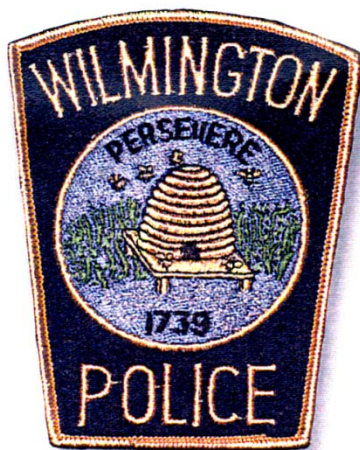




CITY OF
WILMINGTON
NORTH CAROLINA



2011 INTERNAL AFFAIRS ANNUAL REPORT



WILMINGTON POLICE DEPARTMENT
OFFICE OF THE CHIEF ANNUAL REPORT 2011

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FOREWORD BY CHIEF

The Wilmington Police Department is presenting to our community the 2011 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 2011 and compare similar data from previous years. Due to the diligent work of the men and women of the Wilmington Police Department, Wilmington saw a drastic reduction of Part I crimes for this last year. I am including statistics on those reductions as part of this report.

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,

A handwritten signature in black ink, appearing to read "RM Evangelous".

Chief RM Evangelous

NOTE FROM INTERNAL AFFAIRS COMMANDER

For nearly a quarter of a century I have had the honor and privilege to work for an organization that cherishes the values of integrity, trust, and professionalism. A police officer displays a badge on a uniform, which is symbolic of the public's trust. This trust is an honor and responsibility never to be betrayed. This office remains ever vigilant to issues that jeopardize the public's trust, and is ready to take swift action to prevent breaches of integrity. I am proud to work with a staff that is dedicated to the preservation of integrity, trust, and professionalism. Law enforcement organizations cannot function in the absence of such values.

Sincerely,


Lt. JD Varrone

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 2011

WILMINGTON POLICE DEPARTMENT MISSION STATEMENT



Partnership with the community



Respect for human dignity



Organizational excellence and accountability



Teamwork approach to problem solving



Equal application of the law to reduce crime



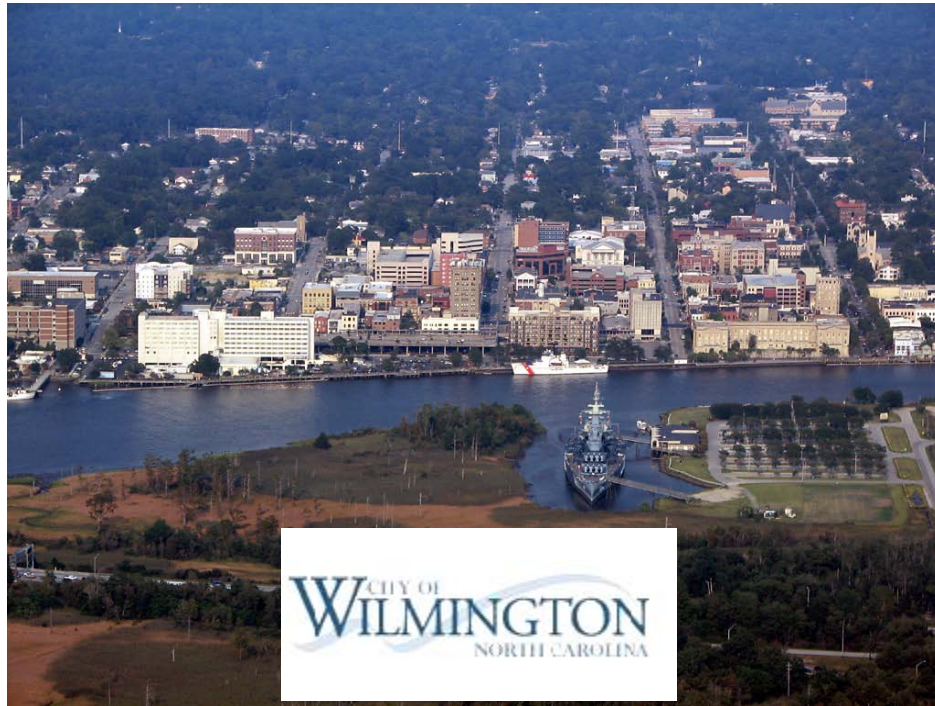
Commitment to officer safety and professionalism



To maintain public confidence and safety



COMMUNITY/WPD DEMOGRAPHIC DATA



City of Wilmington

Population: 2010 - 106,476

Male: 47.8%

Female: 52.2%

Caucasian: 73.5%

African-American: 19.9%

Other: 6.6%

Wilmington PD

Sworn: 266

Non-Sworn: 59

Male: 71.3%

Female: 28.6%

Caucasian: 79.15%

African-American: 18.56%

Other: 2.28%

Note: City of Wilmington comes from the 2010 U.S. Census Bureau

INTERNAL AFFAIRS 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 518 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, unethical, or illegal. When this occurs, our Internal Affairs staff uses well-established procedures for investigating and adjudicating complaints. Complaints, anonymous or not, are all accepted for investigation.

Investigations by Internal Affairs are 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 dispositions are defined in departmental policies: 3.01 Internal Affairs, 12.05 Department Safety Committee, and City Policy 302. 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, minor policy violations are noted
- *Policy Violation*-a blatant major violation of departmental policy
- *Preventable*-employee should have prevented the incident (auto collisions/injuries)
- *Non-Preventable*-there is nothing the employee could have done to prevent event (auto collisions/injuries)
- *Questionable*-it is unclear whether or not the employee could have prevented event(auto collisions/injuries)

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 a Division Commander that does not fit into the above classifications. **NOTE:** *In 2010, there was a modification to the data entry procedures into our IAPro database. Internal Affairs Investigations are down, while Special Investigations are up. This trend is attributable to the data entry correction only, and not reflective of any particular trend.*

Upon disposition of a case, the Internal Affairs investigator will mail a letter to the complainant to advise them their case has been investigated and the official disposition classification of the complaint. 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 may prevent this goal from being achieved in every instance.

COMPLAINT STATISTICS

CITIZEN COMPLAINTS

2010 Complaint Classifications

Abuse of Position	6
Biased Policing	8
Conduct Toward Public	41
Excessive Force	10
Constitutional Violation	3
Obeying the Law	1
Official Identification	0
On-duty Performance	8
Policy Violation	3
Total	80*

2011 Complaint Classifications

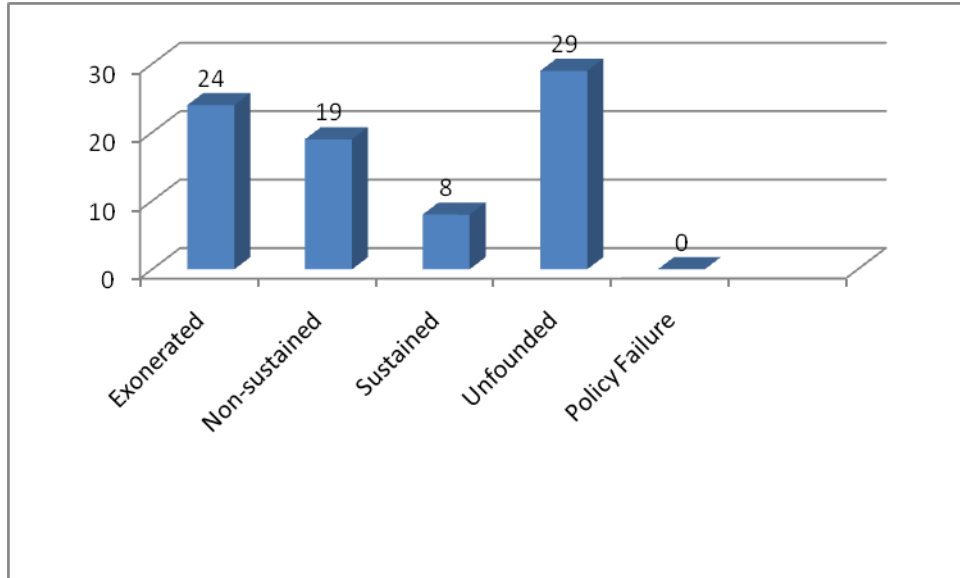
Abuse of Position	1
Biased Policing	6
Conduct Towards Public	24
Excessive Force	6
Constitutional Violation	3
Obeying the Law	1
Official Identification	0
On-Duty Performance	21
Policy Violation	7
Total	69*

