

*City of*  
**Fayetteville**  
*North Carolina*  
**POLICE**  
**DEPARTMENT**

March 27, 2015

**MEMORANDUM**

**TO:** Harold E. Medlock, Chief of Police

**FROM:** Michael P. Petti, Captain of Internal Affairs

**SUBJECT:** 2014 Annual Report (Internal Affairs Unit)

The Fayetteville Police Department (FPD) has continued down the path of improving relations with the community we serve, as well as finding alternative methods in dealing with resistant subjects. Our officers have made great strides in reducing the overall number of use of force incidents, while increasing the accountability of our actions.

The following graph is a snapshot of the FPD in regards to all administrative investigations and a year-to-year comparison.

| Investigative Category         | 2011 | 2012 | 2013* | 2014 | Variance from 2013 |
|--------------------------------|------|------|-------|------|--------------------|
| Use of Force Incidents         | 145  | 157  | 103   | 52   | -51                |
| Departmental Investigations    | 110  | 107  | 37    | 46   | 9                  |
| Citizen Complaints (Internals) | 21   | 20   | 13    | 22   | 9                  |
| Negative Citizen Contacts      | 103  | 120  | 82    | 40   | -42                |
| Vehicle Crashes (City Owned)   | 46   | 40   | 62    | 81   | 19                 |
| Vehicle Pursuits               | 10   | 16   | 18    | 16   | -2                 |
| Firearm Discharge (Suspects)   | 5    | 7    | 4     | 2    | -2                 |

\* Pointing of Weapons removed from 2013 UOF totals due to a cessation in tracking during 2014.

## *Use of Force (UOF) Investigations*

The FPD continued to see a decrease in the overall number of Use of Force (UOF) incidents for a second straight year. In 2014, the FPD investigated (52) UOF incidents versus the (103) reported in 2013. When compared with 2012, the FPD has been involved in **66.8% fewer UOF** incidents (157 versus 52).

Not included in the year-to-year comparisons are weapons being pointed by FPD officers. Eleven (11) weapon pointing incidents have been removed from the 2013 totals due to the cessation of tracking this information in 2014. However, the FPD has recognized the need to continue tracking these types of events and policy was modified for 2015 requiring that our officers complete an FI module outlining the nature of the incident, along with the biographical information of the suspect(s) whenever our officers are forced to draw and aim their weapons at an individual. We will now be able to retrieve these numbers and include them in our 2015 Internal Affairs Annual Report.

Even more noteworthy is the reduction in Firearm Discharges. FPD Officers were involved in two (2) Deadly Force situations where officers were forced to discharge their firearms, which is two (2) less than in 2013 and five (5) less than in 2012. The firearms discharges in 2014 resulted in a single fatality.

Below you will find the raw data regarding UOF Investigations.

|                               | 2013* | 2014** | Variance | Percent Change |
|-------------------------------|-------|--------|----------|----------------|
| Total Number of UOF Incidents | 103   | 52     | -51      | -49.5%         |
| Total Number of People        | 105   | 53     | -52      | -49.5%         |

\* 11 people removed from 2013 totals due to the cessation in tracking weapon pointing incidents in 2014.

\*\* One (1) Firearm Discharge while taking subject into custody was not counted as a UOF due to the discharge being unintentional.

### 2013/2014 Comparison of Race/Gender/Force Type

| Type of Force                          | B/M       | W/M       | B/F | W/F      | H/M      | H/F      | Crowd    |  | 2013 Totals | 2014 Totals | Variance | Percent Change |
|--|-----------|-----------|-----|----------|----------|----------|----------|--|-------------|-------------|----------|----------------|
| Taser                                  | 19        | 6         |     | 1        |          | 1        |          |  | 35          | 27          | -8       | -23%           |
| Taser plus another force               | 1         |           |     |          |          |          |          |  | 14          | 1           | -13      | -93%           |
| Hands                                  | 13        | 5         |     | 1        | 1        |          |          |  | 46          | 20          | -26      | -57%           |
| Firearm Discharge (Suspect) **         | 1         | 1         |     |          |          |          |          |  | 4           | 2           | -2       | -50%           |
| Multiple Force (No Taser)              |           |           |     |          |          |          |          |  | 3           | 0           | -3       | -100%          |
| Pointing of Weapon *                   |           |           |     |          |          |          |          |  | N/A         | N/A         |          | N/A            |
| OC / Pepperball                        | 1         |           |     |          |          |          | 2        |  | 2           | 3           | 1        | 50%            |
| Asp                                    |           |           |     |          |          |          |          |  | 1           | 0           | -1       | -100%          |
| K-9 Bite (Criminal Apprehension)       |           |           |     |          |          |          |          |  | 0           | 0           | 0        | 0%             |
| <b>total Nuber of People Force Use</b> | <b>35</b> | <b>12</b> |     | <b>2</b> | <b>1</b> | <b>1</b> | <b>2</b> |  | <b>105</b>  | <b>53</b>   |          |                |

