

Naples Police Department

Professional Standards Bureau



2014 Annual Report

Prepared by: Lieutenant John Barkley

Professional Standards Bureau 2014 Annual Report

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Professional Standards Bureau

2014 Annual Report

Overview

The Professional Standards Bureau, under command of a lieutenant, is responsible for ensuring the Naples Police Department is operating within the boundaries and established guidelines of City and Departmental policies to ensure the public trust and confidence in the agency. This division is responsible for the investigation of complaints against members, the verification of compliance of required accreditation standards, inspections, the training of all police personnel, and the recruitment and hiring within the Naples Police Department. The lieutenant of Professional Standards reports directly to the Administrative Captain.

The Professional Standards staff consists of: one lieutenant, one sergeant and one civilian employee.

The Professional Standards Bureau is tasked with the following functions:

- Internal Affairs
- Accreditation
- Training
- Recruiting and Hiring
- Public Information

Internal Affairs

Internal Affairs is responsible for investigating police employees for internal complaints, citizen complaints, officer involved traffic crashes, and uses of force. Internal Affairs is also responsible for ensuring that all police records pertaining to the above investigations and discipline are tracked, analyzed for trends, and securely maintained.

The function of the Internal Affairs section is to provide fact-finding assistance to the Chief of Police. Internal Affairs utilizes a systematic, objective, and impartial method of investigating complaints of improper behavior by police officers or other personnel which may violate Department or City Policies and Procedures. All complaints, whether made by citizens or City employees, are investigated.

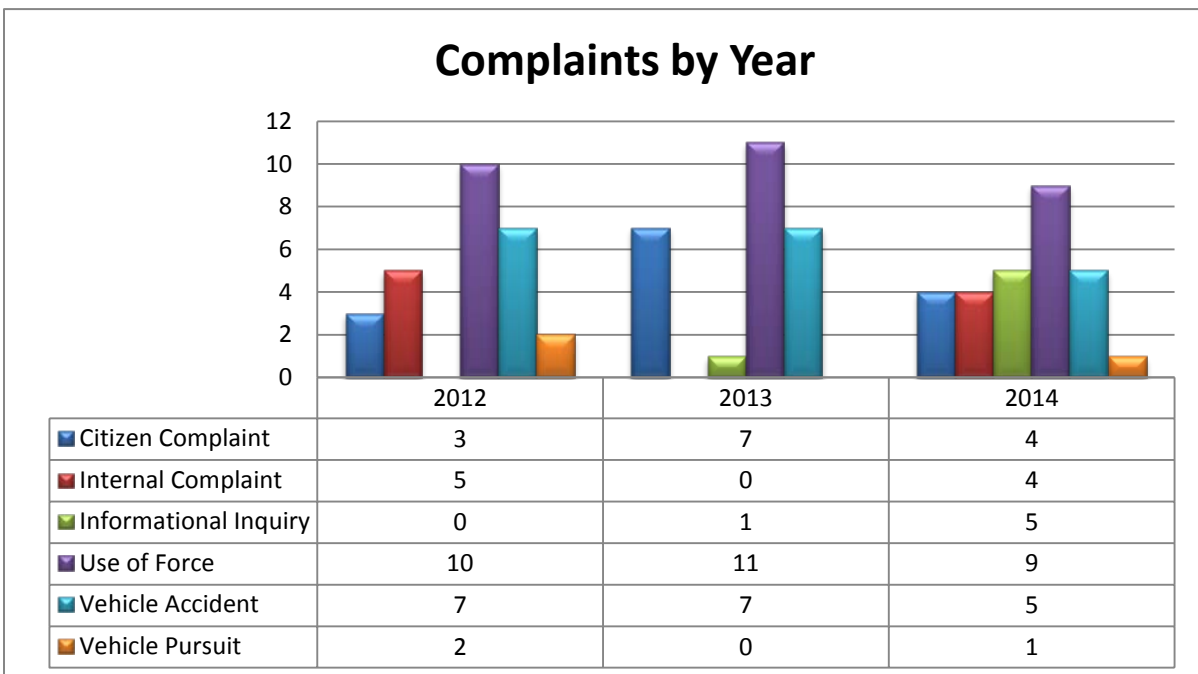
Complaints

The Internal Affairs Section of the Naples Police Department is responsible for the investigation of complaints against department employees, volunteers and on occasion other city employees. Investigations are completed with a case finding.