***some complaints contain multiple allegations**

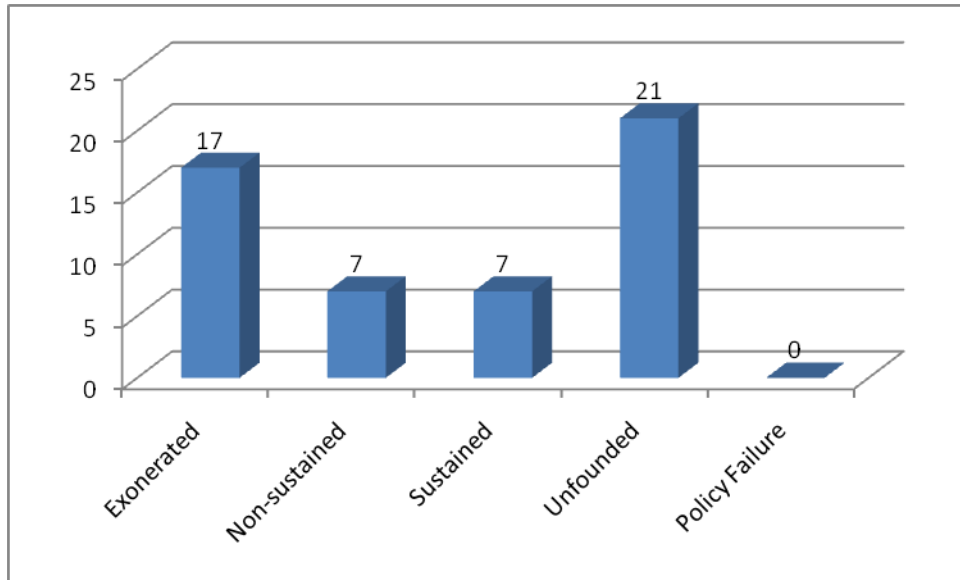


CITIZEN COMPLAINT FINDINGS

2010 Complaint Dispositions



2011 Complaint Dispositions



INTERNAL INVESTIGATIONS

Internal Investigations 2010

Criminal Violation	3
Policy Violation	4
Deadly Force	2
Total	9*

Internal Investigations 2011

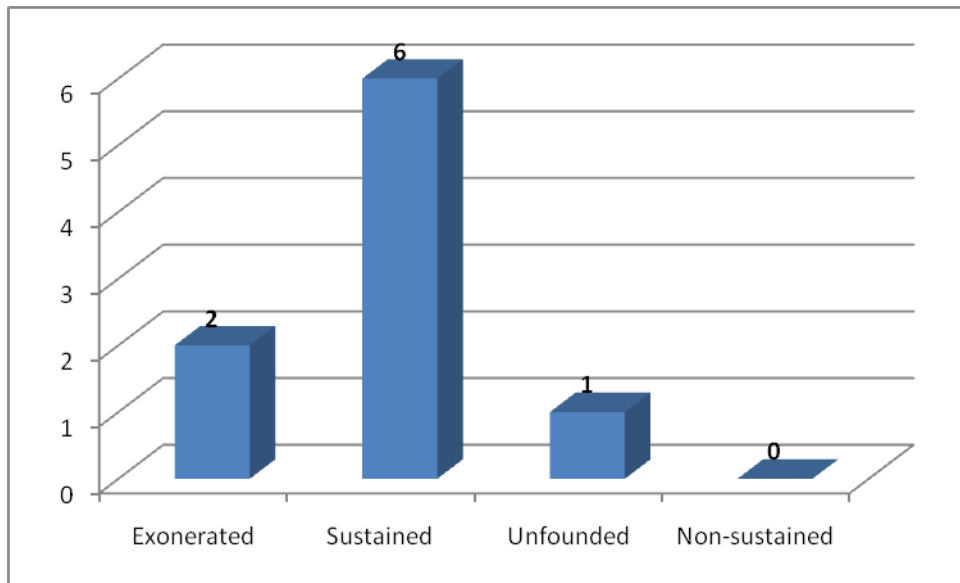
Criminal Violation	2
Criticism	1
Abuse of Equipment	1
Standard of Conduct	3
Truthfulness	1
On Duty Performance	1
Assisting Criminals	1
Constitutional Violation	1
Total	10*

*some Internal Investigations contain multiple allegations

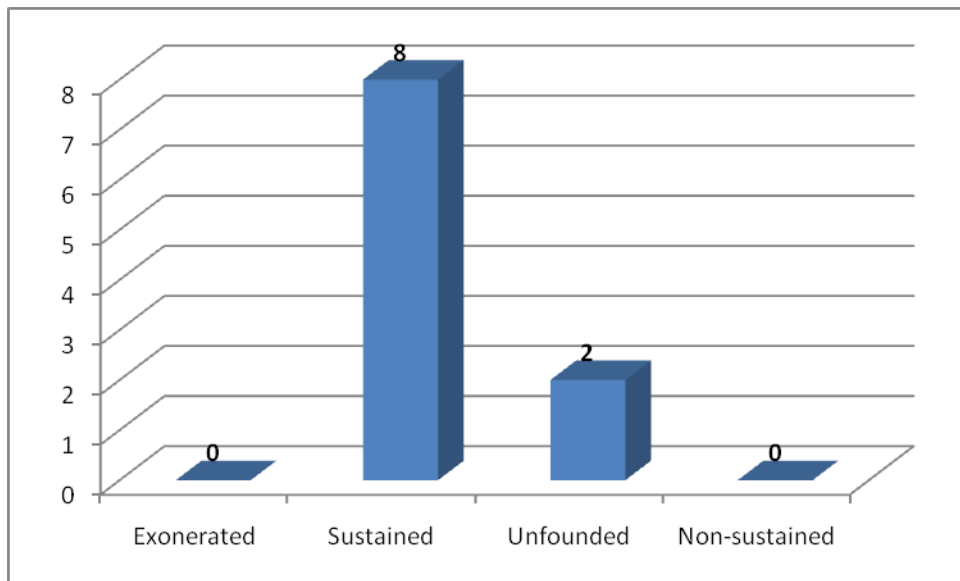


INTERNAL INVESTIGATIONS FINDINGS

2010 Internal Investigation Dispositions



2011 Internal Investigations Dispositions



SPECIAL INVESTIGATIONS

2010 Special Investigations

Attendance	4
Policy Violation	10
Duty Failure	6
Obeying the law	1
Appeal	1
Total Allegations	22*
*Some SI contain multiple allegations	

2011 Special Investigations

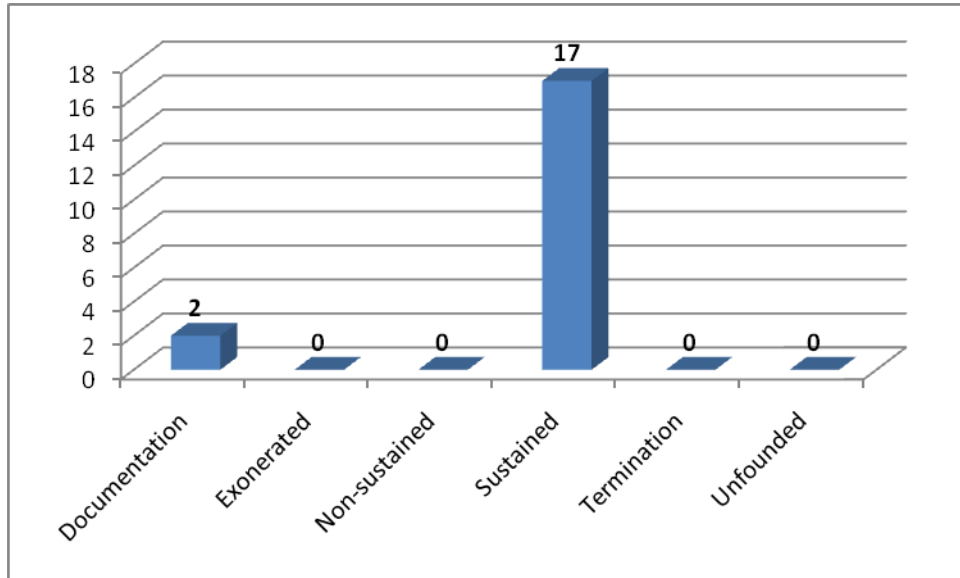
Attendance	4
Sleeping on Duty	1
Policy Violation	6
Driving	5
Truthfulness	3
Fitness for Duty	1
Insubordination	1
Departmental Reports	1
Criminal Investigation	1
Total Allegations	23*
*Some SI contain multiple allegations	

The numbers of Special Investigations have remained relatively the same from 2010 to 2011. The only difference between the two years was the classifications of the investigations. In 2011 there just happened to be a wider variety of classifications.

