are published annually and are posted on the East Bay Regional Park District's website. <http://www.ebparks.org/about/police/stats>. They are also available for review at Public Safety Headquarters, 17930 Lake Chabot Road, Castro Valley, CA 94546

**Annual Statistical Summary:**

The Police Department consists of 65 authorized sworn positions, and 31 civilian staff.

The East Bay Regional Park District's Department of Public Safety conducted 11 internal affairs investigation in the year 2010, six (6) were citizen initiated. Nine (5) allegations of misconduct were conducted by the Office of the Chief.

During 2010 there were 7,519 calls for service 5,199 citations issued, 633 arrests and 3,248 Field Interviews (contacts without arrests). Per the above stated work it was determined that the ratio of Internal Affairs investigations were within acceptable levels. A review of the amount and nature of the statistics found no trends or need for training.

**Early Warning Trends:**

One employee was the subject of more than one investigation in 2010. The Early Warning System was triggered and handled according to our policy.

**Conclusion of Fact:** A conclusion of fact was made for each investigation into alleged misconduct. All involved parties were notified via letter of the results of each investigation. Below is a description of the types of findings that can be determined from an internal affairs investigation.

**UNFOUNDED:** The investigation shows the alleged act(s) did not occur.

**EXONERATED:** The investigation concluded that the Officer's actions were lawful and proper.

**NOT-SUSTAINED:** The investigation was unable to prove or disprove yours or the officer's version of the incident

**SUSTAINED:** The allegations made in the complaint are supported by the investigation.

It is the responsibility of the Chief of Police to administer the internal affairs process. Complaints against the East Bay Regional Park District's Police Department are received in one of two ways. Citizen initiated complaints (CC's) are the result of a complaint from a member or members of the public. Department initiated investigations (IA's) are the result of Department personnel alleging a violation of our policy manual and or misconduct against another member of the Department. In the Year 2010, 55% of complaints (total of 6) were citizen initiated. While 45% were Department initiated investigations (total of 5).

<b>Incident</b>	<b>Division</b>	<b>Complaint</b>	<b>Finding</b>
CC 10-01	Police	1) Discrimination	Exonerated
CC 10-02	Police	1)Discourteous Treatment	Unfounded
CC 10-03	Police	1)Discourteous Treatment	Unfounded
CC 10-04	Police	1)Discourteous Treatment	Unfounded
CC 10-05	Police	1)Discourteous Treatment	Unfounded
CC 10-06	Police	1)Discourteous Treatment	Unfounded
IA 10-01	Police	1)Conduct that reflects unfavorably upon the Dept.	Exonerated
IA 10-03	Police	1)Discourteous Treatment	Sustained
IA 10-05	Police	1)Inexcusable Absence 2)Falsification of work records 3)Failure to Report to work	Exonerated
IA 10-08	Police	1)Excessive Force	Not Sustained
IA 10-09	Police	1)Insubordination 2)Discrimination	Complaint Dropped

\*IA 10-02, IA 10-04, IA 10-06, IA 10-07 are Fire Department IA's.

## Internal Affairs Investigations by Year

	2009		2010	
	# of Complaints	# of Allegations	# of Complaints	# of Allegations
Department Initiated	0	0	5	8
Citizen Initiated	7	10*	6	6*
Total:	7	10	11	14

\*Reflects the number of allegations within complaints. There were a total of 11 complaint investigations in 2010

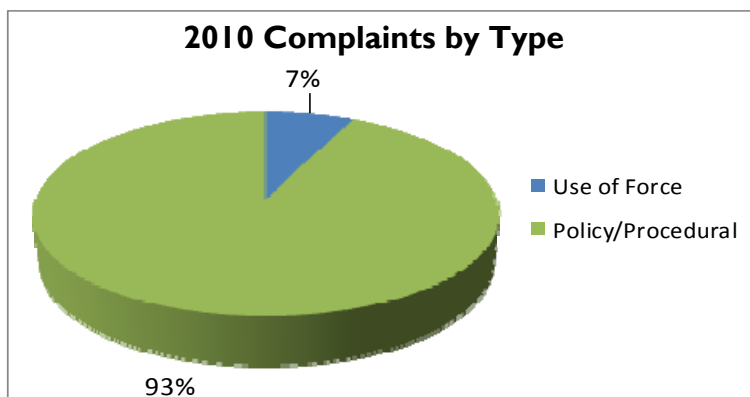
The above results show that there was an increase in department initiated complaints between the years 2009-2010. Citizen initiated complaints decreased by one.