\* Removed from analysis due to lack of tracking in 2014

\*\* B/M suspect not struck during firearm discharge

### 2014 Percentages for Race/Gender/Force Type

| Type of Force                         | B/M        | W/M        | B/F       | W/F       | H/M       | H/F       | Crowd     |  | Total Percentage of Force Types |
|---------------------------------------|------------|------------|-----------|-----------|-----------|-----------|-----------|--|---------------------------------|
| Taser                                 | 70%        | 22%        |           | 4%        |           | 4%        |           |  | 51%                             |
| Taser plus another force              | 100%       |            |           |           |           |           |           |  | 2%                              |
| Hands                                 | 65%        | 25%        |           | 5%        | 5%        |           |           |  | 38%                             |
| Firearm Discharge                     | 50%        | 50%        |           |           |           |           |           |  | 4%                              |
| Multiple Force (No Taser)             |            |            |           |           |           |           |           |  | 0%                              |
| Pointing of Weapon                    |            |            |           |           |           |           |           |  | N/A                             |
| OC / Pepperball                       | 33%        |            |           |           |           |           | 67%       |  | 6%                              |
| Asp                                   |            |            |           |           |           |           |           |  | 0%                              |
| <b>Total Percentage of Force Used</b> | <b>66%</b> | <b>23%</b> | <b>0%</b> | <b>4%</b> | <b>2%</b> | <b>2%</b> | <b>4%</b> |  |                                 |

### Demographics of Involved Citizens

| Age               | N/A         | B/M          | W/M          | B/F      | W/F         | H/M         | H/F         | Totals    | Percentage |
|-------------------|-------------|--------------|--------------|----------|-------------|-------------|-------------|-----------|------------|
| Less than 18      |             | 1            | 1            |          |             |             |             | 2         | 3.8%       |
| 18-25             |             | 11           |              |          |             |             |             | 11        | 20.8%      |
| 26-35             |             | 15           | 7            |          | 1           |             |             | 23        | 43.4%      |
| 36-45             |             | 5            | 1            |          |             |             | 1           | 7         | 13.2%      |
| 46-55             |             | 1            | 2            |          |             |             |             | 3         | 5.7%       |
| 56-65             |             | 2            |              |          |             | 1           |             | 3         | 5.7%       |
| Over 65           |             |              |              |          | 1           |             |             | 1         | 1.9%       |
| Unknown           |             |              | 1            |          |             |             |             | 1         | 1.9%       |
| Crowd             | 2           |              |              |          |             |             |             | 2         | 3.8%       |
| <b>Totals</b>     | <b>2</b>    | <b>35</b>    | <b>12</b>    | <b>0</b> | <b>2</b>    | <b>1</b>    | <b>1</b>    | <b>53</b> |            |
| <b>Percentage</b> | <b>3.8%</b> | <b>66.0%</b> | <b>22.6%</b> |          | <b>3.8%</b> | <b>1.9%</b> | <b>1.9%</b> |           |            |

### Police Officer Demographics Who Used Force

| Officer Race    | 2013 | 2014 | Variance | Total Percent of Force Used in 2013 | Total Percent of Force Used in 2014 |
|-----------------|------|------|----------|-------------------------------------|-------------------------------------|
| White           | 154  | 64   | -90      | 80.6%                               | 81.0%                               |
| Black           | 24   | 11   | -13      | 12.6%                               | 13.9%                               |
| Hispanic        | 3    | 3    | 0        | 1.6%                                | 3.8%                                |
| Native American | 5    | 0    | -5       | 2.6%                                | 0.0%                                |
| Asian           | 2    | 1    | -1       | 1.0%                                | 1.3%                                |
| Other           | 2    | 0    | -2       | 1.0%                                | 0.0%                                |
| No entry        | 1    | 0    | -1       | 0.5%                                | 0.0%                                |
| Total Officers  | 191  | 79   | -112     |                                     |                                     |

| Age of Officers | 2013 | 2014 | Variance | Total Percent of Force Used in 2013 | Total Percent of Force Used in 2014 |
|-----------------|------|------|----------|-------------------------------------|-------------------------------------|
| 20 to 29:       | 94   | 31   | -63      | 49.2%                               | 39.2%                               |
| 30 to 39:       | 47   | 19   | -28      | 24.6%                               | 24.1%                               |
| 40 to 49        | 40   | 21   | -19      | 20.9%                               | 26.6%                               |
| 50 and Up       | 9    | 8    | -1       | 4.7%                                | 10.1%                               |
| No DOB Entered  | 1    | 0    | -1       | 0.5%                                | 0.0%                                |
|                 | 191  | 79   | -112     |                                     |                                     |

| Gender of Officers | 2013 | 2014 | Variance | Total Percent of Force Used in 2013 | Total Percent of Force Used in 2014 |
|--------------------|------|------|----------|-------------------------------------|-------------------------------------|
| Female:            | 14   | 6    | -8       | 7.3%                                | 7.6%                                |
| Male               | 176  | 73   | -103     | 92.1%                               | 92.4%                               |
| No entry           | 1    | 0    | -1       | 0.5%                                | 0.0%                                |

### Total Number of Injuries

|         | 2013 | 2014 | Variance |
|---------|------|------|----------|
| Suspect | 45   | 31   | -14      |
| Officer | 5    | 1    | -4       |
| Both    | 8    | 10   | 2        |
| None    | 58   | 11   | -47      |
| Animals | 8    | 1    | -7       |