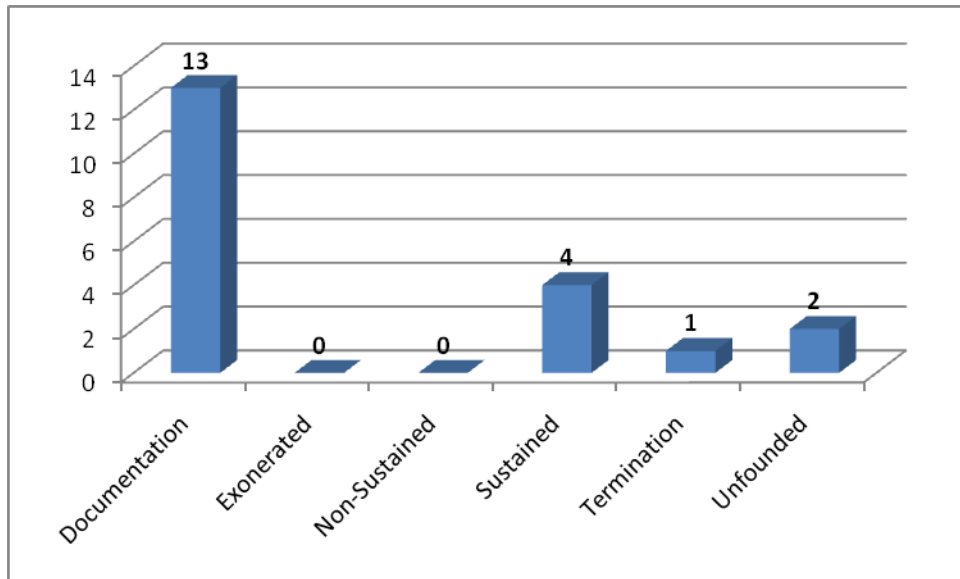


SPECIAL INVESTIGATION FINDINGS

2010 Special Investigations Dispositions



2011 Special Investigations Dispositions



CALL LOAD / INVESTIGATIVE VOLUME

2010

Calls for Service: 168,577

***IA events stemming from calls: 102**

% of calls resulting in complaint: .061%

2011

Calls for Service: 183,913

***IA events stemming from calls: 83**

% of calls resulting in complaint: .04%

2010

Complaints: 80 (76 events from calls, 4 off-duty)

Internal Investigations: 9 (7 events from calls, 2 off-duty)

Special Investigations: 22 (19 events from calls, 3 off-duty)

Total Incidents: 111

***Total Incidents during service: 102**

2011

Complaints: 52 (50 events from calls, 2 off-duty)

Internal Investigations: 10 (6 events from calls, 4 off-duty)

Special Investigations: 20 (17 events from calls, 3 off-duty)

Total Incidents: 99

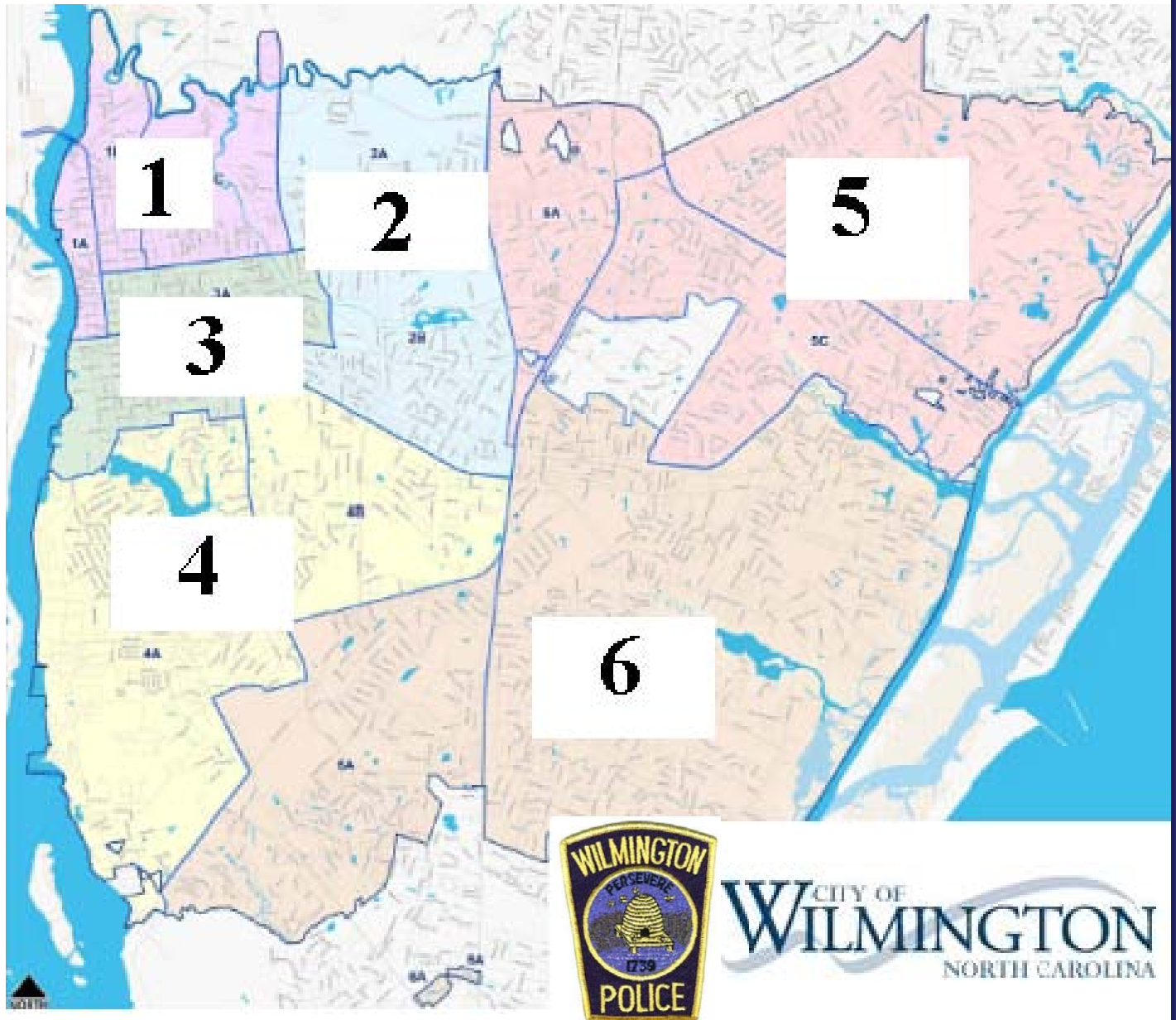
***Total Incidents during service: 83**

Summary: Complaints and Special Investigations have declined in the last year. During the Initial Assessment period for CALEA, and facing our Initial On-Site assessment, there was a focus on professionalism, and accountability, and perhaps that explains this trend.

