

**SALT LAKE CITY POLICE CIVILIAN REVIEW BOARD
4th QUARTERLY REPORT 2014**

January 22, 2015

PANELS

Panels initiated in the 1st quarter with case numbers included in that chart:

C2013-0031

Allegation: Evidence Mishandling/Failure to Adhere to Policy
Panel Recommend: No Determination is Possible/Unfounded
SLCPD Finding: Pending

C2014-0010

Allegation: S - Mishandled Evidence, S1 - Mishandled Evidence
Panel Recommend: S – No Determination is Possible, S1 - Sustained
SLCPD Finding: Pending

Panels initiated in the 2nd quarter with case numbers included in that chart:

C2014-0042

Allegation: S - Improper Use of Force, W5/W6 – Failure to Report Misconduct
Panel Recommend: S – Sustained, W5/W6 - Sustained
SLCPD Finding: Pending

Panels initiated in the 3rd quarter with case numbers included in that chart:

C2014-0056

Allegation: Conduct Unbecoming
Panel Recommend: Sustained
SLCPD Finding: Sustained

C2014-0076

Allegation: Conduct Unbecoming

Panel Recommend: Sustained

SLCPD Finding: Pending

C2014-0083

Allegation: Improper Use of Force

Panel Recommend: Exonerated

SLCPD Finding: Not Sustained

S2014-0008

Allegation: OIS-Person: Fatal

Panel Recommend: Exonerated

SLCPD Finding: Pending

Trends/Issues Identified and Relayed to the Police Department

In the previous Quarterly Report, CRB relayed three items of concern to the SLCPD. As a matter of follow up on these items, the following was determined:

In addition to specialized unit training, the SLC police department conducts general training for sworn police officers three times a year as part of Utah POST mandated “in-service” training. In the Sept – December training window, officers were exposed to a 3-hour training block presented by the Internal Affairs Unit. The training focused on police officer encounters with dogs, the duty of police officers to report misconduct, and trends in disciplinary matters to include the confidential nature of IA investigations.

A review of all IA complaints did not reveal any trends related to individual officers. However, CRB is requesting that the SLCPD review its policy concerning the primary officer waving off the assigned back-up officer prior to arrival at the location of the call and situations where an officer engages with a suspect before the back-up arrives.

By way of example, an ongoing review of a “use of force complaint” demonstrates via body camera two officers responding to a call at a convenience store. The suspect ran from the first officer who was attempting to handcuff him but sprinted directly into the back-up officer was just entering the store. The suspect was easily caught and as his allegation of unreasonable force is being reviewed; the two officer cameras captured and recorded the incident, negating the need to even interview the officers.

CRB understands that on many calls dispatch protocol mandates that dispatchers assign two officers based upon SLCPD policy and a general risk assessment. Some

officers routinely “cancel the back” by advising Dispatch that they don’t want the “back” by saying something like “...cancel the back, I will advise...” indicating that they don’t need a second officer but will “advise” dispatch once at the scene if they think they will. CRB recognizes that in some cases, due to call volume, back-up officers may not be available but in many cases, perhaps even most cases, a nearby second officer can arrive at the scene and help in the initial assessment of the situation. Since the policy manual already requires at least two officers dispatched to many calls, CRB can point out that by having two officers on these types of calls has many benefits. CRB believes that two officers initially responding to serious calls can increase the tactical advantage of the officers and thereby decrease the number of physical encounters that sometimes ensue. It also gives a second set of eyes on the situation as well as two recordings of the incident, if the incident were to take a bad turn. CRB points out that this use of officer discretion, to wave off the back-up officer, is generally done as a benefit to the assigned back-up officer by not requiring them to leave their assigned beat area, only to return when as is generally the case, the call is routine. CRB believes that this minor inconvenience is outweighed by increased officer safety and the expected decrease in physical altercations due to the presence of a second officer. CRB further notes that upon arrival, if the primary officer discovers that the call is in fact easily, and safely, handled by a single officer, that officer can then wave off the back-up officer once he has actually determined the situation does not warrant, nor require, a second officer. This trend of waving off the back-up officer is not universally done by all SLCPD officers as some information indicates that some shifts/individual officers do not wave officers while others do. CRB recommends that the Department discuss this use of “officer discretion” and move the entire Department to a point that on those calls that already requires Dispatch to send two officers, that the primary officer not wave off his back-up officer until he has visually inspected the situation and determines that the call does not require the presence of a second officer. By doing so, CRB believes that the officers and suspects alike are going to be safer and it is less likely that a physical encounter will occur.

