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COUNCIL WORK SESSION SUMMARY ROUTING SLIP

Meeting Date July 27, 2015

TITLE: POLICE AUDITOR UPDATE

Are there attachments to the Council Work Session Summary?	**Yes** ☐	**No** ☒
Will there be a Video Presentation for this item?	**Yes** ☐	**No** ☒
Will there be a PowerPoint Presentation for this item?	**Yes** ☒	**No** ☐
If "yes", will a copy of the PowerPoint Presentation be included on the Council Work Session Agenda?	**Yes** ☒	**No** ☐

DEPARTMENT / ORGANIZATION	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact		528-4626	7/22/15
Department Director		528-4200	7/22/15
Other			
Assistant City Manager/CAO (if applicable)			
Assistant City Manager/COO (if applicable)			
City Manager			7/23/15

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Council Work Session Summary

Meeting Date July 27, 2015

TITLE: POLICE AUDITOR UPDATE

PURPOSE(S) OF DISCUSSION:

☒ Inform/Update

☐ Direction/Guidance

☐ Legislative Development/Policy

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Public Safety Strategies Group (PSSG) was awarded a contract by the City of Las Cruces to be the auditor for the Las Cruces Police Department (LCPD). The contract is effective from August 18, 2014 through August 17, 2015. This contract may be extended annually for up to four years upon mutual agreement.

PSSG will review LCPD professional standards unit's investigation of internal and external complaints from August 2014 through December 2014, which is on a quarterly basis.

SUPPORT INFORMATION:

N/A

(Continue on additional sheets as required)

Las Cruces Police Department Police Auditor Presentation

Review of Cases

August 1 – December 31, 2014

July 27, 2015

Presented by: The Public Safety Strategies Group LLC

Background

- The Las Cruces Police Department hired the Public Safety Strategies Group to provide police auditor services in August of 2014.
- The goal for the contract is to provide the police department with an unbiased review of internal investigations in order to continually improve community services and operations.

Types of LCPD Complaint Categories

- EIC1
  Formal Complaint – non serious nature
- EIC2
  Informal Complaint - Non serious – complainant does not want to pursue
- EIC3
  Non serious nature – lack of valid facts or no apparent general order violation
- II
  Internally initiated

LCPD Findings in G.O. 160

- Exonerated
  Employees conduct was lawful, justified, and proper
- Not Sustained
  Insufficient evidence exists to clearly prove or disprove allegation
- Sustained
  The conduct occurred and is a violation of an order, policy or procedure
- Sustained Other
  The employee committed a violation but not the original one charged
- Unfounded
  The act did not occur
- Office Investigation
  Complainant failed to cooperate

Number of Complaints Reviewed

Type	Number
EIC1	3
EIC2	0
EIC3	13
II	5
Total	21

Investigation Outcome

Type	Exonerated	Not Sustained	Sustained	Sustained Other	Unfounded	Officed Investigation	No Merit
EIC1			2				1
EIC2							
EIC3							13
II	2		3				
Total	2	0	5	0	0	0	14

Call Types

- Example call types / incidents generating the complaints include
  - Disturbances
  - Shoplifting
  - Wellness check
  - Motor vehicle crash
  - Pursuit

There is not a specific call type generating complaints

Complaint Types in Cases Reviewed

- Conduct / rudeness
- Conduct / failure to act
- Conduct unbecoming
- Improper search and seizure
- Improper pursuit
- Use of force
- Criminal Conduct

Rudeness is the most often cited complaint

Areas of Proficiency for PSU

- Professional interactions with community members
- Appropriate and timely follow-up with Complainant and initiation of case review after complaints received in PSU
- Unbiased in their approach when questioning both complainants and department members
- Detailed writing of case narratives

Areas of Improvement – Adherence with General Order 160

- Focus employees are not notified of the complaint against them for non-serious offenses if the initial investigation does not have merit. This process is not delineated in the general order.

PSSG suggests that a review of G.O. 160 be conducted to apply updates that would reflect actual practice and ensure consistency when personnel changes occur.

Areas of Improvement - Timeline

- PSU is very clear with expectations on Timelines for cases, however, G.O. 160 is not as clear or defined with the case Timelines.
- Department practice is to accept all complaints, even after the 180 days as stated in the G.O.

PSSG suggests updating G.O. 160 with a table specifically outlining the timelines for case review and updating the information related to complaint acceptance.

Areas of Improvement – Use of Forms in General Order 160

- Due to improvements underway at PSU, there are different citizen complaint forms used that are not in the General Order.
- There are several forms (Garrity, Truthfulness, etc.) that are used, but do not appear in G.O. 160

PSSG suggests that discussions occur to continue to improve and standardize the forms and then update G.O. 160.

Areas of Improvement - Narrative

- While narratives contain sufficient details on the actions occur, there is variation in the style of writing and what information is contained in the introductory section (mainly indication of dates, times, and sources of information)

PSSG suggests creating a form that would standardized the narrative section of the reports for consistency and ease of review.

Areas of Improvement – Filing System

- Files are kept in an inconsistent manner
- Files often appear twice with different names

PSSG suggests that meetings occur to standardize the file name and filing process

Areas of Improvement - Documentation

- Forms and paperwork do not always have page numbers
- Handwritten notes do not always have the case number, date / time, or name of person conducting the interview
  - Both of these issues can cause paperwork to become separated and prevent linking the paperwork to a specific case.
- Forms do not always have witness signatures (by choice they don't have to have a witness).

PSSG suggests improving the notations on paperwork and notes to ensure proper documentation. (Based on previous input from PSSG these improvements are being implemented)

Contact Information

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