

Police Executive Research Forum (PERF) Update



LAS CRUCES POLICE DEPARTMENT MEMORANDUM



Date: MAY 6, 2013

To: ROBERT GARZA
City Manager

From: RICHARD WILLIAMS
Chief of Police

Subject: POLICE EXECUTIVE RESEARCH FORUM

On May 13, 2013, during the Las Cruces City Council work session, the Police Executive Research Forum (PERF) will be presenting an update to the city council regarding their auditor activities. The update will include a general discussion regarding administrative investigations and policy enhancements.

If you have any questions regarding this or any other matter please feel free to contact me.

RSW/rsw

Police Auditor Services for the Las Cruces Police Department

by the Police Executive Research Forum

Craig Fraser, Ph.D.
Bill Tegeler





Date: May 13, 2013

Time: 1:00 p.m.

Location: Las Cruces City Hall



POLICE EXECUTIVE
RESEARCH FORUM



- Present key findings of PERF's Third Year providing Police Auditor Services for the Las Cruces Police Department
- PERF's Observations serving as the LCPD Police Auditor from 2010 to 2013





POLICE EXECUTIVE
RESEARCH FORUM

PERF Year-Three Police Auditor Services



POLICE EXECUTIVE
RESEARCH FORUM



- Continue evaluation of investigations performed by the Las Cruces Police Department's Professional Standards Unit.
- Examine the Department's response, implementation and institutionalizing of PERF recommendations.



POLICE EXECUTIVE
RESEARCH FORUM





POLICE EXECUTIVE
RESEARCH FORUM

Examining Professional Standards Unit Investigations Year-Three



POLICE EXECUTIVE
RESEARCH FORUM



- As appropriate, the department does not hesitate to initiate an investigation into allegations of misconduct by employees: two-thirds of complaints in 2012 were initiated internally.
- The Professional Standards Unit takes a holistic approach in their investigation of misconduct, examining all actions of employees rather than simply the behavior identified in the complaint.



- The PSU continues to incorporate strong investigative practices while utilizing an improved organizational structure in administrative reports.
- Investigations by the Professional Standards Unit reviewed by PERF are objective, thorough and completed in a timely manner.
- Request for an extension in completing an investigation is attained from the Chief of Police as necessary.



POLICE EXECUTIVE
RESEARCH FORUM



- Members of the PSU use all available information to complete an objective investigation including: written reports, digital evidence, telephone recordings and records, public and private videos, dispatch and radio data, training records, expertise within the LCPD and partners within the Criminal Justice community.
- Proper notification to members of the department and public are always made with supportive documentation included in the administrative file.
- PSU reports clearly distinguish between “focus” and “witness” employees.



- PSU case files are organized in a logical manner and maintained in a secure environment as required.
- PSU investigative conclusions and findings are reasonable and based upon the facts uncovered in the case.



- Supervisors should be held accountable for the timely approval and submission of reports for personnel under their command.
- For easy reference, the “Subject” line of Preliminary Inquiry Memorandums should include the assigned PSU Case Number.
- The two most frequent call types generating a citizen’s complaint are Domestic Family Disturbance and Affray Investigations (Supervisory Implications).



- The Las Cruces Officer-Involved Incident Task Force comprised of multiple agencies, successfully performs an objective and thorough examination of the incident in which an investigative finding is achieved with consensus from all representatives.
- Members of the department (uniform, investigative and administrative) complied with the Officer Involved Shooting policy as outlined in LCPD General Order 156.



POLICE EXECUTIVE
RESEARCH FORUM



- Field personnel demonstrated their awareness for the importance of maintaining the integrity of crime scenes.
- The Officer-Involved Incident Task Force maintains an accurate and organized accounting of all evidence recovered at the scene of an OIS, including photographic and video.



POLICE EXECUTIVE
RESEARCH FORUM



- The department conducts an after incident review of OIS incidents to identify opportunities to improve the investigative process.
- The review of the actions of personnel involved in an OIS by a department use of force expert to assist in determining compliance with policy was identified by PERF as a “**policing best practice.**”





POLICE EXECUTIVE
RESEARCH FORUM

UPDATE OF POLICY REVISIONS Year-Three



POLICE EXECUTIVE
RESEARCH FORUM



PERF's Year-One Final Auditor's Report recommended modification to 21 "High Risk" policies:

- 16 Designated as High Priority for Modification
 - All 16 have been updated
- 5 Designated Modify as Soon As Practical
 - All 5 have been updated



Remaining Policy Revision completed in Year-Three

- General Order 300, *Evidence and Property* (4/1/13)
 - Now an all inclusive policy incorporating other related guidelines including former G.O. 308 *Storage of Drugs*



- The department is making appropriate modifications to the delivery, implementation and institutionalization of updated policies.
- A formal training and on-going review process should accompany the implementation of new policies, especially those identified as “most critical” in G.O. 163 D.2. (Policy and Procedure Development).



POLICE EXECUTIVE
RESEARCH FORUM



Security Cameras

- Functional in the prisoner booking and holding areas.
 - The department is actively working on replacing video equipment in other portions of the police facility.





POLICE EXECUTIVE
RESEARCH FORUM

PERF OBSERVATIONS SERVING AS LCPD POLICE AUDITOR: 2010 - 2013



POLICE EXECUTIVE
RESEARCH FORUM



- Organizational Culture
 - The department is committed to the thorough, objective and timely investigation into allegations of misconduct committed by members of the department.
 - The department does not hesitate to initiative an investigation when appropriate.
 - The department has demonstrated a commitment to working in partnership with outside agencies in handling allegations of misconduct.



- Organizational Culture (continued)
 - The department holds supervisors accountable for fulfilling their oversight responsibilities.
 - Publishing the *Professional Standards Unit Annual Report* and posting it on the Department's website has increased the agencies transparency.
 - Policy and systemic issues identified in a PSU investigation are followed up by the department.



- Professional Standards Unit
 - The PSU lieutenant has taken the lead role in fulfilling the inspectional role of the Unit.
 - Preliminary Investigations are an effective strategy to manage the caseload of the PSU.
 - Members of the PSU utilize well accepted investigative techniques.
 - PSU Detectives are well briefed and prepared when conducting interviews.



- Professional Standards Unit (continued)
 - Findings of PSU investigations are based upon the logical conclusion of the facts as identified in the case.
 - Members of the PSU provide all appropriate rights and privileges to members of the department.
 - The PSU makes timely contact with a complainant and provides all written correspondences to the public in accordance with department policy.
 - PERF did not find any evidence of interference with PSU Detectives in fulfilling their duties of conducting a fair and objective investigation.



- Professional Standards Unit (continued)
 - The department should review its goals for the Professional Standards Unit in locating detectives off-site. If the goals are not being met, an alternative location should be provided as space and funds allow.
 - With the additional inspectional responsibilities of the PSU, the department should add one additional detective position to the Unit, as resources permit.



- Early Intervention System
 - The department has implemented an EIS as a proactive measure to assist the members of the department in meeting organizational expectations.
 - A recent change in the software system has provided a more timely response to EIS inquiries throughout the department.



- Early Intervention System
 - The “trigger” for use of force incidents has been modified to 2 within a 30 day period which has increased the number of alerts while enabling the department to determine if assistance is warranted in a more timely manner.
 - 68 alerts in the last 6 months of 2012
 - 58 alerts in the first 4 months of 2013
 - The department should continue to provide training to all members of the department on the philosophy and principles of the EIS, with particular attention to supervisors.



Police Auditor Services for the Las Cruces Police Department

