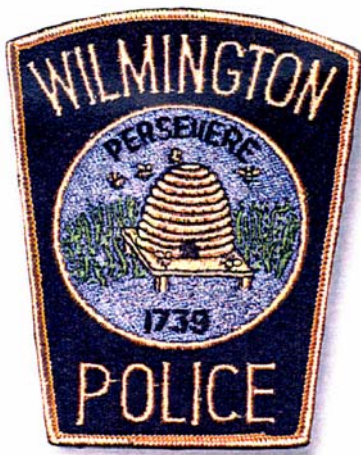




CITY OF
WILMINGTON
NORTH CAROLINA



2008 INTERNAL AFFAIRS ANNUAL REPORT



WILMINGTON POLICE DEPARTMENT
OFFICE OF THE CHIEF ANNUAL REPORT 2008

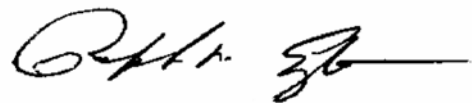
FOREWORD BY CHIEF

The Wilmington Police Department is presenting to our community the 2008 Internal Affairs Annual Report. The men and women of WPD are committed to providing “World Class Service” while maintaining the highest degree of integrity and trust. Our Internal Affairs process plays an integral role in building and maintaining that trust.

The Professional Standards Section has created this annual report for our citizens in an effort to be as transparent as possible. Our hope is that this report will help you understand the seriousness with which we approach your complaints and the processes we follow. This report will give you an overview of our activities in 2008 and compare similar data from previous years.

It is my hope that you will find the information in this report reassuring and helpful. I look forward to working with all members of our community. We will work together and make this a better and safer place to live, work and visit.

Sincerely,



Chief RE Evangelous

NOTE FROM INTERNAL AFFAIRS COMMANDER

I'm proud to have the opportunity to work with employees that place such a great value on professionalism and integrity. Their dedication serves to ensure that our agency maintains the highest level of both employee and public trust. We shall continue to be alert to matters that may jeopardize the agency's integrity and diligently seek to correct potential problems before they become reality. The Wilmington Police Department Office of the Chief challenges each of our employees to live up to the standards set forth by the Code of Ethics.

Sincerely,

Bl. Maultsby

Lt. BL Maultsby

Wilmington Police Code of Ethics

"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all individuals to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God (or deity of choice) to my chosen profession - law enforcement."



WILMINGTON POLICE DEPARTMENT
OFFICE OF THE CHIEF ANNUAL REPORT 2008

WILMINGTON POLICE DEPARTMENT MISSION STATEMENT

- P**artnership with the community
- R**espect for human dignity
- O**rganizational excellence and accountability
- T**eamwork approach to problem solving
- E**qual application of the law to reduce crime
- C**ommitment to officer safety and professionalism
- T**o maintain public confidence and safety



RULES/POLICY

The Wilmington Police Department is dedicated to providing exceptional service to the citizens and employees through a problem solving approach, emphasizing a commitment to excellence through teamwork. Police employees are selected, held to the highest standards, and provided with the best training available. The ultimate goal of our strenuous selection/training process is to give our employees the very best preparation to make sound, appropriate, and respectable decisions. The Police Department is sincerely interested in both rewarding above average performance and in taking corrective action in those instances where an employee fails to meet our standards.

The Wilmington Police Department is governed by the United States Constitution, the North Carolina Constitution, North Carolina General Statutes, City Charter, City Ordinances, and Departmental Regulations. The Wilmington Police Department Policy Manual is a 564 page virtual document published in .pdf format to a common computer network drive, which is accessible to all police personnel. In that manual there are 87 specific rules for officer conduct, guidelines and protocols for how to handle specific situations, and various other documents necessary to manage a modern metropolitan police department. These rules cover the broader categories of behavior and performance expectations to which we hold all employees accountable. We recognize that despite our best efforts, there will be times when citizens, fellow employees or supervisors perceive an employee's behavior to be inappropriate and violate policy. When this occurs, our Internal Affairs staff uses a well-established procedure for receiving, investigating and adjudicating complaints.

Investigations by Internal Affairs may be triggered in the following ways: citizen complaints, internal referrals, involvement in an automobile collision, involvement in a use of force incident, involvement in a police pursuit, involvement in an injury event, or any other situation that is directed by the Chief of Police or the Commander of the Internal Affairs Unit.

