

Macon Police Department Internal Affairs 2007 Annual Report

During the period from January 1, 2007 to December 31, 2007, the Internal Affairs Unit logged three hundred thirty (330) Allegations of Policy Violations. Attached to this analysis is a break down of those allegations by policy violation, by individual unit, and by Precinct. This report will also cover Use of Force Reported, Racial Bias, Grievances filed within the Department, Polygraph Report, and Recruiting.

Allegations of Policy Violations

These allegations are broken into two (2) categories, Internal Allegations and External Allegations. Internal Allegations are initiated within the Department, usually by a supervisor. External Investigations are initiated by a citizen and may be filed with any supervisor or directly at the Internal Affairs office.

January 1, 2007 through December 31 2007

During 2007 there were two hundred twenty seven (227) Internal Allegations logged with Internal Affairs and this represented 68.7% of all allegations. External Allegations totaled one hundred three (103) and this was 31.2% of all allegations filed.

The top five (5) categories of all allegations (Internal and External) filed are listed as follows:

1.05 Reporting for Duty	80 Allegations	24.2%
1.46 Operating Vehicles	58 Allegations	17.5%
1.11 Unsatisfactory Performance	26 Allegations	7.8%
1.52 Use of Force	26 Allegations	7.8%
1.28 Courtesy/Sexual Harassment/Racial Discrimination	22 Allegations	6.6%

The top five (5) categories of External Allegations filed are listed as follows:

1.28 Courtesy/Sexual Harassment/Racial Discrimination	22 Allegations	21.3%
1.44 Abuse of Process	15 Allegations	14.5%
1.52 Use of Force	14 Allegations	13.5%
1.11 Unsatisfactory Performance	11 Allegations	10.6%
1.02 Unbecoming Conduct	7 Allegations	6.7%

Based upon the total of all Allegations the following is a breakdown by Precinct and Division of the highest number and percentage:

Precinct 1	82 Allegations	24.8%
Precinct 2	76 Allegations	23%
Precinct 3	42 Allegations	12.7%
Precinct 4	44 Allegations	13.3%

Support Services	53 Allegations	16.1%
E-911	10 Allegations	3%

A review of the discipline issued by the department indicates that fifty six (56) written warnings were issued for various allegations, eighty four (84) verbal warnings, five (5) counseling forms, and a total of twenty six (26) suspensions without pay. Only one officer suspended without pay served more than three days. This officer received nine (9) days suspension, while the others received one (1) to three (3) days.

January 1, 2006 through December 31, 2006

During 2006 there were one hundred fifty (150) Internal Allegations logged with Internal Affairs and this represented 60.7% of all allegations. External Allegations totaled ninety seven (97) and this was 39.3% of all allegations filed.

The top five (5) categories of all allegations in 2006 (Internal and External) filed are listed as follows:

1.05 Reporting for Duty	40 Allegations	16.2%
1.46 Operating Vehicles	31 Allegations	12.6%
1.11 Unsatisfactory Performance	25 Allegations	10.1%
1.52 Use of Force	21 Allegations	8.5%
1.44 Abuse of Process	18 Allegations	7.3%

The top five (5) categories of External Allegations filed in 2006 are listed as follows:

1.52 Use of Force	20 Allegations	8.1%
1.44 Abuse of Process	18 Allegations	7.3%
1.28 Courtesy/Sexual Harassment/Racial Discrimination	14 Allegations	5.7%
1.11 Unsatisfactory Performance	10 Allegations	4.1%
1.02 Unbecoming Conduct	6 Allegations	2.4%

Comparing the 2007 allegation against the 2006 allegations it is obvious that Reporting for Duty is still one number one Internal Allegation. This has been a trend for the past two years and is the result of officers failing to appear for court.

