

Naples Police Department

Professional Standards Bureau



2020 Annual Report

Prepared by: Lieutenant Bryan McGinn

Professional Standards Bureau 2020 Annual Report

TABLE OF CONTENTS

Overview.....	2
Internal Affairs.....	2
Complaints.....	3
Employee Discipline.....	4
Grievances.....	4
Response to Resistance.....	5
Vehicle Pursuits.....	7
Traffic Crashes.....	8
Biased Policing.....	9
Training.....	10
Accreditation.....	11
Recruitment.....	12
Public Information.....	15

Professional Standards Bureau

2020 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 its members, the verification of compliance of required accreditation standards, public information and media relations, 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 Services Assistant Chief.

The Professional Standards staff consists of one Lieutenant, one Sergeant, one Detective, and one Civilian employee.

The Professional Standards Bureau is tasked with the following functions:

- Internal Affairs
- Accreditation
- Training
- Recruiting and Hiring
- Public Information/Media Relations

INTERNAL AFFAIRS

Internal Affairs is responsible for investigating police employees for internal complaints, citizen complaints, officer involved traffic crashes, vehicle pursuits, 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.

Florida Law requires that all law enforcement agencies establish a system for the receipt, review and investigation of allegations of employee misconduct received by the agency. All allegations received by the Naples Police Department are reviewed by Internal Affairs and submitted to the Chief of Police for initial authorization to investigate the allegation and following the conclusion for final disposition.

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 formal complaints, whether made by citizens or City employees, are investigated.

COMPLAINTS

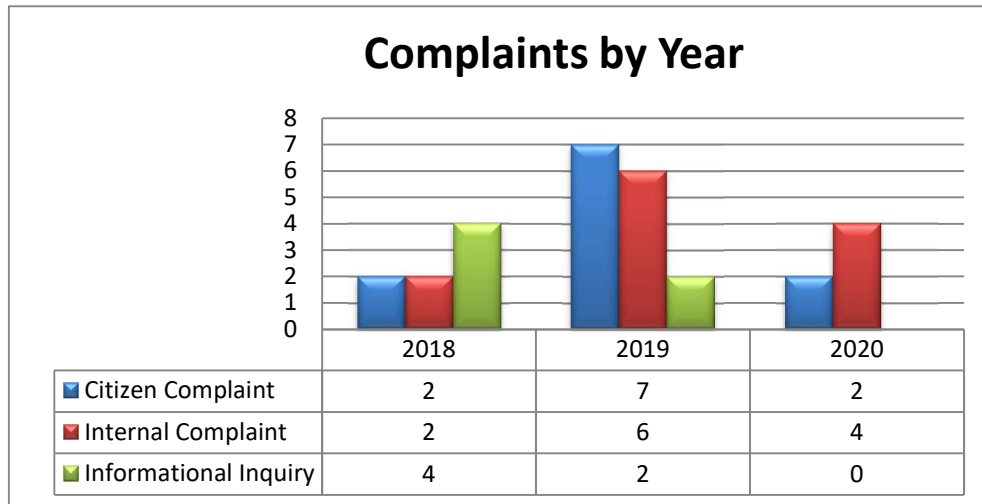
The Internal Affairs Section of the Naples Police Department is responsible for the investigation of complaints against department employees, and on occasion other city employees. Investigations are completed with a case finding.

Sustained	Sufficient evidence was obtained through investigation to determine that employee misconduct occurred.
Not Sustained	The investigation failed to produce sufficient either prove or disprove the alleged misconduct.
Exonerated	The employee's actions were justified, lawful, proper, and consistent with department policy.
Unfounded	The allegation concerned an act of misconduct by an agency employee which did not occur.
Policy Review Required	A conclusion that the Department General Orders, policies, procedures, rules or regulations covering the situation were non-existent or inadequate and require review and amendment.
Information Only	This applies to allegations which lack a basis in corroborating facts or evidence of misconduct, or when the reporter retracts or refuses to file a statement and the Chief of Police or his designee determines that further action is not required. The complaint will be recorded for informational purposes, classified as inactive and may be re-opened if new evidence is obtained that is likely to affect the outcome of the investigation.