## Types of Investigations by Allegation

Type of Allegation	Year		% of Investigations by Type	
	2009	2010	2009	2010
Use of Force	2	1	20	7
Courtesy/Conduct	0	0	0	0
Policy/Procedural	8	13	80	93
Total:	10	14	100	100

The Use of Force according to our policy manual is defined as:

- a) The application of Force occurs to have caused physical injury
- b) The individual has expressed a complaint of pain
- c) Any application of a control device
- d) The individual has been rendered unconscious



## Disposition of Closed Cases

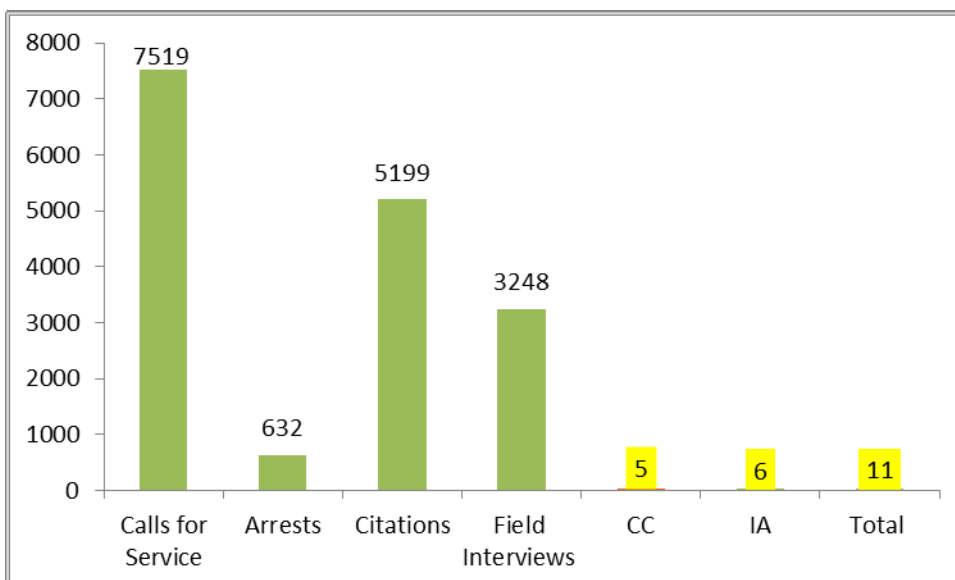
Disposition	Year		% of Dispositions by Type	
	2009	2010	2009	2010
Sustained	0	1	0	10
Not Sustained	1	1	10	10
Exonerated	6	3	60	30
Unfounded	2	5	20	50
Allegations Pending	0	0	0	0
No findings determined	1	0	10	0
<b>Total:</b>	<b>10</b>	<b>10</b>	<b>100</b>	<b>100</b>

\*In 2010 case number IA 10-09 containing two allegations was withdrawn by the complainant leaving no findings determined.

2010 Department Activity			
Calls for Service	Arrests	Citations	Field Interviews
7519	632	5199	3248

The chart to the left & graph below depicts a comparison of overall department activity vs. complaints against our agency. The purpose of this data is to show the intensity of department workload compared to the number of complaints received. No trends were identified.

### 2010 Complaints Vs. Dept. Activity



**Recommendations/Conclusions:**

Upon reviewing all complaints submitted for 2010, for patterns or trends that could be predictive or could indicate training needs and/or policy modification needs, it has been determined that no changes need to be made. All employees have been appropriately disciplined where necessary and no further action was required. The investigative files are confidential per Ca. Penal Code 832.7 and are maintained in a secure file in the Office of the Chief of Police.

The Department's purge criteria is five years for Citizen's Complaints and two years for Internal Affairs Investigations. Files are purged to comply with this criteria. Sustained findings resulting in discipline are maintained in the individual's personnel file indefinitely.