

**SALT LAKE CITY POLICE CIVILIAN REVIEW BOARD**

**QUARTERLY REPORT**

**December 31, 2008**

Previous cases completed through September 30, 2008:

**C 2008-0088**

Allegation: Use of Force

Panel's Recommendation: Unfounded  
SLCPD Finding: Not Sustained

**C 2008-0112**

Allegation(s): Use of Force; Profanity

Panel's Recommendation: Exonerated; Unfounded  
SLCPD Finding: Not Sustained; Not Sustained

**C 2008-0114**

Allegation(s): Contacts; Use of Force

Panel's Recommendation: Sustained; Sustained  
SLCPD Finding: Sustained; Sustained

**C 2008-0119**

Allegation: Use of Force

Panel's Recommendation: Unfounded  
SLCPD Finding: Not Sustained

**C 2008-0124**

Allegation(s): Excessive Force; Illegal Search

Panel's Recommendation: Exonerated; Sustained  
SLCPD Finding: Not Sustained; Sustained

**C 2008-0156**

Allegation: Excessive Force

Panel's Recommendation: Exonerated  
SLCPD Finding: Not Sustained

**C 2008-0159**

Allegation: Excessive Force

Panel's Recommendation: Unfounded  
SLCPD Finding: Non Sustained

**C 2008-0171**

Allegation(s): Unreasonable Use of Force; Inconsiderate Contacts

Panel's Recommendation: Exonerated; Exonerated  
SLCPD Finding: Not Sustained; Not Sustained

**C 2008-0198**

Allegation: Excessive Force

Panel's Recommendation: Exonerated  
SLCPD Finding: Not Sustained

**C 2008-0205**

Allegation: Excessive Force

Panel's Recommendation: Exonerated  
SLCPD Finding: Not Sustained

**C 2008-0218**

Allegation: Inappropriate Force; Excessive Force

Panel's Recommendation: Exonerated; Unfounded  
SLCPD Finding: Not Sustained; Not Sustained

**C 2008-0236**

Allegation: Excessive Force

Panel's Recommendation: Unfounded  
SLCPD Finding: Not Sustained

**4<sup>th</sup> Quarter Panel Cases**

**C2008-0201**

Allegation: Conduct Unbecoming  
Failure to Submit a Police Report  
Failure to Submit a Follow Up Report

Panel's Recommendation: Sustained; Sustained; Sustained  
SLCPD Finding: Subject officer retired and surrendered his police  
Certification to POST

**C2008-0245**

Allegation: Inappropriate Use of Force

Panel's Recommendation: No Determination is Possible

SLCPD Finding: Not Sustained  
NDI issued for improper documentation

**C2008-0262**

Allegation: Excessive Force

Panel's Recommendation: Exonerated

SLCPD Finding: Not Sustained

**C2008-0269**

Allegation: Improper Use of Force

Panel's Recommendation: Exonerated

SLCPD Finding: Not Sustained  
NDI issued for Police Expectations

**C2008-0289**

Allegation: Excessive Force

Panel's Recommendation: Exonerated

SLCPD Finding: Not Sustained

**C2008-0301**

Allegation: Excessive Force

Panel's Recommendation: Exonerated

SLCPD Finding: Not Sustained

**C2008-0304**

Allegations: Excessive Force

Panel's Recommendation: Exonerated

SLCPD Finding: Not Sustained  
NDI issued for Police Expectations

### **Trends/Issues Identified and Relayed to the Police Department**

-In three of the seven cases reviewed this quarter, ancillary issues were identified by PCRB and those concerns were included in the text of the panel's findings, on the underlying case. Most of these issues raised and identified are minor in nature and deal more with interpersonal skills and/or an apparent option that was not exercised by the officer. The Chief of Police resultantly issued NDI's, a written instruction, to either provide guidance to the officer(s), mandate training to the officer(s) or to address a minor issue that does not normally rise to the point of review of PCRB but was examined in the course of investigating the more significant allegation. PCRB is very pleased with this course of action as it not only addresses additional actions of officers but serves the citizens well in knowing even minor transgressions or oversights are being examined and corrected.

-In reviewing all IA allegations for the year, PCRB is pleased to note that the SLCPD disciplines and/or mandates training in many matters that do not rise to the level of review by the Board itself.

-PCRB is very pleased with the openness and flexibility of the Internal Affairs Unit while collaboratively conducting these investigations. The Administrator reports that a complete air of openness exists that extends from an open file policy in each and every matter being considered by PCRB to the scheduling of every interview. The leadership of the IA unit itself is dedicated to this policy of openness while the actual IA investigators have proven to be highly skilled and adaptable to changing situations. This situation is not only helpful to PCRB in completing their mandated duties but serves the citizens of SLC well in knowing that their Police Department takes each and every complaint filed seriously.

