



Garry E. Lucas
Sheriff

2014

**Statistical Report on
Internal Affairs Activities**

Completed by
Jim Hansen, Professional Standards Manager

Unit Composition

In 2013, both existing IA sergeants were promoted, leading to Sergeants Phil Sample from the Enforcement Branch and Sergeant Mitch Seagondollar from the Corrections Branch being appointed to Internal Affairs. This was a relatively unprecedented turnover of personnel in the Unit. The standard practice has been to offset rotations of personnel, in this Unit in particular, to accomplish a junior member always joining a senior member of at least one or more years' experience. This is for purposes of maintaining continuity in practice as well as on the job training and development - which significantly supplements the more formal training given to incoming Internal Affairs sergeants.

The two Internal Affairs sergeants report to the Professional Standards Manager Jim Hansen. The Internal Affairs Unit does not have administrative support staff at this time.

Mission

It is essential that public confidence be maintained in the ability of the Sheriff's Office to investigate and properly adjudicate service and personnel complaints. Additionally, the Sheriff's Office has the responsibility to continually review policies, procedures, and the performance of duty by agency personnel. Building and maintaining community trust is the cornerstone of successful policing and law enforcement. The building and maintenance of that trust takes a great deal of continuous effort. The Internal Affairs Unit is charged with these duties, not as a standalone activity, but as one component of a systemic, agency-wide effort at maintaining professional standards. In contributing to these efforts, the Internal Affairs Unit works closely with the Human Resources, Case Management and Risk Management Units (among others) and their related efforts as well.

Central to the Internal Affairs function is the responsibility to investigate complaints in a complete, thorough, objective and fair manner that protects the rights of the employee as well the public. Any investigation arising from a complaint must be conducted in a fair and impartial manner with truth as its primary objective. The Internal Affairs Unit is the central depository of all complaints filed against the Sheriff's Office or its employees.

The investigation of service or personnel complaints provides accountability to the public for service rendered and for each and every individual employee's actions. This process serves to provide protection for the falsely accused employee, indicate training needs, and facilitate the formulation, evaluation and periodic revision of departmental policies, procedures and training.

Internal Affairs performs the central tracking of risk and liability incidents, to include administrative as well as investigative related events. The following chart depicts the broader scope of Internal Affairs tracked activities within the agency, (to include non-investigative incidents) comparing 2013 to 2014. The remainder of this report details the investigative rather than administrative review incidents more specifically.

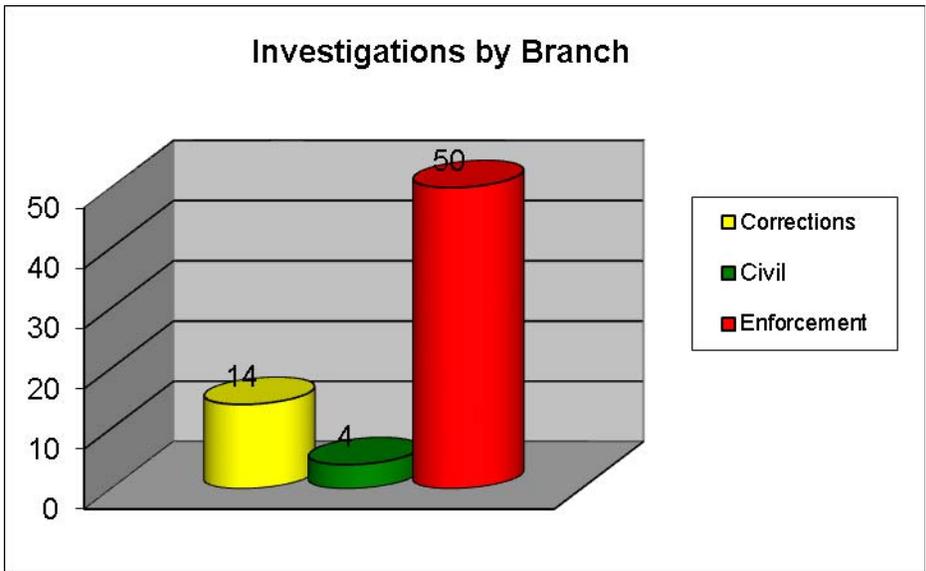
2013 – 2014 Overall Incidents (Investigative, administrative and tracking purposes)			
	2013	2014	% Change
Accidental Discharge (Firearm or Taser)	3	4	33%
Animal Incidents (Euthanasia or Destruction)	20	23	15%
Awards	25	23	-8%
Citizen Complaints	32	20	-38%
Damage to Vehicles ("Ding Log" - misc. damage)	9	7	-22%
Discipline (Field reported, not IA Investigated)	19	5	-74%
Inquiry (Matters referred to IA for review, not investigated)	9	3	-67%
Internal Complaints	33	23	-30%
Outside Investigations (Investigative requests by outside agencies)	1	2	100%
Pursuits (including "attempt to eludes" <u>not</u> pursued)	29	13	-55%
Service Complaint	4	1	-75%
Use of Force Incidents (Administrative review of all incidents)	424	341	-20%
Use of Force Investigations (Complaints)	3	4	33%
Vehicle Accident (Sheriff's Office Vehicles)	23	15	-35%
TOTAL	634	484	-24%