USE OF FORCE

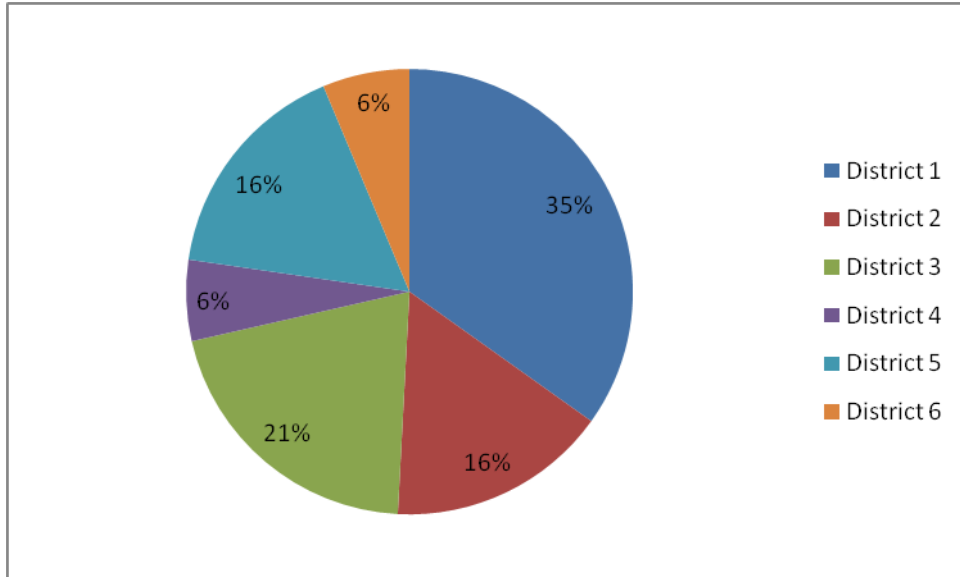
BY GEOGRAPHICAL AREA

The City of Wilmington is divided into six districts for assignment of police personnel. The following map indicates the locations and boundaries of those districts.

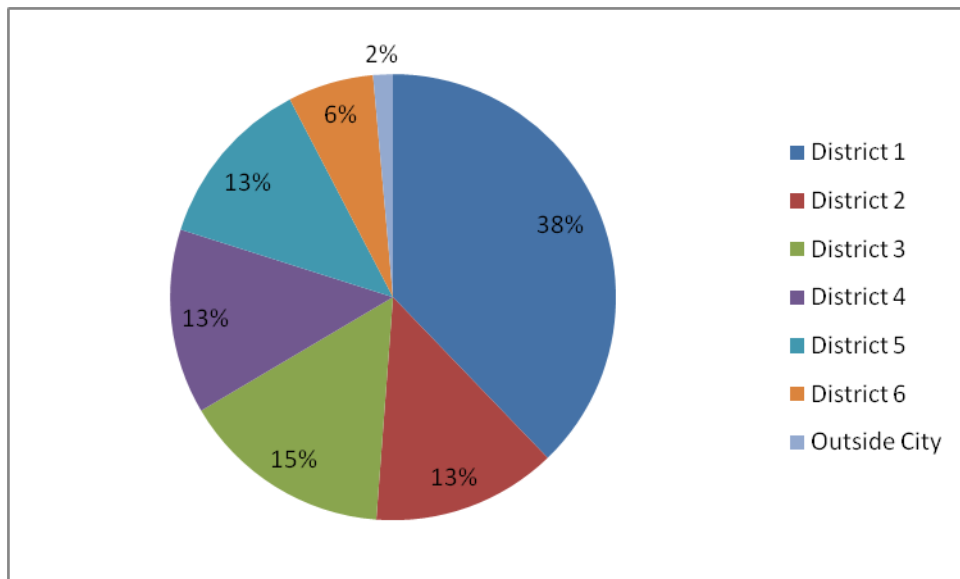


The charts below depict a comparison of the number of Use of Force Incidents by district in 2010 and 2011.

2010 Use of Force by District



2011 Use of Force by District



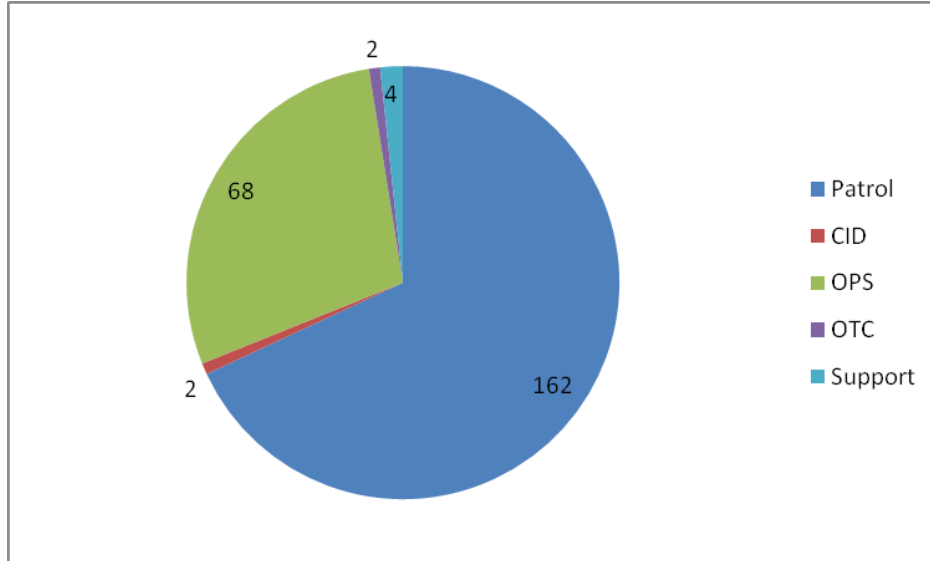
As in years past, 2011 saw much of the same as far as the distribution of use of force throughout the city. Because the downtown area is located in district 1, it continues to be the leader in use of force needed by Wilmington Police Officers. The density of alcohol-serving establishments in the downtown area has not changed, and even with the poor economic times large numbers of people continue to frequent them. The City and County have joined forces and created a 10 officer downtown unit to combat the problems caused by intoxicated subject's lining the streets at 02:30 in the morning. The increased officer presence has led to increased arrests and citations in the area and a slight increase in the use of force for district 1. Hopefully the unit, with the assistance of downtown leaders, community leaders, and school officials will be able to decrease incidents in the downtown area which will lead to a decrease of use of force for the area.

In 2011 we have also seen a shift in use of force between districts 3 and 4. District 3 made up 21% in 2010 and dropped to 15% in 2011. District 4 increased from 6% in 2010 to 13 % in 2011. We originally thought that this shift was caused by an increase of crime in district 4 and a decrease of crime in district 3. However, both districts saw a slight decrease of crime.