**Internal Affairs Cases  
October 1 – December 31, 2008**

**25 Vehicle accidents**  
**0 Intelligence case**  
**3 Pursuits**  
**0 Firearms: dog shot during search warrant; deer put down**  
**66 IA cases**

**Dispositions: AD: Administratively Declined**

**PO: Polled the PCRB**

**PA: PCRB Panel Held**

<b>File #</b>	<b>Category</b>	<b>Sworn Y / N</b>	<b>Use of Force Y / N</b>	<b>Disposition</b>	<b>Status</b>	<b>Summary</b>
C2008-0264	1	N	N	A/D	Sustained	Improper Records Check. Employee ran several unauthorized driver's license queries on Department employees and non-employees
0265	2	Y	N	A/D	Not sustained	Driving habits.
0266	2	N	N	A/D	Exonerated	Driving habits.
0267	M-file	Y	N	A/D	Closed – resolved by Division	Driving habits.
0268	1	N	N	A/D	Pending	Citizen complaint; Victim Advocate was not truthful on police reports and did not perform her duties.
0269	1	Y	Y	PA	Exonerated	Citizen complaint; LDS Hospital staff reported citizen claimed police used excessive force.
0270	M-file	Y	N	A/D	NDI	Citizen complaint; Officer used profanity to 13 year olds.
0271	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; officer was rude
0272	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; officer was rude.
0273	M-file	Y	N	A/D	NDI	Police violation – overtime use
0274	M-file	Y	N	A/D	Closed – information only	Citizen complaint; unhappy w/ Shopko security personnel.
0275	M-file	Y	N	A/D	Closed – information	Citizen complaint; complainant did not follow

<b>File #</b>	<b>Category</b>	<b>Sworn Y / N</b>	<b>Use of Force Y / N</b>	<b>Disposition</b>	<b>Status</b>	<b>Summary</b>
					only	through with complaint.
0276	M-file	Y	N	A/D	Closed – information only	Protective order issued, resulting in employee being placed on administrative leave.
0277	M-file	Y	N	A/D	Closed – information only	Citizen complaint; unhappy with handling of case.
0278	M-file	Y	Y	A/D	Closed – information only	Citizen complaint; inappropriate force used by officer
0279	M-file	Y	N	A/D	Closed – information only	Citizen complaint; allegation of improper conduct, wanted nothing done.
0280	M-file	Y	N	A/D	NDI	Officer failed to appear in court.
0281	M-file	N	N	A/D	Closed – information	Citizen complaint against 7-11 store clerk – referred to Prosecutor.
0282	2	Y	N	A/D	Unfounded	Citizen complaint; inconsiderate contact – use of profanity.
0283	1	Y	Y	PO	Exonerated	Citizen complaint; officer used excessive force and failed to write accurate report.
0284	1	Y	N	A/D	Sustained	Failure to secure evidence.
0285	1	N	N	A/D	Sustained	Improper contact and records checks by employee
0286	M-file	N	N	A/D	Closed – information only	Truthfulness allegation. Employee being investigated for similar allegations under separate IA case.
0287	1	Y	N	A/D	Pending	Citizen complaint; improper release of information by officer.
0288	M-file	N	N	A/D	Closed – revolved by Division	Citizen complaint; driving habits – failure to stop at crosswalk
0289	1	Y	Y	PA	Exonerated	Citizen complaint; inappropriate force used by officers.
0290	M-file	Y	N	A/D	Closed – information only	Citizen complaint; traffic ticket issued without cause.
0291	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; inconsiderate contact, rudeness.

<b>File #</b>	<b>Category</b>	<b>Sworn Y / N</b>	<b>Use of Force Y / N</b>	<b>Disposition</b>	<b>Status</b>	<b>Summary</b>
0292	1	Y	Y	PO	Exonerated	Citizen complainant; officers used excessive force during arrest.
0293	2	Y	N	A/D	Exonerated	Citizen complaint; allegation of abuse of power for impounding vehicle.
0294	M-file	Y	N	A/D	NDI	Officer failed to report to work and inform supervisor.
0295	M-file	N	N	A/D	NDI	Improper records check by employee.
0296	2	Y	N	A/D	Exonerated	Citizen complaint; officer inconsiderate by visiting home to follow up on police pursuit case.
0297	M-file	Y	N	A/D	Closed – information only	Notice of Claim illegible. Could not follow up.
0298	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; failure to perform duty alleged re traffic accident
0299	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; inconsiderate contact – racial profiling
0300	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; missing property not listed on inventory of vehicle.
0301	1	Y	Y	PA	Exonerated	Citizen complaint; excessive force used by officer during arrest.
0302	1	Y	N	ONGOING, PANEL SCHEDULED	ONGOING	Citizen complaint; civil rights violation and excessive use of force by officers
0303	M-file	Y	N	A/D	Closed – information only	Citizen complaint; officer falsified report
0304	1	Y	Y	PA	Unfounded	Citizen complaint; allegation of excessive force used by security guard or police officer.
0305	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; officers damaged property and made false statements.
0306	2	Y	N	A/D	Pending	Citizen complaint; officers disrespectful and rude.
0307	M-file	Y	N	A/D	Closed – information	Citizen complaint; improper arrest – unable to contact complainant for f/u