## *Firearm Discharges*

| Reason for Discharge | Suspect Race/Gender | Suspect Age | Injury   | Officer Race/Sex | Officer Age | Investigation Outcome |
|----------------------|---------------------|-------------|----------|------------------|-------------|-----------------------|
| Accidental           |                     |             | None     | W/M              | 48          | Sustained             |
| Dog - Self Defense   |                     |             | None     | W/M              | 43          | Exonerated            |
| Dog - Self Defense   |                     |             | Deceased | W/M              | 33          | Exonerated            |
| Accidental           |                     |             | None     | W/M              | 26          | Sustained             |
| Self - Defense       | W/M                 | 45          | Deceased | W/M, I/M         | 50, 28      | Open Investigation    |
| Self - Defense       | B/M                 | 17          | None     | W/M              | 55          | Exonerated            |

| Reason for Discharge | 2013 | 2014 | Variance |
|----------------------|------|------|----------|
| Suspect(s)           | 4    | 2    | -2       |
| Animal               | 8    | 2    | -6       |
| Warning Shots        | 0    | 0    | 0        |
| Accidental Discharge | 0    | 2    | 2        |
| Total                | 12   | 6    | -6       |

## *Use of Force Investigative Dispositions*

|                                      | Exonerated | Sustained | Active | VOTC * |
|--------------------------------------|------------|-----------|--------|--------|
| Number of UOF investigations         | 33         | 4         | 5      | 10     |
| Percentage of all UOF Investigations | 65%        | 8%        | 10%    | 20%    |

\* In all VOTCs, the officers were exonerated for the UOF but other violations were found.

### Sustained Allegations resulted in:

- Two (2) Written Warnings
- One (1) Suspension
- One (1) Consideration for Dismissal (COD)

Violations Other Than Complaint (VOTC) included:

- Two (2) improper searches
- One (1) multi-unit response
- One (1) radio communications violation
- Two (2) investigative timeliness (supervisors)
- One (1) failure to assist a fellow officer
- One (1) driving violation
- One (1) felony vehicle stop violation
- Two (2) in-car camera violations

*UOF Analysis / Recommendations*

Based on the systematic analysis of FPD data regarding Use of Force, the IAU recommends the following steps be taken to avoid potential problematic patterns:

- Continue and/or increase de-escalation training and identification of pre-assaultive behavior.
- Continue and/or increase Reality Based Training (RBT) beyond shoot, don't shoot scenarios.
- Continue to monitor industry standards regarding UOF training.
- Continue with the current "Collaborative Reform Process" partnership with DOJ, COPS and CNA.

Currently, the IAU does not recommend any changes to the three (3) policies governing UOF. However, it is recommended that a change/addition be incorporated into Operating Procedure 1.1, Internal Investigative Procedures. The IAU recommends that additional adjudication classifications be added regarding UOF investigations beyond Exonerated, Unfounded, Sustained or VOTC. Several situations occurred during the year which may have been avoided if better tactical decision making had been enacted and additional training for the officer(s) was recommended. Likewise, situations occurred where officers were found to have followed policy; however, it was determined that the policy itself was deficient and/or inadequate. Therefore, the IAU recommends two (2) additional adjudication choices be added which include:

1. **Tactical/Decision Improvement(s)** – Decisions made were not considered to be tactically sound. Individual training specific to the involved employee is recommended.
2. **Policy/Training Improvement(s)** – Involved employee adhered to policy and/or training protocols; however, the incident has identified that current policy is inadequate, ineffective, or deficient, or, there is no existing policy/training which addresses the action taken or performance demonstrated and improvements should be made.

## *Departmental Investigations*

As you know, Departmental Investigations are typically generated by the individual supervisors within the FPD and are usually in response to an employee's performance and/or issues involving unsatisfactory types of conduct.

In 2014, a total of sixty-two (62) Departmental Investigations were conducted; an increase of twenty (20) when compared to 2013. It should be noted that the IAU does not perceive this increase to be evidence of degradation in officer conduct. Instead, it is the IAU's opinion that supervisory staff is holding employees more accountable for their actions, thus resulting in the obvious increase.

The breakdown of employees involved in Departmental Investigations includes:

- Forty-three (43) sworn
- Seven (7) civilians
- Four (4) cadets in the Academy

| Allegations                              | 2013      | 2014      | Variance | 2014 Percent Totals |
|--|-----------|-----------|----------|---------------------|
| Unsatisfactory Performance               | 21        | 21        | 0        | 34%                 |
| Reprting for Duty                        | 2         | 4         | 2        | 6%                  |
| Disobedience of Orders / Insubordination |           | 3         | 3        | 5%                  |
| Unbecoming Conduct                       | 4         | 6         | 2        | 10%                 |
| Violation of Law                         | 4         | 4         | 0        | 6%                  |
| Failure to Appear (Court)                | 4         |           | -4       | 0%                  |
| Courtesy                                 | 1         |           | -1       | 0%                  |
| Department Records / Citation            |           | 2         | 2        | 3%                  |
| Death During Police Assistance           | 1         |           | -1       | 0%                  |
| Neglect of Duty                          | 1         | 4         | 3        | 6%                  |
| Unauthorized Persons in Vehicle          |           | 1         | 1        | 2%                  |
| Vehicle Operations                       | 3         | 4         | 1        | 6%                  |
| Association                              |           | 1         | 1        | 2%                  |
| Litigation                               |           | 1         | 1        | 2%                  |
| Vehicle Pursuit                          | 1         |           | -1       | 0%                  |
| Truthfulness & Cooperation               |           | 2         | 2        | 3%                  |
| Conduct                                  |           | 2         | 2        | 3%                  |
| Court Appearance                         |           | 3         | 3        | 5%                  |
| Loss or Damage to City Equipment         |           | 1         | 1        | 2%                  |
| Injury While in Custody                  |           | 1         | 1        | 2%                  |
| Failure to Secure a Prisoner             |           | 1         | 1        | 2%                  |
| VOTC                                     |           | 1         | 1        | 2%                  |
| <b>Total Departmental Investigations</b> | <b>42</b> | <b>62</b> |          |                     |

