



City of Las Cruces®

PEOPLE HELPING PEOPLE

COUNCIL WORK SESSION SUMMARY ROUTING SLIP

Meeting Date October 24, 2016

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		728-4730	10-19-16
Department Director		639-1536	10/19/16
Other			
Assistant City Manager/CAO (if applicable)			
Assistant City Manager/COO (if applicable)			
City Manager		X-2078	10/20/2016



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Council Work Session Summary

Meeting Date October 24, 2016

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 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 internal and external complaints from January 2016 through June 2016.

SUPPORT INFORMATION:

1. N/A

Las Cruces Police Department Police Auditor Presentation

Review of Cases

January 1 – June 30, 2016

October 24, 2016

Presented by: The Public Safety Strategies Group LLC

Updates from April, 2016

- PSSG and PSU/Chief have held five meetings to discuss cases reviewed and to provide policy assistance.
- PSU/Chief have requested PSSG to review policies and make suggestions for revisions.
- PSU has been providing training to newer personnel assigned to PSU.
- PSU updated the Decline letter to complainant to reflect when there is not any evidence of misconduct rather than stating “insufficient evidence”.

Updates from April, 2016

- PSSG provided a template for the case summary section of the report to improve consistency.
 - PSU incorporated some suggestions into a revised policy.
 - PSSG will continue to monitor this section of the case investigation to see if consistency is improved and will revisit the topic as appropriate with PSU and the Chief.

Number of Cases Without Full Investigation Reviewed

Type	Number
EIC2 - Informal Complaint made by a citizen - non serious – complainant does not want to pursue	PSSG Does not Review
EIC3 – Formal Complaint of a non serious nature – lack of valid facts or no apparent general order violation	28
Total	28

In these cases, the preliminary investigation showed that the case/allegations did not have merit.

Number of Cases With Full Investigation Reviewed

Type	Number
EIC1 - Formal Complaint made by a citizen –serious or non serious nature	5
II - Internally initiated - Formal Complaint when there is an internal allegation related to misconduct or operational actions of employees on or off-duty	1
Total	6

Investigation Outcomes - Allegations

Type	Total Cases	Total Officers/employees	Number of Allegations	Allegation Outcome						
				Exonerated	Not Sustained	Sustained	Sustained Other	Unfounded	Officed Investigation	No Merit
EIC1	5	11	24	-	-	15	6	3	-	-
II	1	1	2	-	-	1	-	1	-	-
Total	6	12	26	-	-	16	6	4	-	-

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:

- Motor Vehicle Crashes
- Motor Vehicle Stops
- Assaults
- Domestic Violence
- Landlord Tenant

Complaint Types in Cases Reviewed

Example complaints/allegations without merit include:

- Rudeness
- Failing to act
- Use of force
- Discourteous/Rude
- Failure to Act/Unsatisfactory Performance
- Arrested without Cause

Complaint Types in Cases Reviewed

Example complaints/allegations that were sustained include:

- Unsatisfactory Performance
- Conduct Towards the Public
- Failing to Conduct Proper Investigations
- Failing to Use Recording Devices

Supervisory Issues in Cases Reviewed

Investigations often reveal minor issues that occurred, that were not part of the initial complaint, but were discovered during the incident. Examples include:

- Proper labeling of videos
- Failure to follow court policy
- Failure to provide proper interpreters

Areas of Proficiency for PSU/LCPD

- PSU has worked with PSSG to address issues discovered in case reporting and organization.
- LCPD is dedicated to addressing issues that occur that maybe related to lack of clarity in policy and are addressing those areas.
- PSU continues to invest in its personnel.
- LCPD is expanding the use of body cameras.
- PSU/Chief inform the City Manager of high profile cases.
- PSU members do an excellent job of explaining the complaint process to members of the public.

Areas of Improvement - Full Investigation and Letter to Complainant

- In a preliminary investigation two issues were found but a full investigation did not occur. The items were noted as supervisory matters. The letter to complainant stated the case had not merit. The letter should have indicated policy issues were violated and training has been recommended

Areas of Improvement - Addressing Issues Noted as Supervisory Issues Through Briefings or Roll Call

- While major issues that have occurred have led to policy changes, some other issues could benefit from having the department issue reminders or roll call briefings.

Areas of Improvement - Double checking dates

- There were a few instances where the dates stated in recordings didn't reflect the dates written.
- In once instance the date of a telephone call to a victim was listed as occurring prior to the filing of a complaint.

Areas of Improvement - Qualifications of Statements

- When detectives are writing case summaries it is important to use qualifiers when appropriate, for example: citizen believes or citizen relays rather than stating something as fact when it is the opinion of the person being interviewed.

Areas of Improvement - Working with Victim Advocates

- When possible ensure victim advocates are available for highly sensitive interviews.

Areas of Improvement - Identification of PSU Members and Others Present During Interviews

- Ensure everyone is identified during interviews.

Areas of Improvement - Consistency in Categorization

- In some instances it is a Supervisory Matter and others it is a Sustained Allegation.

Contact Information

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