



City of Peoria

POLICE DEPARTMENT

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Memorandum

DATE: June 17, 2020

TO: Chief Art Miller #13224
Chief of Police

FROM: Sgt. David Foulke #3061
Professional Standards Unit

SUBJECT: Professional Standards Unit 2019 Calendar Year Summary Report
(CALEA 26.2.5)

This report is the Professional Standards Unit 2019 calendar year activity summary for the City of Peoria Police Department.

The Professional Standards Unit (PSU) is responsible for the internal records regarding all Administrative Investigations and other specified administrative matters. PSU is responsible for the coordination and records storage of the following:

- Discipline Review Panels
- Use of Force Committee
- Vehicle Operations and Safety Committee
- Early Intervention Program
- Department grievance and appeal processes
- Department Controlled Substance Screening Program
- Department audits and non-audit inspections

In addition to assisting the City Attorney's Office and the Human Resources Department with matters pertaining to police department personnel, PSU is also responsible for training of department personnel in matters relating to the functions of the Professional Standards Unit. The Peoria Police Department Professional Standards Unit is staffed with one lieutenant, two sergeants, and an Accreditation & Compliance Coordinator.

2019 Incidents/Entries

Note: For the purposes of this report, each entry into the IAPro tracking system is considered an "incident". Each item, whether it is generated internally or externally, is processed by the Professional Standards Unit and is given a tracking number. Typically, throughout the remainder of this report, the term "incident" will stand for an action documented in the IAPro system and processed by PSU.

The Professional Standards Unit utilizes the tracking software system, *IAPro*. Additional software known as *BlueTeam* augments the *IAPro* software. The *IAPro* database helps maintain the accuracy and consistency by which complaints, commendations, and other performance issues are processed, tracked, and monitored. *IAPro* also tracks use of force incidents, vehicle related incidents, supervisor notes, firearm discharges, employee grievances, random drug screens, and inspections. The combination of *IAPro* and *BlueTeam* continues to be a valuable tool for the Professional Standards Unit and the members of the Peoria Police Department as we strive to meet our department goal of building partnerships and trust with the community we serve.

During the 2019 calendar year, the Professional Standards Unit processed 1308 incidents generated from citizens or from within the Peoria Police Department. Comparatively, this is 14 fewer incidents processed than in 2018.

Commendations/Complaints (CALEA 26.2.4)

Of the 1308 entries processed in 2019, 132 (10%) resulted in “Commendations” for department employees. This number is reduced from years past due to a re-evaluation and implementation of the category of “Commendation”. In years past, “Commendation” was utilized for any positive documentation for an officer. A review found this was not applied equally by supervisors based on their interpretations. In 2019, guidance was provided to create a consistent definition of “Commendation”. All other positive entries regarding work performance are entered under “Supervisor Notes”.

In comparison, only 34 (2.5%) of the 1308 entries resulted in some type of complaint. The remaining entries consisted of Supervisor Notes, Use of Force, Vehicle Accidents, Random Drug Screens, K-9 Kit Audits, Mobile Data Computer (MDC) Audits, and other incidents tracked by *IAPro* located in the Figure 6 of this report.

When looking at the 1308 incidents received in PSU, 69 were from citizen initiated contacts with the Professional Standards Unit. 10 of the contacts resulted in service complaints against employees. Seven (7) of those 19 service complaints were due to missed off-duty jobs. 29 of the contacts resulted in “Citizen Inquiries” which were handled within PSU.

There are multiple methods for citizens to file commendations and/or complaints with the Peoria Police Department (**CALEA 26.2.4**):

- Citizens can call the PSU hotline and speak directly with a member of the Professional Standards Unit or they may leave a detailed message. The goal of the unit is to return or address messages left by callers before the close of business.
- Citizens can download the Commendation/Complaint Form from the City of Peoria website and mail it. This form may also be submitted on-line.
- Citizens can enter the lobby of both precincts and fill out a Commendation/Complaint Form. This form is also available in Spanish at both locations.

- Citizens may email commendations and complaints to PSU without completing the form.
- Commendations and complaints can also be filed with any police supervisor.

PSU takes action on all complaints, regardless if the citizen provides their identity or remains anonymous. **(CALEA 26.2.1)**

Use of Force (CALEA 4.2.4)

In 2019, the Peoria Police Department had 68 reportable use of force incidents involving 122 officers using various types of force, not including deadly force. For comparison purposes, in 2018, the Department had 67 reportable use of force incidents, also involving 122 officers utilizing various types of force.

The following is a report of the force used by Peoria Police Officers from January 1, 2019 through December 31, 2019. This report was conducted by utilizing the information entered into *BlueTeam* and retained in *IAPro*.

Use of Force Reporting Process

A sergeant is responsible for entering all qualifying use of force incidents into *BlueTeam*. Use of force is tracked by incident, not type of force used or involved officers. One incident can include more than one officer, more than one type of force action taken, and more than one citizen.

Once the sergeant has completed the entry, it is then forwarded to that sergeant's lieutenant for review. Once approved, the lieutenant forwards the entry to the Professional Standards Unit for processing and dissemination to the Department's Use of Force Committee.

The Professional Standards Unit (PSU) ensures all related documents (i.e. case reports, photographs, body worn camera, and audio recordings) are made available to the Use of Force Committee when reviewing the incident. The committee may review the documents as a group or individually. The committee may also require the involved employee(s) to appear and answer any clarifying questions committee members may have. Committee members then cast their independent vote to the committee chair.

In the event the Use of Force Committee determines the force used was out of policy, a Service Complaint or an Administrative Investigation (as directed by the Chief of Police) will be conducted.

INCIDENT REVIEW (CALEA 4.2.2)

Figure 1: Use of Force Chart (General)

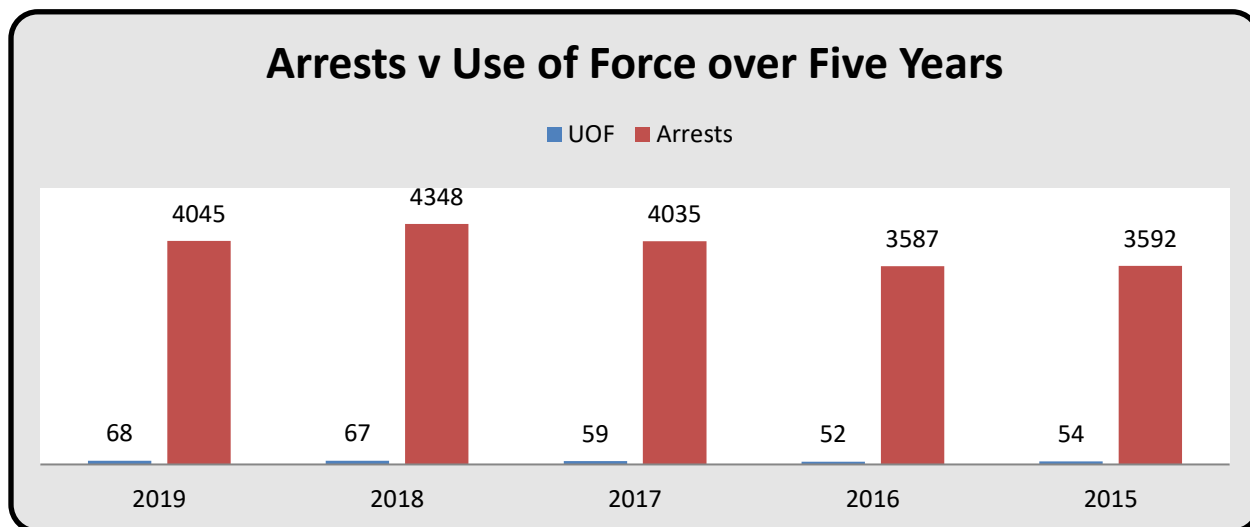
Description	2015	2016	2017	2018	2019	Difference 2018/2019
Use of Force Incidents	54	52	59	67	68	+1
Total number of officers involved	99	79	104	122	122	No Change
Calls for Service	88,613	85,917	86,738	89,932	91,570	+1638
Arrests	3592	3587	4035	4348	4045	-303
Sworn Full Time Employees	195	196	199	191	194	+3
Use of Force Resulted in Injury-Citizen	32	38	48	55	54	-1
Officer Injured in Conjunction with Use of Force	14	14	13	20	26	+6
Use of Force Resulted in Death	0	0	0	1	0	-1
Description	2015	2016	2017	2018	2019	Difference 2018/2019
O.C. Spray	0	0	0	0	0	No Change
Hard Empty Hand	33	18	25	21	19	-2
Hard Impact Weapon	0	0	0	1	0	-1
Soft Empty Hand*	36	24	52	80	88	+8
----- Forced Take-Down	-	-	6	38	33	-5
----- Control Hold	-	-	1	42	46	+4
----- Impact Push	-	-	-	0	2	+2
----- Pressure Points	-	-	-	0	7	+7
Less Lethal Stun-bag	0	0	4	1	2	+1
Police Dog	4	11	7	11	7	-4
Taser**	10	23	5	9	15	+6
Restraint Device	21	9	16	8	12	+4
Firearm	0	0	0	5	2	-3
Total Use of Force Actions***	104	83	116	136	146	+10