Investigations

The Internal Affairs Unit completed 68 investigations in 2014; compared to 95 in 2013. Details on investigations by Branch, Type and Finding are provided in the pages to follow.

Investigations by Branch

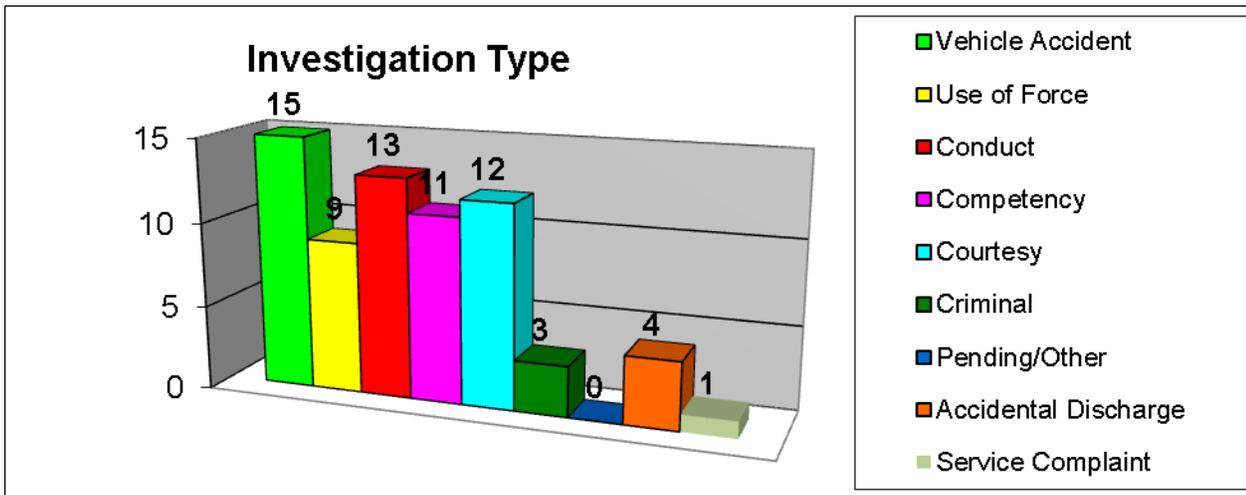
The following chart represents the breakdown of cases investigated in each Branch during 2014.



The majority of the investigations completed occurred in the Enforcement Branch. This is consistent with historical trends, and is primarily due to the number and nature of contacts that enforcement deputies have with citizens "on the street". Contacts typically occur in response to 911 calls or deputy initiated activity such as stopping and questioning suspicious persons. Contacts occur in rapidly developing, fluid exchanges in an uncertain and possibly dangerous context. Despite that, deputies are expected to be professional, courteous, and skilled in the performance of their duties.

Investigations by Type

The chart below is a comprehensive look at types of Internal Affairs related investigations completed in 2014.



Historical Trends

A breakdown of types of investigations indicates that the three largest categories of incidents investigated were regarding Conduct, Vehicle Accidents and Courtesy. This is the second year in which Competency complaints have not ranked among the top three most frequent types of incidents investigated, a continuing departure from historical trends. Competency complaints are typically related to the performance of an employee's duties in a lawful, responsible and timely manner. These differ from courtesy complaints in that competency complaints often involve a perceived unwillingness or inability to perform duties properly; or performance that is outside agency policy or standard procedure otherwise. Courtesy complaints are most often described as rudeness or impatience on the part of the employee while performing their duties. Conduct complaints are typically related to behaviors indicating the intentional disregard of established practices and/or policy. Conduct complaints represented the most frequent of incidents in 2013, but were second to vehicle accidents in 2014.