INVESTIGATIVE FINDINGS

Once the investigation has been completed, a Finding will be established regarding whether a violation has occurred according to the evidence. Final disposition status will be determined as follows:

- *Sustained* - The allegation is true and indicates improper conduct on the part of the employee being investigated.
- *Unfounded* - The allegation is false. The incident that was the basis for the complaint did not occur or that neither the Department nor Department employees were involved in the incident.
- *Not Sustained* - There is insufficient evidence to confirm or refute the allegation.

- *Exonerated* - The allegation is true, but employee's action was justified, lawful, and proper.
- *Policy Failure*- The employee acted in accordance with existing Departmental Policy and Procedure, however there is a flaw in the policy or there is not a policy to cover the circumstances.
- *Approved*-Generally reserved for Police Pursuits/Uses of Force
- *Approved P/V*-Approved, however, policy violations are noted
- *Policy Violation*-a blatant major violation of departmental policy
- *Preventable*-employee should have prevented the incident (auto collisions)
- *Non-Preventable*-there is nothing the employee could have done to prevent event
- *Questionable*-it is unclear whether or not the employee could have prevented event

INVESTIGATION TYPES

- I. **Citizen Complaint:** an investigation based upon statements of a citizen made in regards to an officer's on/off duty conduct.

- II. **Internal Investigation:** An internal investigation will be required in, but not limited to, the following situations involving serious allegations: allegations of corruption, allegations of excessive or improper use of force, breach of civil rights, criminal misconduct, false arrest or imprisonment, or any incident in which death or serious injury results from the acts or omissions of any Department employee

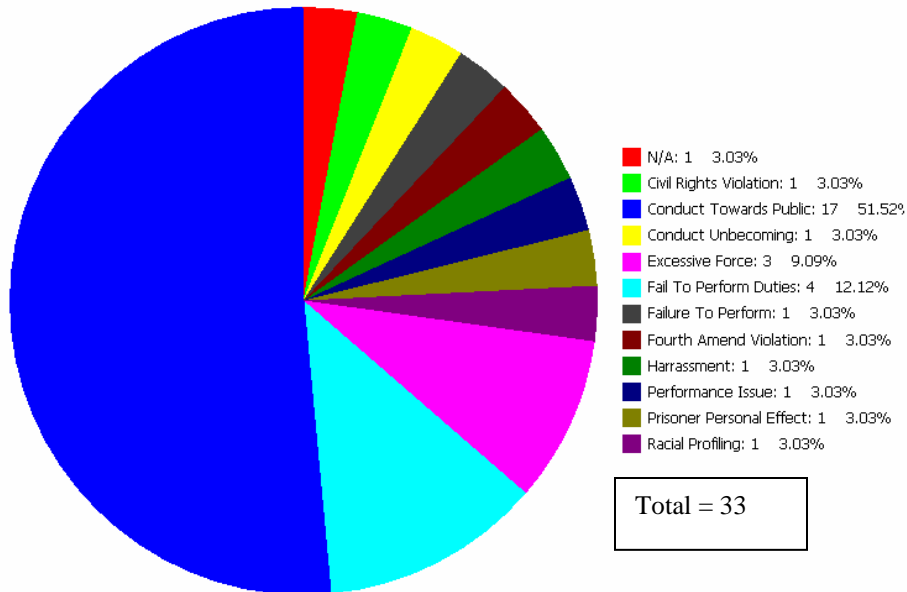
- III. **Special Investigations:** An investigation directed by either the Chief of Police or the Internal Affairs Commander that does not fit into the above classifications.

Upon disposition of a case, Internal Affairs mails a letter to the complainant to advise them their case has been thoroughly investigated and whether or not the complaint was sustained or not. A complainant is not notified of the disciplinary disposition by Internal Affairs. WPD makes every effort to investigate and adjudicate all complaints within 14 days from the time a complaint is made. However, there are circumstances, including case complexity and witness unavailability, which prevent this goal from being achieved in every instance.

