

**SALT LAKE CITY POLICE CIVILIAN REVIEW BOARD  
3<sup>rd</sup> QUARTERLY REPORT**

**October 14, 2010**

**PANELS**

Panels listed on the 2<sup>nd</sup> Quarterly Report but still pending at that time within the SLCPD:

**C2010-0134**

Allegation:	Improper Use of Force
Panel Recmnd:	Exonerated
SLCPD Finding:	Not Sustained

Panels initiated in the 2<sup>nd</sup> quarter with case numbers included in that chart:

**C2009-0132**

Allegation:	Improper Use of force
Panel Recmnd:	Exonerated
SLCPD Finding:	Not Sustained

**C2009-0139**

Allegation:	Inappropriate Force
Panel Recmnd:	Exonerated
SLCPD Finding:	Not Sustained

**C2009-0148**

Allegation	Theft
Panel Recmnd:	Unfounded
SLCPD Finding:	Not Sustained

**C2009-0152**

Allegation:	Improper Use of force/Improper Search
Panel Recmnd:	Exonerated/Unfounded
SLCPD Finding:	Not Sustained/Not Sustained

**C2009-0165**

Allegation: Theft (Evidence)

Panel Recmnd: Unfounded  
SLCPD Finding: Not Sustained

**C2009-0168**

Allegation Inappropriate Use of Force/Inconsiderate Contact

Panel Recmnd: Exonerated/Unfounded  
SLCPD Finding: Not Sustained

Panels with cases initiated and reported upon this quarter:

**C2010-0177**

Allegation: Inappropriate Use of Force/Inconsiderate Contact

Panel Recmnd: No Determination Possible/No Determination  
Possible  
SLCPD Finding: Not Sustained

**C2010-0178**

Allegation: Excessive Force

Panel Recmnd: Sustained  
SLCPD Finding: Not Sustained

**C2010-0186**

Allegation: Inappropriate Use of Force

Panel Recmnd: Exonerated  
SLCPD Finding: Not Sustained

**C2010-0188**

Allegation: Excessive Force/Inconsiderate Contact

Panel Recmnd: Unfounded/Exonerated  
SLCPD Finding: Not Sustained

**C2010-0221**

Allegation: Improper Use of Force

Panel Recmnd: Exonerated  
SLCPD Finding: Not Sustained

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

PCRB has noted a number of evidence related matters coming to its attention, resulting in allegations of theft, all of which have resulted in a determination of “Unfounded” on these cases. However, this trend does indicate that the SLCPD may want to readdress its procedures on the handling, storage and return of valuable evidence such as cash, jewelry and valuable items. In the cases reviewed to date, no employee, which in “evidence” matters includes sworn and civilian employees, has been found to have violated procedures but a thorough review is suggested so as to stem these complaints.

Allegations of theft or loss of valuable evidence are very serious allegations and cause employees much angst and could cause citizens to lose trust in their officers, which may be prevented if the procedures for dealing with these items were strengthened.

A single matter came to PCRB which originated with a “traffic stop”, out of jurisdiction and while off-duty, and an allegation of misconduct by the stopping officer resulted. In this case, the allegations were determined to be “Unfounded” but raised an interesting situation, one which other departments have experienced great issues with when the un-cited motorist later claimed unwanted sexual advances were made in exchange for no ticket being given. This situation was not the fact set in the SLCPD case but many similar cases have occurred within Utah and the nation as a whole. When an officer is so outraged by the driving habits of a citizen that he/she elects to pull them over when outside of SLC proper, and in this case, off-duty, the lack of an issued ticket can raise eyebrows and open the officer, the Department and the City to potential false claims. Under Utah law police officers who witness traffic violations can issue citations for those violations even when outside of their primary jurisdictions. SLCPD officers are considered “Peace Officers” everywhere within the State of Utah and as such, can enforce the laws whenever they witness violations. In some cases, they are mandated to intervene when the offense is a serious matter and on lesser transgressions, they are allowed to intervene. However, when an officer in the situation described above intervenes and does not issue a moving violation, it almost seems as if the officer put himself at risk physically, and as noted above, legally, over an issue that was not cited. In this case, the un-cited citizen filed a complaint with IA over the officers conduct, which was found to lack merit but a full investigation ensued.

S2010-0006 was the case wherein an officer responded to a “man with a gun” call and came under direct fire shortly after arriving on scene. PCRB wants to commend this officer for his professional response, his timely intervention and his direct actions which most likely stopped a very violent mass casualty attack upon the citizens of Salt Lake City. This officer displayed the very best selfless qualities and certainly saved many lives by his quick thinking and placing his own life in harm’s way. PCRB commends him in the strongest way possible.

