

MODESTO POLICE DEPARTMENT INTERNAL AFFAIRS UNIT

Office of the Chief of Police



2010 Internal Affairs Unit Summary

Michael G. Harden
Chief of Police



2010 INTERNAL AFFAIRS UNIT SUMMARY

Office of the Chief of Police
Modesto Police Department

IA11-052

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2010 INTERNAL AFFAIRS UNIT SUMMARY

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I. OVERVIEW

The Internal Affairs Unit is responsible for investigating and tracking complaint investigations based on citizens' complaints and internally generated complaints. The unit is also responsible for conducting audits; officer involved shooting investigations, and other critical incident or threshold incident investigations. The unit maintains the *IAPro* database, which tracks use of force and pursuit data.

This report will summarize the activities of the Internal Affairs Unit for calendar year 2010. It will compare complaints to commendations, calls for service, arrests, and citations in calendar year 2010. It will compare 2010 complaint statistics to 2008 and 2009.

II. COMPLAINTS

A complaint is defined by the Modesto Police Department as an allegation of misconduct by an employee, which if found to be true, could result in disciplinary action. Complaints can be generated either within the organization or outside of the organization. There are two types of complaints.

Informal Complaint: Complaints of minor issues that can be resolved to the complainant's satisfaction by the employees' supervisor. These complaints are not counted in this analysis.

Formal Complaint: A formal written complaint from a citizen, any complaint of serious allegations of misconduct, or complaints that a supervisor determines requires more investigation or action.

Complaint categories represent the primary allegation of a complaint and include:

- Attitude
- Law
- Racial
- Conduct
- Policy
- Service
- Force
- Procedure
- Sexual
- Theft

Complaint dispositions are the findings, or outcome, of an internal investigation. They include:

Sustained: The employee has committed the act, or acts, of misconduct alleged in the complaint, or the employee omitted a required duty.

Not Sustained: There is insufficient evidence to clearly prove or disprove the allegations made.

Exonerated: The act occurred but the act was justified, lawful, and proper (or) the allegation(s) were resolved to the complainant's satisfaction and the complainant requests no further action.

Unfounded: The allegations were without basis.

Closed (Special Circumstances): The employee subject to an Internal Affairs Investigation resigns prior to completion of the investigation. Must be authorized by the Chief of Police.

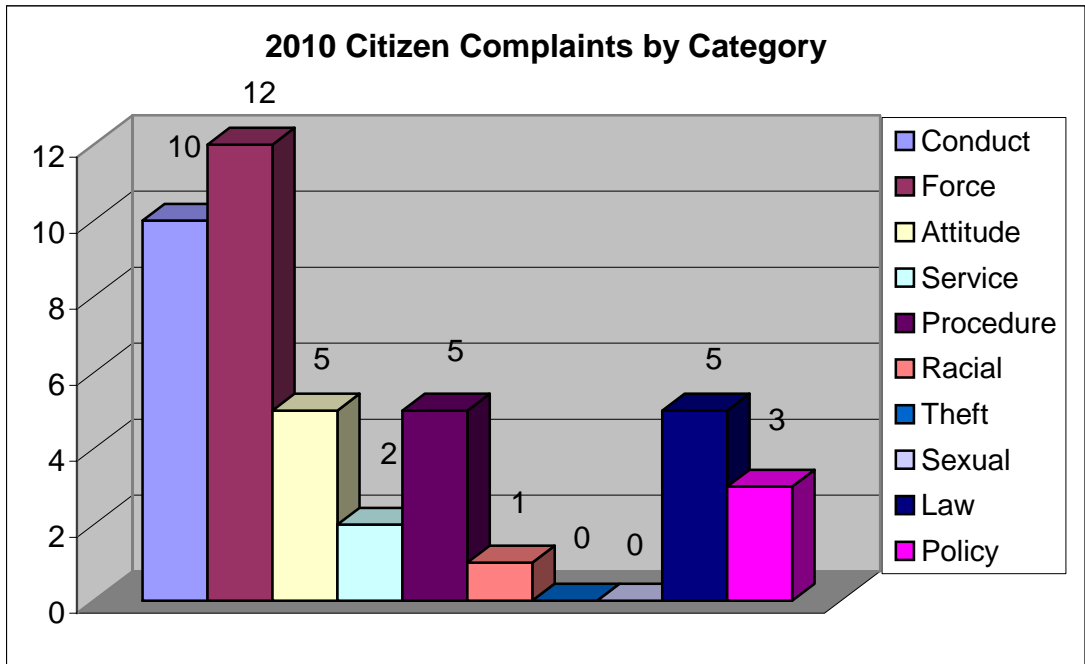
Open: The investigation is either ongoing, or has concluded but still under review.

