

East Bay Regional Park District Police Department



2008

Annual Internal Affairs Statistical Report and Analysis of Early Warning System Report

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2008 Internal Affairs Statistics

Introduction: The Department of Public Safety conducts annual statistical summaries of internal affairs investigations that are made available to the public and agency employees. By providing this information we believe we are demonstrating that the East Bay Regional Park District holds its personnel accountable for their actions.

These findings are published annually and are posted on the East Bay Regional Park District's website. <http://www.ebparks.org/about/police/stats>. They are also available for review at Public Safety Headquarters, 17930 Lake Chabot Road, Castro Valley, CA 94546

Annual Statistical Summary:

The Police Department consists of 67 authorized sworn positions, and 31 civilian staff.

The East Bay Regional Park District's Department of Public Safety conducted six internal affairs investigation in the year 2008, three of which were complaints received from citizens, and three of which were allegations of misconduct made by the Office of the Chief of Police.

During this period there were 8,115 calls for service, 5,778 citations issued, 528 arrests and 4,053 Field Interviews (contacts without arrests). Per the above stated workload, it was determined that the ratio of Internal Affairs investigations compared to overall department activity were well within acceptable levels. A review of the amount and nature of the statistics found no trends or need for training.

Early Warning Trends:

No single employee was the subject of more than one investigation in 2008. Disciplinary action was taken for employees with sustained findings. There were no indications requiring early-warning preventative action such as counseling or training.

Conclusion of Fact: A conclusion of fact was made for each investigation into alleged misconduct. All involved parties were notified via letter of the results. Below is a description of the types of findings that can be determined from an internal affairs investigation.

UNFOUNDED: The investigation shows the alleged act(s) did not occur.

EXONERATED: The investigation concluded that the Officer's actions were lawful and proper.

NOT-SUSTAINED: The investigation was unable to prove or disprove yours or the officer's version of the incident

SUSTAINED: The allegations made in the complaint are supported by the investigation.

It is the responsibility of the Chief of Police to administer the internal affairs process. Complaints against the East Bay Regional Park District's Police Department are received in one of two ways. Citizen initiated complaints (CC's) are the result of a complaint from a member or members of the public. Department initiated investigations (I.A.'s) are the result of Department personnel alleging a violation of our policy manual and or misconduct against another member of the Department. In the Year 2008, 50% (3 of 6) complaints were citizen initiated, & 50% (3 of 6) were department initiated.

Incident	Division	Complaint	Finding
CC 08-01	Police	1) Exceeding Peace Officer Powers 2) Damage to Private Property	1) Exonerated 2) Not Sustained
CC 08-02	Police	1) Discourteous Treatment 2) Failure to take reasonable action	Withdrawn By Complainant
CC08-03	Police	1) Discourteous Treatment 2) Failure to Take Reasonable Action	1) Exonerated 2) Exonerated
I.A. 08-01	Police	Cancelled	
I.A 08-02	Police	1) Disobedience or Insubordination 2) False or misleading statements to a Supervisor	1) Sustained 2) Not Sustained
I.A 08-03	Police	1) Violation of Dept. Manual 2) Delay in carrying out work assignments 3) Work Related Dishonesty 4) False or Misleading Statements	1) Sustained 2) Sustained 3) Unfounded 4) Not Sustained

*I.A. 08-01- cancelled per agreement.

Statistical Breakdown of Complaints

Internal Affairs Investigations by Year

	2007		2008		% Difference
	# of Complaints	# of Allegations	# of Complaints	# of Allegations	
Department Initiated	3	5	3	6	No Difference
Citizen Initiated	6	9	3	6	-50%
Total:	9	14	6	12*	-15%

* Reflects the number of allegations within complaints. There were a total 6 complaint investigations in 2008.