- Unfounded** The allegation was demonstrably false or there is no credible evidence to support the complaint.
- Exonerated** The incident occurred but the individual's actions were lawful and did not violate written policies.
- Not Sustained** Investigation failed to disclose sufficient evidence to prove or disprove the allegation.
- Sustained** The allegation is supported by sufficient evidence.

- Policy Amendments** Investigation reveals that the alleged acts did occur; however, the officer was acting in accordance with established Department policy, but the policy followed requires modification.

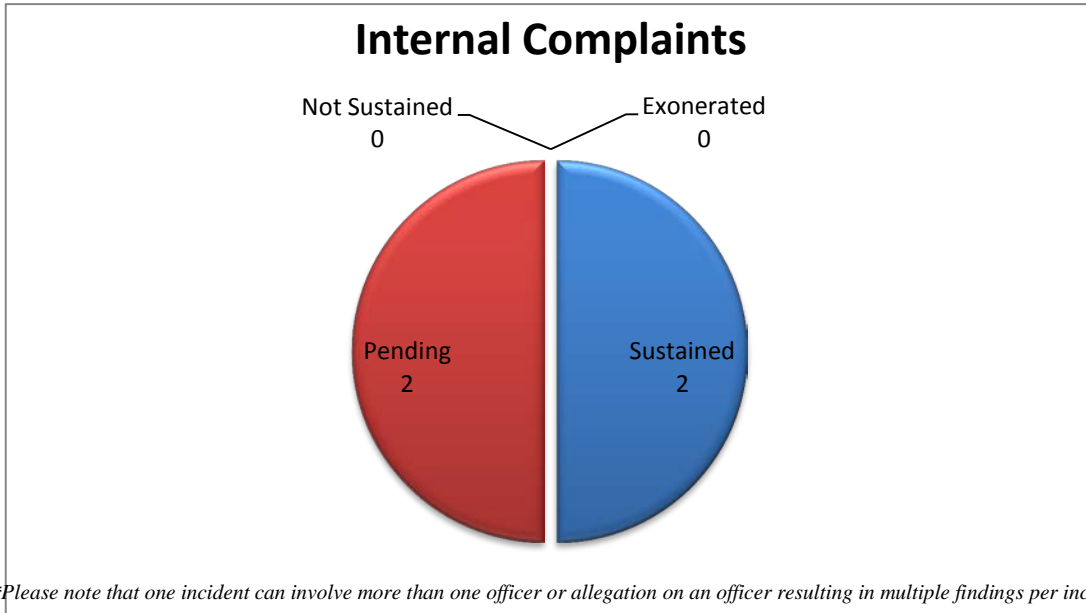
During 2014, 13 total complaints were received by the internal Affairs Section. These complaints are separated into categories to include internal complaints (INQ), citizen complaints (CC), and informational inquiries (INF). There were a total of 4 internal complaints, which are complaints made from within the agency; 4 citizen complaints, which are complaints generated from outside of the agency; and 5 informational inquiries, which are complaints received that are satisfied by explanation of policy or standard police procedures.



Please note that in 2012, Internal Affairs was not tracking Informational Inquiries.

Internal Complaints (INQ)

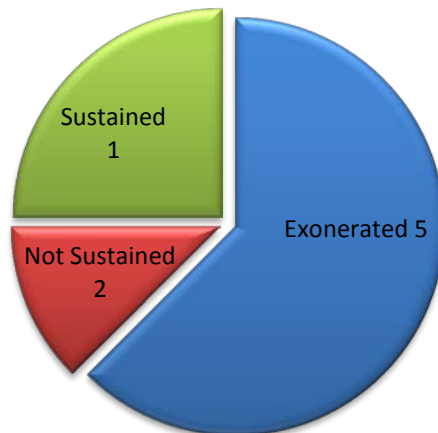
During 2014, 4 Internal Complaints were assigned by Internal Affairs. The findings in those investigations were determined to be as follows: 0 Unfounded, 2 Sustained, 0 Not Sustained, 0 Exonerated, and 2 Pending



Citizen Complaints

The Internal Affairs Section received 8 documented citizen complaints requiring investigations. There were 8 findings resulting from the 8 investigations. The findings are as follows: 1 Sustained, 2 Not Sustained, and 5 Exonerated.