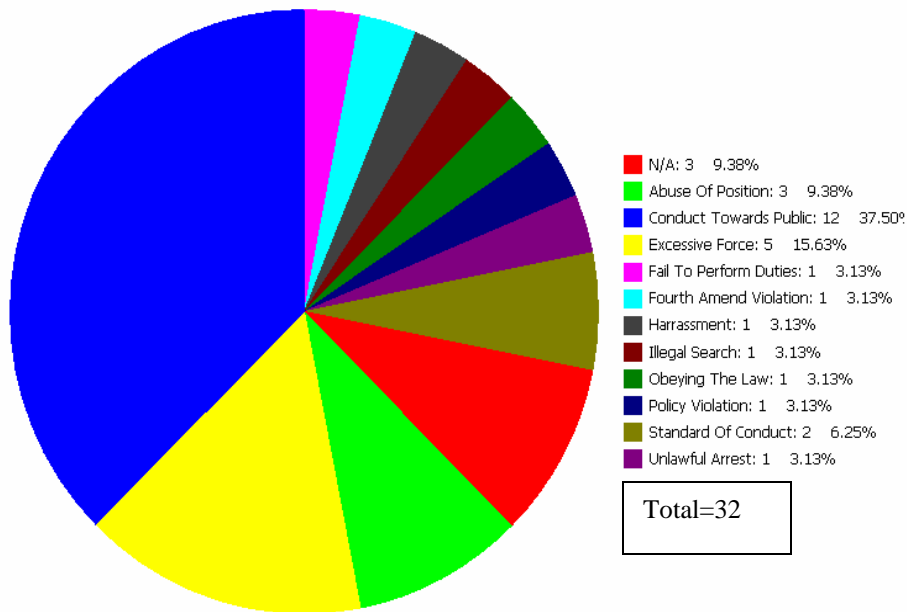
COMPLAINT STATISTICS

CITIZEN COMPLAINTS

Citizen Complaint incidents received between Jan 1, 2007 - Dec 31, 2007
By Sub-class

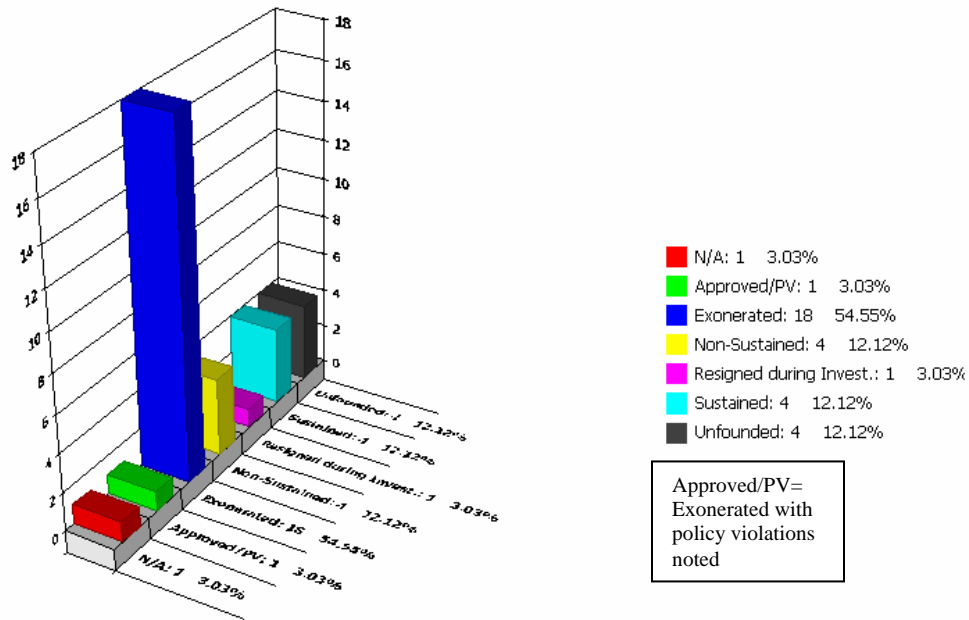


Citizen Complaint incidents received between Jan 1, 2008 - Dec 31, 2008
By Sub-class