\* Based on total number of allegations made during an investigation.

| <b>Dispositions</b>    | <b>2013</b> | <b>2014</b> | <b>Variance</b> | <b>2014 Percentages</b> |
|------------------------|-------------|-------------|-----------------|-------------------------|
| Sustained              | 25          | 39          | 14              | 84.8%                   |
| Exonerated             | 3           | 1           | -2              | 2.2%                    |
| Unfounded              | 1           | 0           | -1              | 0.0%                    |
| VOTC                   | 1           | 1           | 0               | 2.2%                    |
| Not Sustained          | 2           | 0           | -2              | 0.0%                    |
| Open / No Final Action | 5           | 5           | 0               | 10.9%                   |
| <b>Total</b>           | <b>37</b>   | <b>46</b>   | <b>9</b>        |                         |

\* Represents total number of actual investigations.

| <b>Disciplinary Actions</b> | <b>2013</b> | <b>2014</b> | <b>Variance</b> |
|-----------------------------|-------------|-------------|-----------------|
| Corrective Action           | 8           | 4           | -4              |
| Written Warning             | 2           | 4           | 2               |
| Written Reprimand           | 3           | 13          | 10              |
| Suspension                  | 5           | 15          | 10              |
| COD / Terminated            | 5           | 6           | 1               |
| Open Investigations         | N/A         | 4           | 4               |
| <b>Total</b>                | <b>23</b>   | <b>46</b>   | <b>23</b>       |

\* Represents total number of personnel receiving discipline.

The breakdown of Considerations for Dismissal (COD) included:

- Four (4) sworn officers
- One (1) cadet in the Academy
- One (1) Civilian

The number one (1) reason or allegation made during departmental investigations continues to be for Unsatisfactory Performance. The IAU continues to recommend that supervisory staff seek to identify specific policies to cite as violations and reserve Unsatisfactory Performance for incidents that involve an overall breakdown in conduct or the totality of the circumstances surrounding why the investigation was initiated was overwhelmingly egregious.



## *Citizen Contacts / Complaints*

For this annual review the IAU has combined Citizen Contacts and Citizen Complaint investigations into one (1) section. However, for clarity purposes the differences between the two will be explained.

“Citizen Contacts” have historically been a method for supervisory staff to document minor complaints received from citizens that could typically be mediated with little effort. The incident and supervisory actions were documented on the Citizen Contact form and forwarded through the chain of command for review and retention. Due to the minor nature of the complaints, the incidents were omitted from the employees personnel file, or “IA Track” as it is commonly known and no further action would be taken.

“Citizen Complaints” were full investigations conducted after a complaint was received and a major policy violation was identified and/or the accusation was serious enough that a full internal investigation was warranted. “Citizen Complaint” investigations are handled in the same manner as any other administrative internal investigation and upon completion; the outcome is recorded in the employee’s personnel file.

However, since the FPD implemented its electronic internal investigative software “Blue Team”, the IAU staff realized that any entry made into “Blue Team” where an officer is identified as being an “Involved Employee”, is automatically recorded in the officer’s historical resume (personnel) file. Therefore, to simplify the process and aid IAU in tallying and recording all complaints filed by citizens, the “Citizen Contact” selection in Blue Team was discarded for 2015 and all complaints received will now be entered as “Citizen Complaints”.

Also implemented for the upcoming 2015 year, IAU created additional entries in “Blue Team” to further simplify the tracking of certain events. “Biased Policing Complaints” and “Excessive Force Allegations” were added to the “Blue Team” pick list for easier tabulation and tracking. Likewise, Supervisors are also able to select “Positive Compliment” when receiving praise from a citizen; an act that was previously accomplished by completing a “Citizen Contact” entry.

Below you will find the raw data for “Citizen Contacts” and “Citizen Complaints”. Although rudeness continues to be the number one (1) allegation made against our officers, it is dramatically lower than the same allegation reported in 2013. In 2014 the FPD received a total of ten (10) rudeness allegations, down from the thirty-one (31) reported in 2013. Also, the FPD overall received fifty-four (54) fewer complaints in 2014 when compared to 2013.

### **Biased Policing**

Out of the sixty-three (63) complaints filed with the FPD in 2014, five (5) of the complaints were allegations regarding Biased Based Policing. Policy indicates that supervisors are required to complete a Citizen Contact and/or Citizen Complaint whenever anyone files a complaint and there is a race based nexus included in the allegation(s). Of the five (5) Biased Policing

allegations, **three (3) were the results of traffic stops and two (2) involved field contacts**. The following dispositions were given in regards to the aforementioned incidents:

- Four (4) were **unfounded**
- One (1) was considered **no violation**.

### **Excessive Force**

Any allegation of excessive force automatically results in an internal investigation with a full chain of command review. Excessive force investigations can stem from a citizen's complaint or the Chain of Command can, and has, identified situations where they feel the force used was excessive. In 2014 there were a total of eight (8) excessive force situations. Seven (7) incidents were allegations made from citizens, while one (1) incident was identified by the Chain of Command to be excessive. The following dispositions were given in regards to the aforementioned incidents:

- Six (6) of these cases were deemed **unfounded**
- One (1) case is **active**
- One (1) case was sustained and a **Consideration of Dismissal (COD)** has been issued.

