



City of Manassas Police Department Office of Professional Standards Memorandum



TO: Douglas W. Keen, Chief of Police
FROM: Lieutenant J.W. Martz *JW*
DATE: March 16, 2020
SUBJECT: 2019 Complaint and Commendation Report (CALEA 52.1.5)

Blue Team / IA pro contributed to better accountability & documentation which increase the this still a good outcome. DR

The purpose of this report is to present a statistical summary and analysis of the complaints received and tracked by the Office of Professional Standards (OPS) in Calendar Year (CY) 2019. As complaints regarding the actions of Department members are received, they are tracked through the OPS from initiation to completion. In 2019, there were a total of forty-two (42) complaints made regarding the actions of 37 employees, all but two (2) were sworn members. One member had four (4) separate complaints, six (6) members had three (3) separate complaints, ten (10) members had two (2) separate complaints, and the rest had one (1) each. Of all the complaints, three (3) were made internally by other members of the Department and the remainder from citizens outside the Department. This year's listing also show that four (4) sworn supervisors received one (1) complaint and one (1) sworn supervisor received two (2) complaints.

In 2019, the Department responded to 59,822 calls for service. This gives an approximate ratio of one (1) citizen generated complaint for every 1424 calls for service. This rate of complaint is slightly higher than the 2018 statistics (1:1744), however does not suggest any troubling trends. These numbers show that less than .071% of calls for service result in a complaint. The chart below shows the number of complaints for the past five years. These numbers continue to be statistically low, which reflects favorably upon the Department and its members when dealing with the public. The Department continued to utilize a web based program to more effectively and efficiently track complaints. The program ensures each complaint is promptly entered and assigned.



COMPLAINTS INVESTIGATED SUMMARY

	2015	2016	2017	2018	2019
Total Investigated	21	32	20	30	42
Total Sustained Complaints	9 (42%)	7 (22%)	9 (45%)	9 (30%)	16 (38%)
*Total Other Dispositions	12	25	11	21	26

* This category includes all other findings such as exonerated, not sustained, or unfounded.

The above chart shows the percentage of sustained complaints made against Department members. This indicates that the complaint was sustained either completely or partially. **Example:** An officer may receive a complaint for excessive force and unprofessional conduct. A portion of the complaint can be sustained, while the other portion may receive a finding of exonerated. Of the remaining dispositions, thirteen (13) were *Unfounded*, ten (10) were *Exonerated* (accused acted reasonably, lawfully, and properly), and three (3) were *Not Sustained* (allegation could not be proven). There was no disposition noting *Policy Failure*.

The percentage of complaints with a finding of a “Sustained” policy violation for 2019 is 38%. Of these sustained complaints, fifteen (15) involved non-ranking sworn officers, one (1) involved supervisors, and one (1) involved a non-sworn member. Four (4) complaints involved multiple members. Although the total number of complaints and sustained complaints rose in 2019, this is partly attributable to the overall increase in total complaints. Overall, the data does not indicate the existence of a complaint pattern or trend amongst Department members for 2019 (other than rules of conduct). It should be noted that one sworn member received three (3) separate complaints out of the nine (16) total complaints sustained. These complaints were for rules of conduct, and the sworn member is no longer employed by our Department.

INVESTIGATION TYPE SUMMARY

There are three types of investigations that result from complaints. The type of investigation is determined by the manner in which the complaint is made and also the seriousness of the allegations to be investigated. The investigation types include the following: **Informal, Formal, and Internal Affairs**. Generally, the type and seriousness of the allegation(s) are determinants in the assignment of the investigator and investigation type.

The following table depicts a comparison of the percentage of each investigation type for the past five years.

Investigation Type	2015	2016	2017	2018	2019
Informal	71%	72%	50%	43%	71%
Formal	19%	12%	10%	30%	17%
Internal Affairs	10%	16%	40%	27%	12%

Informal and Formal investigations comprised 89% of all complaints for 2019. Informal investigations accounted for 71% of all complaints which suggests a vast majority of complaints were reported verbally or anonymously. This also indicates that a very small portion of the complaints received were deemed to be of a more serious nature and met the criteria for an Internal Affairs designated investigation. Most of these complaints involved performance of duty issues or allegations of unprofessional or unbecoming conduct. There were only five (5) complaints classified as *Internal Affairs* investigations. Of these complaints, three (3) were sustained, one (1) was not sustained, and one (1) unfounded.

COMPLAINT RESOLUTION TIME

The goal of all complaint investigations is to produce a thorough analysis of each incident in an expeditious fashion for the member, to allay the concerns of the citizen complainant, to address policy or training deficiencies identified as a result, and take appropriate disciplinary action when necessary. The resolution period of 30 days has been set as the goal for investigators handling these complaints. If the complaint cannot be handled within that time period, a request for extension is made and authorized by the Chief of Police or his designee. The following chart is a five year breakdown of resolution times, shown by days.