During 2020, six (6) reports were processed by the Internal Affairs Section. These reports are separated into categories to include:

- Internally generated complaints (INQ).
Four (4)
20-006 / Policy Violation / Information Only
20-011 / Policy Violation / Information Only
20-019 / Policy Violation / Sustained
20-028 / Policy Violation / Sustained
- Externally generated complaints documenting verified policy violations (CC).
Two (2):
20-005 / Policy Violation / Not Sustained
20-018/ Policy Violation / Sustained
- Internally or externally generated complaints with no policy violations (INF).
Zero (0):

COMPLAINTS cont'd



EMPLOYEE DISCIPLINE

During 2020, there were twelve (12) instances in which officers received discipline:

- Informal Discipline.
 - Eight (8) oral counseling

- Formal Discipline.
 - One (1) written reprimand
 - Two (2) suspension
 - One (1) dismissal

GREIVANCES

There were three (3) employee grievances received in 2020.

RESPONSE TO RESISTANCE

Overview

Per department General Order 202 - Response to Resistance, a review of each incident involving response to resistance for the period January 1, 2020 through December 31, 2020 has been conducted. All Response to Resistance incidents are entered into the IAPro database.

The Naples Police Department addresses responses to resistance in General Order 202, which states:

It is the policy of the Naples Police Department to provide a framework for making decisions involving the reasonable use of force when deemed necessary to execute their legal authority. Command presence and verbal communication will diffuse many volatile situations. However, in situations where non-compliance to a lawful order, physical resistance to arrest, or a threat to life is encountered and reasonable alternatives have been exhausted or would clearly be ineffective, necessary physical force specific to the circumstances of the situation may be used in compliance with Florida Statute 776.05.

Current Procedures

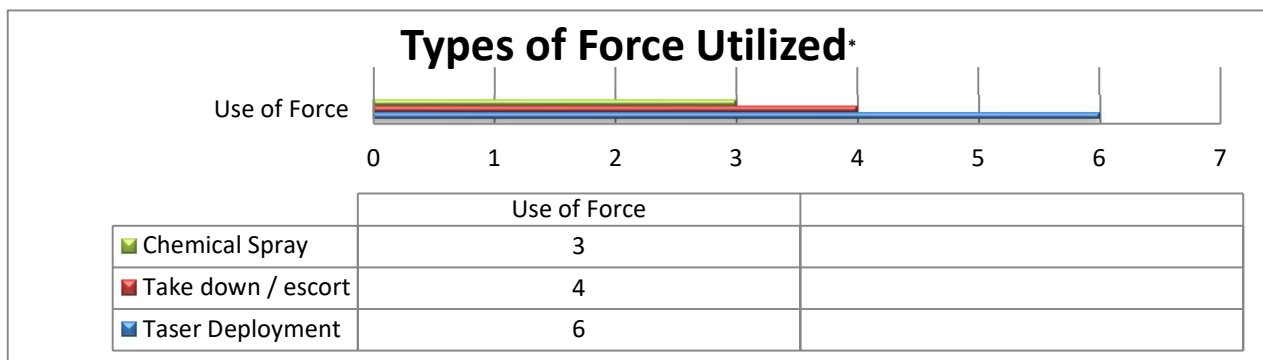
Current procedures are detailed in General Order 202, Response to Resistance.

Statistical Data

In 2020, there were a total of thirteen (13) recorded responses to resistance. This total is an increase of seven (7) incidents from the same period in 2019. Three (3) incidents were a response to assault on a law enforcement officer and ten (10) incidents were regarding resisting arrest.