## Internal Affairs Cases

July 1 – September 30, 2010

18 Vehicle accidents

0 Intelligence cases

3 Pursuits

3 Firearms discharge – 1 Officer Involved/1 Injured Animal/1 Acc. Discharge

83 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
C2010-0158	M-file	Y	N	AD	Closed-Info Only	Citizen complaint regarding off-duty behavior
0159	M-file	Y	N	AD	Closed-Resolved by Division	Citizen complaint-rude and inconsiderate contact
0160	1	N	N	AD	Sustained	Dispatcher/Failure to perform duty
0161	M-file	Y	N	AD	Closed-Resolved by Division	Citizen complaint-inconsiderate contact
0162	2	N	N	AD	Sustained	Dispatcher/Failure to report for duty shift
0163	2	Y	N	AD	Not Sustained	Citizen complaint-inconsiderate contact
0164	2	Y	N	AD	Active	Officer lost control of city property
0165	1	Y	N	PA	Not Sustained	Mishandling of Evidence
0166	M-file	Y	Y	AD	Not Sustained	Citizen complaint-inconsiderate contact
0167	M-file	N	N	AD	NDI	Dispatcher/not following Dispatch Format
0168	1	Y	Y	PA	Not Sustained	Improper Force, Inconsiderate and Unprofessional Contact
0169	M-file	Y	Y	AD	Closed-Info Only	Citizen complaint-Harassment
0170	1	Y	N	AD	Sustained	Improper Interview, Rude and inconsiderate contact
0171	Complaint	N	Y	AD	Closed-Info Only	Left message of complaint but proved unreachable
0172	M-file	N	N	AD	Closed-Info Only	Citizen complaint-wage garnishment-referred to 3 <sup>rd</sup> District Court
0173	M-file	Y	N	AD	Closed-Resolved Div	Citizen complaint-inconsiderate contact

<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>
0174	M-file	N	N	AD	Closed-Info Only	Citizen complaint-struck by a marked vehicle but could not identify agency origin of said vehicle.
0175	M-file	Y	N	AD	NDI	Officer failed to complete his 40 hours of training for fiscal 2009/2010
0176	M-file	Y	N	AD	NDI	Non-compliance with Department equipment care and use policy
0177	1	Y	Y	PA	Not Sustained	Off-Duty Officer initiated traffic stop in reckless manner/ Inappropriate Force/ Inconsiderate Contact
0178	1	Y	Y	PA	Not Sustained	Excessive Force
0179	M-file	Y	N	AD	Closed- Resolved by Division	Citizen complaint-driving habits; speeding & running a red light
0180	1	Y	Y	PO-Declined	Not Sustained	Officer alleged to have committed Domestic Violence
0181	1	Y	N	PO-Declined	Sustained Resigned	Officer arrested for DUI
0182	1	Y	N	AD	Sustained	Inappropriate behavior
0183	2	Y	N	AD	Sustained	Officer failed to secure police vehicle, duty handgun and contents therein.
0184	2	Y	N	AD	Active	Citizen complaint-driving habits
0185	2	Y	N	AD	Not Sustained	Citizen complaint- Unprofessional and discourteous behavior
0186	1	Y	Y	PA	Not Sustained	Improper Force
0187	2	Y	N	AD	Not Sustained	Citizen complaint-Driving habits & Rude behavior
0188	1	Y	Y	PA	Not Sustained	Excessive Force, Rude and inconsiderate behavior
0189	1	Y	N	AD	Active	Insubordination
0190	M-file	Y	N	AD	Closed- Resolved by Division	Citizen complaint- inconsiderate contact
0191	1	Y	N	AD	Not Sustained	Improper use of resources
0192	M-file	Y	N	AD	Closed- Resolved by Division	Citizen complaint- improper/inconsiderate contact
0193	M-file	Y	N	AD	NDI	NDI for care of equipment
0194	2	N	N	AD	Active	Failure to report for Shift on time
0195	M-file	Y	N	PA	Closed-Info	Citizen complaint-Rude