III. INVESTIGATION TOTALS

In 2010, there were a total of **66** Internal Affairs investigations; **43** of those were external (citizen) complaints, **23** were internally generated investigations. The Internal Affairs Unit investigated 49 cases, or 74 percent, and Division Supervisors investigated 17 cases, or 26 percent. In 2009, there were 88 Internal Affairs Investigations, 73 external and 14 internal. In 2008, there were 92 Internal Affairs Investigations, 78 external and 14 internal.

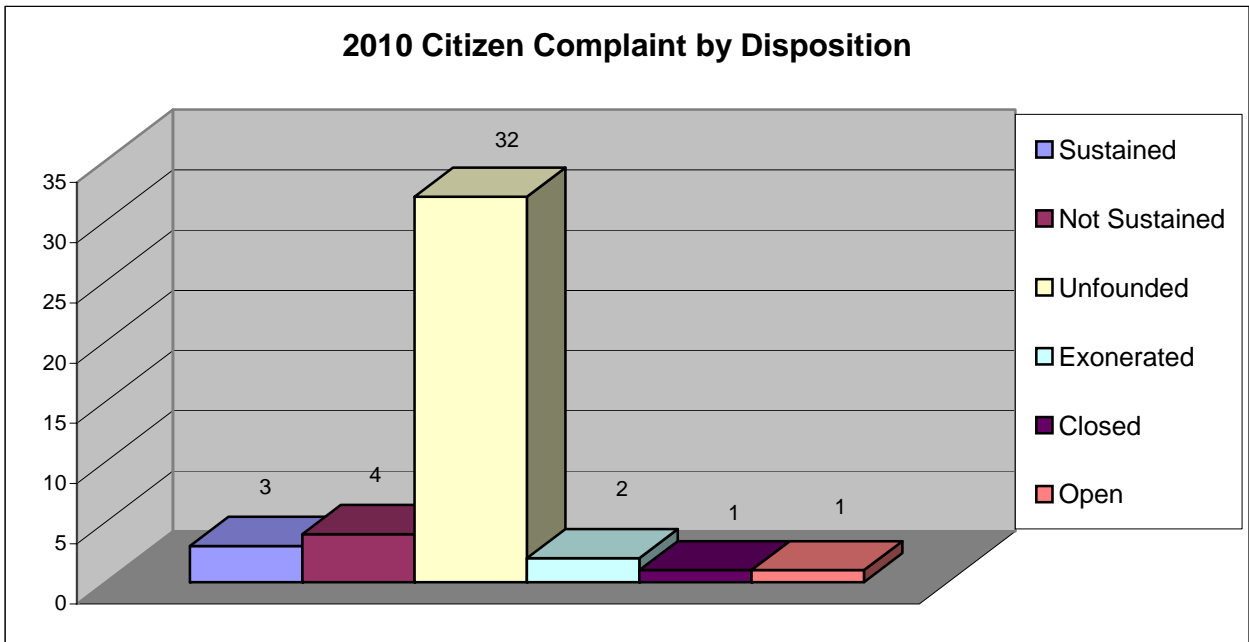
Citizen complaints were made in the following complaint categories with the following dispositions:

	Sustained	Not Sustained	Unfounded	Exonerated	Closed	Open	Total
Conduct	2	1	6	0	0	1	10
Force	0	1	9	1	1	0	12
Attitude	0	0	5	0	0	0	5
Service	0	2	0	0	0	0	2
Procedure	0	0	4	1	0	0	5
Racial	0	0	1	0	0	0	1
Theft	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0
Law	1	0	4	0	0	0	5
Policy	0	0	3	0	0	0	3
Total	3	4	32	2	1	1	43