Vehicle Accidents

As indicated above, vehicle accidents were the largest number of investigations for 2014. Even at that, the total number of vehicle accidents was down from a total of 23 in 2013 to 15 in 2014. Of the 15 accidents involving county operated vehicles, 10 (or 67%) were deemed to be "chargeable" (employee at-fault) with a third as many (5) having been determined to be non-chargeable.

Of the 10 at-fault accidents, none were of a serious nature such that they resulted in injuries to either employees or citizens.

Conduct Complaints

Conduct allegations can be based on a wide variety of actions such as on or off-duty behaviors that reflect negatively on the Sheriff's Office, violation of departmental policies or inappropriate behavior at work, etc.

Criminal conduct, in which possible criminal activity was suspected or alleged, is reported in its own category. There were 3 allegations of criminal conduct involving Sheriff's Office employees in 2014, compared to 5 such complaints in 2013. Having had 5 such complaints in 2013 and 3 in 2014 each represent a significant departure from historical trends, which indicate less than 1 such complaint per year over many years. These 3 allegations in 2014 were split amongst the three Branches, with one such incident per Branch. Two incidents involved off-duty conduct, one of which resulted in the resignation of the involved employee, and the other resulted in the involved employee receiving treatment (due to the extenuating circumstances of the event). The third incident was an allegation of on-duty conduct, involving theft of personal property from co-workers, and that

resulted in a resignation of the employee, and a referral for prosecution having been made to the Prosecuting Attorney's Office.

Racial Bias in Policing

While all complaints are taken seriously, particular attention is given to any complaint of racial bias in policing. The nature and outcomes of these types of complaints are specifically reported by the Clark County Sheriff's Office to two outside agencies on an annual basis. The first is the Washington Association of Sheriffs and Police Chiefs (WASPC), which tracks such complaints state-wide. Secondly, these incidents are reported to the Commission on Accreditation for Law Enforcement (CALEA). The Sheriff's Office is nationally accredited and held to a high standard in the tracking and reporting of racial and/or bias-based policing complaints.

In 2014 the Sheriff's Office received 1 such complaint, compared to having received 2 in 2013. The incident in 2014 was an inmate complaint about a white Jail employee allegedly having made a racially insensitive remark to an inmate, about a third inmate who is Black. That allegation was investigated, resulting in a finding of "unfounded". (There was a courtesy complaint that came about as a result of this investigation, and that complaint was found to be sustained). It was determined that the original complaining inmate, who was anonymous, likely misunderstood the comment - as determined by interviews with witnesses, and that the comment itself was not racially-based in any regard.

The Clark County Sheriff's Office maintains policies prohibiting conduct related to racial discrimination, profiling or harassment. New employees receive bias-based policing training in their orientation and new recruits also receive that training at the law enforcement and corrections academies. Clark County Sheriff's employees also receive bias-based policing instruction as in-service training.

Complaint Conclusion/Resolution

An investigation concludes with a "Finding". Findings are typically made at the supervisory level for minor complaints, and at the Branch Chief and/or Sheriff's level for major complaints.

Investigative Findings generally fall into one of five classifications (some instances may result in another type of case closing, such as resignation of an employee, or withdrawal of a complaint prior to completion of an investigation):

- **UNFOUNDED:** Any complaint where the investigation indicates that the act or acts complained of did not occur or failed to involve Sheriff's personnel.
- **EXONERATED:** Any complaint where acts did occur and were justified, lawful and proper.

- NOT SUSTAINED: The investigation fails to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint.
- SUSTAINED: The investigation disclosed sufficient evidence to clearly establish the allegation made in the complaint.
- NOT INVOLVED: The investigation establishes that the affected employee was not involved in the alleged incident.