Operating vehicles continues to rank second in allegations, due to traffic accidents. Chief Burns has instituted a new procedure for these allegations that should reduce accidents in 2008. In the past all accidents were forwarded to the Safety Committee for review and a determination of chargeable or non-chargeable. The Safety Committee would then recommend disciplinary action. Under the new procedure, the Safety Committee will determine if the accident is chargeable or non-chargeable. No recommendation of disciplinary action will be submitted. Internal Affairs will review the file for possible policy violations. If a policy violation is found, the file will be submitted to the Disciplinary Review Board for a recommendation.

Unsatisfactory Performance is still ranked third, and Use of Force is still ranked fourth.

Courtesy/Sexual Harassment/Racial Discrimination was ranked fifth in 2007. A review of the allegations revealed that the vast majority of these allegations were for courtesy. This classification needs to be reviewed and broken down into three separate violations. As it is set up now, the violation cannot be separated on the Allegation Report as to which part is being violated. Separating the violations will provide a more accurate reporting method.

External Allegations continued to follow the same trend as 2006. Use of Force allegations dropped to third and Courtesy moved to first..

Use of Force Reports

In 2007 we saw a dramatic increase in Use of Force Reports filed in the department. There were a total of one hundred fifty-five reports (155) filed. There were seven (7) instances where deadly force was used. Three of these involved officers having to shoot aggressive dogs that attacked them. One deer was shot after it had been struck by a vehicle and was severely injured. Three officers used deadly force that caused severe injury and death. Officer J. Walker was forced to shoot a male suspect that attacked him and then attempted to drag him down the road in a car. Detective L. Houston was force to shoot an individual, causing his death, to protect another person from death or severe injury. Officer R. Martin attempted to take a bank robbery into custody and the suspect went for the officer's gun, trying to disarm the officer. The weapon discharged as a result of the suspect grabbing the weapon causing the suspects death.

All cases involving the death or severe injury were sent to the District Attorneys office for review. All three cases were ruled justifiable use of force.

One hundred three (103) reports were filed because the officer/officers were attempting to affect an arrest. The most common control method used was muscling techniques and handcuffs. OC spray was used in forty (40) reports. Uniformed officers were responsible for the majority of the reports.

The rise in Use of Force Reports can be accounted for due to the fact that a greater emphasis was place upon training officers in when a report was require to be completed. In the past if more than one officer used force; only one officer was doing a report. To address this issue and to clear any misconception of when a Use of Force Report was required, roll call training, COMSTAT meetings and memos were sent to the Area Majors and precinct Commanders detailing when a use of force was required and who had to complete the reports.

After this occurred we saw an increase in completed reports being submitted. Only one case sent for Disciplinary Review was deemed Excessive Force and that officer was terminated.

Racial Bias and or Profiling

A review of all allegations investigated revealed only one allegation involving racial profiling during 2007. This resulted from a traffic stop involving a white male officer and a black male

driver..

The complaint alleged the officer profiled him because of his race and the type vehicle he was driving. The Disciplinary Review Board sustained the allegation of Abuse of Process against the officer and he received a Written Reprimand for the policy violation.

There was no evidence that racial profiling or bias is occurring in the department in a scale that would warrant any concern at this time.

Employee Grievance

In the calendar year 2007 there was one grievance filed within the department. A civilian employee from the Youth and Intervention Division filed this grievance. The allegation was filed against a civilian employee, the Grants Coordinator, in Police Administration. Step one of the process began when the employee in Y&I reported the allegation in writing to her supervisor. The supervisor, Sergeant S. Thomas, attempted to resolve the matter by speaking with the employee and the Grant Coordinator. She could not resolve the issue and the matter was referred to Internal Affairs. The Director of Internal Affairs reviewed the allegation and referred it back to Y&I for review by Major Tonnie Williams. Major Williams was able to resolve the issue between both employees by explaining to the civilian filling the grievance the correct process of filling correct reports with the Grant Coordinator. The employee filling the grievance stated that the Grants Coordinator had no business question her ability to correctly file required reports and implying that she did not know she was doing.