*To gain more accurate data, the "Soft Empty Hand" category has been itemized out to the various types of actions taken in this category in the past. These four actions are now classified as "Forced Take-Down", "Control Hold", "Impact Push" and "Pressure Points". The expansion of this category began in late 2017.

**Taser use category includes: pointing the sighting laser only (3), arc for compliance with no contact on suspect (1), drive stun with no probe deployment (2) and standard probe deployment (9).

***The total number is comprised of all reportable Use of Force actions taken by members of the Peoria Police Department. This total is higher than the "Use of Force Incidents" due to the accounting for all officers on scene of use of force incidents and the actions each individual took. Example- 2 officers involved may count for one (1) forced take down and two (2) control holds applied in one incident.

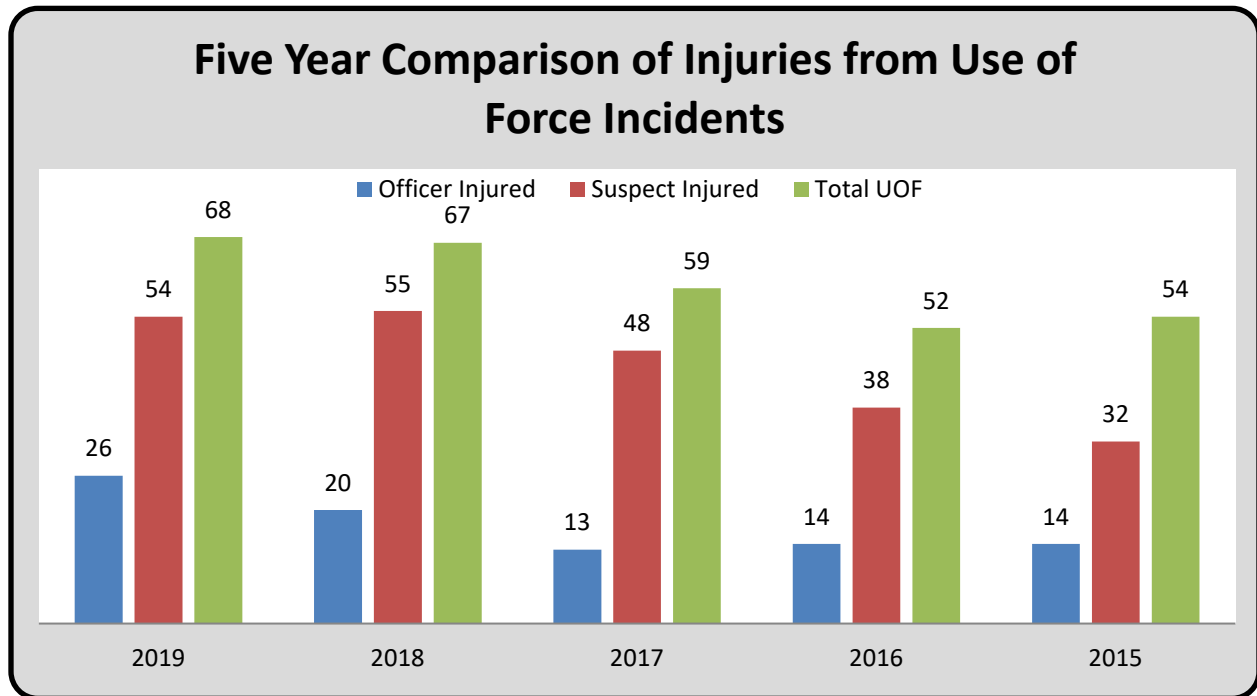
Figure 2: Arrests vs Use of Force over Five Years



- The Use of Force Committee reviewed each of the 68 incidents; all were found to be within policy with the exception of one (1) Taser deployment. An officer deployed a Taser at a suspect who ran from him and had climbed onto the roof of a house. Peoria policy prohibits deploying a Taser at a subject who is in an elevated position where there is a high potential for injury if the subject falls due to the Taser deployment. In this instance, the suspect was not struck by probes and was uninjured. After a review, the Use of Force Committee found the Taser deployment was out of policy. The officer received a written counseling and completed remedial Taser training.
- In 2019, there were 4045 arrests. 3988 of the arrests were made without officers using any reportable force. 57 arrests required officers to use force. This amounts to officers using force in 1.4 % of all arrests. This rate is consistent with prior years.
- During 16 incidents from 2019, officers assessed the condition of the citizen as being possibly mentally unstable.
- Of the 68 incidents, four (4) occurred while an officer was serving an involuntary mental health committal order. This number is up from one (1) such incident in 2018.
- In 30 of the 68 incidents, officers reported drugs and/or alcohol played a contributing factor to the citizen's actions.

INJURY/DEATH (CALEA 4.1.2)

Figure 3: Five-Year Comparison of Injuries from Use of Force Incidents



- There were no use of force incidents in 2019 that resulted in the death of a human.
- Of the 68 total use of force incidents, 54 incidents (79%) resulted in an injury or alleged injury to the suspect. This is a decrease of 3% from 2018.
- Figure 3 is a five-year comparison of any level of injury or alleged injury. An injury is considered significant if the suspect or officer was transported to the hospital for treatment. Of the 68 incidents in 2019, 23 citizens and three (3) officers were transported to the hospital for treatment.
- As shown in Figure 1, the most common type of force used by officers was “soft empty hands.” Soft empty hand techniques can be control-holds, pressure-points, impact push or forced take-down. The soft empty hands category saw the largest increase in 2019, compared to any other type of force. Officers reported using soft empty hand techniques 88 total times in 2019, which is a 9% increase from 2018.

