

East Bay Regional Park District Police Department



2014 Internal Affairs Statistical Report

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Introduction:

**East Bay Regional Park District Police Department
2014 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 63 authorized sworn positions, and 28 authorized civilian staff.

The East Bay Regional Park District's Department of Public Safety conducted six (6) internal affairs investigation in the year 2014, four (4) were citizen initiated and two (2) investigations of misconduct were conducted by the Office of the Chief.

During 2014 there were 8,125 calls for service 4,075 citations issued, 372 arrests and 3,650 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 sergeant was the subject of more than one complaint investigation in 2014. Both investigations were unfounded. Supervisor's reviewed the investigation files per the Personnel Early Warning System and found no need for intervention.

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 2014, 66% of complaints (total of 4) were citizen initiated, while 33% were Department initiated investigations (total of 2).

Incident	Division	Complaint	Finding
IA 14-01	Police	1) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments	1) Withdrawn
IA14-02	Police	1) Surreptitiously record another department member without a court order 2) Prohibited use of recorders 3) Violating any misdemeanor statute	1) Not Sustained 2) Not Sustained 3) Not Sustained
CC 14-01	Police	1) Unauthorized possession of, loss of or damage to department property or property of others 2) Unauthorized possession of, loss of or damage to department property or property of others	1) Unfounded 2) Unfounded
CC 14-02	Police	1) Unauthorized possession of, loss of or damage to department property or property of others	1) Unfounded
CC 14-03	Police	1) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department	1) Withdrawn
CC 14-04	Police	1) Any on or off-duty conduct which an employee knows or reasonably should know is unbecoming a member of the Department	1) Unfounded

Internal Affairs Investigations by Year

	2013		2014	
	# of Complaints	# of Allegations	# of Complaints	# of Allegations
Department Initiated	1	1	2	3
Citizen Initiated	1	2	4	5
Total:	2	3*	6	8*

*Reflects the number of allegations within complaints. There were a total of 2 complaint investigations in 2013 and six complaint investigations in 2014.

The above numbers show that in 2013 (2) formal complaints were received, compared to (6) formal complaints received in 2014. Although this is an increase in complaints in 2014, of the complaints received, none of them resulted in sustained findings.

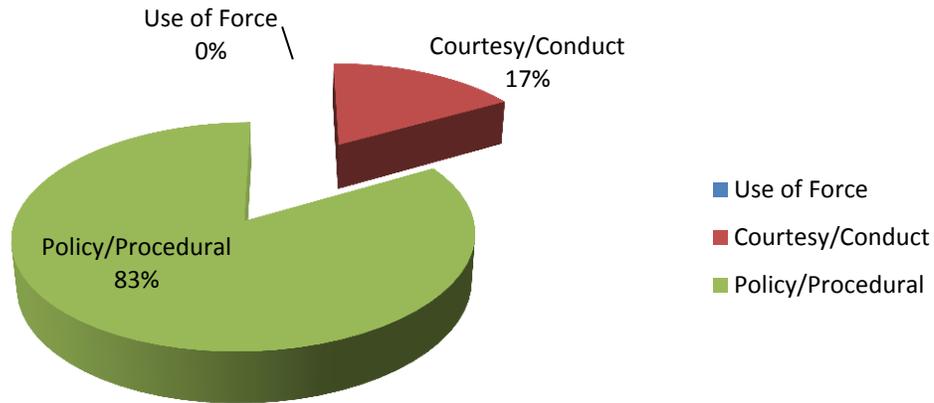
Types of Investigations by Allegation

Type of Allegation	Year		% of Investigations by Type	
	2013	2014	2013	2014
Use of Force	1	0	34	0
Courtesy/Conduct	0	1	0	17
Policy/Procedural	2	5	66	83
Total:	3	6	100	100

The Use of Force application is defined by our policy manual as:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of an EMDT or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, belly chains, or wrap.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) Resulted in a K9 bite.
- (j) Any type of chemical agent was used.
- (k) Any type of impact weapon was used.
- (l) The Carotid Control was used.
- (m) Any method of take down was used which has the potential to have caused physical injury.
- (n) An individual alleges any of the above has occurred.

2014 Allegations by Type

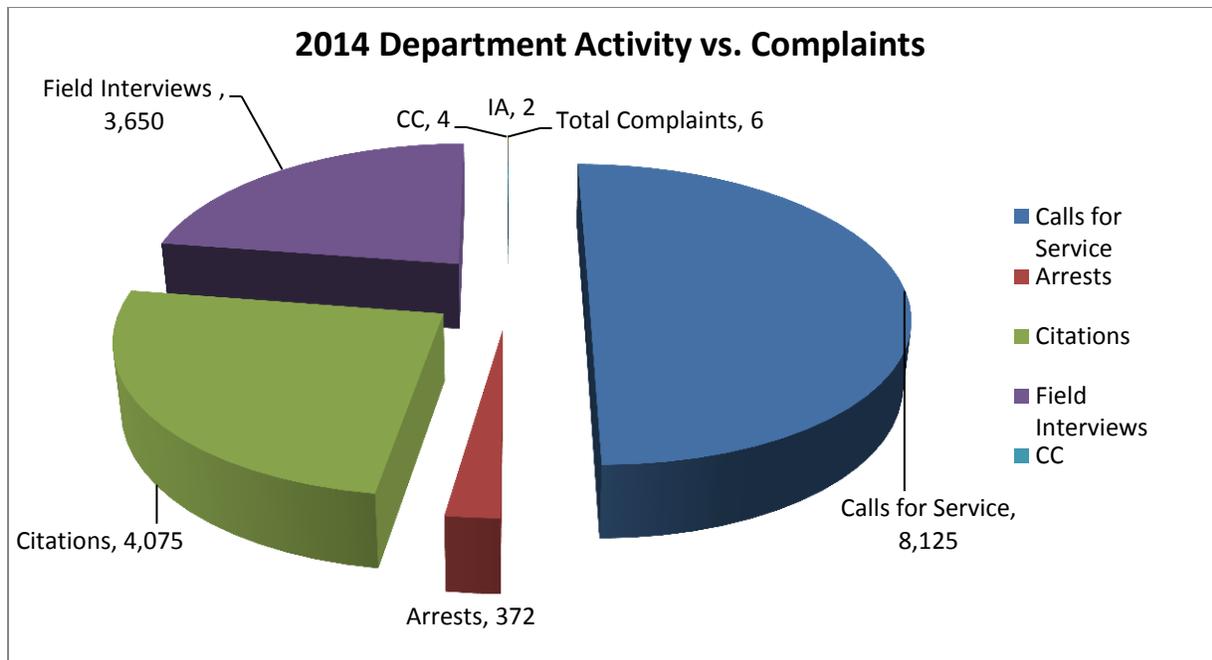


Disposition of Closed Cases

Disposition	Year		% of Dispositions by Type	
	2013	2014	2013	2014
Sustained	2	0	67%	0
Not Sustained	0	3	0	38%
Exonerated	1	0	33%	0
Unfounded	0	4	0	50%
Allegations Pending	0	0	0	0%
No Findings/Case Withdrawn	0	1	0	12%
Total:	3	8	100%	100%

2014 Department Activity			
Calls for Service	Arrests	Citations	Field Interviews
8,125	372	4,075	3,650

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.



Recommendations/Conclusions:

Upon reviewing all complaints submitted for 2014, 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. One employee was the subject of more than one complaint in the year 2014. However, no indications or patterns of misconduct were determined in both of the complaint investigations. 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 criterion is five years for Citizen's Complaints and two years for Internal Affairs Investigations. Files are purged to comply with this criterion.