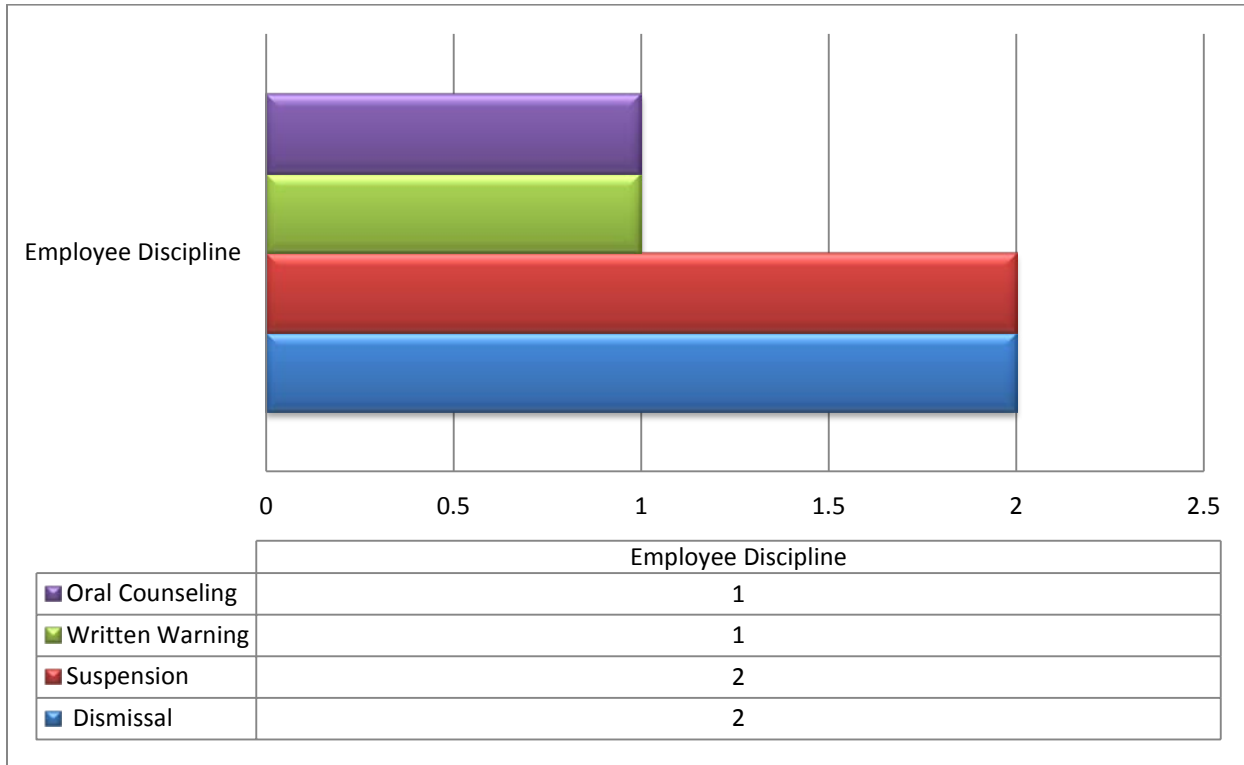
Citizen Complaints



**Please note that one incident can involve more than one officer or allegation on an officer resulting in multiple findings per incident.*

Employee Discipline

During 2014, there were five instances in which officers received discipline. The following discipline was issued: 1 oral counseling, 2 1-3 day suspensions, 2 dismissals, and 1 written warning.



Grievances

There was one employee grievance received in 2014. The grievance was in reference to discipline that the employee had received as a result of a sustained internal affairs investigation. The grievance was denied at step one and step two. The employee did not advance the grievance after the second step.

RESPONSE TO RESISTANCE

Overview

Per department General Order #202, Response to Resistance, a review of each incident involving use of force for the period January 1, 2014 through December 31, 2014 has been conducted. All Use of Force incidents are entered into the IAPro database.

The Naples Police Department addresses use of force through General Order # 202, which states in part:

It is the policy of the Naples Police Department to provide and maintain procedures to follow when an officer is confronted with situations where force is deemed necessary to execute their legal authority. Attempts will be made to achieve control through advice, warnings, and persuasion. However, in situations where resistance to an arrest, or non-compliance to a lawful order, or a threat to life is encountered and reasonable alternatives have been exhausted or would clearly be ineffective, physical force may be used in compliance with Florida Statute 776.05.