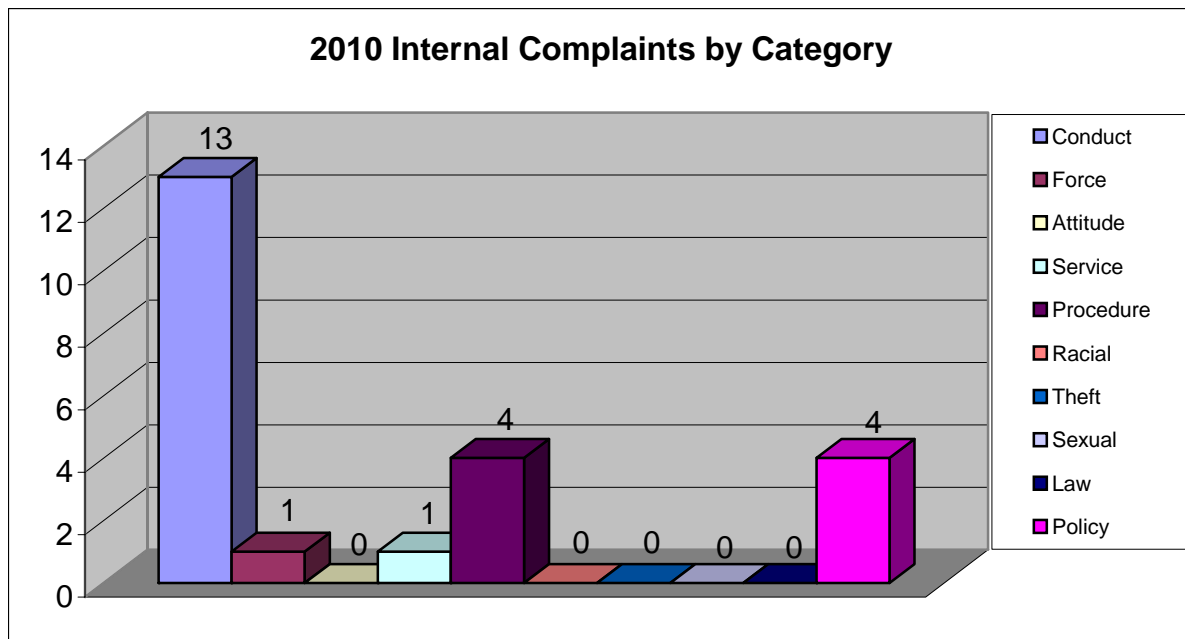
Citizen Complaint Dispositions:

Sustained	3	or	7 %
Not Sustained	4	or	9 %
Unfounded	32	or	74 %
Exonerated	2	or	5 %
Closed	1	or	2 %
Open	1	or	2 %



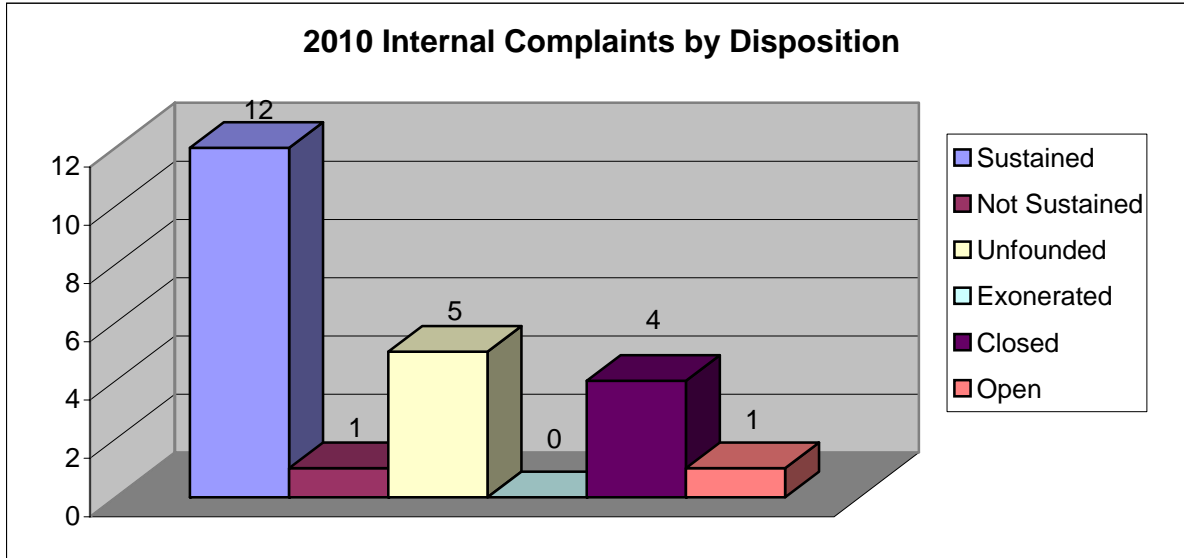
Internally generated complaints were made in the following complaint categories with the following dispositions:

	Sustained	Not Sustained	Unfounded	Exonerated	Closed	Open	Total
Conduct	8	0	2	0	3	0	13
Force	0	0	0	0	0	1	1
Attitude	0	0	0	0	0	0	0
Service	0	0	1	0	0	0	1
Procedure	2	1	1	0	0	0	4
Racial	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0
Law	0	0	0	0	0	0	0
Policy	2	0	1	0	1	0	4
Total	12	1	5	0	4	1	23

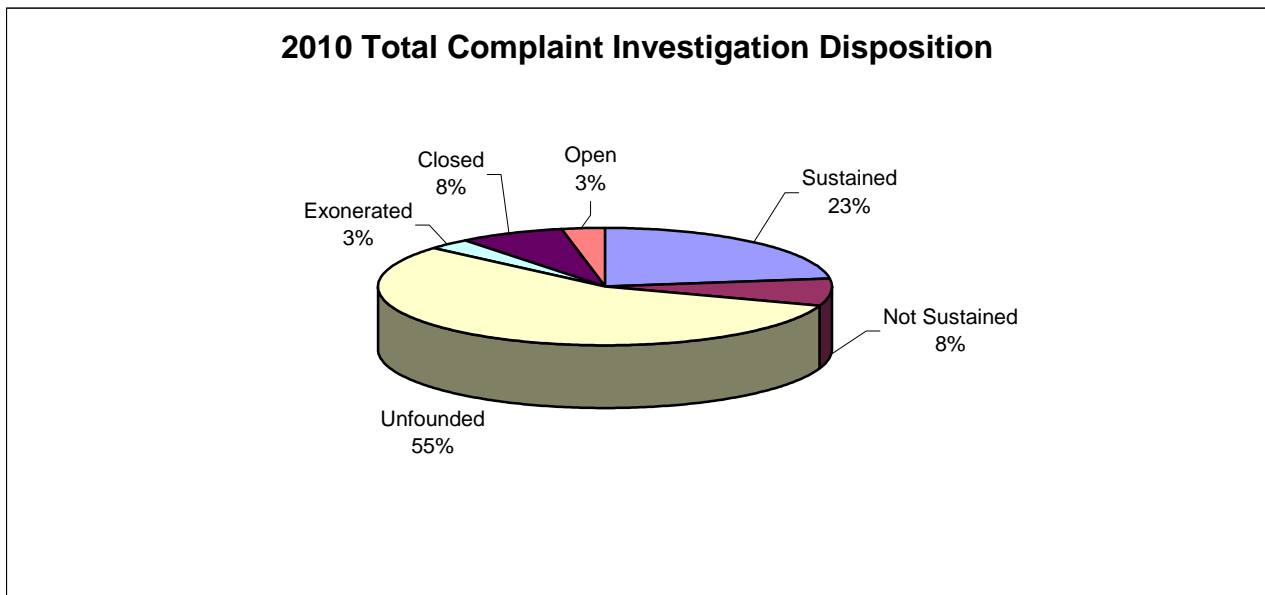


Internally Generated Complaint Dispositions:

Sustained	12	or	52 %
Not Sustained	1	or	4 %
Unfounded	5	or	12 %
Exonerated	0	or	0 %
Closed	4	or	17 %
Open	1	or	4 %