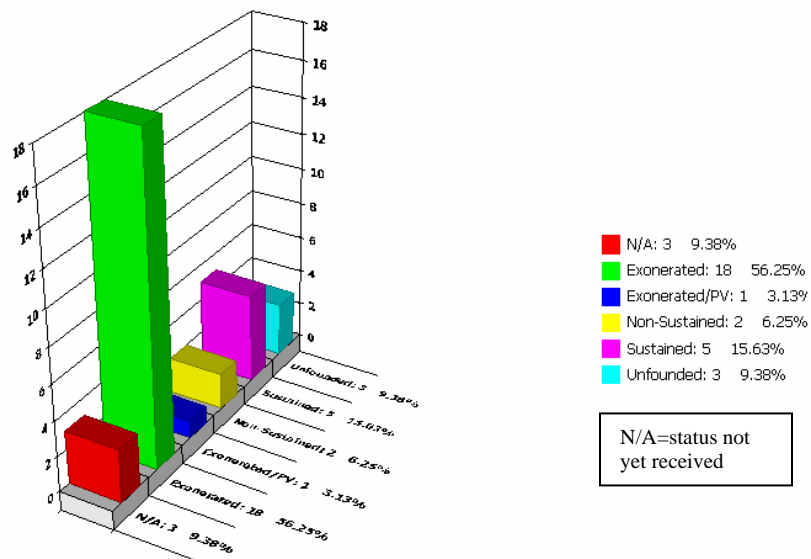


CITIZEN COMPLAINT FINDINGS

Citizen Complaint incidents received between Jan 1, 2007 - Dec 31, 2007
By Disposition

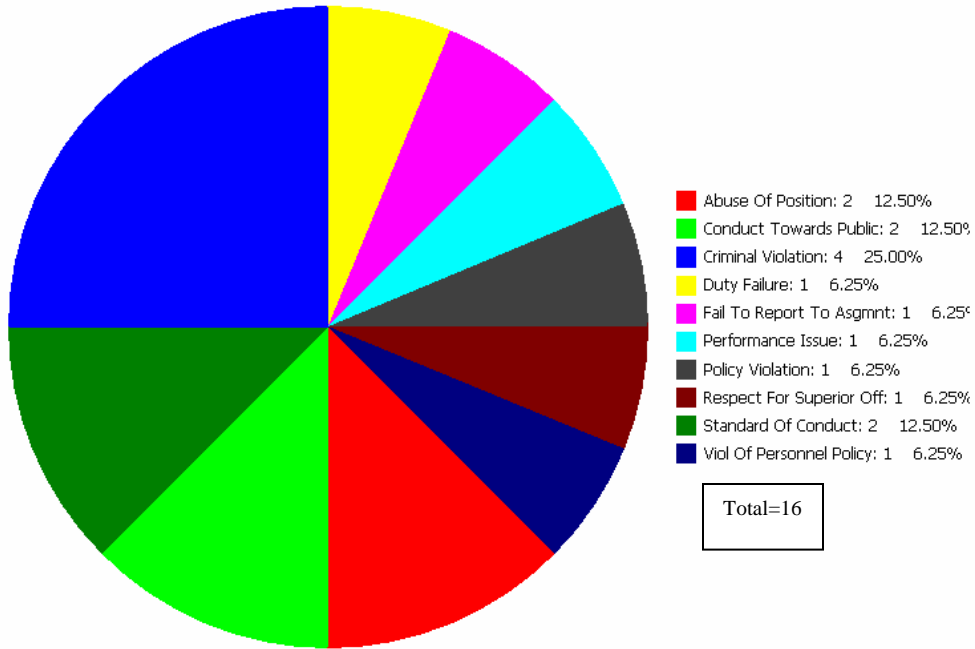


Citizen Complaint incidents received between Jan 1, 2008 - Dec 31, 2008
By Disposition