File #	Category	Sworn Y / N	Use of Force Y / N	Disposition	Status	Summary
0308	M-file	Y	N	A/D	Pending	Citizen complaint; driving habits – speeding
0309	1	Y	Y	PO	Exonerated	Citizen complaint; excessive force used by officer in effecting arrest, and sodomy allegation.
0310	1	Y	Y	ONGOING, PANEL SCHEDULED	ONGOING	Citizen complaint; inappropriate force used by officers against complainant's son; mishandling of property.
0311	M-file	Y	N	A/D	Closed – information only	Citizen complaint; upset with citation issued by officer.
0312	1	N	N	A/D	Pending	Allegation of improper release of confidential information.
0313	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; officer's girlfriend/ex-wife alleges officer involved in altercation while off-duty
0314	1	Y	N	A/D	Unfounded	Citizen complaint; officer using steroids during relationship from 2003 to present.
0315	M-file	Y	N	A/D	Closed – information only	Citizen complaint; officer failed to take action in investigation of alleged assault.
0316	M-file	N	N	A/D	NDI	Employee did not have leave and took time off without pay.
0317	M-file	N	N	A/D	NDI	Employee involved in verbal argument with another employee.
0318	1	Y	Y	ONGOING	ONGOING	Citizen complaint: Officers Tasered him while he was handcuffed.
0319	M-file	Y	N	A/D	Pending	Citizen complaint; driving habits – failure to yield to pedestrian in crosswalk.
0320	2	Y	N	A/D	Pending	Citizen complaint; driving habits – speeding, following too close
0321	M-file	Y	N	A/D	Closed – information only	Citizen complaint; individual upset that arrest of an individual was not made.
0322	1	Y	N	A/D, Linked to 0314 as a series of mult. Complaints by an	Not sustained	Citizen complaint; officer fired gun in air during altercation while off duty; had sex in uniform in



File #	Category	Sworn Y / N	Use of Force Y / N	Disposition	Status	Summary
				ex-wife, no citizen complaint from a victim		marked police car while off duty.
0323	M-file	Y	N	A/D	Closed – resolved by Division	Citizen complaint; inconsiderate contact during traffic stop, involving radar gun.
0324	2	Y	N	A/D	Pending	Citizen complaint; Inconsiderate contact – derogatory language and cuffs too tight
0325	2	Y	N	A/D	Pending	Officer en route to dispatched call and responded to separate incident involving his father.
0326	2	Y	N	A/D	Pending	Citizen complaint; inconsiderate contact – officer rude
0327	1	Y	N	A/D	Pending	Failure to take appropriate action regarding allegation.
0328	1	Y	Y	ONGOING, PANEL PLANNED	ONGOING	Citizen complaint; inappropriate force and improper search
0329	1	Y	Y	ONGOING, PANEL PLANNED	ONGOING	Citizen complaint; inappropriate force while in handcuffs.
0330	M-file	Y	N	A/D	Closed – information only	Citizen complaint; upset that other driver not cited in traffic incident.

### **OVERVIEW OF IA MATTERS (4<sup>th</sup> Quarter)**

#### 94 Total IA Matters

-28 Administrative (Pursuits, Vehicle Accidents, Weapons Discharges, Intel)

-66 IA Cases

--Cat I: 18

---12 allege “Use of Force”

--Cat II: 10

--M-Files: 38

#### Personnel Involved

-56 Sworn

--Driving habits and rudeness are the most common complaints.

-10 Non-Sworn

--Miscellaneous work issues, improper record checks

## **OVERVIEW OF IA MATTERS 2008**

### 437 Total IA Matters

-108 Administrative

-329 IA Cases

--Cat I 72

--Cat II 68

--M-Files 189

### Personnel Involved

-Undetermined 2

-Sworn 276

-Non-Sworn 51

### “Use of Force” Allegations

-40

-9.1% of IA Matters (below national/international reporting norms)