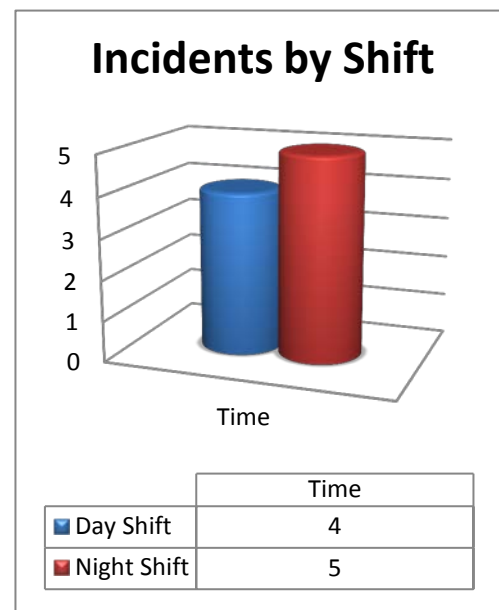
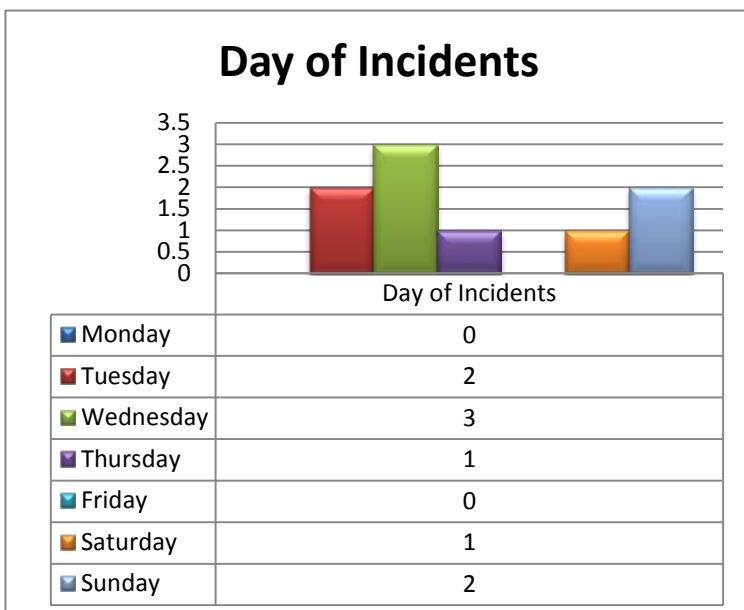
Current Procedures

Current procedures are detailed in General Order #202, Response to Resistance.

Statistical Data

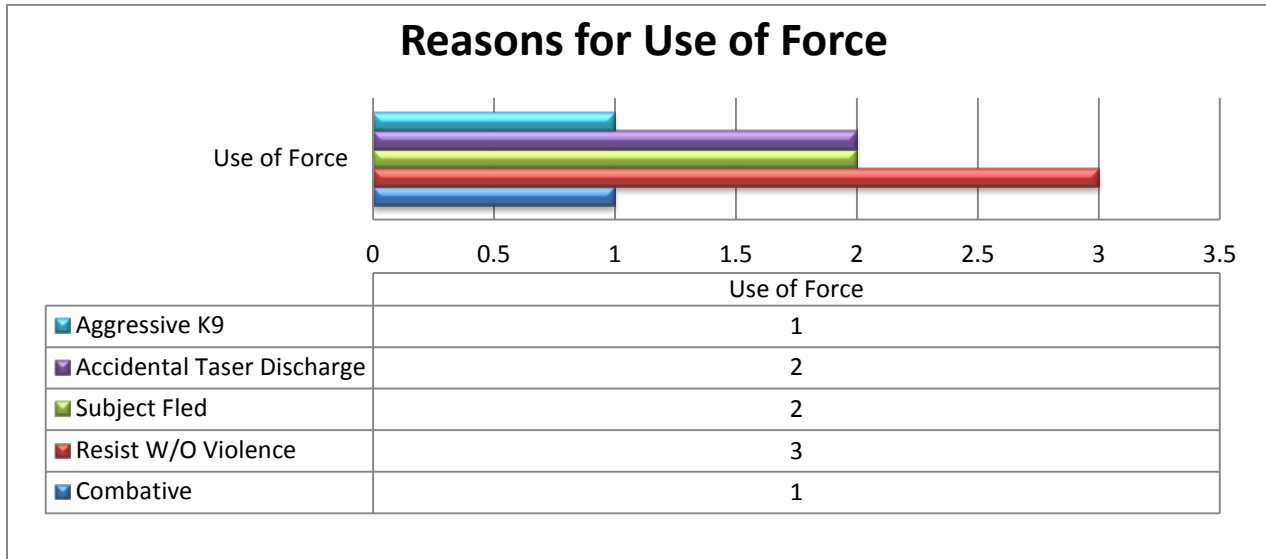
In 2014, there were a total of 9 recorded uses of force. This total is a decrease of 2 incidents from the same period in 2013. This total uses of force nine (9)* use of force incidents resulted from 697 arrests or a ratio of one use of force per 99.6 arrests. Eight (8) different officers were involved in the nine (9) reported uses of force. In every use of force incident the subject was arrested. **Two (2) of the nine use of force reports were accidental Taser discharges not during an arrest scenario and were removed from the above calculation.*