### **Citizen Complaint Analysis / Recommendations**

Based on the systematic analysis of FPD data regarding Citizen Complaints, specifically Biased Based Police and Excessive Force Complaints, the IAU recommends the following steps be taken to avoid potential problematic patterns:

- Continue to stress the importance of professionalism when dealing with the public.
- Continue department wide training regarding de-escalation tactics.
- Continue with current minority sensitivity training.
- Continue with community programs which promote citizen interaction.

The IAU does not recommend any changes to the current Biased Based Policing policy.

## *Vehicle Pursuits*

In 2014, the FPD was involved in sixteen (16) vehicle pursuits; two (2) less than the eighteen (18) reported in 2013. Of the sixteen (16) pursuits in 2014, twelve (12) were deemed to have been conducted in accordance with policy, three (3) were found to be in violation and one (1) case remains open.

The violations noted for the three (3) pursuits included:

- (2) Pursuit was initiated due to traffic violations
- (1) Failure to terminate

Although twelve (12) of the pursuits were deemed justifiable and within policy, eleven (11) of the pursuits had Violations Other Than Complaint (VOTCs) identified. These VOTCs were committed by both the back-up (uncommitted unit) officers and the involved officers. The following VOTC's were sustained in eleven (11) of the justified pursuits:

- (7) Driving violations by uncommitted units
- (6) Mic Sync violations
- (1) Rear Camera Activation
- (2) Courtesy violations (language)
- (1) Vehicle crash (struck a pole)
- (3) Failure to conduct Known Risk Traffic Stop

The number one (1) VOTC committed was speed violations by uncommitted units, along with officers failing to sync their microphones.

Below is the raw data regarding vehicle pursuits:

| Reason for Pursuit                 | 2013 Count | 2014 Count | Variance      | 2014 Percent Totals |
|------------------------------------|------------|------------|---------------|---------------------|
| Carless & Reckless                 | 2          | 1          | -1            | 6.3%                |
| DWI                                | 1          | 1          | 0             | 6.3%                |
| DWI & C&R                          | 2          | 0          | -2            | 0.0%                |
| DWI / AOGO                         |            | 1          | 1             | 6.3%                |
| Felony                             | 9          | 11         | 2             | 68.8%               |
| Other                              | 2          | 1          | -1            | 6.3%                |
| Violent Misd.                      | 2          | 0          | -2            | 0.0%                |
| EMU Bracelet                       |            | 1          | 1             | 6.3%                |
| <b>Total Pursuits</b>              | <b>18</b>  | <b>16</b>  |               |                     |
| <b>Percent Change 2013 to 2014</b> |            |            | <b>-11.1%</b> |                     |

| Time of Day: | 2013<br>Count | 2014<br>Count |
|--------------|---------------|---------------|
| 0101 - 0200  | 3             |               |
| 0201 - 0300  |               | 2             |
| 0301 - 0400  | 3             | 1             |
| 0401 - 0500  | 2             |               |
| 0601 - 0700  |               | 1             |
| 0801 - 0900  |               | 1             |
| 1001-1100    | 1             |               |
| 1201-1300    | 1             |               |
| 1301 - 1400  |               | 1             |
| 1401 - 1500  | 2             | 3             |
| 1501 - 1600  |               | 2             |
| 1601-1700    | 2             | 1             |
| 1700-1800    | 1             |               |
| 2001-2100    | 1             | 2             |
| 2301-2400    | 2             | 2             |
|              | 18            | 16            |

|                              | 2013<br>Count | 2014<br>Count | Variance | 2014<br>Percent<br>Totals |
|------------------------------|---------------|---------------|----------|---------------------------|
| <b>Pursuit Within Policy</b> |               |               |          |                           |
| No                           | 5             | 3             | -2       | -40%                      |
| Yes                          | 13            | 12            | -1       | -8%                       |
| Open                         | 0             | 2             | 2        | 200%                      |

| Reasons for Pursuit<br>Terminations: | 2013<br>Count | 2014<br>Count | Variance | 2014<br>Percent<br>Totals |
|--------------------------------------|---------------|---------------|----------|---------------------------|
| Officer Terminated                   | 1             | 2             | 1        | 12.5%                     |
| Supervisor Terminated                | 3             | 3             | 0        | 18.8%                     |
| Susepct Eluded Officer               | 1             | 1             | 0        | 6.3%                      |
| Suspect Jump & Run                   | 6             | 4             | -2       | 25.0%                     |
| Suspect Crashed                      | 6             | 0             | -6       | 0.0%                      |
| Suspect Vehicle Stopped              | 1             | 6             | 5        | 37.5%                     |

**Vehicle Pursuit Analysis / Recommendations**

Based on the systematic analysis of FPD Vehicle Pursuit data, the IAU recommends the following steps be taken to avoid potential problematic patterns:

- Roll call training for all squads regarding pursuit policy with emphasis being placed on the expectation of uncommitted units after a secondary unit has arrived.
- Instruct Administrative Bureau to research the cost of supplying officers with additional batteries for in-car camera microphones. If the cost is nominal and within budgetary restrictions, the IAU recommends that all officers equipped with in-car cameras be issued additional batteries to avoid future mic-sync issues due to depleted batteries.
- Continue with in-service training regarding driver's training.

Currently, IAU does not recommend any changes to the pursuit policy.

## Vehicle Crashes

In 2014, FPD officers were involved in a total of eighty-one (81) vehicle crashes where they were occupying and/or operating their assigned vehicles. This number represents an increase of thirteen (13) from 2013. However, it should be noted that even though our officers were involved in thirteen (13) more vehicular crashes, officers were found to be at-fault or contributory in one (1) less crash than in 2014 (40/41).