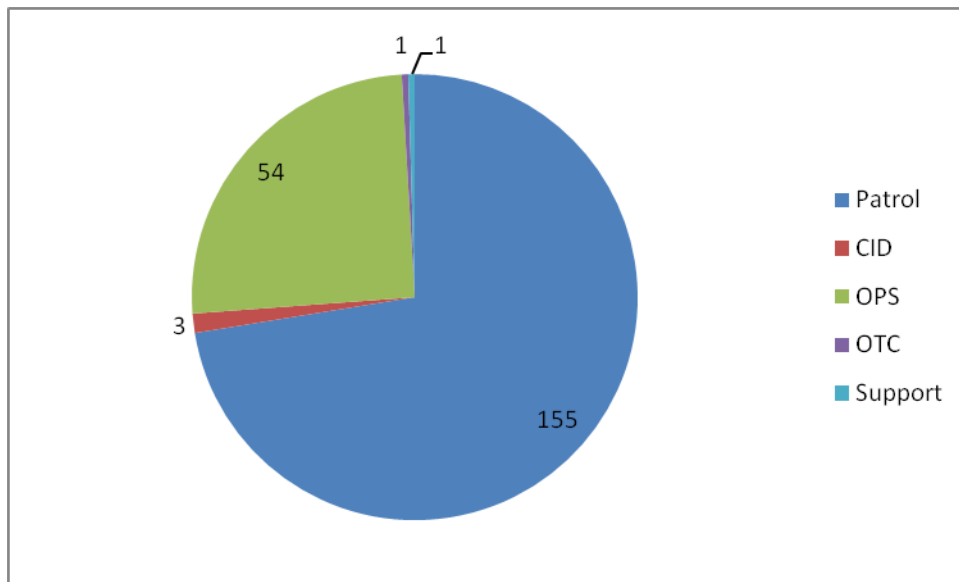


USE OF FORCE BY DIVISION

Use of Force by Division 2010



Use of Force by Division 2011



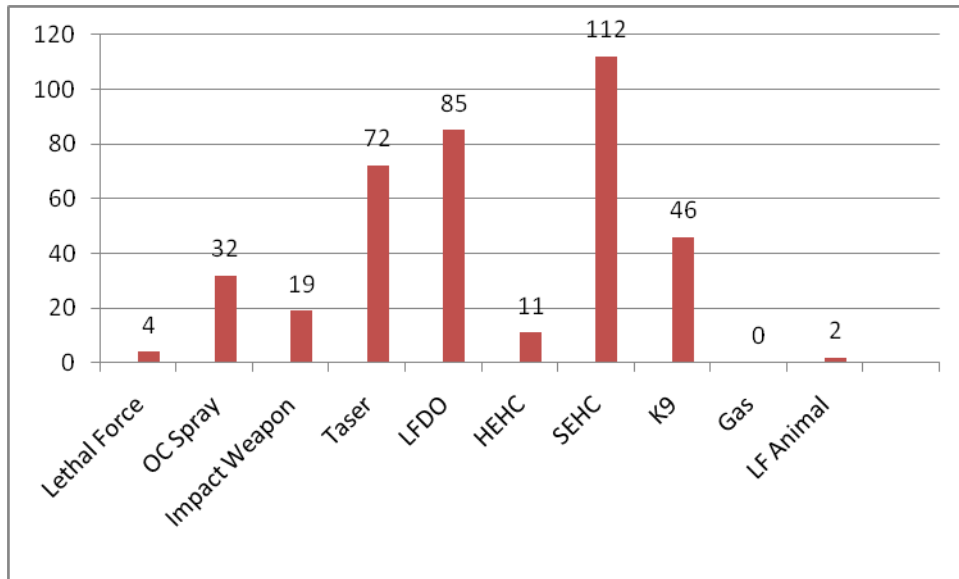
It is often said that patrol is the backbone of the department and in 2011 patrol once again led the way in use of force incidents. This is primarily because patrol units are the first responders and deal with incidents when they are at their most volatile. Since patrol

makes up the highest percentage of our sworn officers it would only make sense that they would report the most use of forces. However, in 2011 officers made slightly more arrests than in 2010 but decreases were seen in the number of use of force reports. This could be attributed to resources that are available to patrol officers such as CIT “Crisis Intervention Training”, and in-service training which allow officers avenues to deal with situations without using force. However, across the board use of force reports have stayed consistent from 2010 to 2011.



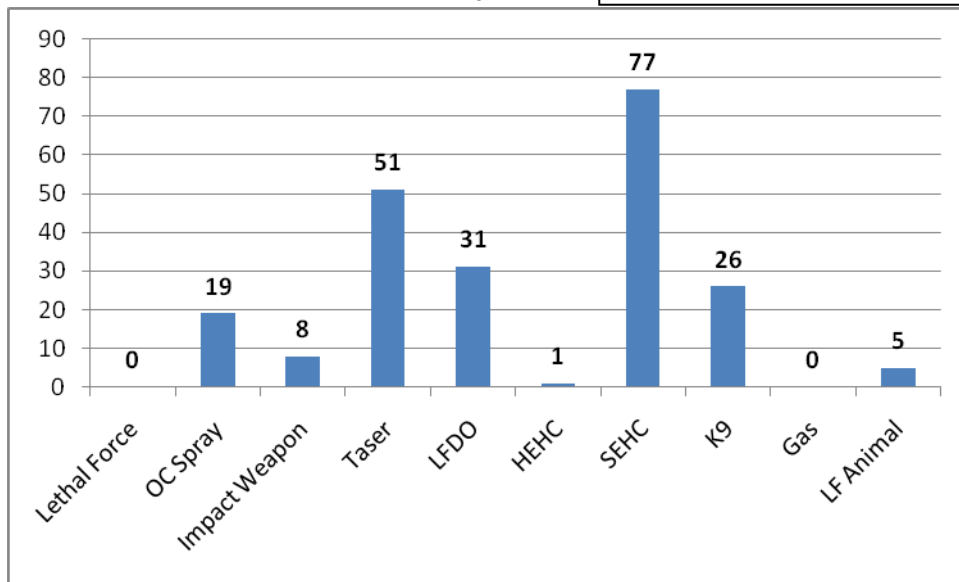
USE OF FORCE BY TYPE OF FORCE USED

2010



LFDO=Lethal Force Display Only
HEHC=Hard Empty Hand Control (strikes)
SEHC=Arm Bars/Take Downs
LF Animal=Lethal Force used upon animals

2011



In 2011 we saw a reduction across the board in types of force used. Once again this is due to the overall decrease in use of force reports. However, you will notice that LFDO decreased from 85 in 2010 to 31 in 2011. This is due to the clerical change that occurred in use of force reporting for SWAT Team members. In the past every member of the

SWAT Team that responded to a call was reported as LFDO in the use of force. Now only the SWAT Team leader is reported in the use of force when the force is display only. This accounts for the dramatic decreasing in this category.

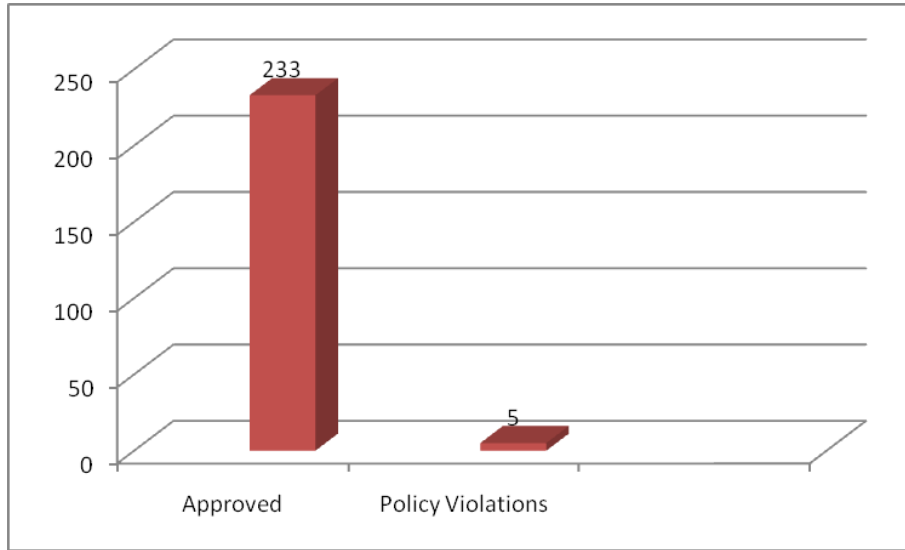
Our department must continue to educate all of our officers on the policy regarding Active Resistance / Active Aggression through training and policy. We will also look at and review any new options that come to the forefront of law enforcement technology and training. Our taser policy is currently under review for recommended PERF changes.

FORCE EFFECTIVENESS

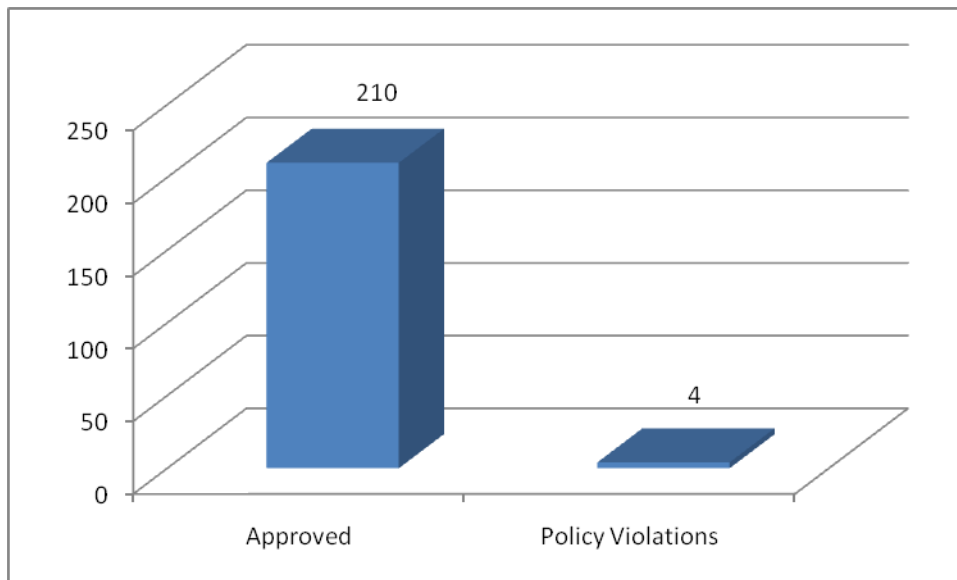
Type Of Force	Effective	%	Not Effective	%	Total
OC Spray	17	89%	2	11%	19
Taser Display	1	50%	1	50%	2
Other Impact Weapon	1	50%	1	50%	2
Baton	2	67%	1	33%	3
Display K-9	14	100%	0	0%	14
K-9 Bite	12	100%	0	0%	12
PR-24	3	100%	0	0%	3
Less-Lethal Display	2	100%	0	0%	2
Taser/Probes	21	70%	9	30%	30
LFDO (Lethal Force Display Only)	30	90%	1	3%	31
Taser/Stun	15	88%	2	12%	17
SEHC (Soft Empty Hand Control)	3	100%	0	0%	3
LF Animal	5	100%	0	0%	5
HEHC (Hard Empty Hand Control)	53	71%	22	29%	75