The following is a breakdown of incidents by day of the week and times of occurrence:



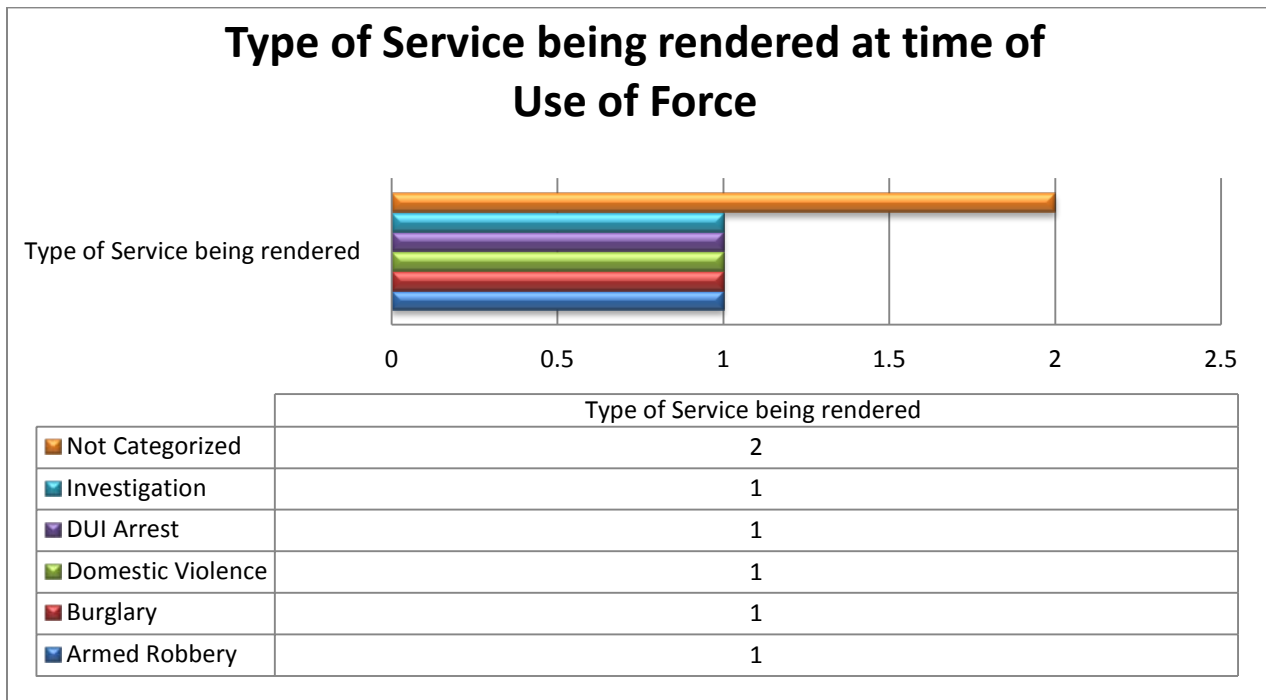
RESPONSE TO RESISTANCE cont'd.

Department procedures require the completion of a use of force report whenever an officer uses force on whether resisting a subject, or using any weapon. The following reflects weapon and force usage:



**Two Taser discharges were accidental and not being used in an arrest.*

Analysis of demographic data concerning use of force recipients revealed that six (6) out of the seven (7) were male; eighty-six percent (86%) were white, while fourteen percent (14%) were black. The average age was 45 years old.



Notes: Each incident may have included multiple officers that used response to resistance.

RESPONSE TO RESISTANCE cont'd.

Summary

There are no known incidents which involved in a use of force that did not have a use of force reported completed as required.