The number one (1) at-fault crash our officers were involved with continues to involve the backing of a patrol car, although that number did reduce by two (2) in 2014. Still, backing crashes represent 30% of all FPD at-fault crashes occurring in 2014.

Below is the raw data regarding vehicle crashes:

| Employee Fault: | 2013 Count | 2014 Count | Variance | Percent of 2014 Totals |
|-----------------|------------|------------|----------|------------------------|
| No              | 27         | 41         | 14       | 51%                    |
| Yes             | 41         | 40         | -1       | 49%                    |
| Total Crashes   | 68         | 81         | 13       |                        |

| Cause of Crash when FPD at-fault | 2013 Count | 2014 Count | Variance | Percent of 2014 Crashes |
|----------------------------------|------------|------------|----------|-------------------------|
| Fail to Yield                    | 4          | 2          | -2       | 5.00%                   |
| Fail to reduce speed             | 7          | 10         | 3        | 25.00%                  |
| Improper Turn                    | 5          | 4          | -1       | 10.00%                  |
| Improper Backing                 | 14         | 12         | -2       | 30.00%                  |
| Inattention                      | 6          | 4          | -2       | 10.00%                  |
| Red light/Stop Sign              | 3          | 3          | 0        | 7.50%                   |
| Lane Change                      | 1          | 0          | -1       | 0.00%                   |
| Exceed Safe Speed                | 0          | 2          | 2        | 5.00%                   |
| Over Corrected                   | 0          | 1          | 1        | 2.50%                   |
| Sideseipe                        | 0          | 1          | 1        | 2.50%                   |
| Road Conditions                  | 1          | 0          | -1       | 0.00%                   |
| Improper Parking                 | 0          | 1          | 1        | 2.50%                   |
| Total                            | 41         | 40         | -1       |                         |

| Estimated Damage | 2013         | 2014         |
|------------------|--------------|--------------|
| City             | \$77,778.00  | \$92,953.00  |
| Other            | \$53,300.00  | \$60,245.00  |
| Total            | \$131,078.00 | \$153,198.00 |

| Employee Injury | 2013 Totals | 2014 Totals | Variance | Percent of 2014 Totals |
|-----------------|-------------|-------------|----------|------------------------|
| No              | 64          | 75          | 11       | 92.6%                  |
| Yes             | 6           | 6           | 0        | 7.4%                   |

| Non-Employee Injury | 2013 | 2014 | Variance | Percent of 2014 Totals |
|---------------------|------|------|----------|------------------------|
| No                  | 56   | 46   | -10      | 56.8%                  |
| Yes                 | 8    | 7    | -1       | 8.6%                   |
| UNK                 | 4    | 3    | -1       | 3.7%                   |
| N/A                 |      | 25   | 25       | 30.9%                  |

| Crash Times: | 2013 Count | 2014 Count | Variance | 2014 Percent Totals |
|--------------|------------|------------|----------|---------------------|
| 0001-0100    | 1          | 2          | 1        | 2%                  |
| 0101-0200    | 3          | 4          | 1        | 5%                  |
| 0201-0300    | 2          | 2          | 0        | 2%                  |
| 0301-0400    | 1          | 1          | 0        | 1%                  |
| 0401-0500    | 0          | 2          | 2        | 2%                  |
| 0501-0600    | 0          | 2          | 2        | 2%                  |
| 0601-0700    | 1          | 1          | 0        | 1%                  |
| 0701-0800    | 2          | 3          | 1        | 4%                  |
| 0801-0900    | 5          | 7          | 2        | 9%                  |
| 0901-1000    | 1          | 1          | 0        | 1%                  |
| 1001-1100    | 2          | 3          | 1        | 4%                  |
| 1101-1200    | 2          | 4          | 2        | 5%                  |
| 1201-1300    | 6          | 7          | 1        | 9%                  |
| 1301-1400    | 0          | 8          | 8        | 10%                 |
| 1401-1500    | 5          | 5          | 0        | 6%                  |
| 1501-1600    | 4          | 5          | 1        | 6%                  |
| 1601-1700    | 6          | 3          | -3       | 4%                  |
| 1701 - 1800  | 4          | 4          | 0        | 5%                  |
| 1801-1900    | 3          | 3          | 0        | 4%                  |
| 1901-2000    | 2          | 4          | 2        | 5%                  |
| 2001-2100    | 2          | 3          | 1        | 4%                  |
| 2101-2200    | 1          | 2          | 1        | 2%                  |
| 2201-2300    | 7          | 3          | -4       | 4%                  |
| 2301-2400    | 2          | 2          | 0        | 2%                  |
| Unknown      | 7          | 0          | -7       | 0                   |
| Totals       | 68         | 81         |          |                     |

| Crash Month     | 2013<br>Count | 2014<br>Count |
|-----------------|---------------|---------------|
| December (2013) |               | 4             |
| January         |               | 6             |
| February        |               | 5             |
| March           |               | 6             |
| April           |               | 8             |
| May             |               | 3             |
| June            |               | 6             |
| July            |               | 7             |
| August          |               | 9             |
| September       |               | 7             |
| October         |               | 8             |
| November        |               | 4             |
| December        |               | 8             |
| Totals          |               | 81            |

### *Quality Reviews*

Quality Reviews are considered to be inquiries that stop short of being an internal investigation. Supervisors and IAU often complete Quality Reviews for the purposes of documenting incidents or occurrences which could lead to liability for the City or agency. An example of when a quality review might be completed would be when an officer's vehicle is struck while unoccupied. In 2014, a total of twenty (20) Quality Reviews were completed.