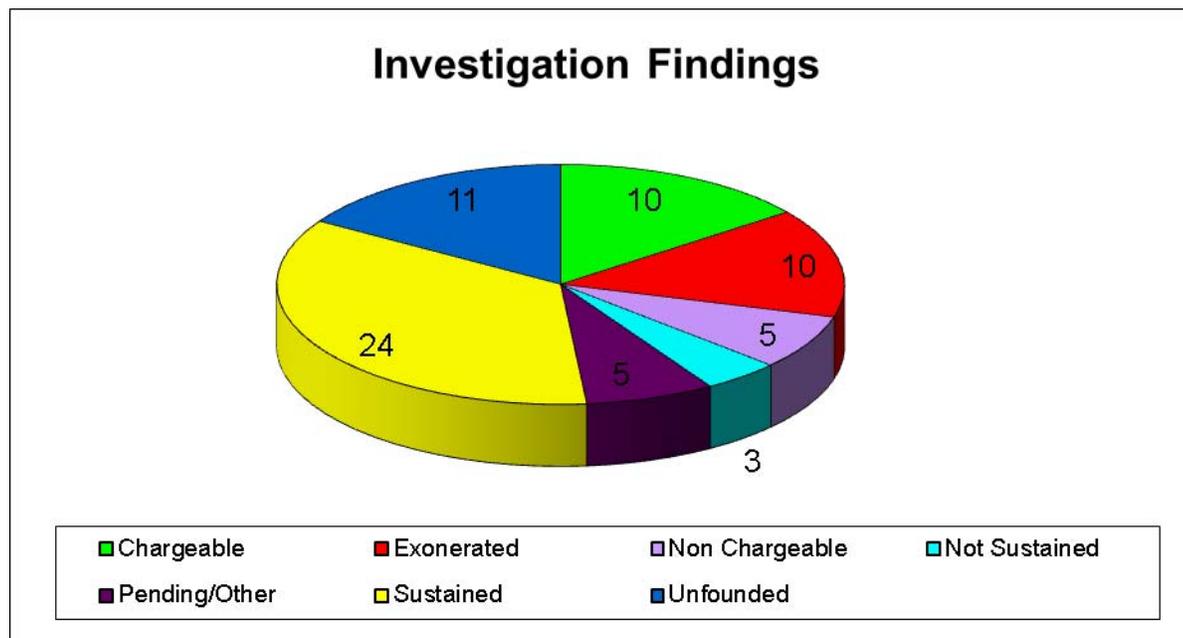
In addition, all employee-involved vehicle accidents are investigated and have one of two findings:

- CHARGEABLE: The investigation establishes that the employee was substantially at fault in an automobile accident.
- NON-CHARGEABLE: The investigation establishes that the employee was not substantially at fault in an automobile accident.

Vehicle incidents resulting in a minor scratch or dent (with no necessary repair), or damage incidents in which it is determined that the assigned employee driver was not involved are recorded and tracked for administrative purposes to a "Ding Log".

Findings for 2014

The following two charts show the findings made in the 68 investigations conducted in 2014, followed by a breakdown of the investigation findings by Branch.