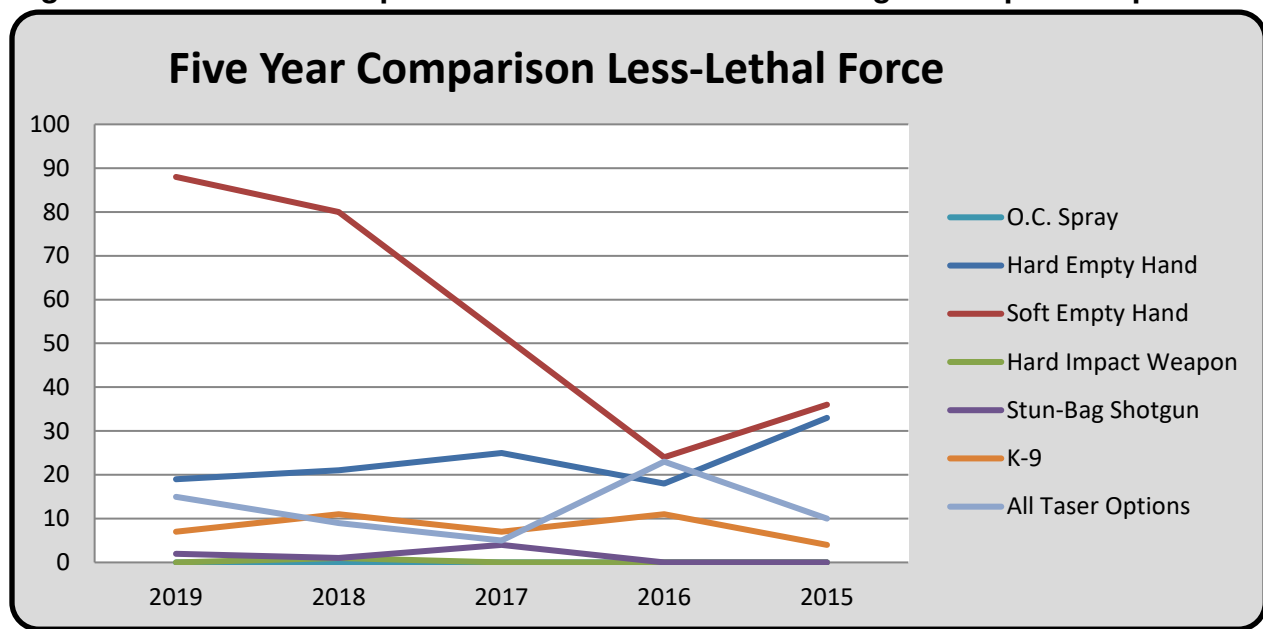
Note-In an effort to better track this information, the Professional Standards Unit removed soft empty hands (in December 2017) as an option for selection in the Use of Force reporting forms and replaced it with options that describe the actual technique being used, versus the “soft empty hands” category they fall under. The new options are; “control-hold”, “forced take-down”, “impact-push”, and “pressure points”.

- Further examination of the soft empty hands category showed a forced take-down was a specific technique used 33 times in 2019. This technique accounted for a majority of the reported injuries to citizens in the form of abrasions (39 of the 54 reported injuries were reported as abrasions.) The other most common technique used was a control hold by officers. This was reported 46 times. Most of the Use of Force reports indicate a control hold was utilized at some point to enable officers to handcuff subjects.

Less-Lethal Force Options (CALEA 4.1.4)

Figure 4 is a five-year comparison of less-lethal force used by employees. Added in this chart are also “soft empty hand” and “hard empty hand” response options for comparison.

Figure 4: Five-Year Comparison-Less Lethal Force among all Response Options



Less-Lethal force response options are defined and explained in Peoria Police Department policies 300 through 309. Less-lethal force is defined as a tactic that minimizes the risk of causing death or serious injury and is designed to stop aggression or aid in establishing control of a situation. Several different force options may be used during one incident by various officers to stop aggression and gain control. All reported individual tactics utilized are recorded in the total number. For 2019 there were 68 use of force incidents. In those 68 incidents, there were 146 total reportable use of force related actions.

- In 2019, there were no uses of OC spray and no change from 2018.
- In 2019, there were no uses of an impact weapon. This was a decrease by one (1) application from 2018.
- In 2019, there were two (2) successful stun-bag deployments. This is an increase in stun-bag use from 2018 where there was one (1) use.

One example of the stun-bag deployment was in response to a young adult woman who was suicidal and refusing to drop a knife. A plan was developed and the stun-bag deployment was used in concert with an arrest team. The utilization of the stun-bag caused the woman to drop the knife and she was taken into custody without further incident. She was later taken for mental health treatment (2019-00043453).

- Hard empty hand control techniques were used in 19 (28%) of the use of force incidents reported in 2019. This is a decrease from the total 21 uses in 2018.
- Taser use was up slightly in 2019. There were 15 incidents in which Tasers were utilized. Of those 15 uses, nine (9) involved probe deployment and two (2) were drive stun only. The remaining uses were either activating the laser or an arc only, which caused the suspect to comply rather than to actually be tased. Overall, this is an increase of six (6) uses from 2018, but only an increase by two (2) of actual contact with suspects by the Taser.

Training (CALEA 4.3.3)

In 2019, Peoria Police sworn personnel received mandatory in-service training on firearms which included a low-light and full-light qualifications, contact and cover, officer and citizen down rescue, defensive tactics, Taser, and law and legal update. Also at the end of 2019 and carrying into 2020 was a department wide training course on Mental Health First Aid. This course focused on aiding those in mental health crisis and the importance of taking care of one's own mental health. The goal of the mental Health training was to increase knowledge and understanding of employees regarding current mental health related issues.

Use of Force Analysis (CALEA 4.2.4)

The department saw a very small increase, by only one (1), in use of force incidents when compared to 2018. As previously mentioned, each use of force incident may have multiple officers using several different types or levels of force. Officers continue to be effective when utilizing force and using the minimal amount of force necessary to control each situation. This conclusion is apparent since each use of force, with the exception of an out of policy Taser deployment, was found to be within policy by the Use of Force Committee. As previously addressed, the Taser deployment did not strike the suspect and nobody was injured in the out of policy incident.

The deployment of O.C Spray was non-existent by officers in the field in 2019. It is reasonable to believe that based on the increase of hard and soft empty hand techniques, officers prefer and are more confident in a "hands-on" approach when dealing with unarmed subjects.

An analysis of the overall numbers of use of force incidents related to the number of calls for service and the number of arrests made indicates officers are doing a great job at exercising restraint and utilizing de-escalation tactics. There were 91,570 calls for service in 2019. Officers utilized force .07% of the time during calls for service. Officers made 4,045 arrests during 2019 and utilized force only 1.4% of the time during the

arrest of a suspect. These are relatively low numbers and again show how well officers are utilizing police tactics and training.

Firearms (CALEA 4.1.2/4.1.3/4.2.1/4.3.1)

Deadly Force Review Board:

The Deadly Force Review Board (DFRB) convened one (1) time in 2019. Please note, this convening of the DFRB was for an Officer in Shooting (OIS) which occurred in September 2018 (AI2018-007). The panel determined the 2018 shooting that was discussed was justified.

Unintentional/Intentional/Accidental Discharge of a Firearm

Discharge of Firearm	2015	2016	2017	2018	2019	Difference 2018/2019
Intentional	3	2	1	2	3*	+1
Unintentional	0	1	0	2	1	-1
Accidental	0	0	0	0	0	0

**See Intentional Firearms Discharge section below.*

Intentional Firearms Discharge

In 2019, there were three reported intentional firearms discharges, two (2) officer involved shootings (OIS) and one (1) dispatching of a wounded/wild animal.

A Deadly Force Review Board (DFRB) convened in May 2020 and determined the first OIS (AI2019-001) was justified. This incident occurred on January 14, 2019 during the armed robbery of a business. The first officer on scene, fearing that the store employees were in imminent danger, entered the store and encountered a suspect armed with a handgun and fighting with an employee. The officer fired his department issued service weapon, striking the suspect one time. The suspect was treated for non-life threatening injuries at a local hospital and was charged with a number of felonies.

A Deadly Force Review Board is pending for AI2019-003, an officer involved shooting that occurred in March 2019. This incident occurred during a traffic stop. Details are withheld from this synopsis as the completion of the Administrative Investigation is pending.

The third intentional discharge of a firearm was completed to dispatch a severely injured donkey that was hit by a vehicle in September 2019. This discharge was also justified.

Unintentional Discharge and Accidental Discharge of a firearm is defined in the Arizona Peace Officer Standards and Training (AZPOST) Firearms Manual under Section 2-"SAFETY".

- An **Unintentional Discharge** can be voluntary or involuntary.
 - A **Voluntary Unintentional Discharge** is defined as consciously pressing the trigger but not really intending to fire.
 - An **Involuntary Unintentional Discharge** is defined as outside the realm of conscious intention. Some causes of Involuntary Unintentional Discharge of a firearm are sympathetic response, startle reaction or balance disruption.
- An **Accidental Discharge** is a mechanical malfunction of the weapon allowing it to fire or outside forces cause the discharge, such as a holster strap getting inside the trigger guard while holstering.

There was one (1) unintentional discharge of a firearm in 2019. **(CALEA 4.2.1)** An unintentional discharge occurred when a detective was in the process of holstering his issued revolver (issued for undercover periods) when his finger got caught between the edge of the trigger and the holster, discharging one (1) round into a desk telephone. The detective had just finished cleaning his weapon when the incident occurred. Nobody was injured during this incident. The detective received remedial training and was returned to full duty.