Below is the raw data regarding Quality Reviews:

| Purpose of Review                   | 2013      | 2014      |
|-------------------------------------|-----------|-----------|
|                                     | Totals    | Totals    |
| Misplaced Money                     | 1         |           |
| Vehicle Crash                       | 11        | 11        |
| Unbecoming Conduct                  | 1         | 2         |
| Use of Force History                | 1         | 2         |
| Motor Vehicle Offense               |           | 2         |
| Injured Subject While Fleeing       | 1         | 1         |
| Damage/Loss to City Property        | 1         | 1         |
| Unsatisfactory Performance          |           | 1         |
| Chief Assigned - Failure to Perform | 1         |           |
| <b>Total Quality Reviews</b>        | <b>17</b> | <b>20</b> |

\* All City Vehicles were unoccupied or not in operation at the time of the collision.

## *Early Intervention System (Alerts)*

The FPD's Early Intervention (EI) System appears to be functioning as intended. All thresholds remain the same as in 2013 and supervisors are notified when an Alert has been generated on an officer. Currently, the thresholds for each type of incident are as follows:

- Citizen Complaint                      3 per 12 months
- Departmental                            3 per 12 months
- Excessive Force Allegation        3 per 12 months
- Use of Force                              3 per 12 months
- Vehicle Pursuit                         3 per 12 months
- Vehicle Crash                            2 per 12 months
- Overall Threshold                      Any combination of 4 incidents per 12 months

In 2014, the FPD's IA Pro software generated forty-six (46) Alerts on twenty-four (24) different officers. Of the Alerts generated, two (2) overall Alerts resulted in Command and Supervisory Staff making recommendations regarding a pattern of behavior. Those recommendations included:

- Additional Training - Although the officer was justified in all of the use of force cases which triggered the alert, staff identified and recognized that steps could have been taken to diffuse the situations and force may have been avoided. A recommendation was made suggesting the officer attend additional CIT and Verbal Judo training.
- Additional Training - An overall threshold Alert was generated on an officer who had also received an alert for meeting the UOF threshold. The supervisor recommended additional training which included CIT, Verbal Judo and SCAT Refresher. However, prior to the additional training being implemented, the officer was involved in another incident and resigned while under investigation. It was ultimately determined that a COD would have been issued had the officer not resigned.

## *Early Warning System Analysis / Recommendations*




The IAU does not recommend any changes be made to the EI System (Alert) policy. It would appear the EI System is functioning as intended and is identifying those officers who may be demonstrating problematic behaviors.