During the year 2014, there were no reported incidents in which an officer was injured while arresting a resisting offender. There were four (4) incidents in which subjects were injured as a result of resisting. In all instances, the subject received medical treatment for injuries in accordance with GO 202.

Alcohol use was, or was suspected to be, a factor in three (3) use of force or alcohol involved incidents (27%).

Findings

Per General Order 202 Response to Resistance, the direct supervisor of a department member using force must complete a Response to Resistance report in the IAPro software. All information is gathered by the respective Watch Commander and then forwarded to the Operations Bureau Captain for review. Use of force reports are then reviewed by Professional Standards to determine if the officers actions were within policy, then forwarded to the Chief of Police.

Reviews of the use of force incidents for the year 2014 revealed that each use of force was within policy of the Naples Police Department with the exception of the two (2) accidental Taser discharges. The two officers involved in the accidental Taser discharges received discipline.

There were no complaints of excessive force against members of the Naples Police Department for the year 2014.

VEHICLE PURSUITS / TRAFFIC CRASHES

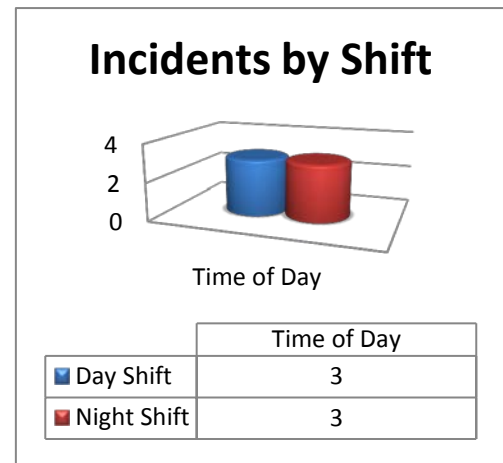
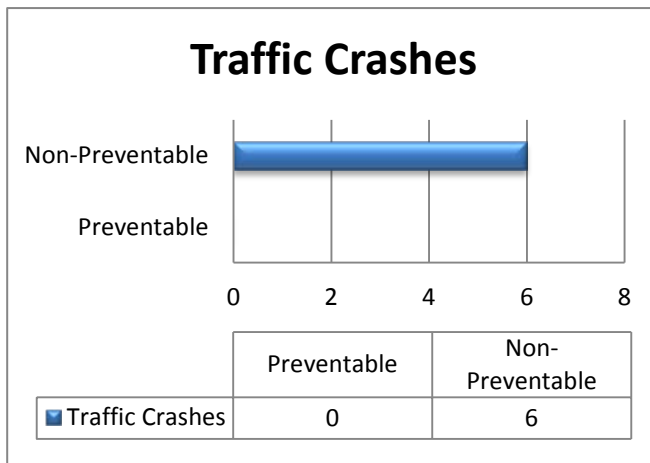
Vehicle Pursuits:

In 2014, there was 1 police vehicle pursuit; the results of the investigation are pending at the time of this report.

Traffic Crashes:

Professional Standards received six (6) reports of traffic "crashes" involving Police Department vehicles. Of the 6 reports, all were deemed to be "Non- Preventable", meaning the officer was not at fault. No officers were disciplined as a result of the traffic crashes.

- **Time of day:** There was an even split between daytime and nighttime when the crashes occurred.
- **Injuries:** There were no reported injuries to officers or civilians in any of the crashes.



BIAS BASED PROFILING

In order to maintain compliance with Commission for Florida Law Enforcement Accreditation standard 2.08M and the Naples Police Department General Order 215 Biased Based Profiling, an annual review concerning bias based profiling for the period January 1, 2014 through December 31, 2014 has been conducted.

The results of this review are as follows:

- General Order 215 Bias Based Profiling - includes definitions for bias based profiling and reasonable suspicion.
- General Order 215 Bias Based Profiling - contains language prohibiting bias based profiling in field contacts, traffic contacts, seizure of assets and forfeiture efforts.
- General Order 215 Bias Based Profiling - includes language regarding corrective measures if bias based profiling occurs.
- A review of training documents verified department personnel are trained in bias based profiling issues, including legal aspects in accordance with CJSTC guidelines. Discriminatory Profiling and Professional Traffic Stops training was provided during May in-service to our personnel in connection with recertification requirements.
- No incidents of bias based profiling which would require corrective measures were reported or identified in the period January 1, 2014 through December 31, 2014.
- Two complaints of bias based profiling were received in the period January 1, 2014 through December 31, 2014. Both complaints were investigated and are on file in Professional Standards and in the IAPro database:
 - INF14-03 - Complainant felt that the officer had no cause to conduct a traffic stop on him and felt the officer only stopped him based on racial bias. After reviewing the video of the traffic stop, there was abundant probable cause for the stop, based on three different violations of FSS 316. There were no indications of racial bias evident during the encounter, which was recorded in its entirety. Complainant was offered an opportunity to view the video, but declined at the time.
 - INF14-05 - Complainant stated the officer stopped her vehicle based on racial bias. She further stated the officer followed her after the completion of the traffic stop until she drove onto I-75. After reviewing the video of the traffic stop, it was confirmed the complainant's vehicle had an expired tag, which she readily admitted. There were no indications of racial bias evident during the encounter, which was recorded in its entirety. Additionally, vehicle tracking information showed definitively that neither the officer's vehicle nor any other NPD patrol vehicle followed when she left the scene of the stop for at least ten minutes after its conclusion. Complainant was offered an opportunity to view the video, but declined at the time.

BIAS BASED PROFILING cont'd.

- A review of department Policy identified written procedures for traffic stops are located in General Order 208 - Police Vehicle Operations and General Order 215 - Bias Based Profiling.
- CFA standard 38.02M requires the documentation of forfeiture seizures. The tracking of said seizures is accomplished by the Criminal Investigations Section. A review for the period January 1, 2014 through December 31, 2014 revealed that there were no seizures by the Naples Police Department.
- The Administrative Specialist (Records) has confirmed that the department is in compliance with Florida Statute 316.614, the Florida Safety Belt Usage Law, with the recording of violator race and ethnicity on seat belt citations by our officers. Additionally, the Administrative Specialist (Records) reports this information is being transmitted to the Department of Highway Safety and Motor Vehicles quarterly as required by statute.
- There were four search warrants for premises during the review period, none of which had bias based profiling issues reported or identified.

Community education is an integral part of the department's bias based profiling awareness efforts. Citizens may access the Naples Police Department's website for community education and awareness updates in reference to bias based profiling by using a link that describes the department's policy, explanation of department procedures and how to file a complaint.

ACCREDITATION

The Naples Police Department received initial accreditation on June 25, 2014 from the Commission for Florida Law Enforcement Accreditation (CFA) receiving no conditions or corrective actions, which is rare for initial on-site evaluations.



Accreditation provides some of the following benefits to the department:

- Assures governmental leaders of the quality of services delivered by their law enforcement agency;
- Provides a thorough review of the agency's status and readiness;
- Reinforces the agency's ability to maintain the highest standards of law enforcement services that represent current professional practices;
- Assures that agency personnel are trained and functioning according to established policies and procedures; and
- Provides a quality work environment for well-trained professionals that aids in recruiting and retaining qualified personnel.

The Accreditation manager is charged with the responsibility of ensuring that the Naples Police Department remains in compliance with all the applicable accreditation standards designated by the state accrediting agency (CFA) between re-accreditation periods. Standards compliance is maintained through a variety of methods, which include continual review and updating of departmental written directives to include the General Orders and Standard Operating Procedures, as well as collection of time-sensitive standards and reports.

TRAINING

Training coordinates the entire department's training needs and corresponding records. The Training section also coordinates the delivery of those courses and specialized in-service training to department members.

The Training section maintains all training records on a computer database and provides those records either to the Florida Division of Law Enforcement's (FDLE) Criminal Justice Standards and Training Commission (CJSTC) for inspection or for legal defenses relating to the various disciplines applied by the department personnel.

The training section oversaw approximately 64 hours of in-service training per officer.

RECRUITMENT

Recruitment provides one of the most important functions for the department. The selection of suitable personnel applying for positions within the department is necessary to ensure that the best-qualified individuals are hired. Therefore, much effort and scrutiny is put into this process.

The Professional Standards Bureau works in conjunction with the City's Human Resources department to process candidates through written and oral examinations. Extensive background investigations and professional testing are conducted preceding employment. Many candidates may be screened in order to fill one officer position. Professional Standards also conduct orientation of all new employees.