Our department should also look at the effectiveness of each use of force. For example K-9 bite and Display have been 100% effective out of the 26 incidents throughout 2011. OC spray was 89% effective in the 19 incidents but Taser/probes were only 70% effective in the 30 incidents in 2011. Is the 70% effectiveness of the taser a training problem, situational problem, or design flaw? This is something we must watch to see if we can better evaluate what situations these tools should be used in or if our training needs to be evaluated.

2010 Use of Force Dispositions



2011 Use of Force Dispositions



In 2011 we had 210 force incidents for the calendar year. Out of the 210 there were 4 in which investigators found policy violations. This represents .01% of the incidents in which an officer violated policy. In 2010 there were five policy violations which occurred during the 238 force incidents. That represents .02% of incidents with a policy violation. In 2009, .04% of the uses of force were in violation of departmental policy. This trend seems to indicate that we are properly educating our workforce in how to maintain compliance with our use of force directive. However, our goal is to have 0 policy violations throughout the year. This can only occur if we consistently and constantly reinforce our policy to our officers throughout the year. This must be done by all supervisory staff and anyone who witness a violation.

One of the approved force incidents was the apprehension of Clay Lumont McArthur who is accused of robbing the Wachovia Bank. Our Criminal Investigative Division tracked Mr. McArthur to his residence at 242 Greenville Ave. Mr. McArthur then barricaded himself inside his residence with an SKS assault rifle and refused to surrender. Our negotiation team was called out to try to get him to surrender but was unsuccessful. When this failed our SWAT Team used force to break 3 lights in the area that might give away their approach. They knew that Mr. McArthur was in possession of an assault rifle and they did not want to get anyone hurt. In order to find out where Mr. McArthur was in the residence the SWAT Team used the bomb robot to approach the residence and break a window. The robot was able to locate Mr. McArthur's location so the SWAT Team could safely enter the residence and take custody of him.

Out of the 4 policy violations from 2011, 3 of them involved officers not having the suspects injuries photographed after the use of force. Two of the cases involved taser uses where the officer's tased the suspects then failed to have the locations where the taser prongs stuck into the suspect photographed. The third incident involved an officer who used his PR-24 to take a suspect into custody. The officer also failed to photograph where he struck the suspect after arrest. It is very important that officers follow policy and photograph any injuries that occur when using force. These photos can be significant for a variety of reasons such as documentation of improper and proper uses of force, legal reasons, and training. It should be noted in these incidents the officers use of force was justified they just failed to follow policy when documenting it. The final policy violation involved an officer that took a suspect to the ground when the suspect resisted arrest. The use of force was justified however, the officer violated policy by chasing the suspect in a vehicle that was not rated for pursuits.

I feel that the Officers of the Wilmington Police Department are using very good judgment when it comes to using force and what kind to use. However, this is an area that we must constantly improve on. We must train our officers in all use of force options and make sure they document all incidents.



USE OF FORCE INCIDENTS PER ARREST

2010

Total # of Use of Force Incidents: 238

Total # of arrests: 8,211

% of arrests requiring force to be used: 2.89%

2011

Total # of Use of Force Incidents: 214

Total # of arrests: 8,805

% of arrests requiring force to be used: 2.43%

(Note: that during some of these incidents where force was used, multiple levels were used)

The statistics indicate that over 97 % of the arrests made by Wilmington Police Officers are accomplished without having to resort to physical force. Incidents requiring the use of force, often receive a great deal of media attention, however; those cases are clearly the exception, and not the rule. The total percentage of arrests requiring the use of force has decreased .46% from last year. This is a nominal change, and is not statistically significant. We will continue monitoring these trends to determine whether or not anything develops as a concern for our agency and the community we serve.



POLICE PURSUITS

Police pursuits are inherently dangerous to the community, officers involved, and the persons eluding the officers. The Wilmington Police Department recognizes those dangers by strictly governing when an officer can pursue a fleeing suspect. Police pursuits decreased in 2011, due to better training and some fine tweaking of the departmental chase policy.



2010

Total number of pursuits: **53**
Pursuits that were permitted: **28**
Pursuits that were terminated: **25**
Pursuits involving crashes: **14**

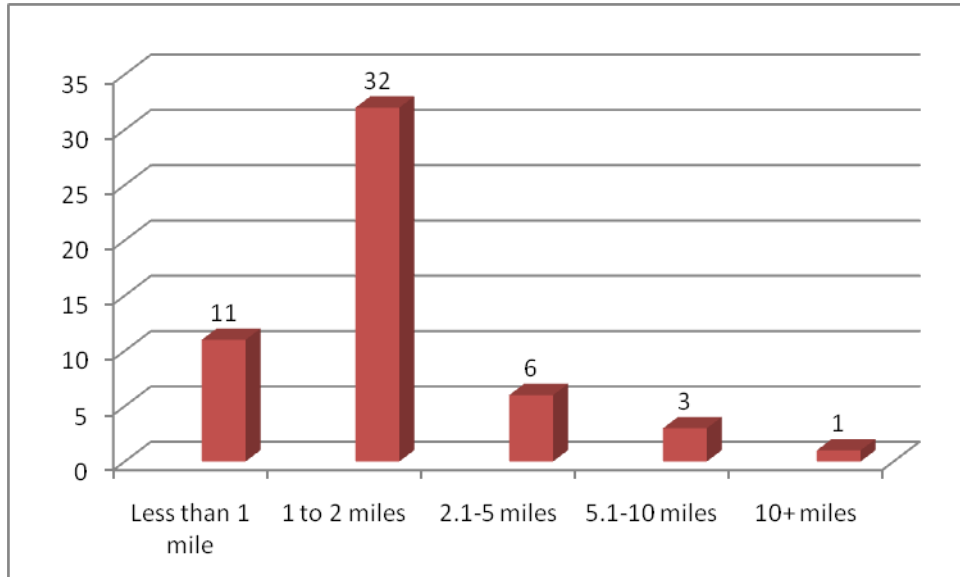
2011

Total number of pursuits: **26**
Pursuits that were permitted: **20**
Pursuits that were terminated: **6**
Pursuits involving crashes: **10**