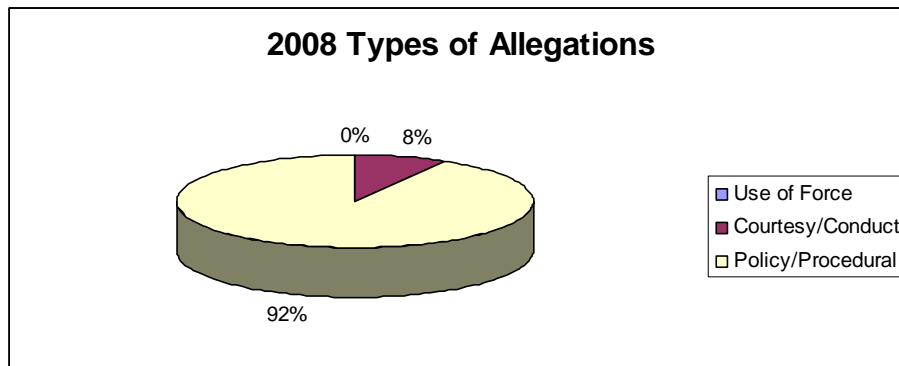
The above results show that there was no change in department initiated complaints between the years 2007-2008. However, citizen initiated complaints decreased by 3, or 50%. The overall total complaints against our department decreased by 3, or 15%.

Types of Investigations by Allegation

Type of Allegation	Year		% of Investigations by Type	
	2007	2008	2007	2008
Use of Force	0	0	0	0
Courtesy/Conduct	3	1	21	8
Policy/Procedural	11	11	79	92
Total:	14	12	100	100

The Use of Force according to our policy manual is defined as:

- a) The application of Force occurs to have caused physical injury
- b) The individual has expressed a complaint of pain
- c) Any application of a control device
- d) The individual has been rendered unconscious



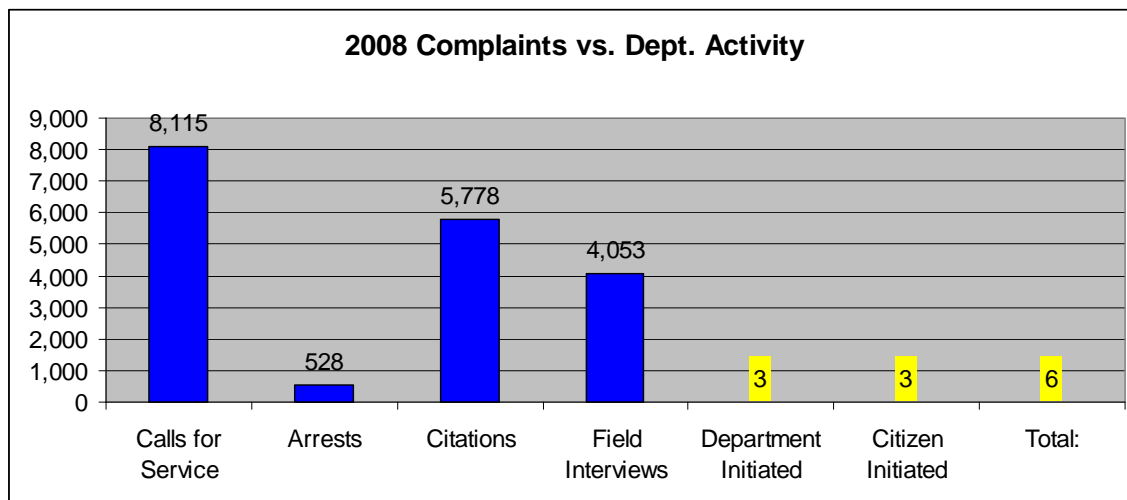
Disposition of Closed Cases

Disposition	Year		% of Dispositions by Type	
	2007	2008	2007	2008
Sustained	5	3	42	25
Not Sustained	3	3	25	25
Exonerated	3	3	25	25
Unfounded	1	1	8	8
Allegations pending	0	0	0	0
No Findings determined	0	2	0	0
Total:	12	12*	100	100

*In 2008 there were 6 investigations containing 12 allegations. Case number CC 08-02 containing two allegations was withdrawn by the complainant leaving no findings determined.

The chart & graph below depicts a comparison of overall department activity vs. complaints against our agency. The purpose of this data is to show the intensity of department activity compared to the number of complaints received. No trends were identified.

2008 Department Activity			
Calls for Service	Arrests	Citations	Field Interviews
8,115	528	5,778	4,053



Recommendations/Conclusions:

Upon reviewing all complaints submitted for 2008, for patterns or trends that could be predictive or could indicate training needs and/or policy modification needs, it has been determined that no changes need to be made. All employees have been appropriately disciplined where necessary and no further action was required. The investigative files are confidential per Ca. Penal Code 832.7 and are maintained in a secure file in the Office of the Chief of Police.

The Department's purge criteria is five years for Citizen's Complaints and two years for Internal Affairs Investigations. Files are purged to comply with this criteria.

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East Bay Regional Park District