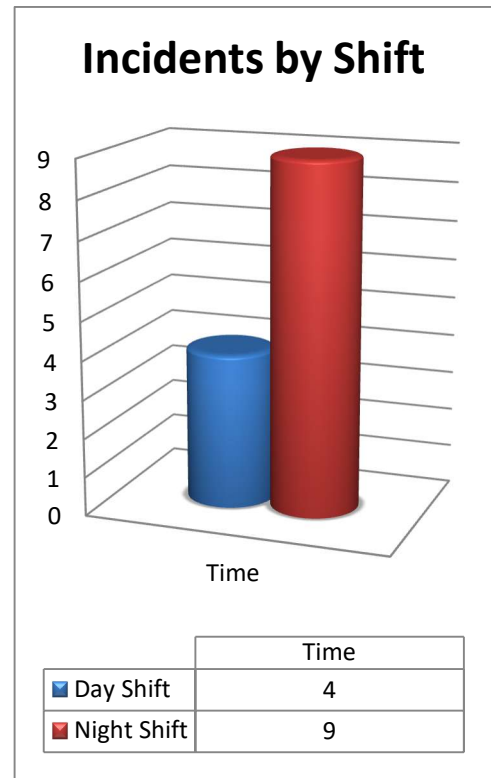
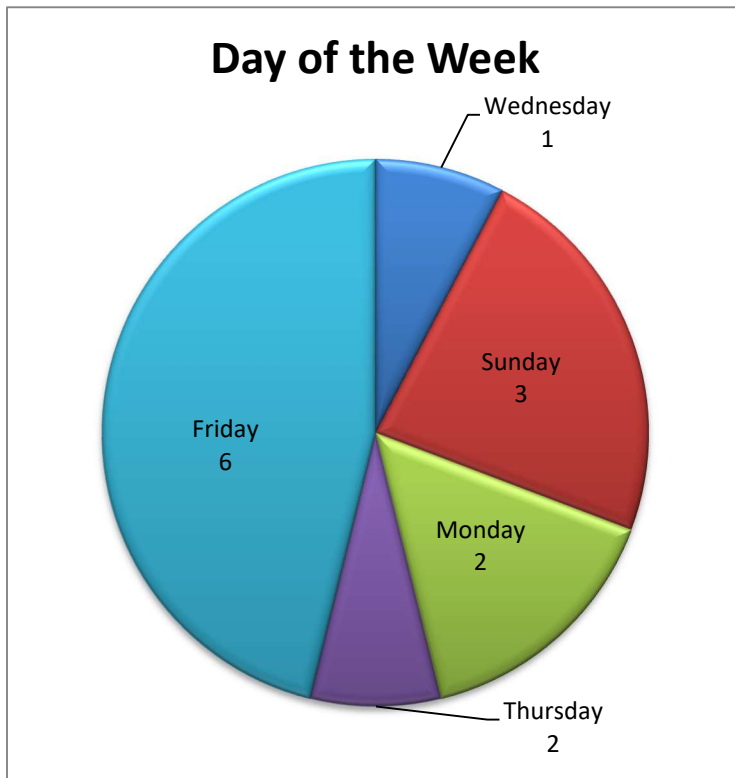
All use of force incidents were reviewed and determined to be effective and within policy.

Department procedures require the completion of a use of force entry within BlueTeam/IA Pro following any application or use of empty-hand striking techniques, pain compliance, transporters, and takedowns; any time a member takes action that results in, or is alleged to have resulted in, injury or death of another person; an application of a non-lethal weapon such as chemical spray or gas, an impact weapon, or weapon of opportunity that is not fundamentally designed to cause death or great bodily harm; any time an officer discharges a firearm for other than training or recreational purposes, initiates any action that could be considered a form of deadly force, or any type of accidental discharge; any time an officer discharges a conducted electrical weapon (Taser) for other than training or routine spark test purposes; and any time a police canine is deployed for a deliberate apprehension, including recalls and unsuccessful apprehensions, or causes any injury to a subject.



**One incident contained a taser deployment and chemical spray*

RESPONSE TO RESISTANCE cont'd



Summary

There are no known incidents which involved in a response to resistance where a resistance report was not completed as required per policy.

During the year 2020, there was one (1) reported incident in which an officer was injured while arresting a resisting suspect. There were four (4) incidents in which suspects were injured, involving a minor cuts/abrasion that were medically treated as a result of resisting arrest.

Policy Amendments/ Training Outcomes

General Order 202, Response to Resistance was revised on October 6, 2020 to include CJSTC use of force definitions, de-escalation requirements, provided a more defined employee duty to intervene, and further outlined the requirements for officer reporting of response to resistance occurrences. The revisions made to General Order 202 were not as a result of any use of force incidents where a policy amendment was required following administrative review.

FAILURES TO STOP/VEHICLE PURSUITS

In 2020, there were three (3) failure to stop reports a decrease of eight (8) from 2019. There were 0 instances of vehicle pursuits taking place in 2020:

Type of Incident	Count	Percent
Failure to Stop	3	100%
Vehicle Pursuit	0	0%

Reason Initiated	Count	Percent
Stolen Vehicle	2	66.6%
Traffic Violation	1	33.3%
Criminal Investigation	0	0%

Time of Day	Count	Percent
0100-0200	1	33.3%
1700-1800	1	33.3%
2300-2400	1	33.3%

Event that Concluded the Pursuit	Count	Percent
Turned over to Other Jurisdiction	1	33.3%
Pursuit Aborted by Officer	2	66.6%

Pursuit Within Policy	Count	Percent
Yes	3	100%
No	0	0%

EMPLOYEE TRAFFIC CRASHES

Traffic Crashes

Professional Standards reviewed seven (7) reports of traffic crashes involving Police Department vehicles, which is a decrease of three (3) from 2019:

- 1 deemed non-preventable.
- 6 deemed preventable
- 6 officers received formal or informal discipline for causing preventable crashes.