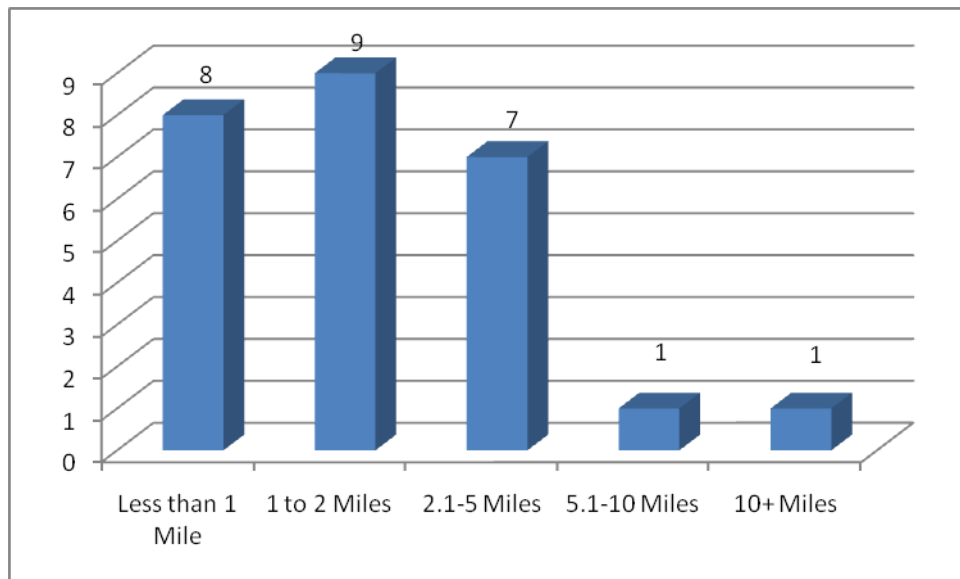
2010 Pursuit Distances

PURSUIT DURATION DATA

2010



2011



POLICE PURSUIT DISPOSITIONS

2010

Approved	26
Policy Violation	10

2011

Approved	21
Policy Violation	5

In 2011, we saw a 49% decrease in police pursuits that were conducted by Officers of the Wilmington Police Department. In 2010, there was one police pursuit for every 3,000 calls for service. In 2011, there was one police pursuit for every 6,000 calls for service. This is a change from the 2009-2010 years when the number of police pursuits increased by 17%. That increase was expected however because of the changes in the pursuit policy that occurred that year. This year saw a decrease in call volume and the number of police pursuits which have affected the stats. This can also be contributed to increased training and enforcement of the chase policy. In 2010, there were 10 policy violations and in 2011 there were only 5.

In 2011 we saw a 12% increase in crashes related to police pursuits. This follows the 1% increase from the previous year. In 2010, 26% of all chases ended in a crash as compared to 2011 which saw 38% of all chases ending in a crash. This is disturbing since the number of police chases dropped by 49%. Out of the 10 pursuits that involved crashes in 2011 only one police vehicle crashed. On July 27th, 2011 an officer was pursuing a vehicle, during the day, in a high traffic area. The officer tried to make a left turn during the chase at 51mph and lost control of his vehicle. This caused him to strike a small tree. During the chase the officer disregarded the chase policy by following the suspect down a one way and took the patrol vehicle beyond its capabilities by trying to navigate the turn at 51 mph. Supervisory action was taken against the officer he was also required to attend remedial driver training. The other pursuits that resulted in crashes involved the suspect vehicle. In most cases the suspect ignored road conditions or the capabilities of the vehicle they were driving. This caused the vehicles to collide with other objects or vehicles and flee the area.

So although the percentage of crashes was up with fewer pursuits, only one was an officer involved vehicle. Unfortunately we cannot control the offender's actions when they flee from the police and that is one of the factors that make vehicle pursuits such a dangerous aspect of policing. However, we can control how officers drive and respond to

pursuits. We must increase pursuit driver training and encourage our officers to drive within their and the vehicles capabilities. We must also continue to discourage officers from using devices that will contribute to them being distracted while driving. Police vehicles contain many devices that officers must constantly monitor while driving and these can leave them distracted. Officers must pull over before using such devices that will distract them from the road. First line supervisors must also continue to hold their subordinates accountable for their use of these devices and their driving. We must continue to inform our staff on the dangers of driving and the importance of the chase policy. The training office should also incorporate some departmental training of the policy and driving annually.



POLICE VEHICLE COLLISIONS



2010

Total # of Police Vehicle Crashes: **48**
Police Vehicle Crashes Preventable: **31**
Police Vehicle Crashes non-preventable: **16**
Police Vehicle Crashes questionable: **0**
Driving hours for agency: **622,440**
Crashes occur once every: **13,243** hours
Preventable crashes occur once every **20,078** hours

2011

Total # of Police Vehicle Crashes: **53**
Police Vehicle Crashes Preventable: **17**
Police Vehicle Crashes non-preventable: **39**
Police Vehicle Crashes questionable: **0**
Driving hours for agency: **559,104**
Crashes occur once every: **10,549** hours
Preventable crashes occur once every **32,889** hours

In 2011, we saw a slight increase in the overall number of police vehicle traffic crashes but had a reduction in preventable crashes. We believe the reduction is the result of training and punitive measures that the department gives to officers for preventable crashes. Everyone at the department must be responsible for stressing the importance of safe driving at the department.

POLICE LINE OF DUTY INJURIES

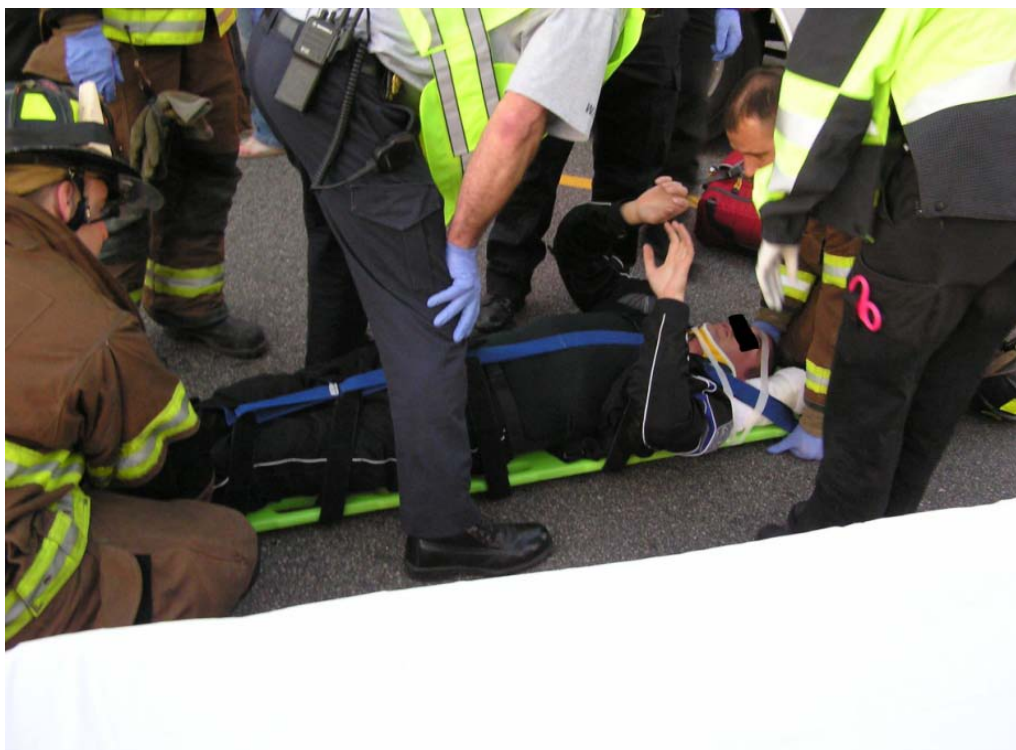
Police Officers are often placed into situations where they are subject to injury. The injuries range from minor injuries to being killed in the line of duty. Our total injury rate increased this year, a trend that our agency will need to curb. In the face of the current National Financial Crisis, the city has forced budgetary expenses for Worker's Compensation claims onto the Departmental Budget. In the current fiscal year, and for the foreseeable future, our agency must look to curb these injury trends at the risk of sacrificing other budgetary needs to pay for our expensive worker's compensation claims.