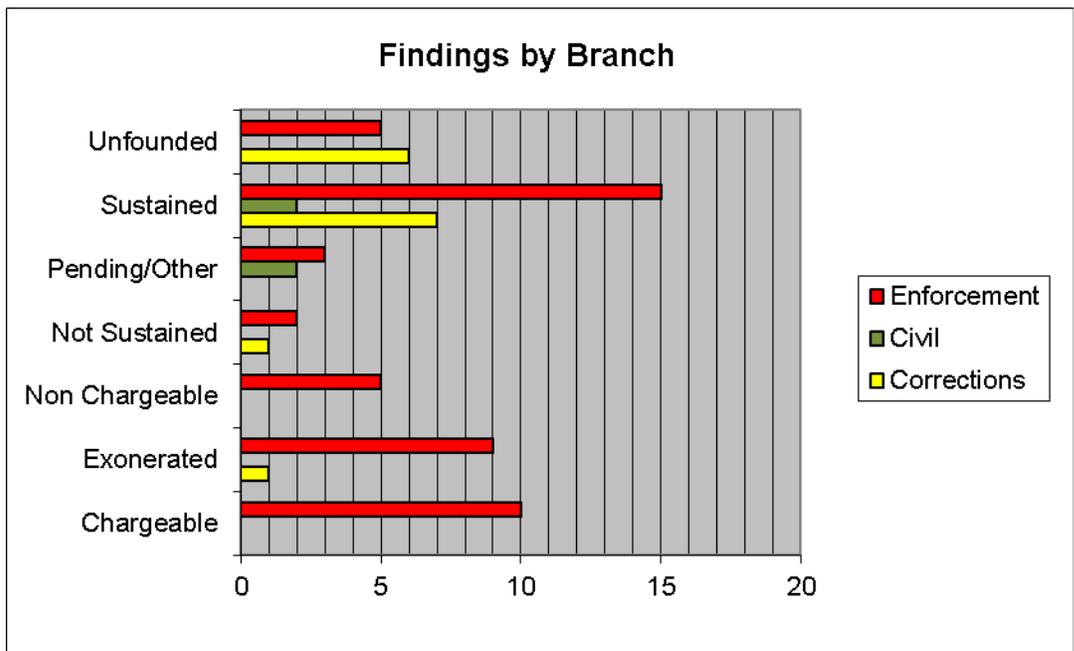


The graphic above shows that the largest number of findings was in the "Sustained" category, which is consistent with historical trends.

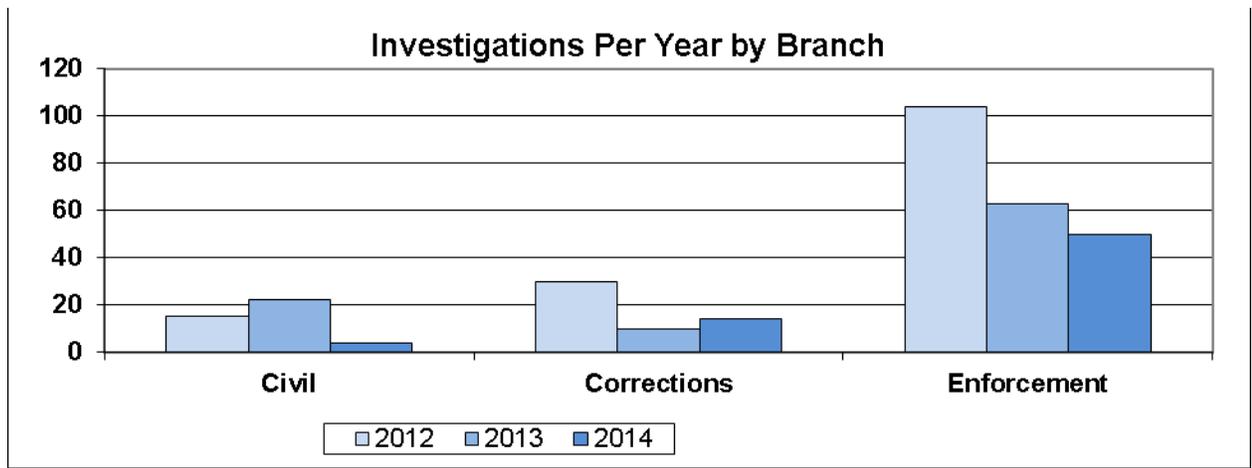
The next highest number of findings are in the "Unfounded" category - meaning a determination was made the alleged conduct did not occur.

As indicated above, Sustained findings are typically the most frequent of findings, and 35% of all cases resulted in Sustained findings in 2014, up from 20% in 2013, (but more in line with the 2012 results of 37%).

When the number of sustained findings, 24, is combined with the number of chargeable findings from vehicle accidents, 10, the data shows that in exactly half (50%) of all 2014 investigations, the individual employee was found to be at-fault (at some level).



Whereas the above graph shows the types of findings by Branch for 2014, the graph below shows the number of investigations per Branch, for the last three years.

