

SALT LAKE CITY POLICE CIVILIAN REVIEW BOARD

QUARTERLY REPORT

April 1, 2009

1st Quarter Panels

C2008-0302

Allegations: Excessive Force, Failure to Supervise, Failure to provide medical care

Panel Recmnd: Exonerated; Exonerated; Exonerated

SLCPD Finding: Not Sustained

C2008-0310

Allegation: Excessive Force

Panel Recmnd: Exonerated

SLCPD Finding: Not Sustained-Excessive Force
Sustained-Evidence Procedures

C2008-0318

Allegation: Excessive Force

Panel Recmnd: Exonerated

SLCPD Finding: Not Sustained

C2008-0328

Allegations: Excessive Force; Improper Search

Panel Recmnd: Exonerated; Exonerated

SLCPD Finding: Not Sustained; Not Sustained

C2008-0329

Allegation: Excessive Force

Panel Recmnd: Exonerated

SLCPD Finding: Not Sustained

C2009-0014

Allegations: Improper Use of Force; Rudeness; Improper Impound

Panel's Recmnd: Exonerated; Unfounded; Exonerated

SLCPD Finding: Not Sustained; Not Sustained; Not Sustained

C2009-0020

Allegation: Excessive Force

Panel's Recmnd: Unfounded

SLCPD Finding: Not Sustained

C2009-0029

Allegations: Improper Use of Force; Improper Search

Panel Recmnd: Exonerated; Exonerated

SLCPD Finding: Not resolved yet

Trends/Issues Identified and Relayed to the Police Department

The number of citizen complaints about the driving habits of officers in marked vehicles remains high. It is, once again, important to stress the visibility of marked units to all officers. Officers need to be fully in compliance with all traffic laws at all times.

In the first quarter of calendar year 2009, six of the 69 IA complaints allege improper and/or excessive force, with one of those allegations being from an incident in 1998 that was administratively dismissed for multiple reasons. Therefore, with only five actual allegations in this quarter, a 7.2% allegation rate was noted, which is significantly below the national and international reporting norms. Additionally, C2009-0027 alleges that force occurred, which involved the inadvertent contact of the door with the complainant's hand. This case was referred to Risk Management for adjudication, as there is no allegation of intentional use of force.

Case S2009-0003 was an officer-involved shooting. This matter was reviewed by an outside agency, prosecution was declined by the Salt Lake County District Attorney's Office, and Salt Lake City Police Civilian Review Board members were polled on the matter and declined further investigation.

**Internal Affairs Cases
January 1 – March 31, 2009**

- 20** Vehicle accidents
- 0** Intelligence cases
- 4** Pursuits
- 7** Firearms discharge – injured deer; accidental - personal weapon; fired at involved citizen
- 69** 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 |
|---------------|-----------------|------------------------|-----------------------------------|--------------------|---------------------------|---|
| C2009-0001 | M-file | Y | N | AD | Ongoing, NDI pending | Obligation to abide by policy and orders |
| 0002 | M-file | Y | N | AD | Closed | Citizen complaint; driving habits. |
| 0003 | M-file | Y | N | AD | Closed, NDI | Obligation to abide by policy and orders |
| 0004 | M-file | Y | N | AD | Closed, NDI | Obligation to abide by policy and orders |
| 0005 | 2 | Y | N | AD | Exonerated | Citizen complaint; rudeness |
| 0006 | 2 | Y | N | AD | Exonerated | Citizen complaint; rudeness |
| 0007 | M-file | Y | N | AD | Closed, NDI | Obligation to abide by policy and orders |
| 0008 | M-file | Y | N | AD | Closed, NDI | Obligation to abide by policy and orders |
| 0009 | M-file | Y | N | AD | Closed, NDI | Obligation to abide by policy and orders |
| 0010 | M-file | Y | N | AD | Closed – information only | Citizen complaint; disagrees with facts presented in officer's report |
| 0011 | M-file | Y | N | AD | Closed – information only | Citizen complaint; didn't deserve traffic ticket |
| 0012 | 1 | Y | N | AD | Unfounded | Citizen complaint; abuse of authority. |
| 0013 | M-file | Y | N | AD | Closed – information only | Citizen complaint; medical attention not offered; disagrees w/ report filed |
| 0014 | 1 | Y | Y | PA | Unknown | Citizen complaint; inappropriate force, rudeness, improper impound |

| File # | Category | Sworn Y / N | Use of Force Y / N | Disposition | Status | Summary |
|---------------|-----------------|------------------------|-----------------------------------|--------------------|-------------------------------|---|
| 0015 | M-file | Y | N | AD | Closed – resolved by division | Citizen complaint; illegal fireworks |
| 0016 | M-file | Y | N | AD | NDI | Refused a mandatory assignment |
| 0017 | 2 | Y | N | AD | Open | Citizen complaint; inconsiderate contact |
| 0018 | M-file | Y | N | AD | Closed – resolved by division | Citizen complaint; inconsiderate contact. |
| 0019 | M-file | Y | N | AD | Closed – information only | Citizen complaint; improper use of authority |
| 0020 | 1 | Y | Y | PA | Unknown | Citizen complaint; excessive force |
| 0021 | M-file | Y | N | AD | Closed – information only | Citizen complaint; driving habits |
| 0022 | M-file | Y | N | AD | Closed – information only | Citizen complaint; inconsiderate contact |
| 0023 | M-file | Y | N | AD | Closed – information only | Citizen complaint; traffic control vs. enforcement |
| 0024 | M-file | Y | N | AD | Closed – resolved by division | Citizen complaint; rudeness. |
| 0025 | 1 | Y | N | AD | Suspended, 10 days | Failure to respond |
| 0026 | M-file | N | N | AD | NDI | Obligation to abide by policy and orders |
| 0027 | 1 | Y | Y | AD | Unsustained | Citizen complaint; inappropriate force, inconsiderate contact. C alleged the door of his vehicle inadvertently struck his hand during a routine traffic matter. |
| 0028 | 1 | Y | N | AD | Ongoing | Failure to follow policy regarding informants |
| 0029 | 1 | Y | Y | PA | Unknown | Citizen complainant; officers used excessive force; improper search. |
| 0030 | M-file | Y | N | AD | NDI | Citizen complaint; driving habits |
| 0031 | M-file | Y | N | AD | Closed – resolved by division | Citizen complaint; driving habits |
| 0032 | 2 | Y | N | AD | Ongoing | Citizen complaint; inconsiderate contact, foul language |