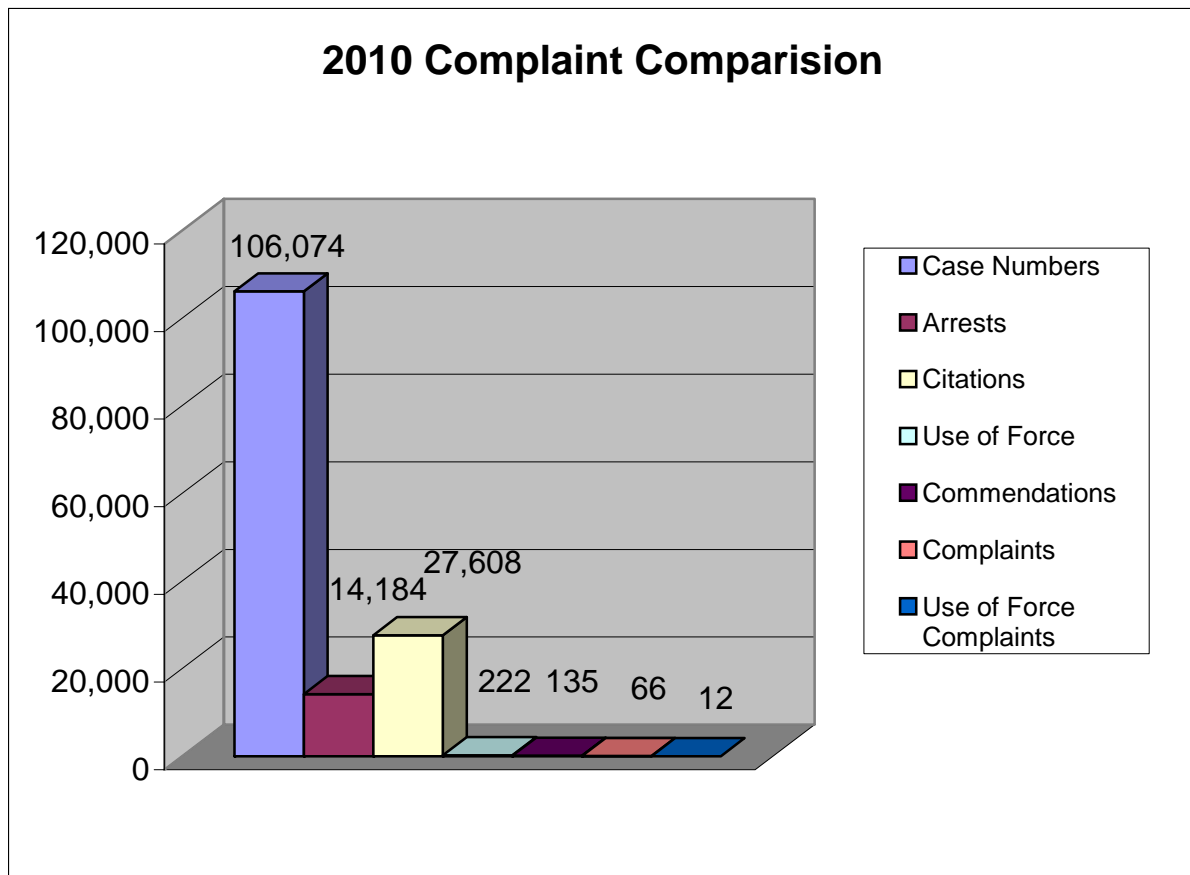
Of the 66 total Internal Affairs Investigations, 43 external and 23 internal, the disposition percentages are as follows:



IV. COMPLAINT COMPARISONS

The following is 2008-2010 statistical data, which includes case numbers, arrests, citations, use of force, commendations, complaints and use of force complaints. This data will be used for comparison with the categories listed below.

	<u>2010</u>	<u>2009</u>	<u>2008</u>
Total case numbers issued	106,074	109,366	116,268
Total adult and juvenile arrests	14,184	15,023	17,574
Total citations	27,608	22,324	29,688
Use of force	222	250	224
Documented commendations	135	128	153
External & Internal complaints	66	88	92
Use of force complaints	12	17	21



	<u>2009</u>	<u>2008</u>
• <u>When compared to 106,074 cases handled in 2010:</u>		
○ A citizen complaint was made .04 percent of the time	.07%	.06%
○ A citizen commendation was made .1 percent of the time	.1%	.1%
○ Force was used .2 percent of the time	.2%	.2%
• <u>When compared to 14,148 arrests made in 2010:</u>		
○ A citizen complaint was made .3% percent of the time	.6%	.4%
○ A citizen commendation was made .9% percent of the time	.9%	.8%
○ Force was used 1.5% percent of the time	1.7%	1.3%
• <u>When compared to 27,608 citations issued in 2010:</u>		
○ A citizen complaint was made .15 percent of the time	.3%	.2%
○ A citizen commendation was made .5 percent of the time	.6%	.5%
○ Force was used .8 percent of the time	1.1%	.8%
• <u>Of the 222 uses of force in 2010:</u>		
○ 5.4% resulted in a citizen complaint for excessive force	6.8%	8.9%