Warning shots are prohibited by Peoria Police Department SOP PT 300. There were no violations of this policy in 2019. **(CALEA 4.1.3)**

Special Weapons and Tactics (SWAT) and Mobile Field Force (MFF) Use of Force (CALEA 4.2.4)

Figure 5 is a five-year comparison of SAU deployments and diversionary devices used.

Figure 5: Five-Year Comparison of SWAT

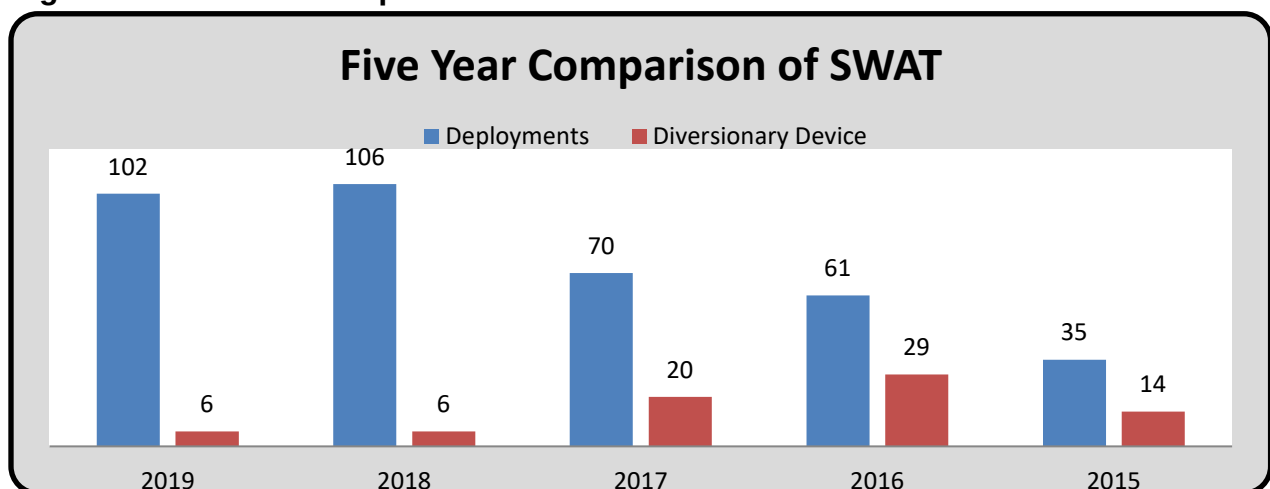


Figure 5a: Use of Force Chart (Special Assignments Unit/ Mobile Field Force)

Use of Force by SAU and MFF	2015	2016	2017	2018	2019	Difference 2018/2019
Less Lethal Stun-bag Shotgun	0	0	0	0	0	No Change
Less Lethal Kinetic Baton -40 MM Blunt Impact Projectile	0	0	0	0	2	+2
Smoke or Diversionary Device	14	29	20	6	6	No Change
SAU (SWAT) Deployments	35	61	70	106	102	-4
SAU High Energy Breach	3	8	3	6	1	-5
Warrant Service Times	2015	2016	2017	2018	2019	Difference 2018/2019
Day (0600-1600)	23	19	16	32	40	+8
Evening (1600-2200)	2	5	4	5	7	+2
Night (2200-0600)	10	9	4	6	6	No Change

Note: Calls for Service and Arrests were extracted from the Peoria Police Department LERMS system based on information available at the time of this report.

- There were no incidents in which the stun-bag shotgun (less-lethal) was deployed in 2019 by SAU or MFF. There was no increase or decrease when compared to 2018.
- There were two (2) uses of less-lethal kinetic batons in 2019. This was an increase of two (2) when compared to 2018.
- SWAT had 102 operational deployments in 2019, a decrease of four (4) deployments when compared to 2018.
- SWAT deployed a diversionary device 6 times in 2019. There was no increase or decrease in use when compared to 2018.

In 2014, the Department implemented a High Energy Breach (HEB) program. SWAT considers the use of HEB entries to be the exception and HEBs are used during some tactical situations when the speed of getting officers into a structure would be invaluable and increase the likelihood of a positive outcome and ensure the safety of officers, citizens, and suspects. Examples of these situations include hostage rescue operations and certain high-risk search warrant services. The HEB program is based on the premise that the minimum amount of explosives is used to guarantee a positive entry into the structure.

In 2019, the Peoria Police Department Special Assignments Unit had one (1) incident utilizing an HEB entry. This was a decrease of use by five (5) when compared to 2018.

Professional Standards Unit (PSU)

Figure 6: Total entries processed by PSU

Description	2015	2016	2017	2018	2019	Difference 2018/2019
Total Incidents Received	1876	1772	1522	1322	1308	-14
Administrative Investigations	13	13	9	7	11	+4
Service Complaints	125	48	40	33	34	+1
Citizen Commendations	105	96	44	43	51	+8
Citizen Inquiry	-	-	10	25	31	+6
Commendations*	305	272	263	212	62	-150
Early Intervention Alerts	44	26	28	32	39	+7
Employee Grievance	0	1	0	0	0	No Change
Vehicle Accidents	17	25	29	30	26	-4
Vehicle Pursuits	3	2	3	1	3	+2
Photo Radar	3	0	0	0	0	No Change
* This number is greatly reduced from years past due to a re-evaluation and implementation of the category of "Commendation". Traditionally, "Commendation" was utilized for any positive documentation for an officer. A review found this was not applied equally by supervisors based on their interpretations. In 2019, guidance was provided to create a consistent definition of "Commendation". All other positive entries regarding work performance are entered under "Supervisor Notes".						
Service Complaint Findings	2015	2016	2017	2018	2019	Difference 2018/2019
Exonerated	28	5	10	5	3	-2
Unfounded	66	19	7	7	9	+2
Not Sustained	10	4	2	0	1	+1
Sustained	38	20	21	20	17	+3
Other**	0	0	0	0	4	+4
** In this instance, the category "Other" is comprised of service complaints that were converted to Administrative Investigations then closed with no formal finding in the status of the service complaint.						
Service Complaint Discipline	2015	2016	2017	2018	2019	Difference 2018/2019
Letter of Reprimand	6	1	2	2	1	-1
Written Counseling	10	7	2	8	6	-2
Verbal Counseling	22	14	19	14	9	-5
Training	1	0	0	0	1	+1
Suspension from Extra-Duty	0	0	1	0	0	No Change

Administrative Investigation Disposition	2015	2016	2017	2018	2019	Difference 2018/2019
Exonerated	0	0	1	1	1	No Change
Unfounded	4	1	1	0	0	No Change
Not Sustained	1	0	0	0	0	No Change
Sustained	8	6	4	4	9	+5
Investigation Ongoing/ Pending	-	-	-	1	1	No Change
Resigned/ Retired Prior to completion	0	2	0	1	0	-1
Administrative Investigation Discipline	2015	2016	2017	2018	2019	Difference 2018/2019
Termination	1	2	0	0	0	No Change
Demotion	0	0	0	0	0	No Change
Suspension	2	2	3	2	1	-1
Letter of Reprimand	4	4	0	1	0	-1
Written Counseling	0	0	0	1	1	No Change
Verbal Counseling	2	0	0	0	0	No Change
Retired/Resigned*	0	2	1	1	5	+4
No Action Taken	0	2	1	0	0	No Change
<i>*During 2019, five (5) employees (three (3) sworn and two (2) non-sworn), resigned following the Disciplinary Review Panel's (DRP) review of the Administrative Investigations where they were the "involved employee". Each employee participated in mitigation hearings with the Chief of Police and were all facing termination. As a result, seven (7) total Administrative Investigations were closed as "sustained" based on the findings of the DRP with the resignations coming prior to the service of the Notice of Finding/ Intent to Discipline letter.</i>						
Vehicle Accident Findings	2015	2016	2017	2018	2019	Difference 2018/2019
Preventable	11	13	15	20	13	-7
Non-Preventable	5	12	14	9	14	+5
Preventable/Justified	0	0	0	0	0	No Change
Vehicle Accident Discipline	2015	2016	2017	2018	2019	Difference 2018/2019
Suspension	0	0	0	0	0	No Change
Letter of Reprimand	1	2	0	4	2	-2
Written Counseling	0	0	0	0	0	No Change
Verbal Counseling	10	11	14	16	11	-5
Training	0	0	0	0	0	No Change

