



# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## COUNCIL WORK SESSION SUMMARY ROUTING SLIP

Meeting Date NOVEMBER 9, 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	11/6/15
Department Director		528-4290	11/5/15
Other			
Assistant City Manager/CAO (if applicable)			
Assistant City Manager/COO (if applicable)			
City Manager			11-6-15



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## Council Work Session Summary

Meeting Date November 9, 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) is contracted by the City of Las Cruces to be the Police Auditor for the Las Cruces Police Department (LCPD). The contract was awarded on August 18, 2014, and may be extended annually for up to four years upon mutual agreement. PSSG will review LCPD's Professional Standards Unit's investigation of internally and external complaints from January 2015 through June 2015.

SUPPORT INFORMATION:

1. N/A

# Las Cruces Police Department Police Auditor Presentation

Review of Cases

January 1 – June 30, 2015

November 9, 2015

Presented by: The Public Safety Strategies Group LLC

# Number of Cases Reviewed

Type	Number
<b>EIC1</b> - Formal Complaint made by a citizen –serious or non serious nature	6
<b>EIC2</b> - Informal Complaint made by a citizen - Non serious – complainant does not want to pursue	0
<b>EIC3</b> – Formal Complaint of a non serious nature – lack of valid facts or no apparent general order violation	26
<b>II</b> - Internally initiated - Formal Complaint when there is an internal allegation related to misconduct or operational actions of employees on or off-duty	2
<b>Total</b>	34

# Investigation Outcomes - Allegations

Type	Total Cases	Allegation Outcome						
		Exonerated	Not Sustained	Sustained	Sustained	Other	Unfounded	Officed Investigation
EIC1	6	1		4	2	1		
EIC2	0							
EIC3	26							26
II	2			12				
Total	34	1		16	2	1		26

The number of cases and allegation outcomes do not equal because of multiple allegations in some cases.

# Call Types

Example call types / incidents generating the complaints include

- Traffic Stops
- Wellness Checks
- Assistance with Behavioral Issues
- Domestic Violence

There is not a specific call type generating complaints

# Complaint Types in Cases Reviewed

Example complaints include

- Conduct / rudeness
- Conduct / failure to act
- Use of force
- Civil Rights Violation (unfounded)
- Racial Profiling (unfounded)

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

# Update on Past Suggestions

- Update G.O. 160 with a table specifically outlining the timelines for case review and updating the information related to complaint acceptance.
- Improve and standardize the forms and update G.O. 160.
- Standardized the narrative section of the reports for consistency and ease of review.
- Standardize the file name and filing process.
- Clarify source of information in narrative.
- Improve the notations on paperwork and notes to ensure proper documentation.

# Areas of Improvement - Narrative

- PSU members have improved the narratives to ensure the source of the information is clear, the next step would be to formalize how information is presented in the summary. Variations exist when listing dates of events, LCPD records numbers and/or involved parties.

PSSG suggests creating a narrative template for the Complaint Summary section.

# Areas of Improvement - Filing System

- Individual PSU members continue to prepare documentation differently (varying file names, subject lines etc.). For some cases there are duplicates of files and others are missing paperwork.

PSSG suggests creating a naming strategy that defines labeling, document the process and ensure all PSU members follow the process.

# Areas of Improvement - Documentation

- Handwritten notes do not always have the case number, page 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.
- Citizen complaints taken by officers are not always filled out on the proper form.

PSSG suggests updating the case check sheet and ensure that it is maintained with every file.

## Areas of Improvement - Consistency with Case Files / Documentation

- Important forms are referred to in the audio recordings as having been completed, but the forms do not appear in the case file.

PSSG suggests ensuring that all forms are provided in the case file.

## Areas of Improvement - Consistency with Application Sustained Other and Supervisory Matter

- In some instances officers had infractions that were not part of the original complaint placed under the category of Sustained Other (outlined in G.O. 160), while other officers has issues filed as a supervisory matter (not outlined).

PSSG suggests an explanation for this appropriate process is added in G.O. 160.

# Areas of Improvement - Application of E1C2

- In some instances the complainant only wanted to provide information and was not filing a complaint or the complaint was not against LCPD. The complainant was sent a letter of “insufficient evidence”. PSU included these as informal complaints.

PSSG suggests using the category of E1C2 or creating an information only category as appropriate to ensure these instances are not cited as complaints and sending the person a more applicable note.

## Areas of Improvement - Providing Sufficient information to Complainant

- In one situation the complainant was sent a letter that there was “insufficient evidence” for an investigation. There was a preliminary investigation that found information to resolve the issue. There should have been additional information about the nature of the complaint and what the department found.

PSSG suggests going beyond the form letter when needed.

# Areas of Improvement - Final Disposition Letter to Complainant

- In one situation the complainant was not sent a final disposition letter.

PSSG suggests using a checklist to ensure that is occurs.

# Contact Information

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