- **Time of day**
 - 2 crashes occurred between 6:00 am – 6:00 pm.
 - 0 non-preventable.
 - 2 preventable.
 - 5 crashes occurred between 6:00 pm – 6:00 am.
 - 1 non-preventable.
 - 4 preventable.

- **Injuries:** There were 0 employee injuries and 0 non-employee injuries as the result traffic crashes involving a police vehicle.

- **Contributing Cause of Non – Preventable Crashes (1)**
 - 1 - Civilian Struck Parked Police Vehicle

- **Contributing Cause of Preventable Crashes (6)**
 - 1 – Backed into Fixed Object
 - 4 – Struck a Fixed Object
 - 0 – Struck a Motor Vehicle in Transport
 - 1 – Struck a Parked Vehicle

- By comparison, in 2019, Professional Standards reviewed ten (10) reports of traffic crashes involving Police Department vehicles. Six (6) of the ten (10) crashes were preventable.

Due to the COVID-19 outbreak there was no in-service training conducted in 2020 on vehicle operations. The objective for 2021 is to conduct vehicle operations in-service training which includes practical driving techniques taught by certified FDLE instructors to reduce preventable crashes and property damage.

Recommendations

- The department should conduct vehicle operations training utilizing the Florida Department of Law Enforcements Law Enforcement Vehicle Operations instruction.
- Vehicle training should be completed in low-light/dark conditions as the majority of crashes that have occurred in 2020 were between the hours of 6:00pm – 6:00am. The training should include backing and crash avoidance techniques.
- Back-up sensors that alert the driver when they are approaching fixed objects should continue to be installed on vehicles that were not equipped with them at time of initial purchase.
- All marked patrol vehicles purchased in 2019 came equipped with back-up sensors and all vehicles purchased in 2020 have both back-up sensors and driver crash avoidance systems.

BIASED POLICING

In order to maintain compliance with Commission for Florida Law Enforcement Accreditation standard 2.04M and the Naples Police Department General Order 215 – Biased Policing, an annual review concerning biased policing for the period January 1, 2020 through December 31, 2020 has been conducted.

The results of this review are as follows:

- A review of General Order 215 - Biased Policing was found to include:
 - ✓ definitions for bias based profiling and reasonable suspicion.
 - ✓ language prohibiting biased policing in field contacts, traffic contacts, seizure of assets and forfeiture efforts.
 - ✓ language regarding corrective measures if biased policing occurs.
- A review of training documents verified department personnel are trained in biased policing issues, including legal aspects in accordance with CJSTC guidelines.
- Zero (0) incidents of biased policing which would require corrective measures were reported or identified in the period January 1, 2020 through December 31, 2020.
- A review of department Policy identified written procedures for traffic stops are located in General Order 208 - Police Vehicle Operations and General Order 215 – Biased Policing.
- The Records Specialist 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 Records Specialist reports this information is being transmitted to the Department of Highway Safety and Motor Vehicles quarterly as required by statute. An administrative review of the data shows consistency with the population distribution in the City of Naples.
 - 2020 Seat Belt Violation Data Collection (316.614)
 - Total Citation Issued – 6
 - White – 6 (100%)
 - Hispanic or Latino – 0 (0%)
 - Black – 0 (0%)
 - Unknown – 0 (0%)
 - Asian – 0 (0%)
 - American Indian or Alaskan – 0 (0%)

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

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.

Traditionally officers receive approximately 80 hours annually of in-service training per officer. Due to the COVID-19 Pandemic, training was scaled back to ensure social distancing protocols were followed. In July of 2020, the Training Section implemented Police Law Institute, online police training, which provides legal training to keep officers informed and safe, these training modules are monthly and provide one hour of additional training.

The Naples Police Department strives to host in-service and advanced training on a monthly basis to sworn members. In 2020, Officers received approximately 50 hours of in-service training through a combination of Florida Department of Law Enforcement on-line training, department held in-service classes, and Police Law Institute interactive virtual lessons.

ACCREDITATION

The Naples Police Department received reaccreditation on June 21, 2017 from the Commission for Florida Law Enforcement Accreditation (CFA). The department continues to review policies annually and provide the professional standards bureau with proofs. The department's second reaccreditation assessment was in July of 2020, and the department received its award virtually on October 15, 2020.