V. OTHER INVESTIGATIONS

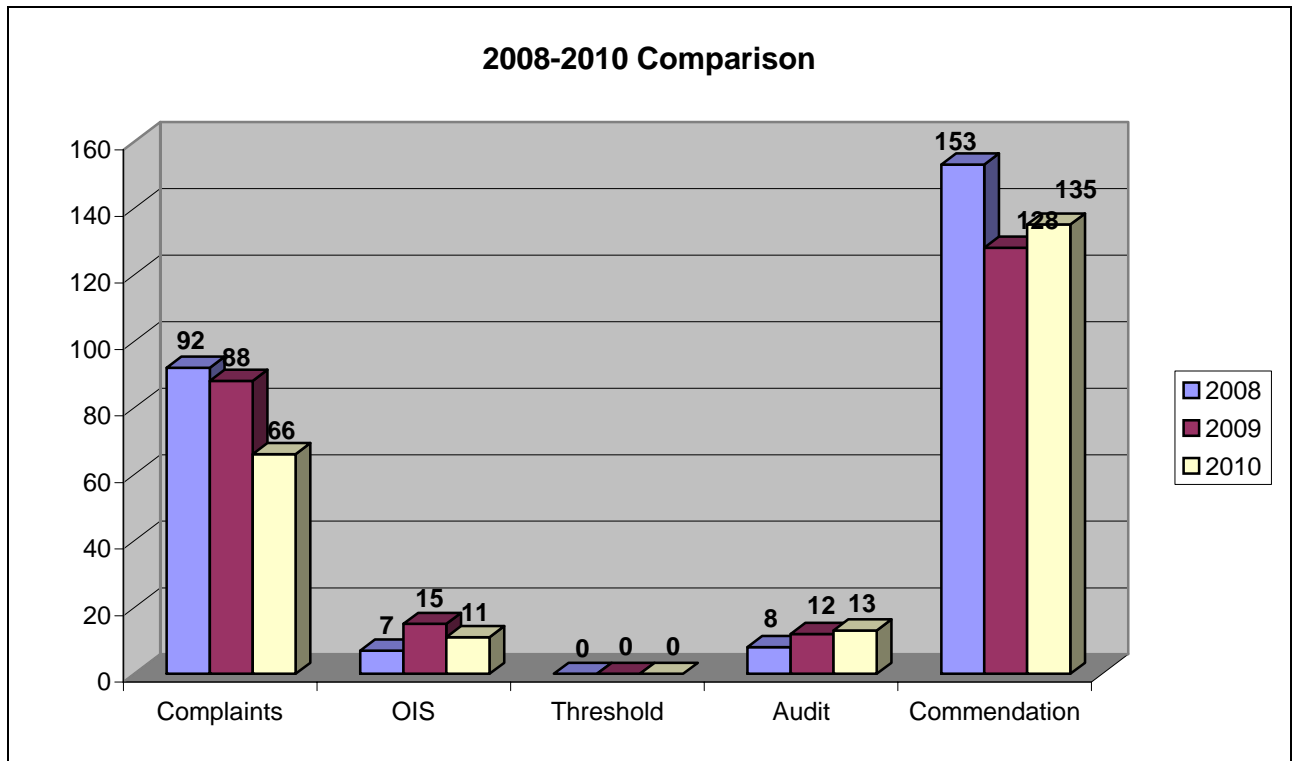
- There were eleven (11) Officer Involved Shootings in 2010, six (6) of which were at an animal (dog).

Thirteen (13) Audits were completed in 2010. They include:

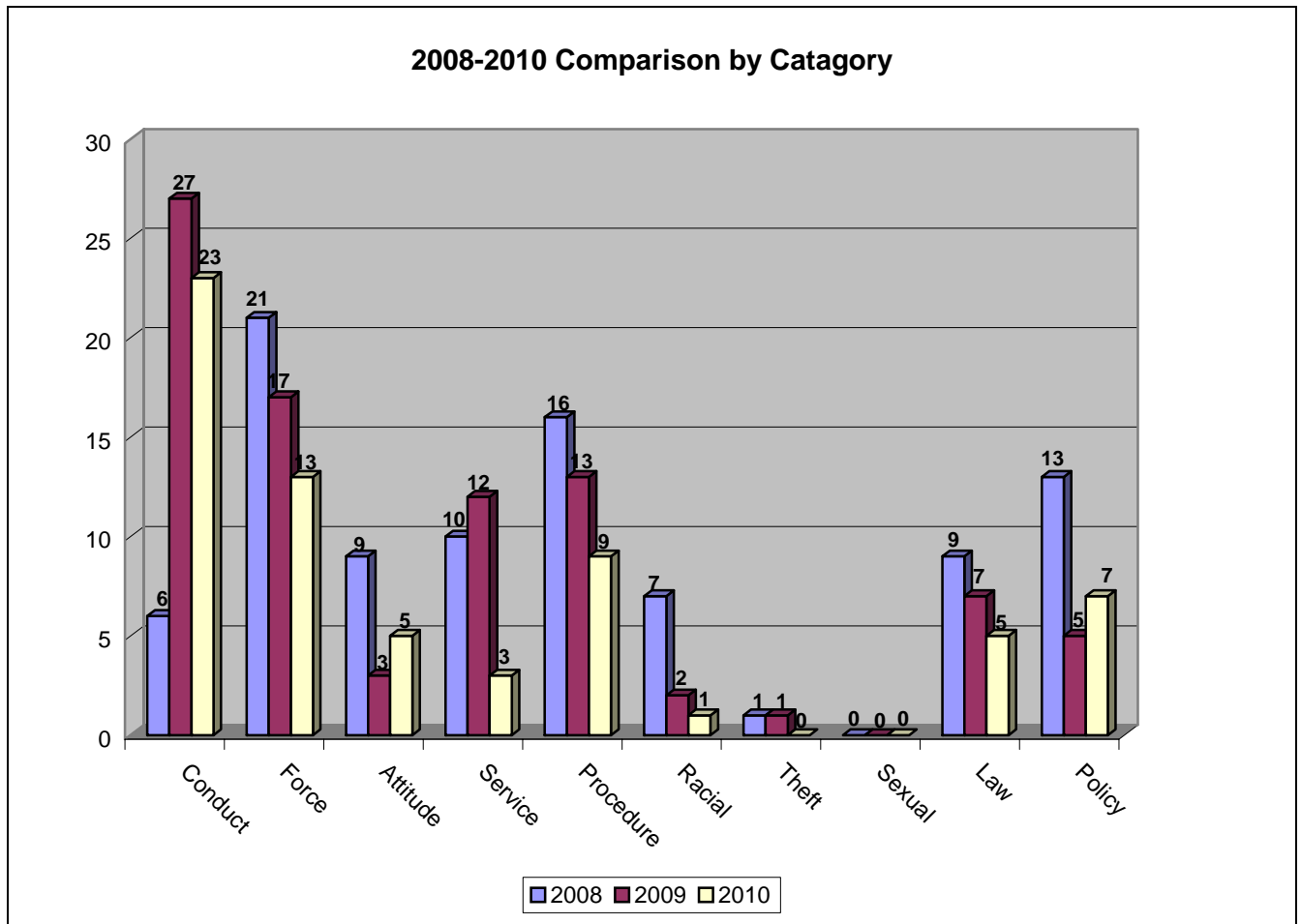
- ISD Staff Inspection Audit
- Annual Evaluation PRMS Audit
- Citation Accountability Audit
- ISD Fund Audit
- Donations, Gratuities Gifts, and Rewards Audit
- 2009 Chief's Office Staff Inspection
- Analysis of Employee Grievances
- Citation Accountability Audit
- 2009 IA Investigations Summary
- Annual Property Division Audit
- 2009 Bias Based Policing Review
- 2009 Use of Force Analysis
- 2009 Pursuit Analysis

VI. SUMMARY

During 2010, there were a total of **66** formal complaint investigations; 22 fewer than 2009, and 26 fewer than 2008. 11 Officer Involved Shooting Investigations were completed compared to 15 in 2009. There were no threshold incident investigations, which is the same as the prior two years. 13 audits were conducted in 2010, compared to 12 in 2009 and 8 in 2008. There were 135 commendations in 2010, 128 commendations in 2009, and 153 commendations in 2008.



In 2010, there was an increase in the categories of Attitude and Policy compared to 2009. There were decreases in the categories of Conduct, Force, Service, Procedure, Racial, and Law as compared to 2009. The number remained the same for Sexual as compared to 2009.



Sergeant Jeramy Young
 Internal Affairs Unit
 Office of the Chief of Police
 Modesto Police Department

This analytical report has been distributed to:
 Chief Michael Harden
 Captain Gene Balentine
 Captain Joel Broumas
 Captain Michael Harris
 Linda Kaus