After reviewing this allegation it is clear that step one of the process was followed. Sergeant Thomas should have not forwarded the grievance to IA for review, but should have sent it to the Major for step two of the process. Contacting Sergeant Thomas and telling her the correct procedure and detailing the correct policy for her to review corrected this error.

With only one grievance filled in 2007 there does not appear to be any problems involving grievances in the department. In 2006 there were four grievances filled. With a workforce of over three hundred employees in the department, sworn and civilian, this is a significantly low number for both years.

Polygraph Reports

Beginning January 1, 2007, the department changed from using Voice Stress Analysis to the Polygraph. We have three polygraph examiners assigned to the Internal Affairs unit at this time. A total of ninety six (96) polygraph examinations were administered. The examiners performed eighty eight (88) pre-employment examinations, seven (7) specific issue/criminal exams, and one (1) administrative/IA investigation exam.

Outside agencies requested that our examiners perform polygraph exams for them due to scheduling conflicts with the GBI. We gladly assisted them as mutual support for law enforcement agencies. The Henry County Police Department requested that we perform fourteen (14) pre-employment examinations. The Warner Robins Police Department requested that we

perform four (4) pre-employment exams and two (2) criminal specific exams pertaining to a murder investigation.

A total of seventy six (76) polygraph examinations were performed for our department. We conducted sixty nine (69) pre-employment exams, one (1) exam involving an IA investigation, four (4) specific issue exams for Area 2 investigators concerning a theft of money from an armored car. We also performed two (2) pre-employment exams concerning drug use after the applicant failed a previous exam or made an admission to drug usage within six months of application.

The average time spent on the examinations was 2.5 hours per examination, which resulted in a total of two hundred forty (240) hours.

Prior to Lt. King and Lt. Archie attending polygraph school I performed twenty (20) pre-employment exams and two (2) criminal specific exams after they returned. The two Lieutenants did the balance of the examinations.

Recruiting

Prior to July 1, 2007, the police recruiter/background investigator was assigned to training. I had no direct control over his activities. We have had some difficulty working with the Department of Human Resources in establishing procedures that will assist both the Police Department and Human Resources meet the hiring needs of the department. We implemented a minimum standard for the physical fitness exam that requires all applicants to pass all portions of the physical fitness exam. Prior to this all an applicant had to do was take the exam and then proceed to the Assessment test. In November 2007, we requested that the Human resources Department obtain releases from applicants for background checks when they submit their application. If an applicant passes the physical fitness exam we immediately began a criminal records check. This results in some applicants being disqualified because of felony convictions, domestic violence convictions, protective orders, and any crime they could have been sentenced to jail time prior to taking the Assessment test. This saves time and money for the department. We have been able to reduce the hiring time from three to six months to five weeks.

During the period of January 1, 2007 to December 31, 2007, the Department of Human resources scheduled one hundred fifty four (154) applicants for the Assessment test. Thirty two (32) of those scheduled did not show up for the test. Sergeant Collins was instructed to contact those applicants that did not show up for the test and try to get them to come back or find a reason that they did not appear.

A total of fifty seven (57) applicants were disqualified for the following reasons:

- Nineteen (19) failed the Assessment test

- Nine (9) failed the MMPI (psychological exam)

- Twenty eight (28) were disqualified for other reasons. eg: Criminal Record, lying on application, history of drug use, etc.

The sixty nine (69) remaining applicants were submitted to the hiring review board. We were

able to hire forty nine (49) of these applicants, of which sixteen (16) were certified police officers.

Comparing the number of applicants that took the Assessment test to the number of applicants hired we see a 40% hiring ratio.

During the calendar year we had a total of nine (9) of our new hires dismissed from our training academy or the Middle Georgia Law Enforcement Academy. Four recruits resigned from our training academy for academic reasons and one pending a POST clearance. Four Recruits failed firearms training at MGLETC and one was dismissed for sexual misconduct. Two of the recruits that failed firearms went back to the MGLETC and paid their way for retesting and eventually passed.