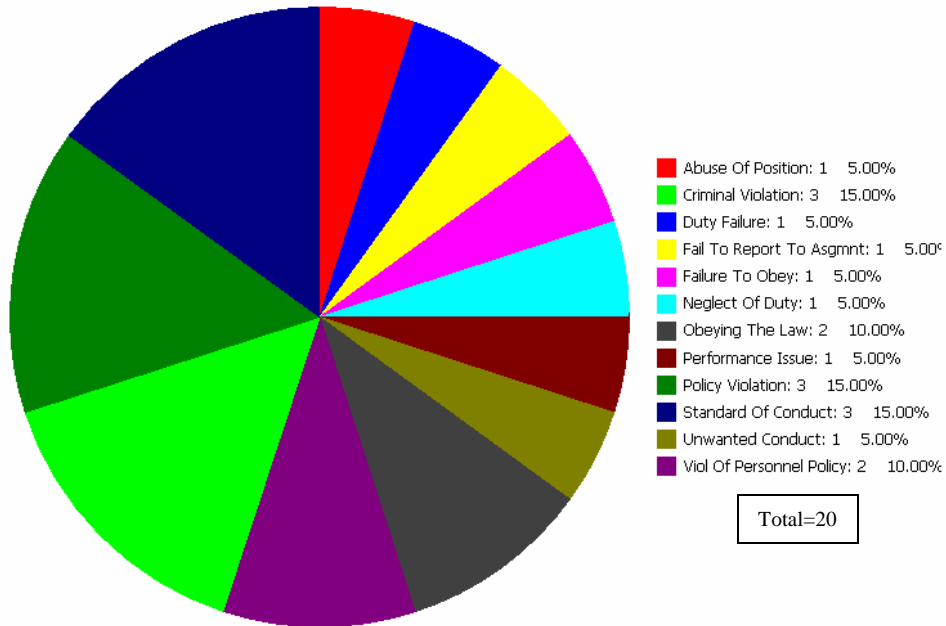


INTERNAL INVESTIGATIONS

Internal Investigation incidents received between Jan 1, 2007 - Dec 31, 2007
By Sub-class

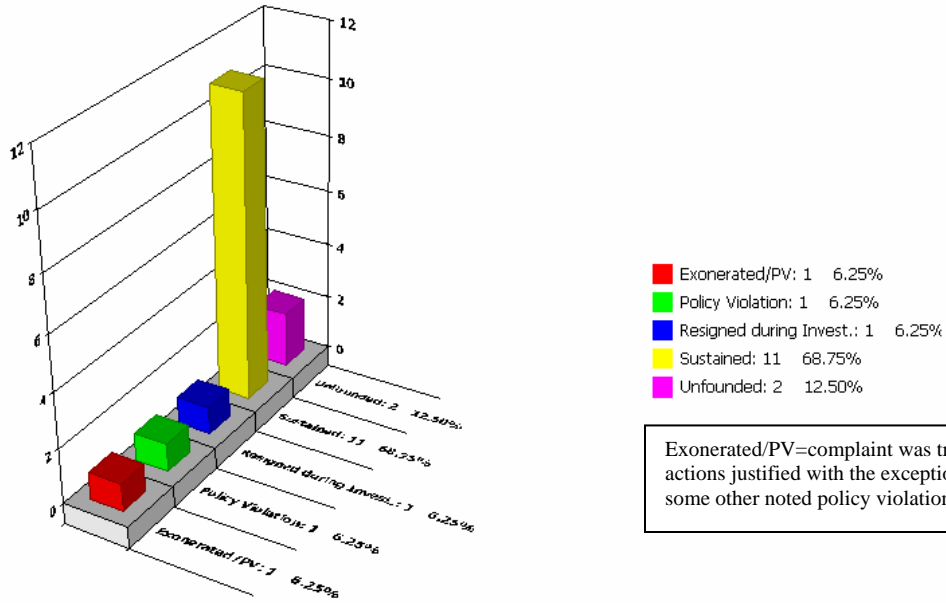


Internal Investigation incidents received between Jan 1, 2008 - Dec 31, 2008
By Sub-class



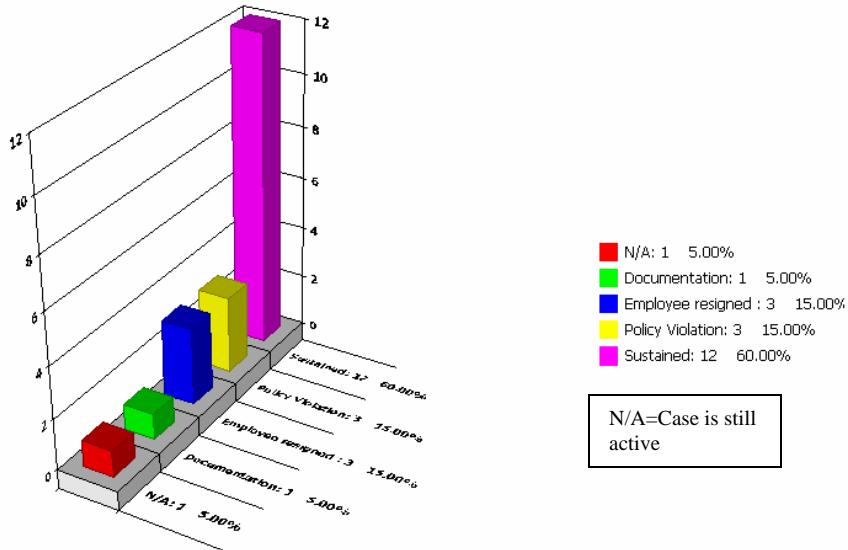
INTERNAL INVESTIGATIONS FINDINGS

Internal Investigation incidents received between Jan 1, 2007 - Dec 31, 2007
By Disposition



Exonerated/PV=complaint was true, but actions justified with the exceptions of some other noted policy violations.