Vehicle Pursuits Findings	2015	2016	2017	2018	2019	Difference 2018/2019
Out of Policy	0	0	0	0	0	No Change
Within Policy	3	2	3	0	3	+3
Vehicle Pursuit Discipline	2015	2016	2017	2018	2019	Difference 2018/2019
Suspension	0	0	0	0	0	No Change
Letter of Reprimand	0	0	0	0	0	No Change
Written Counseling	0	0	0	0	0	No Change
Verbal Counseling	0	0	0	0	0	No Change
Training	0	0	0	0	0	No Change

Complaint/Commendation Process

The Professional Standards Unit utilizes a process, developed in 2003 and modified in 2011, to comply with Arizona Revised Statute (ARS 38-1101) laws concerning the Officers Bill of Rights for administrative investigations. The Department has two forms of investigative formats:

- **Administrative Investigation** – A non-criminal investigation, ordered by the Chief of Police, to determine the facts of what occurred in response to an alleged violation of an established rule, regulation, policy, or procedure. The involved employee's chain of command reviews the investigation to determine if a violation has occurred and recommends corrective or disciplinary action to the Chief of Police. The allegation, if true, may result in discipline up to and including termination.
- **Service Complaint (CALEA 26.1.5)** – The investigative process conducted by the initiating supervisor to determine if a violation of policy has occurred and to administer the appropriate level of corrective action or procedural changes. The allegation, if true, would result in no more than a letter of reprimand.

Administrative Investigations (AI) are typically investigated by the Professional Standards Unit (PSU) due to the severity of allegations and/or the potential level of discipline. On a rare occasion, an outside agency may be utilized to conduct the investigation.

Service Complaint are typically investigated by the involved employee's supervisor. **(CALEA 26.1.5)**

Note- Both types of investigations, Administrative Investigation and Service Complaint processes are similar for both sworn and non-sworn employees.

The possible findings for complaints investigated at any level are:

Unfounded: The events or allegations reported by the complainant did not happen or were false.

Exonerated: The allegation did occur but the employee's actions were lawful, proper, and within department policy.

Not Sustained: The allegation against the employee could not be proven or disproved during the investigation.

Sustained: The allegation against the employee met the "standard of proof" and was determined to be true.

Administrative Investigations:

When an Administrative Investigation (AI) is completed, the report is forwarded to a Discipline Review Panel (DRP) for review. For each AI, a separate DRP is formed which is comprised of the involved employee's chain of command up to a Deputy Chief or the Deputy Director. The DRP then makes a formal recommendation of findings and discipline to the Chief. A representative from Human Resources and the City Attorney's Office attend the meeting and serve in an advisory role.

In 2019, Chief Art Miller ordered 11 total administrative investigations. Of the 11 administrative investigations, two (2) carried over into 2020. Both of these were Officer Involved Shooting investigations. At the time of this report, one (1) was cleared in May 2020 and the second is nearing completion and will be presented to a Deadly Force Review Board. All others were completed prior to the end of the 2019 calendar year.

Also in 2019, one (1) Deadly Force Review Board convened to evaluate an Officer Involved Shooting from 2018 (AI2018-007).

The Arizona Officer Bill of Rights establishes a goal for Administrative Investigations to be completed in 180-days. In 2019, two investigations exceeded 180-days. Both of these were Officer Involved Shootings where a majority of the delay was due to the time taken to review the incident by the Maricopa County Attorney's Office. One of the OIS's are now closed. The other is still pending due to the length of the MCAO review process. **(CALEA 26.3.3)**

No investigations required an officer to have medical or laboratory examinations. No investigations required an officer to participate in a photo line-up, disclose financial statements, or take a test that would detect deception. This criteria is outlined in Peoria Police Department policy 1020. **(CALEA 26.3.6)**

There were no recommendations for policy changes or training as the result of an Administrative Investigation in 2019.

Dismissals/Terminations (CALEA 26.1.4)

The Peoria Police Department did not terminate any employees in 2019. There were, however five (5) employee resignations in lieu of termination following a “sustained” finding regarding policy violations during their respective Administrative Investigations.

Service Complaints (CALEA 26.2.1)

During 2019, a total of 34 service complaints were completed. Of these 34 complaints, 10 were brought forth by a citizen.

Service Complaints are tallied by incident, not the involved officer or allegation. One service complaint can involve more than one officer and more than one allegation. These 34 complaints involved 38 different employees.

There were no recommendations for policy changes or training as the result of a service complaint in 2019.

The findings breakdown of these 34 service complaints are shown in Figure 6 (See previous pages).

Employee Discipline resulting from sustained investigations is shown in figure 7:

Figure 7: Discipline resulting from sustained investigations

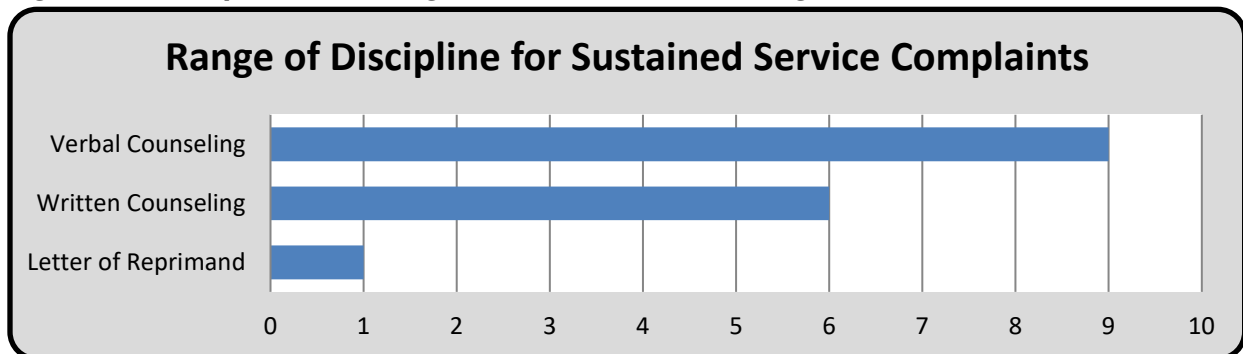


Figure 8 is a five-year comparison of discipline in connection to sustained Administrative Investigations. **(CALEA 26.1.4)**

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Figure 8: Five-Year Comparison of Discipline for Administrative Investigations