Internal Affairs Cases
October 1 – December 31, 2014

22 Vehicle accidents
0 Intelligence cases
5 Pursuits
4 Firearms discharge
25 IA cases

Dispositions: AD: Administratively Declined

PO: Polled the PCRB

PA: PCRB Panel Held

File #	Category	Sworn Y/N	Use of Force Y/N	Disposition	Status	Summary
C2014-0088	M-file	N	N	AD	Closed - Info Only	Citizen Complaint - PD isn't doing enough to stop drug dealing.
0089	M-file	N	N	AD	Closed - Info Only	Citizen Complaint – Wasn't able to get an amended PD report
0090	M-file	Y	N	AD	Closed - Resolved by Division	Citizen Complaint – Driving habits
0091	M-file	Y	N	AD	Closed - Resolved by Division	Citizen Complaint – Rudeness during a traffic stop
0092	2	Y	N	AD	Closed - Resolved by Division	Citizen says she was pushed while interfering with an arrest and twisted her ankle.
0093	M-file	Y	N	AD	Closed - Resolved by Division	Citizen Complaint – Inconsiderate Contact
0094	M-file	Y	N	AD	Closed - Resolved by Division	Citizen Complaint – Driving habits and use of profanity
0095	1	N	N	AD	Open	Employee purposely used a substance on a co-workers desk knowing they are allergic to that substance.
0096	M-file	N	N	Pending	Closed - Info Only	Employee abused his authority outside of the PD
0097	M-file	Y	N	AD	NDI	NDI for Obligation to support and Respect Co-workers.
0098	2	N	N	Pending	Open	Senior employee made derogatory statements

File #	Category	Sworn Y / N	Use of Force Y / N	Disposition	Status	Summary
						about co-workers.
0099	M-file	Y	N	AD	Closed - Info Only	Comp was missing bag after arrest. Video of the call showed comp's passenger retained bag.
0100	M-file	Y	N	AD	Open	Driving Habits
0101	2	Y	N	AD	Open	Citizen complaint-Officer was uncaring and did not provide him with needed medical attention.
0102	M-file	N	N	AD	NDI	NDI for Obligation to Abide by Policy and Orders.
0103	M-file	Y	N	AD	Closed - Info Only	Citizen Complaint-Profanity and Officers refused to help him find a lost item
0104	2	Y	N	AD	Open	Citizen Complaint-No probable cause for arrest or trespassing him.
0105	M-file	Y	N	AD	Closed - Resolved by Division	Citizen Complaint-Interview wasn't documented in police report.
0106	2	N	N	AD	Open	Employee accessed PD records for personal use.
0107	M-file	Y	N	AD	Open	Citizen provided video of Officer parked in red zone while shopping.
0108	M-file	Y	N	AD	Closed - Resolved by Division	Citizen Complaint-Officer harassing them to leave specific area for no reason.
0109	M-file	Y	N	AD	Open	Citizen Complaint-Officers mishandled her granddaughter's case.
0110	M-file	Y	N	Pending	Open	Officer left evidence on car as he drove away.
0111	M-file	Y	N	Pending	Closed - Info Only	Citizen Complaint-Officers would not leave his home. It was found that this was a DV case and the officer's were invited into the home by his mother.
0112	M-file	Y	N	AD	Open	Citizen Complaint-Inconsiderate Contact
P2014-0010	Pursuit	Y	N	AD	In Policy	Officers pursued an aggravated assault suspect.

File #	Category	Sworn Y / N	Use of Force Y / N	Disposition	Status	Summary
0011	Pursuit	Y	N	AD	Open	Officers pursued a 'shots fired' vehicle.
0012	Pursuit	Y	N	AD	Open	Officers pursued a vehicle that had been stopped for a drug deal and then sped off.
0013	Pursuit	Y	N	AD	Open	Officers pursued an aggravated assault and felony warrant suspect.
0014	Pursuit	Y	N	Pending	Open	Officers pursued an aggravated assault/robbery suspect.
S2014-0007	Firearm Discharge	Y	N	AD	In Policy	Officer discharged firearm to put down an injured deer.
0008	Firearm Discharge	Y	N	AD	In Policy	Officer discharged firearm to put down an injured deer.
0009	Firearm Discharge	Y	N	AD	Open	Officer discharged firearm to put down an injured deer.
0010	Firearm Discharge	Y	N	AD	Open	Officer discharged firearm to put down an injured deer.

OVERVIEW of IA MATTERS (4th Quarter 2014)

56 Total Internal Affairs (IA) Matters

-31 Administrative (22 Accidents; 4 Firearm Discharges; 5 Pursuit)

-25 IA Cases

--Cat 1

1

---0 alleges "Use of Force" in some manner

--Cat 2

5

--M Files

19

--Complaint

0

Personnel Involved

-18 Sworn

-- 8 involve Rudeness, Inconsiderate Contact, and/or poor Driving Habits

-7 Civilian Employees