Internal Investigation incidents received between Jan 1, 2008 - Dec 31, 2008
By Disposition

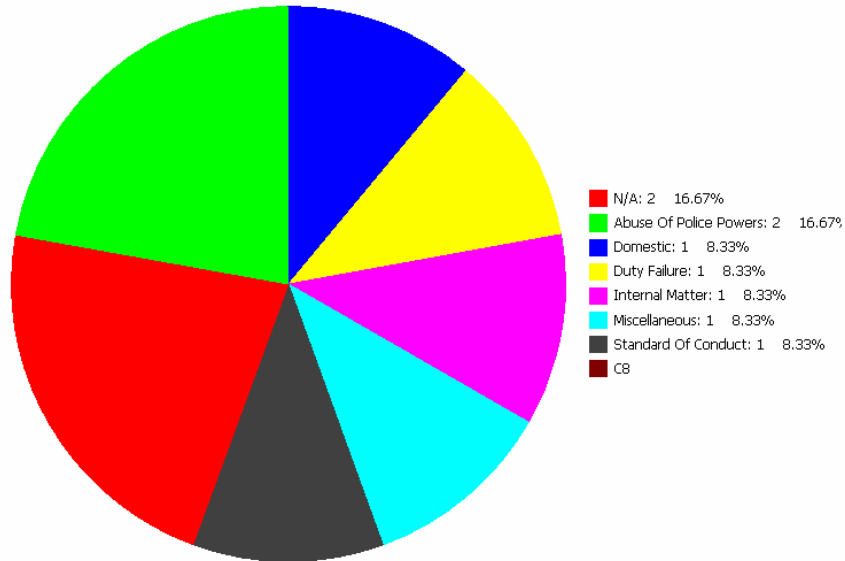


N/A=Case is still active

SPECIAL INVESTIGATIONS

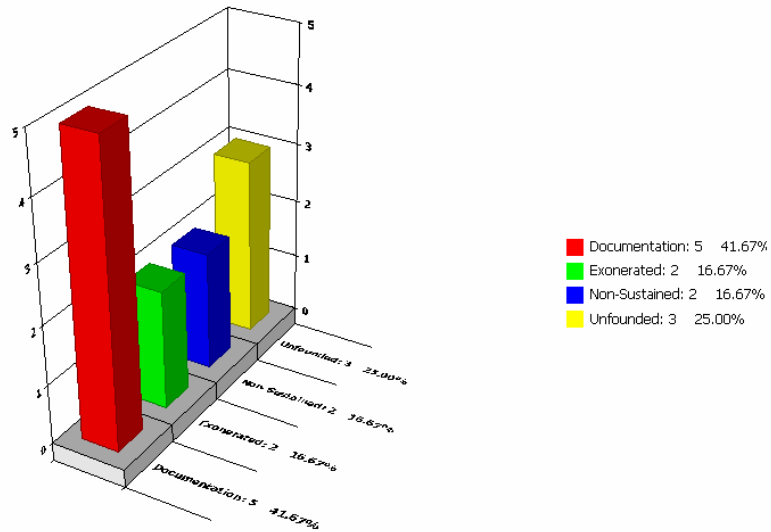
Note: 2007 data contained 0 "Special Investigations"

Special Investigation incidents received between Jan 1, 2008 - Dec 31, 2008
By Sub-class



SPECIAL INVESTIGATION FINDINGS

Special Investigation incidents received between Jan 1, 2008 - Dec 31, 2008
By Disposition



COMPLAINTS AND CALL LOAD

2007

Calls for Service: 175,804

***Complaints Received: 49**

% of calls resulting in complaint: .028%

2008

Calls for Service: 181,481

***Complaints Received: 64**

% of calls resulting in complaint: .035%

**=total of all complaints, internal investigations, and special investigations*

2007

Complaints: 33

Internal Investigations: 16

Special Investigations: 0

Total Incidents: 49

2008

Complaints: 32

Internal Investigations: 20

Special Investigations: 12

Total Incidents: 64

Summary: IA investigative activities increased in 2008. While complaints about officer conduct toward the public are down, Internal/Special Investigations have increased. Many of these investigations involved off-duty conduct of officers.