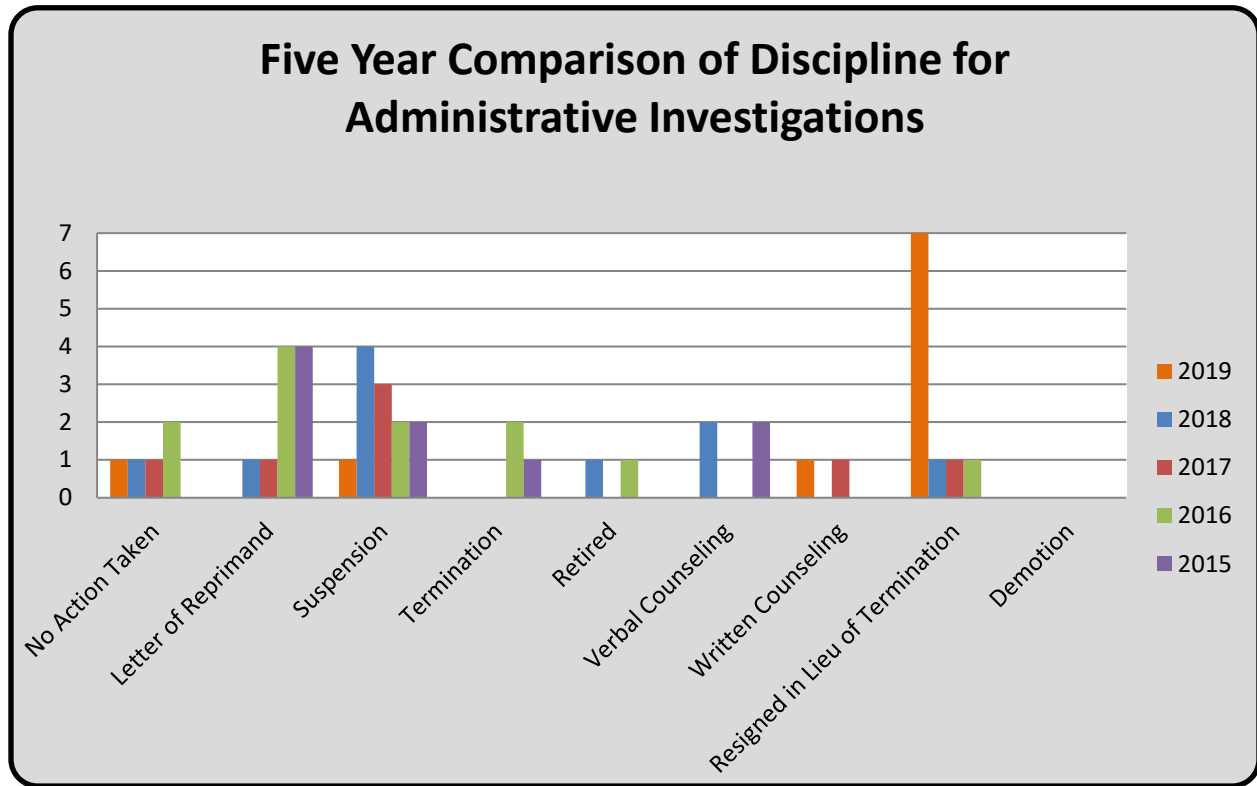


Figure 9 is a five year comparison of discipline in connection to sustained Service Complaints. (CALEA 26.2.1)

Figure 9: Five-Year Comparison of Discipline for Service Complaints

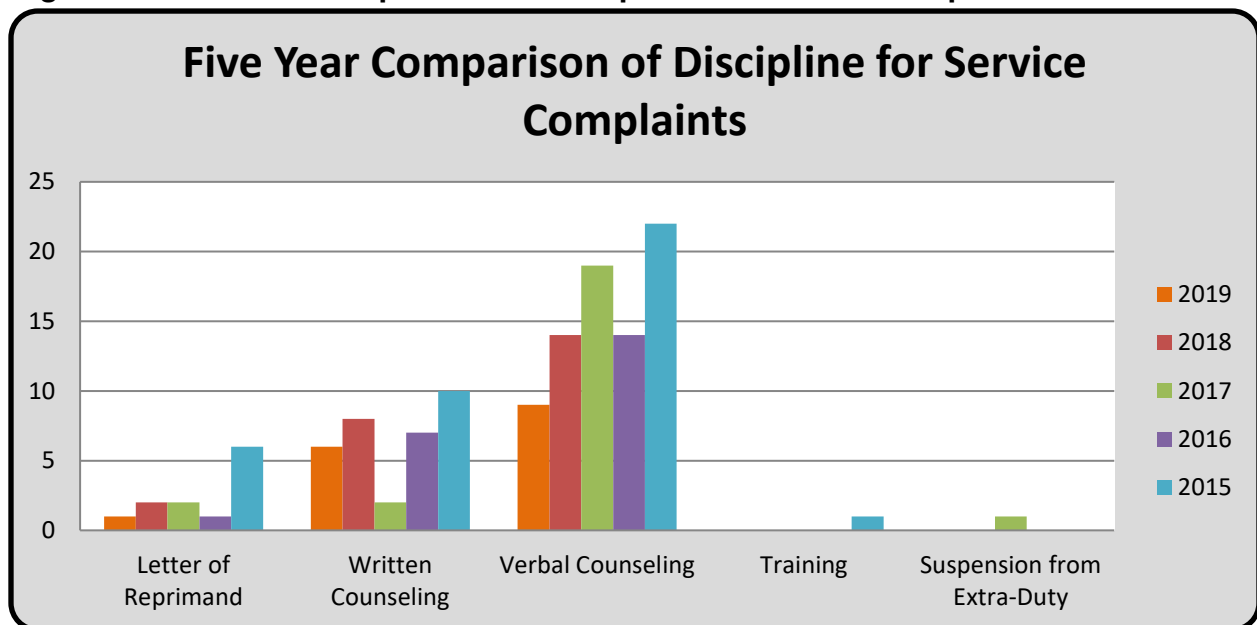
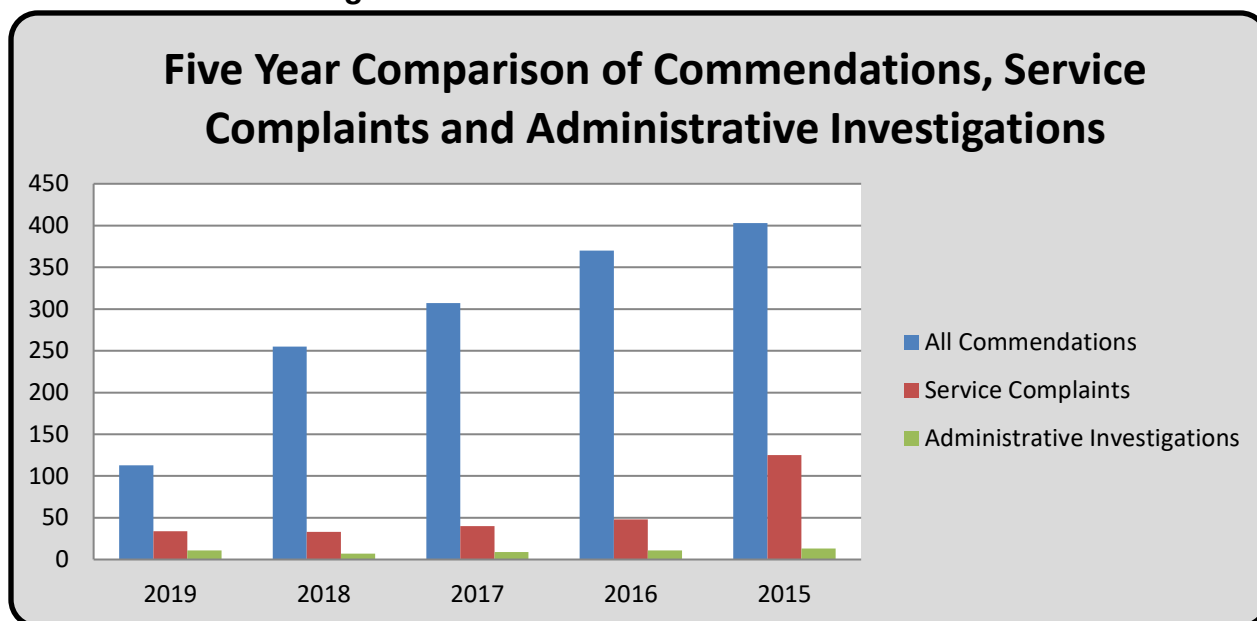


Figure 10 is a five-year comparison of Citizen Commendations, Commendations, Service Complaints, and Administrative Investigations. (CALEA 26.2.4)

Figure 10: Five-Year Comparison of Commendations, Service Complaints and Administrative Investigations



Biased Based Profiling Concerns: (CALEA 1.2.9)

In 2019, the department received four (4) initial contacts from citizens expressing concerns of Biased Based Profiling or Discrimination. Two (2) citizens believed they received unfair treatment due to their race one (1) black and one (1) Hispanic). One (1) mother of a transgender teenager expressed concerns on how her child was treated during a suspicious circumstance call for service and one (1) woman felt she was treated rudely due to her mental health status. PSU spoke with each citizen about their concerns and each was provided an opportunity to view the body worn camera video of the encounter. PSU answered and addressed the citizens' questions and concerns and the citizens did not file a formal complaint. Each incident was logged as a Citizen Inquiry for tracking purposes.