Objectives

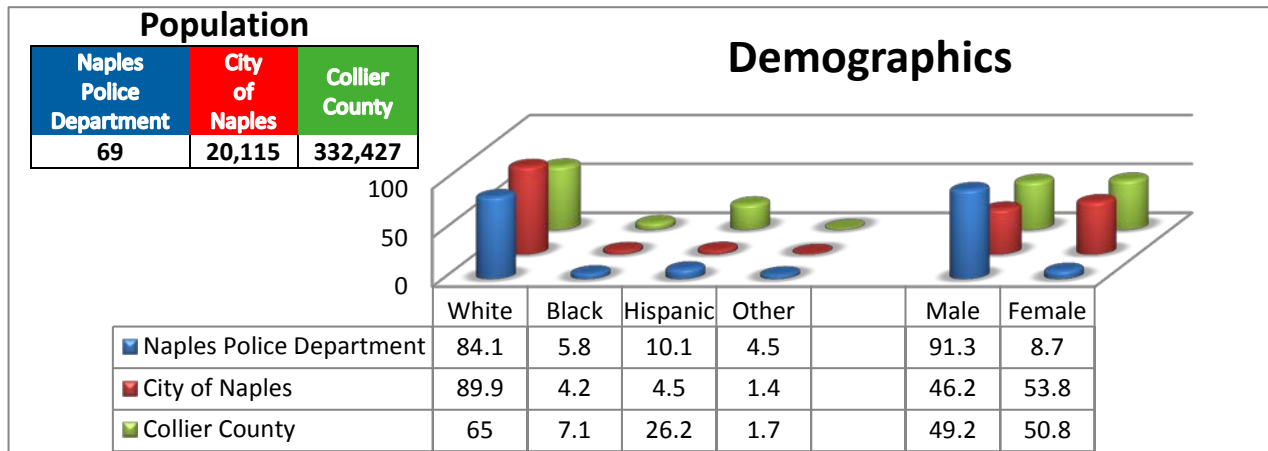
While a properly structured and administered recruitment program is not a guarantee that applicants will represent a more diverse cross section of the police department's jurisdiction, nonetheless, it is the department's objective to attract applicants who approximate our jurisdiction.

Overall, an effective, standardized and properly administered recruitment, screening and selection process will improve the quality of applicants from which to fill existing vacancies.

Pursuant to the Commission for Florida Law Enforcement Accreditation (CFA) standard 12.02, a review of Naples Police Department sworn law enforcement demographics was conducted to compare those demographics to the population statistics of the City of Naples and Collier County.

CFA mandates that recruitment steps should be directed towards the goal of approximating within the sworn ranks the demographic composition of the community that it serves. The following table represents the current race and gender composition of the Naples Police Department at the time of this report as well as corresponding census numbers from the City of Naples and Collier County.

RECRUITMENT cont'd



The percentage of black and Hispanic officers exceeds that of the jurisdiction’s demographics. The percentage of female officers is 8.7% which is just above the 8% of national average for women in law enforcement (see plan of action below). The population of the Naples Police Department is 69, the City of Naples is 20,115, and Collier County is 332,427.

Annual Evaluation of Progress

Six officers were hired during 2014. Five officers were male, one was female. Of those six, three were white, non-Hispanic and three were Hispanic.

Objectives

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Overall, an effective, standardized and properly administered recruitment, screening and selection process will improve the quality of applicants from which to fill existing vacancies.

Plan of Action

As determined by a review of department and demographics for both the City of Naples and Collier County, the department approximates the percentage of Black and Hispanic officers to the service area, but is barely above comparable national demographics for female officers. According to the Bureau of Justice Statistics 2010 report; the national average for women in local law enforcement agencies that are the similar in size to the Naples Police Department is 8%. Consequently, the department’s current 8.7 % of female officers is just above the national average. The department’s recruitment plan should be to focus on maintaining the current levels of employment for Whites, Blacks and Hispanics. While the disparity of female officers is minor, the department should make every effort to increase the number of qualified and experienced female officers. The recruitment plan for 2015 will include advertising in women’s law enforcement periodicals and websites for the next hiring process.

PUBLIC INFORMATION

The Professional Standards Bureau is the main point of contact for media outlets to receive information. The Public Information Officer (PIO) is responsible for the release of accurate and timely information regarding the activities of the Department to the news media (broadcast and print) and the public. The function of PIO is an integral component of the day-to-day law enforcement operations of the Department, guaranteeing that the avenues of communication are consistently open among the Department, the media and the citizenry is the goal of the PIO. The relationship established by the PIO and the media benefits both participants. The media receives current and factual information for publication and broadcast, while the law enforcement community benefits from the media's enhanced dissemination capabilities. The PIO sends the 24-hour activity log to members of the media on a daily basis and responds to their requests for additional information and interviews.