The Accreditation manager received the distinction of Certified Accreditation Professional virtually on October 14, 2020. Accreditation professionals who become Certified Accreditation Professionals are distinguished as individuals who have reached one of the highest levels of achievement and recognition in their field.



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.
- 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 reaccreditation 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.

RECRUITMENT

Recruitment provides one of the most essential functions for the police 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 are 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 exercises. 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 conducts orientation and a fifty-six (56) hour mini academy to all new police officers.

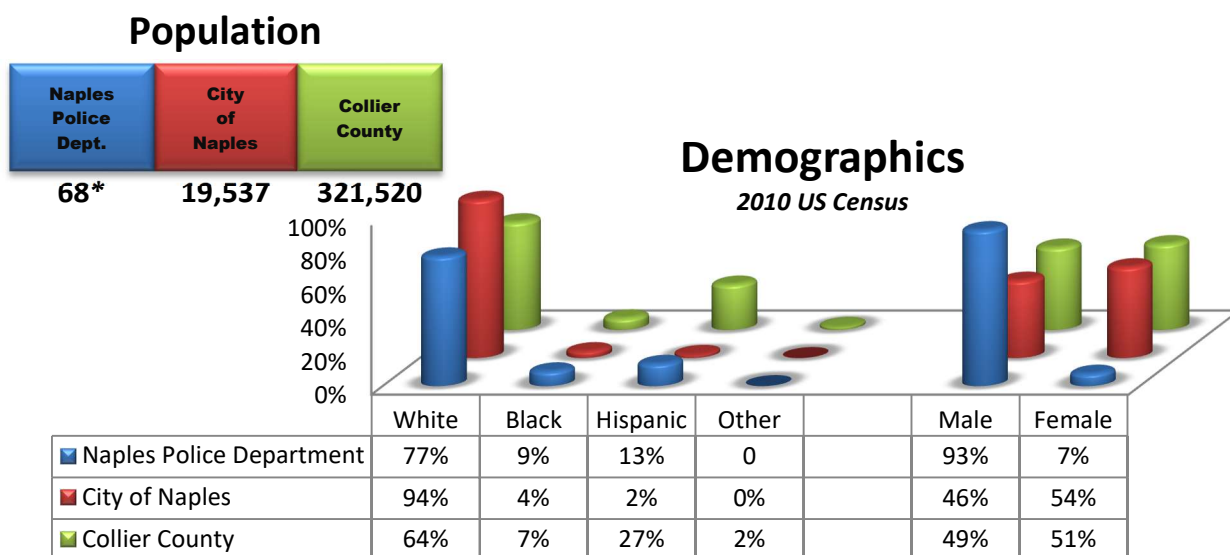
Objectives

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 represent 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 8.02, 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.



**The Naples Police Department is budgeted for 72 sworn officers.*

RECRUITING cont'd

The percentage of Black and Hispanic Officers exceeds that of the jurisdiction's demographics. The percentage of female officers is 7.4% which is below the state average of 16.05% for women in law enforcement (ATMS/FDLE). The current population of the Naples Police Department is 68, the City of Naples is 19,537, and Collier County is 321,520 (2010 US Census).

Annual Evaluation of Progress

Four white male officers were hired during 2020. One white male sworn officer retired from the department in 2020.

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.

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. The national average for women in small (<100 sworn officers) law enforcement agencies that are the similar in size to the Naples Police Department is 10% (Bureau of Justice 2010).

The department's recruitment plan is to focus on maintaining a diverse workforce that mirrors the City of Naples available workforce demographics. While the disparity of female Officers is minor, the department should continue to make every effort to increase the number of qualified and experienced female officers and is advertising on national job sites targeted to women in law enforcement. The recruitment plan for 2021 will continue to include advertising in women's law enforcement periodicals and websites. Additionally, department efforts should include utilizing a female officer during recruiting trips. Turnover and vacancies in the last quarter of 2020 and first 2 quarters of 2020 is expected to see the department hire approximately 3 officers or 2.04% of the organization. Currently, there are 7 officers in the Deferred Retirement Option Program (DROP) and 3 of those officers will retire in 2021. The department will continue to focus on effective and efficient recruiting processes.

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.

Press releases documenting community outreach programs as well as investigative updates were disseminated in 2020.

The department provides public information and department information regarding social events, community policing events, prevention information, traffic and road construction information, as well as other information on social media platforms such as Facebook, Twitter, Ring Neighbors App and Instagram.