Vehicle Operations and Safety Committee (VOSC)

The VOSC is comprised of eight (8) department employees from various ranks and positions within the department and is chaired by a department lieutenant. The VOSC is responsible for reviewing all employee involved collisions, pursuits and injuries occurring to in-custody persons (not a result of use of force).

Employee involved collisions are entered into *BlueTeam* in the same manner described for use of force entries. The VOSC reviews the actions made by employees, plus policy and training. The VOSC determines if the collision was "preventable" or "not preventable" with regard to the employee's actions. If the VOSC determines the collision was preventable, the involved employee is subject to discipline. The VOSC will also make recommendations on policy changes or training needs.

In 2019, Peoria Police employees and one volunteer were involved in a total of 27 vehicle collisions. This was a decrease of three (3) from 2018. Of those 27 vehicle collisions, the VOSC determined 13 were “not preventable” or the employee was not at fault for the collision and 14 were “preventable” or the employee contributed to the cause of the collision.

Figure 11 is a five-year comparison of preventable and non-preventable vehicle collisions.

Figure 11: Five-Year Comparison of Vehicle Accidents

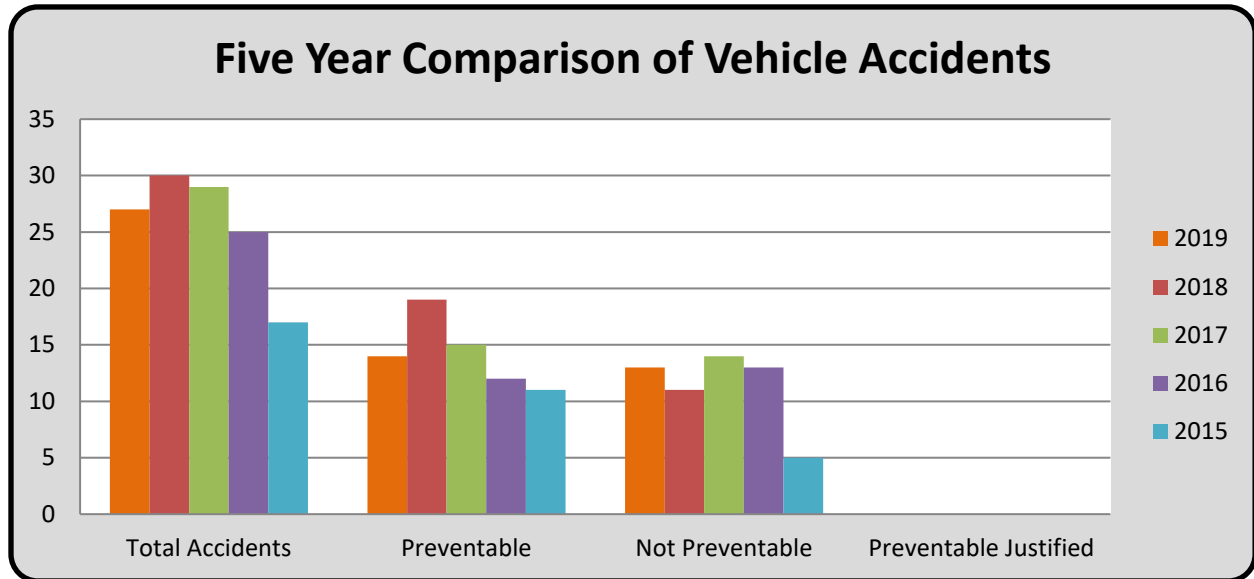
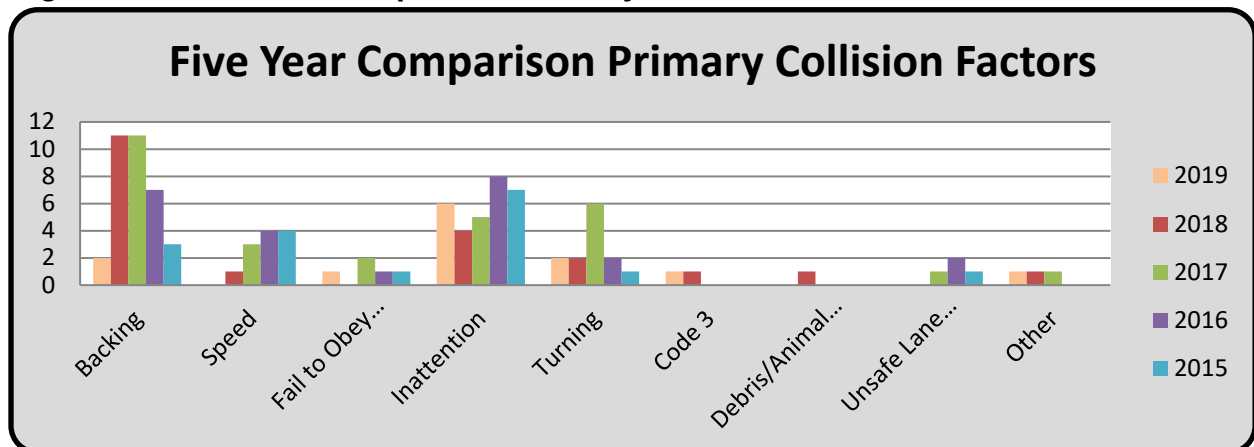


Figure 12 is a five-year comparison of the primary collision factors. Inattention, backing and making turns were the top reasons noted for the 2019 collisions.

Figure 12: Five-Year Comparison Primary Collision Factors

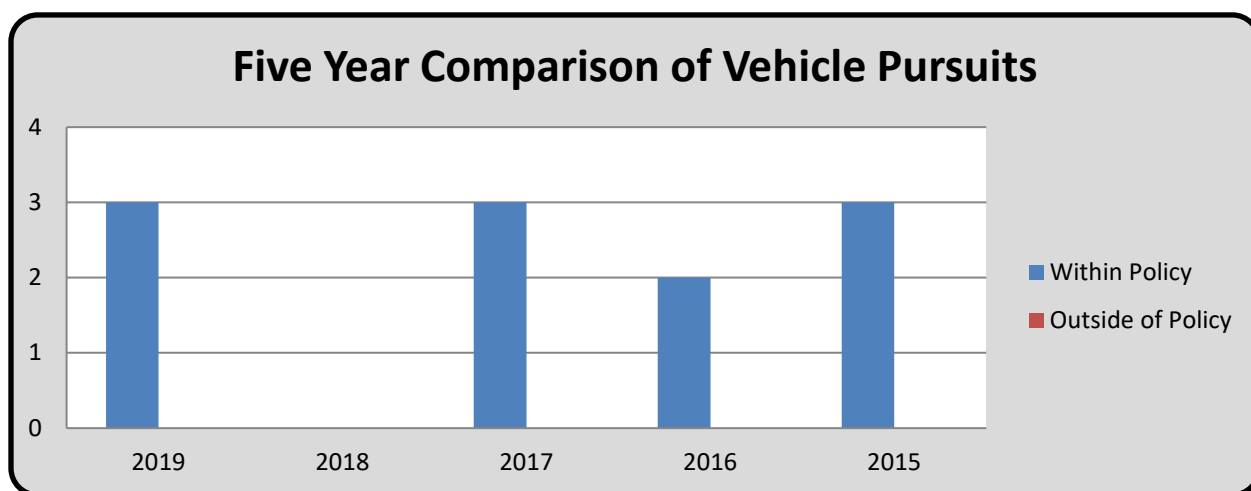


There was a slight decrease in collisions from 2018; The ratio of employee fault decreased by 9% (2018- 63% and 2019- 54%). Discipline for employees found at fault in vehicle collisions can range from verbal counseling to termination and is determined by Department SOP GEN-706. Of the 14 preventable collisions, this was the first collision in over three years for 13 employees. Each of these employees received a verbal counseling because of a preventable collision. The remaining collision was the second preventable collision in three years resulting in a Letter of Reprimand.

Pursuits (CALEA 41.2.2)

In 2019, the Peoria Police Department was involved in three (3) vehicle pursuit incidents. The Vehicle Operations Safety Committee (VOSC) reports that the current reporting and review procedures are functioning well and are recommending no changes to the process at this time.