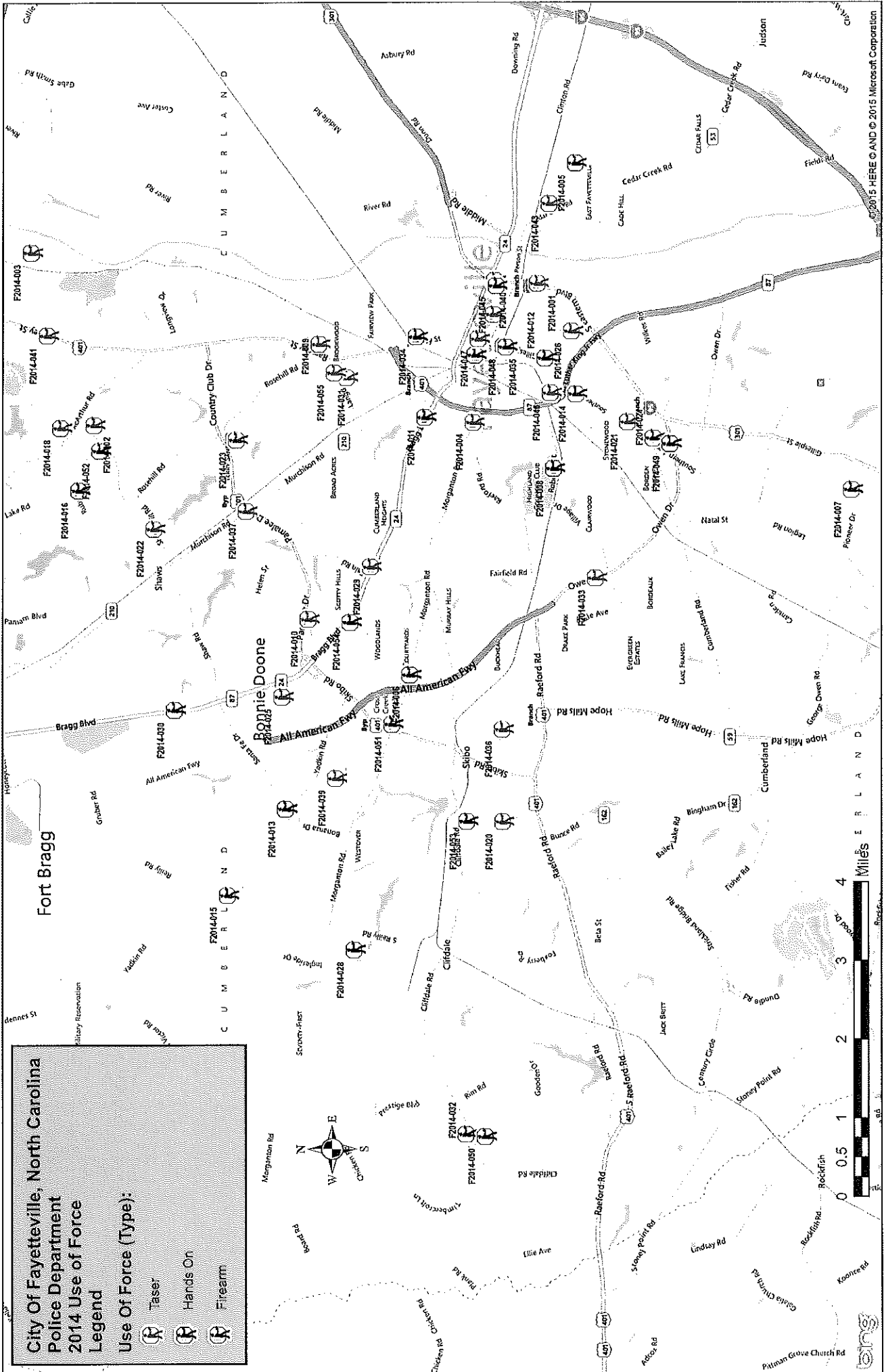
MPP



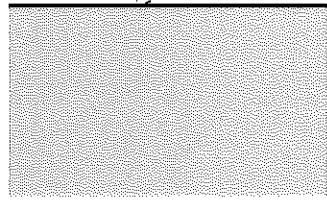
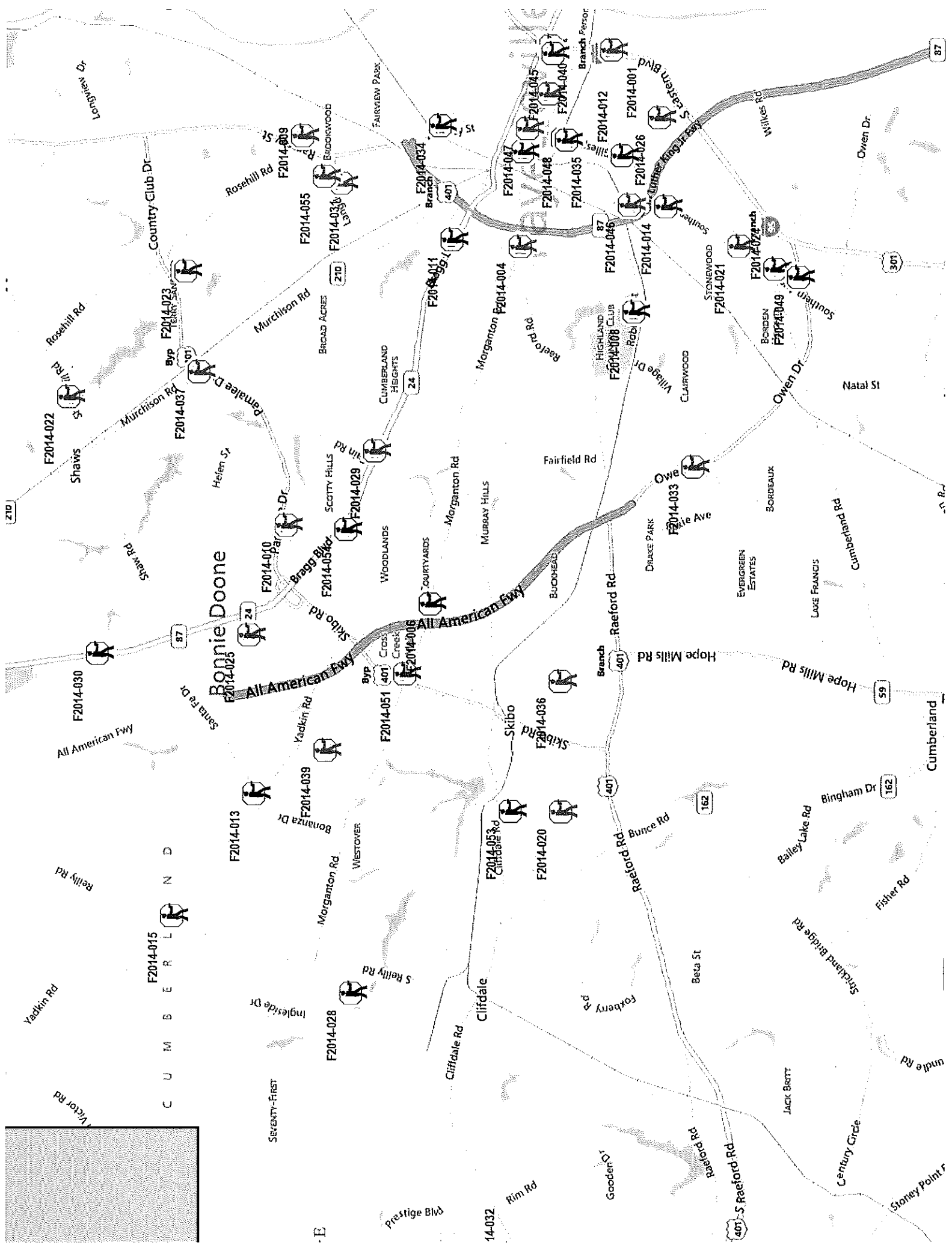
**City of Fayetteville, North Carolina  
Police Department  
2014 Use of Force  
Legend**

**Use Of Force (Type):**

-  Taser
-  Hands On
-  Firearm



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