| File # | Category | Sworn Y / N | Use of Force Y / N | Disposition | Status | Summary |
|---------------|-----------------|------------------------|-----------------------------------|--------------------|-------------------------------|---|
| 0033 | 2 | Y | N | AD | Ongoing | Citizen complaint; driving habits |
| 0034 | 1 | Y | N | AD | Ongoing | Obligation to abide by policy and orders |
| 0035 | 2 | Y | N | AD | Sustained | Vehicle damage not reported |
| 0036 | M-file | Y | N | AD | Closed – information only | Citizen complaint; failure to take actions |
| 0037 | 2 | Y | N | AD | Exonerated | Citizen complaint; rudeness, foul language |
| 0038 | M-file | Y | N | AD | Closed – information only | Citizen complaint; rudeness |
| 0039 | 1 | Y | N | AD | Ongoing | Failure to generate a police report or Control of Persons report. |
| 0040 | 2 | Y | N | AD | Ongoing | Citizen complaint; rudeness |
| 0041 | M-file | Y | N | AD | Ongoing | Domestic violence investigation at officer's residence |
| 0042 | M-file | Y | N | AD | Ongoing | Citizen complaint; driving habits, improper use of vehicle. |
| 0043 | M-file | Y | N | AD | Closed – information only | Citizen complaint; off-duty behavior |
| 0044 | M-file | Y | N | AD | Closed – information | Citizen complaint; foul language |
| 0045 | M-file | Y | N | AD | NDI | Citizen complaint; driving habits – speeding |
| 0046 | 1 | Y | N | AD | Ongoing | Citizen complaint; failure to collect evidence and write report |
| 0047 | 1 | Y | N | AD | Ongoing | Citizen complaint; inconsiderate contact |
| 0048 | M-file | Y | N | AD | Closed – information only | Citizen complaint; driving habits |
| 0049 | 2 | Y | N | AD | Closed – resolved by division | Citizen complaint; inconsiderate contact |
| 0050 | M-file | Y | N | AD | Closed – resolved by Division | Failure to write reports on all vehicle vandalisms at scene |
| 0051 | M-file | Y | N | AD | Ongoing | Citizen complaint; driving habits |
| 0052 | 1 | Y | Y | ONGOING | Ongoing | Citizen complaint; excessive force used by officer and then suspect |

| File # | Category | Sworn Y / N | Use of Force Y / N | Disposition | Status | Summary |
|---------------|-----------------|------------------------|-----------------------------------|----------------------------|-------------------------------|---|
| | | | | | | released. |
| 0053 | 1 | Y | N | ONGOING, Panel Pending | Ongoing | Off duty actions of police personnel |
| 0054 | M-file | Y | N | AD | Ongoing | Citizen complaint; failure to take action |
| 0055 | 1 | Y | N | AD | Ongoing | Supervisors failed to report misconduct by officers |
| 0056 | M-file | Y | N | AD | Closed – resolved by division | Officer failed to complete reports on cases and referred to dispatch logs instead |
| 0057 | M-file | Y | N | AD | Closed – information only | Citizen complaint; improper contact |
| 0058 | 2 | Y | N | AD | Ongoing | Citizen complaint; driving habits |
| 0059 | M-file | Y | N | AD | Ongoing | Citizen complaint; improper investigation |
| 0060 | M-file | Y | Y | AD, statute of limitations | Closed – information only | Citizen complaint; excessive force used in 1998 case |
| 0061 | 2 | Y | N | AD | Ongoing | Citizen complaint; rudeness and threatening |
| 0062 | M-file | Y | N | AD | Ongoing | Citizen complaint; inconsiderate contact |
| 0063 | M-file | Y | N | AD | Ongoing | Citizen complaint; improper investigation |
| 0064 | M-file | Y | N | AD | Ongoing | Citizen complaint; driving habits |
| 0065 | M-file | Y | N | AD | Ongoing | Failure to have police vehicle serviced |
| 0066 | 2 | Y | N | ONGOING | Ongoing | Citizen complaint; inconsiderate contact |
| 0067 | 2 | Y | N | AD | Ongoing | Citizen complaint; driving habits |
| 0068 | 1 | Y | N | ONGOING | Ongoing | Citizen complaint; circumstances of arrest |
| 0069 | M-file | N | N | AD | NDI | Vehicle pursuit procedure not followed |

OVERVIEW OF IA MATTERS (1ST QUARTER 2009)

100 Total IA Matters

- 31 Administrative (Pursuits, Vehicle Accidents, Weapons Discharges, etc.)
- 69 IA Cases
 - Cat 1 15
 - 6 allege "Use of Force" (50% decrease vs. the 4th quarter of 08)
 - Cat 2 14
 - M-Files 40

Personnel Involved

- 68 Sworn
 - 27 complaints of rudeness, inconsiderate contact or driving habits
- 1 Civilian employee