Resolution Time	2015	2016	2017	2018	2019
Longest	27	38	255	101	109
Shortest	1	1	1	2	1
Average	10	10	36	24	21

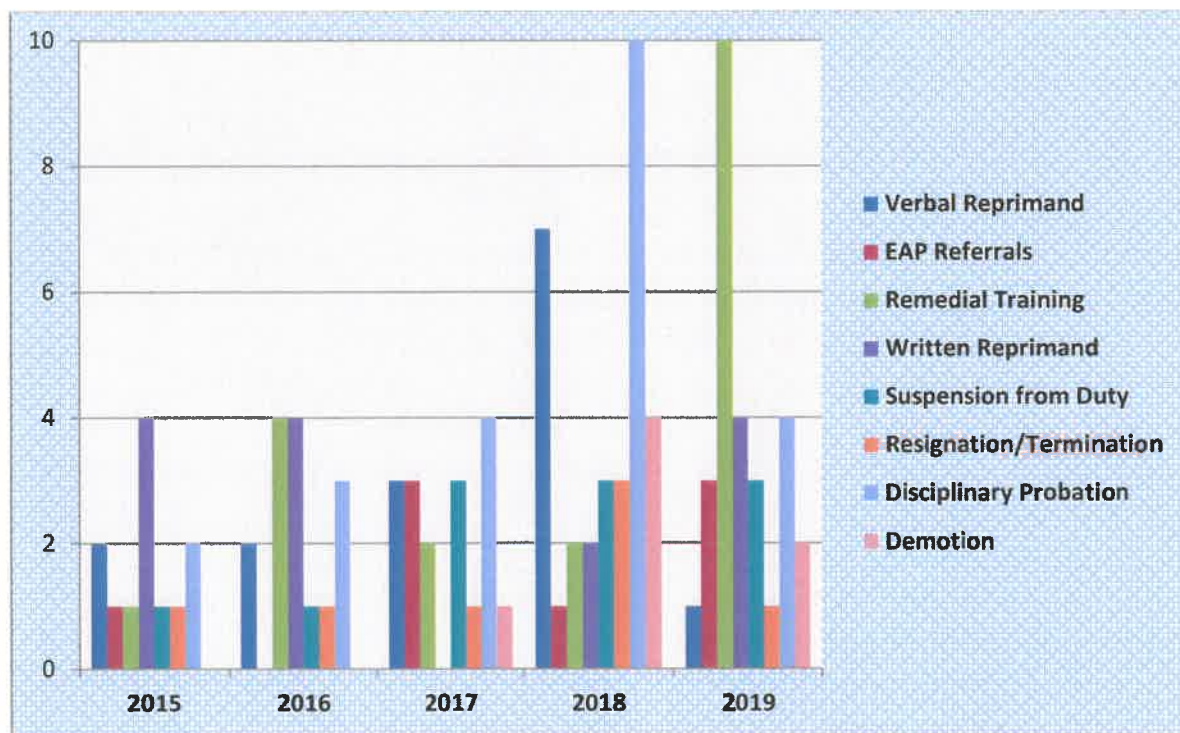
The average completion date for investigations was 21 days. This reduction in average completion date for an investigation can be attributed to the web based program that promotes efficiency and increased accountability. There were six (6) investigations that exceeded the 30 day expectation date, with the longest investigation completed in 109 days. Investigators are completing their investigations in a timely and efficient manner however there are delays due to availability (both witness and subject), due processes, and evidence review. The Office of Professional Standards continues to monitor complaint resolution times by maintaining deliberate and frequent contact with investigators during the course of the investigations to ensure efficiency.

DISCIPLINARY ACTION

The disciplinary measures effected as a result of the investigation and conclusion of a sustained complaint can range from a verbal reprimand to dismissal and may include multiple measures applied against the same person. A progressive discipline approach combined with an Early Intervention Program (EIP) and an Employee Assistance Program (EAP) is in effect to enable the Department to identify, monitor, and assist employees as needed. The following charts below are a breakdown of all disciplinary measures that were taken within the past 5 years as result of Departmental investigations.

Disciplinary Action	2015	2016	2017	2018	2019
Verbal Reprimand	2	2	3	7	1
EAP Referrals	1	0	3	1	3
Remedial Training	1	4	2	2	10
Written Reprimand	4	4	0	2	4
Suspension from Duty	1	1	3	3	3
Resignation/Termination	1	1	1	3	1
Disciplinary Probation	2	3	4	1	4
Demotion	0	0	1	4	2

5 Year History of Disciplinary Action



Remedial training which includes counseling are corrective actions taken to train and mentor the employee, often arising from minor policy violations. As shown above, this type of action was the overwhelming result of a sustained complaint. Additionally, more employees are referred for EAP services in an attempt to discover the underlying cause of the behavior displayed and to ensure the mental wellness of staff is first and foremost.

SUMMARY

In 2019, 62% of the 42 complaints investigated were closed with a finding of Exonerated, Not Sustained, or Unfounded. Of all the investigations, where violations were sustained, the majority of the disciplinary action taken resulted with the employee being counseled and provided remedial training. Three (3) of the complaints made were internally reported. This reflects favorably upon our continued ability to hold our members accountable for their behavior and conduct.

This analysis finds no negative trend or pattern in relation to misconduct and policy violations by members of this Department. The few disciplinary measures taken were mostly progressive in nature with three (3) administrative leave with pay and four (4) members placed on disciplinary probation. These measures have promoted compliance and have led to more positive outcomes.

The Office of Professional Standards will continue to track complaints and monitor investigations to ensure fairness and strict adherence to policy. This office is also responsible in ensuring that citizens, as well as Department members, have adequate channels of reporting member misconduct and initiating complaints.

This complaint summary also included a review of our complaint policy and reporting procedures. As mentioned earlier, the web based program has proven to streamline and continue to ensure an accurate reporting and investigating process. Our complaint policy, as outlined in General Order 01-09, continues to ensure that all complaints from citizens or other members of the department are fully investigated and documented accordingly.

Cc: Captain T.P. Laguna
Captain B.K. Larkin
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OPS File