<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	contact
0196	2	Y	N	AD	Not Sustained	Citizen complaint-Rudeness, inconsiderate contact
0197	2	N	N	AD	Sustained	Erroneous questions were asked by a call-taker via CAD
0198	2	N	N	AD	Active	Investigation was incorrectly classified
0199	M-file	Y	N	AD	Active	Citizen complaint-driving habits; speeding, outside of SLC proper
0200	2	N	N	AD	Sustained	Dispatcher-failed to report for duty
0201	2	N	N	AD	Active	Dispatcher-called in sick but was seen at a local bar
0202	M-file	Y	N	AD	Closed-Resolved by Division	Citizen complaint-driving habits; failure to yield, inappropriate use of emergency lights
0203	1	Y	N	AD	Not Sustained	Citizen complaint-arrested without probable cause
0204	Complaint	N	N	AD	Closed-Info Only	Citizen complaint-vehicle impounded
0205	M-file	N	N	AD	Closed-Info Only	Info interpreted as malicious in nature and will be closed as info only
0206	M-file	N	N	AD	NDI	Tech received an NDI for training
0207	M-file	N	N	AD	Closed-Info Only	Citizen complaint-rudeness & inconsiderate contact
0208	2	Y	N	AD	Sustained	Mishandling of evidence
0209	M-file	Y	N	AD	Active	Citizen complaint-inconsiderate/unprofessional contact
0210	2	N	N	AD	Active	Failure to report for duty on time
0211	M-file	Y	N	AD	Closed-Info Only	Citizen complaint-inconsiderate contact
0212	Complaint	Y	N	AD	Closed-Info Only	Complaint regarding an Officer's behavior
0213	2	Y	N	AD	Active	Officer late for duty and did not notify superior
0214	1	Y	N	Pending	Not Sustained	Citizen complaint-rudeness, inconsiderate contact, racial remarks
0215	1	Y	N	PO/Declined	Active Resigned	Officer went to a call out under the influence, was later arrested for DUI by

File #	Category	Sworn Y / N	Use of Force Y / N	Disposition	Status	Summary
						UHP
0216	M-file	Y	N	AD	Closed-Resolved by Division	Citizen complaint-rudeness and inconsiderate contact
0217	M-file	N	N	AD	NDI	Failure to perform duties
0218	2	Y	N	AD	Closed-Info Only	Dispatcher-late for a duty shift
0219	2	Y	Y	AD	Active	Citizen complaint-Inconsiderate contact
0220	M-file	N	N	AD	NDI	Failure to perform duties
0221	1	Y	Y	PA	Not Sustained	Inappropriate force during arrest and rudeness
0222	M-file	Y	N	AD	NDI	Officer failed to show up for a shift
0223	M-file	Y	N	AD	NDI	Officer failed to show up for a shift
0224	M-file	N	N	AD	Closed-Info Only	Citizen inquiring about outstanding warrants-referred to the courts
0225	M-file	N	N	AD	NDI	Maintaining vehicles properly
0226	M-file	Y	N	AD	Closed-Info Only	Failure to follow direction of supervisor
0227	2	Y	N	AD	Active	Failure to report for duty
0228	1	Y	N	Pending	Active	Citizen complaint-Unprofessional and racist conduct
0229	M-file	Y	N	AD	Active	Citizen complaint-inconsiderate contact, rudeness
0230	M-file	Y	N	AD	Closed-Resolved by Division	Citizen complaint-Officer disclosed confidential/private information
0231	M-file	Y	N	AD	Active	Citizen complaint-Ex-girlfriend of an Officer disclosed information
0232	M-file	N	N	AD	Active	Unknown
0233	2	N	N	AD	Not Sustained	Citizen complaint-inconsiderate contact/rudeness
0234	1	Y	Y	Pending	Active	Excessive Force
0235	1	Y	N	AD	Active	Officer failed to recover/safeguard evidence nor write a police report
0236	1	Y	N	Pending	Active	Citizen complaint-Officer conspired with a DA to make a false police report
0237	M-file	Y	N	AD	Active	Citizen complaint-Officer

File #	Category	Sworn Y / N	Use of Force Y / N	Disposition	Status	Summary
						failed to return phone calls
0238	M-file	N	N	AD	NDI	Employee received an NDI
0239	1	N	N	Pending	Active	Unknown
0240	M-file	Y	N	AD	Active	Citizen complaint-inconsiderate contact
S10-0006	Firearm Discharge	Y	Y	PO-Declined	Active	Deadly Force Policy

### **OVERVIEW of IA MATTERS (3<sup>rd</sup> Quarter 2010)**

107 Total Internal Affairs (IA) Matters

-24 Administrative (18 Accidents; 3 Firearm Discharges; 3 Pursuits)

-83 IA Cases

--Cat 1 22

---8 allege "Use of Force" in some manner

--Cat 2 20

--M Files 38

--Misc "Complaint" 3

Personnel Involved

-59 Sworn

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

-24 Civilian Employees