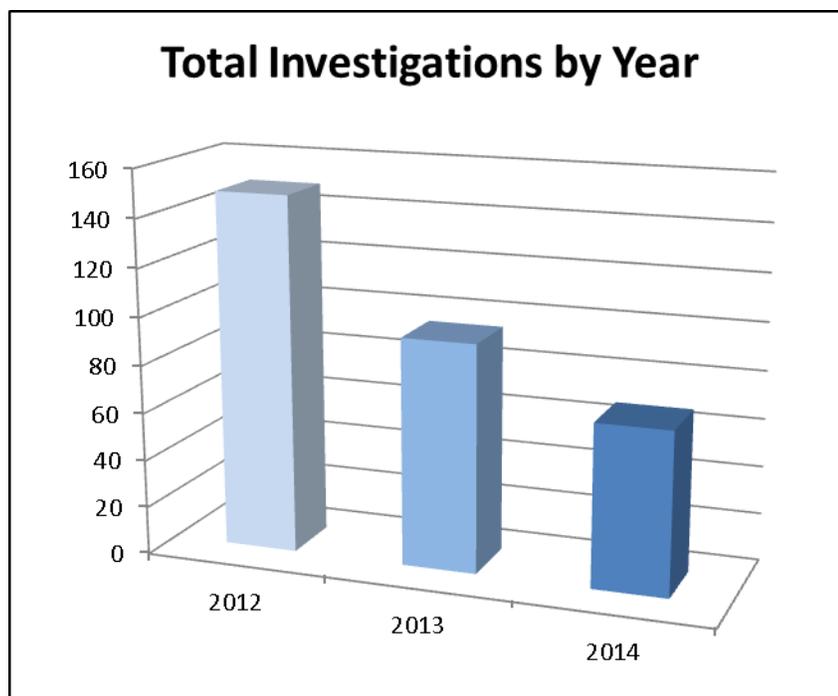


When comparing 2014 with the previous two years, the Civil and Enforcement Branches had decreases in the total number of investigations per Branch, with that being a two year trend for the Enforcement Branch. As was the case with the Civil Branch the year before, the Corrections Branch had a slight increase however.

The Enforcement Branch continues to have a higher number of cases overall, which is entirely consistent with historical trends. This can be explained again, by the Enforcement Branch's high call volume and the number and/or nature of citizen contacts as compared to the other Branches. In addition, the use of the BLUE TEAM system by supervisors helps to ensure that increasingly accurate data is being collected and recorded with regards to the nature and number of incidents, complaints and related investigations. The use of this field reporting tool also improves upon the timeliness of reporting and completion of field level (supervisor assigned) investigations.

It is important that efforts continue at monitoring however for the accurate reporting from the field of complaints against staff. This ensures statistical relevance and the related collection of data for tracking of trends, but more importantly, such a disciplined effort serves the function of creating and maintaining transparency, building upon the trust this agency has earned from the citizens we serve.

The final chart indicates the overall number of Internal Affairs related investigations over a three year period.



The following table shows the change between 2013 and 2014 regarding the number of citizen and internal complaints for each Branch.

Complaints By Branch *	Corrections			Civil			Enforcement			Total		
	2013	2014	% Change	2013	2014	% Change	2013	2014	% Change	2013	2014	% Change
Citizen Complaints	3	7	133%	7	2	-71%	22	11	-50%	32	20	-38%
Internal Complaints	6	5	-17%	15	2	-87%	13	16	23%	34	23	-32%
TOTAL	9	12	33%	22	4	-82%	35	27	-23%	66	43	-35%

* This data is limited to investigations arising from citizen or internal complaints for conduct, courtesy and/or competency and excludes administrative initiated reviews

With a 35% decrease in reported complaints agency-wide (as shown above), the following table shows an increase in the number of disciplinary actions taken (or reported/captured). There was also an increase in the highest levels of corrective actions (Written Reprimand and Termination). This could be reflective of a decreased reporting by supervisors of minor incidents handled at the field (sergeant) level, though that is not known to be the case.

2014 Actions Taken - year to year comparison (not all actions taken are accounted for)

	Corrections		Enforcement		Civil		Total		% Change
	2013	2014	2013	2014	2013	2014	2013	2014	
Corrective Counseling	3	2	8	11	1	3	12	16	33%
Demotion	0	1	0	0	0	0	0	1	n/a
Disciplinary Suspension	1	0	1	0	0	0	2	0	-100%
Oral Reprimand	3	1	7	10	1	0	11	11	0%
Reassigned (moved)	0	0	0	0	0	0	0	0	n/a
Remedial Training	1	1	0	0	1	0	2	1	-50%
Resigned	0	0	7	0	0	0	7	3	-57%
Review of Policy	1	0	0	0	0	0	1	0	-100%
Termination	0	0	0	1	0	1	0	2	n/a
Training	2	0	0	0	0	0	2	0	-100%
Work Plan	0	0	2	0	0	3	2	3	50%
Written Reprimand	2	4	1	9	1	3	4	16	300%
TOTALS	13	9	26	31	4	10	43	53	23%

Closing

This statistical report on the activities of the Internal Affairs Unit demonstrates the number and types of complaints and investigations for 2014, and the investigative and disciplinary/corrective action outcomes resulting from those complaints.

These efforts are the result of an on-going commitment to fairly and objectively investigate all personnel or service complaints, in order to guard the public's trust in our Agency and our personnel.

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