Figure 13: Five-Year Comparison of Vehicle Pursuits



Road Blocks and Forcible Stopping of Vehicles (CALEA 41.2.3)

There were no roadblocks or forcible stopping of a vehicle in 2019.

An analysis of the policies and procedures of the department indicate that effective measures are in place and no adjustments to policy or training are needed at this time.

Grievances: (CALEA 22.4.1)

A "grievance" is any dispute regarding the meaning, interpretation, or alleged violation of the Administrative Regulations or memorandum of understanding (MOU) with a collective bargaining unit. This includes any written allegation by an employee concerning the interpretation or application of rules and regulations governing personnel practices, Peoria Police Department work rules, working conditions, or alleged improper treatment of an employee, in which the complaint has not been resolved satisfactorily in an informal manner between the employee and their immediate supervisor.

Employees are encouraged to resolve problems with their immediate supervisor or lowest level of supervision before initiating a formal grievance.

The Police Chief routinely meets with members of the collective bargaining units to discuss potential problems and concerns in an effort to resolve them at the earliest moment. Additionally, the Police Chief carries an “open door” policy, where any member can have direct access to discuss concerns. He also practices a leadership style based in “servant-led leadership” and has instilled a general belief that “One Represents All” across the agency and all law enforcement career fields.

There were no formal grievances filed by any employee in 2019. Since 2009, the department has had only five formal grievances filed. The Professional Standards Unit attributes this low grievance rate to the practices mentioned above. An analysis of the procedures and practices in place indicate that effective measures are in place and the low occurrence of grievances supports this finding. No adjustments are considered necessary to policy at this time.

Maintenance and control of grievance records are maintained in IAPro from 2009 until present day.

Disciplinary Action Appeals (CALEA 26.1.6)

There were no appeals filed in 2019, regarding employee discipline.

Early Intervention Program (CALEA 35.1.9)

The Early Intervention Program (EIP) is designed to provide assistance or training to employees experiencing work performance or personal difficulties. The intent of the program is to provide the employee with assistance or training in a non-punitive manner. The program also allows an employee an opportunity to overcome work performance problems without the stigma of discipline in a proactive manner. During 2019, one (1) Employee Improvement Plan was implemented and successfully completed and closed out in October 2019.

In 2019, the Professional Standards Unit forwarded 39 alerts generated through the *IAPro* Early Warning Alerts function to various lieutenants for review and consideration of additional action. Alerts are generated when an employee reaches a pre-designated threshold for various type of incidents.

Incident thresholds to generate alerts are set at the following levels:

- (4) Use of Force incidents within a 12-month period
- (3) Service Complaints within a 12-month period
- (3) Photo Radar incidents within a 12-month period
- (2) Pursuits within a 12-month period
- (2) Firearm Discharges within a 12-month period
- (2) Administrative Investigations within a 12-month period
- (2) Vehicle Accidents within a 36-month period
- (6) Overall Incidents listed within a 12-month period

Employees who receive alerts are reminded that early warning alerts are non-disciplinary and are intended to create an opportunity for supervisors/managers to converse with employees reference the specified alert as a matter of general

discussion to determine if there are any personal or professional concerns or influences that could be affecting the employee's job performance.

From the alerts generated in 2019, all employees involved were offered services through the City of Peoria Employee Assistance Program (EAP) as part of the supervisory discussions with the employee. Assistance offered to employees can come from a variety of support services offered through the city's Employee Assistance Program, such as counseling, financial services, legal services, and childcare or eldercare assistance. Peer counseling, mentoring or additional training may be considered as additional options to assist employees.

Audits or Inspections: (84.1.6)

Controlled Substance Screening

- All Peoria Police Department sworn personnel are subject to quarterly random drug screenings. Banner Health supplies the City of Peoria's Human Resources Department with a random selection each quarter. The Human Resources Department then provides the Professional Standards Unit with the names of the randomly selected employees for drug screening. The Professional Standards Unit ensures the randomly selected sworn employees are notified and the random drug screen is performed in a timely manner. In the year 2019, there were no positive returns from Banner Health.

Document Purging (CALEA 26.1.8)

- On a monthly basis in 2019, an audit and review for internal PSU files was conducted. Per Arizona State Law and department policy, all Professional Standards files must be purged three years after the completion date of the investigation. Involved employee names were purged from IA Pro per policy and retention laws. During the 2019 year, information was clarified regarding retention of documentation of discipline. The standard is now five (5) years for retention of Letters of Reprimand and all discipline actions to include suspensions, demotions and terminations.

K-9 Drug Testing Kit/ Kennel and Equipment Inspections (CALEA 84.1.4)

- Throughout 2019, the K-9 supervisor periodically inspected all K-9 narcotic training kits and those inspections were processed through BlueTeam on a quarterly basis. All of the quarterly inspections returned with no discrepancies.
- In September 2019, the Professional Standards Unit conducted an inspection of the K-9 unit as a whole. The inspection of the vehicles, conducted by K-9 Sgt H. Scheideman and Sgt. Foulke (PSU), checked all operational aspects of their vehicles to include air conditioners, heat alarms and emergency lighting. Also included in the inspection was the locked storage compartments within the vehicles used to secure and transport the training kits and detailed discussions about the functionality of each unit member's home kennels.
- In October 2019, Sgt. H. Scheideman conducted a full inventory of drug training kits and issued new ones to each officer.

- The home kennel inspection was completed virtually utilizing a process where K-9 Officers were given instruction to provide a minimum of two (2) photos showing their kennel from multiple angles within two (2) hours of receiving the message from Sgt. Scheideman. The home kennels all remain within compliance of Department policy.

Mobile Data Computer/Positron Messages

- Random audits were conducted quarterly on Mobile Data Computer messaging in 2019. The messages are read by the Professional Standards Unit to ensure employees are following policy. The audits found all reviewed messages to be in compliance with department policy. Note, in 2018 Positron, an inter-Communications messaging system, use was discontinued.

Internet Use

- In late September 2011, the Peoria Police Department released internet access to all Mobile Data Computers in the field. This Audit/Inspection is a result of this release. The Professional Standards Unit conducted quarterly Audit/Inspections of the entire police department's internet usage.
- During 2019, the Professional Standards Unit did not find any incidents that caused concern regarding internet usage by department members.

Additional Non-Audit Inspections

- During 2019, members of the Professional Standards Unit also completed non-audit inspections of the following processes:

Peoria Police Department Animal Control Unit Vehicles and Equipment

- Standard Operating Procedure- CSS-820.4 VEHICLES, EQUIPMENT AND FACILITIES
- In August 2019, the Professional Standards Unit conducted a no-notice inspection of the Animal Control Unit vehicles. The inspection of the vehicles, conducted by Sgt. Foulke (PSU), checked all operational aspects of their vehicles to include air conditioners, equipment and emergency lighting. No items of concern were discovered during the inspection.

Peoria Police Department Prisoner Transport Vehicles and Equipment

- In August 2019, the Professional Standards Unit conducted a no-notice inspection of all of the Prisoner Transport Vehicles. The inspection of the vehicles, conducted by Sgt. Foulke (PSU), checked all operational aspects of their vehicles to include air conditioners, equipment and emergency lighting. No items of concern were discovered during the inspection.

Peoria Police Department Property Section Vault and Property Room

- Department policy 804 provides for the proper collection, storage and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

- In July 2019, a complete no-notice inspection of the Property Section and the Property Room Vault were completed. Overall, the Property and Evidence Section Vault is clean, orderly and properly maintained.

Street Crimes Unit Funds Audit (CALEA 17.4.2)

- Department Policy 608 covers the procedures for the use, handling, security, and payment of confidential informants. Department SOP SES-608 establishes the procedure for the procurement, recording, and use of CI funds/money. The requirement that an audit/inspection will be conducted by Professional Standards Unit on a semi-annual basis and in conjunction with the City Finance Department during the rotation of the Street Crimes Unit sergeant or Special Enforcement Section lieutenant is located under SES-608.3.
- The inspection revealed that all CI/UC funds/money were accounted for and in order. Computer automated records and tracking logs were also reviewed. All funds were hand counted in triplicate and verified to be accurate.