2010

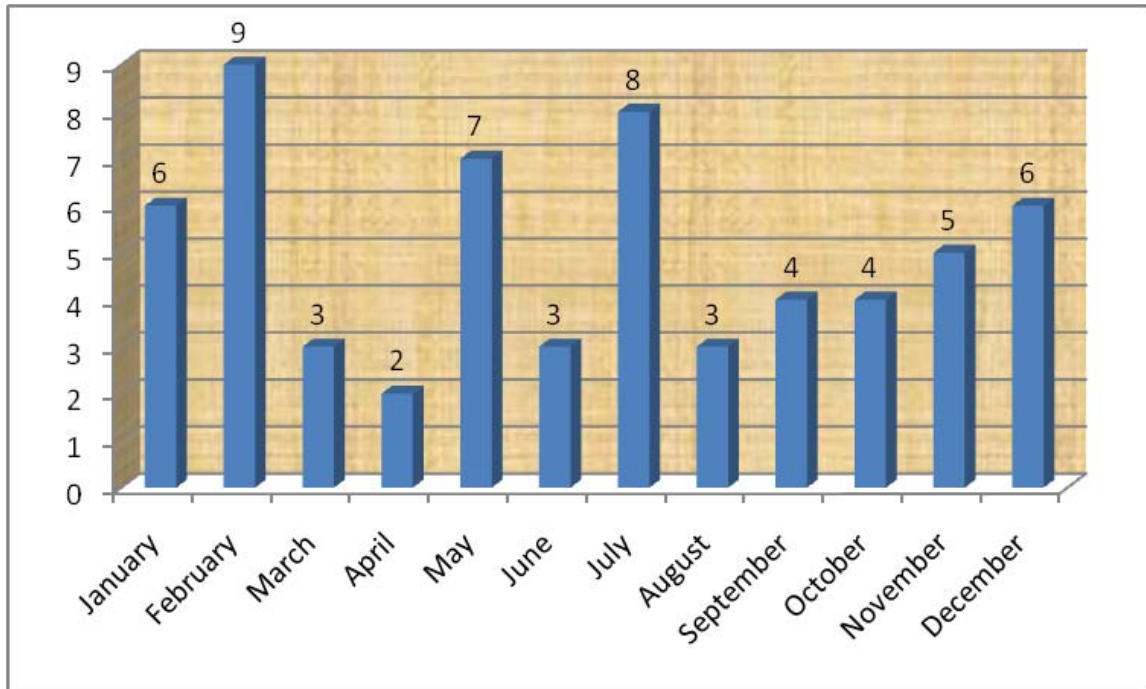
Total Occupational Injuries: 56

2011

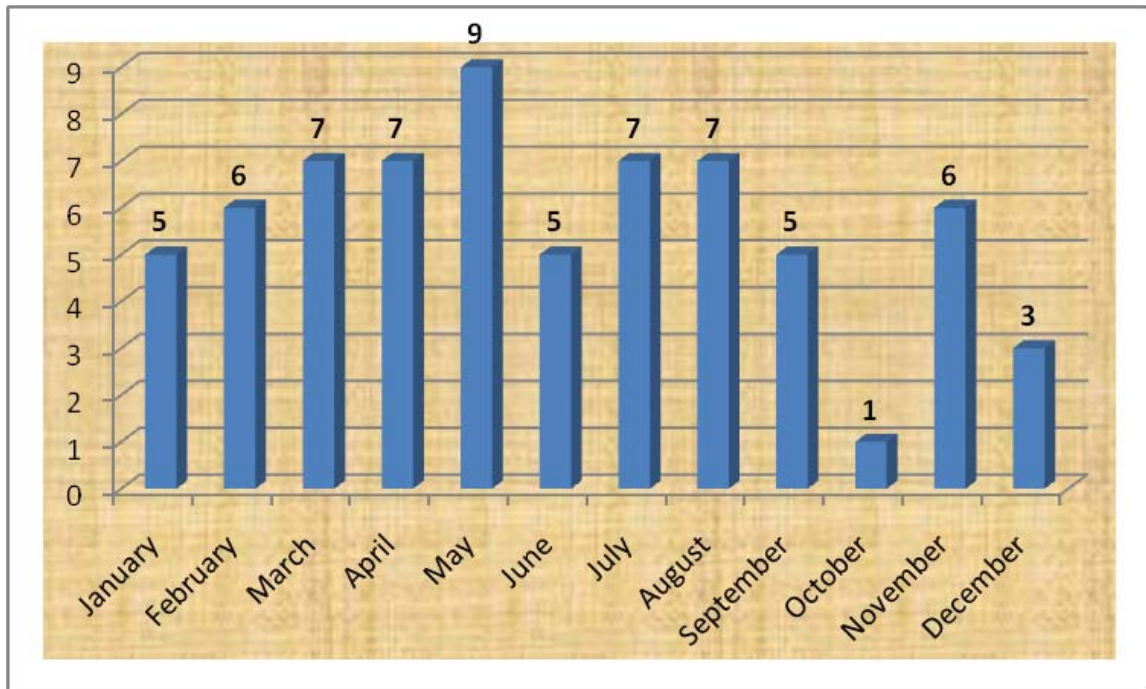
Total Occupational Injuries: 67



2010 Occupational Injuries by Month

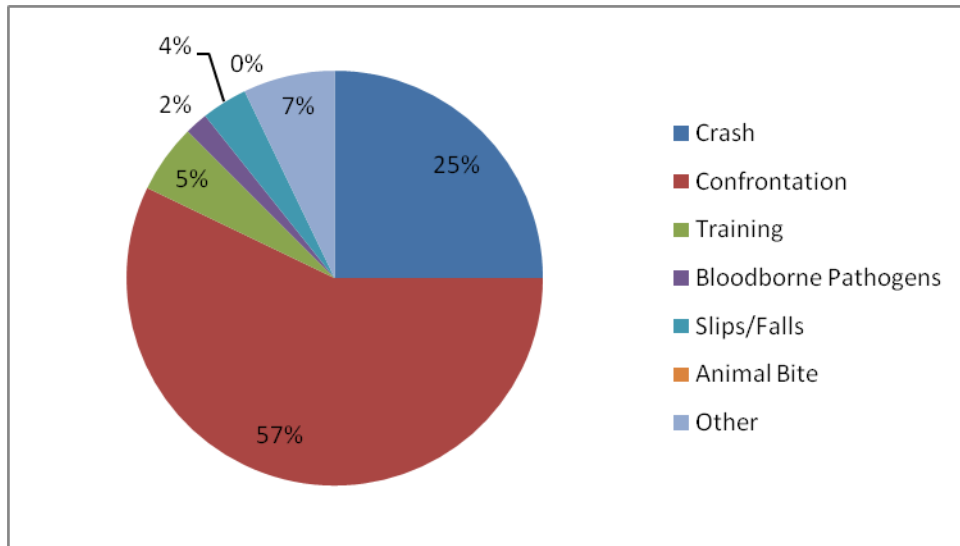


2011 Occupational Injuries by Month

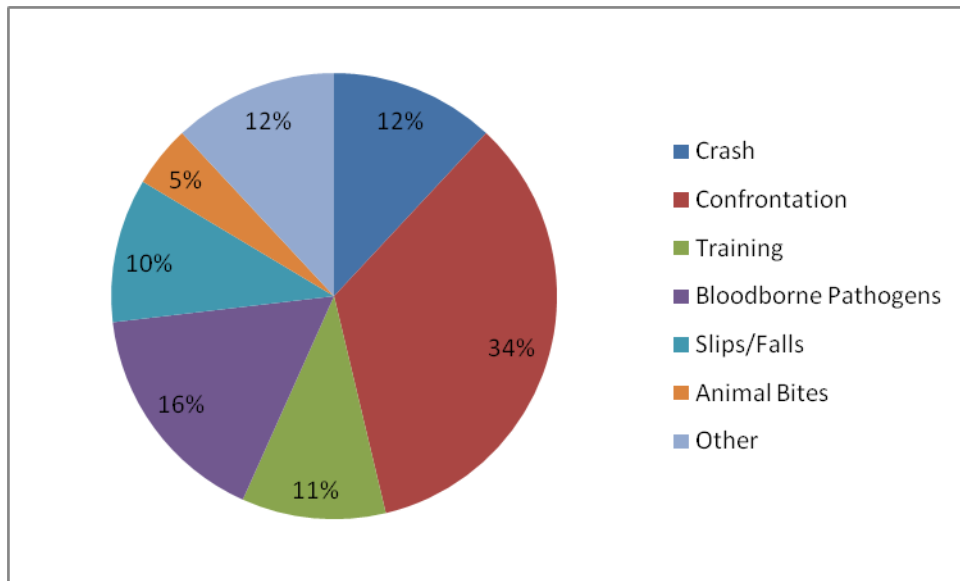


May and July tend to consistently be the most hazardous months for Officer Injuries.

Officer Injury Events 2010



Officer Injury Events 2011



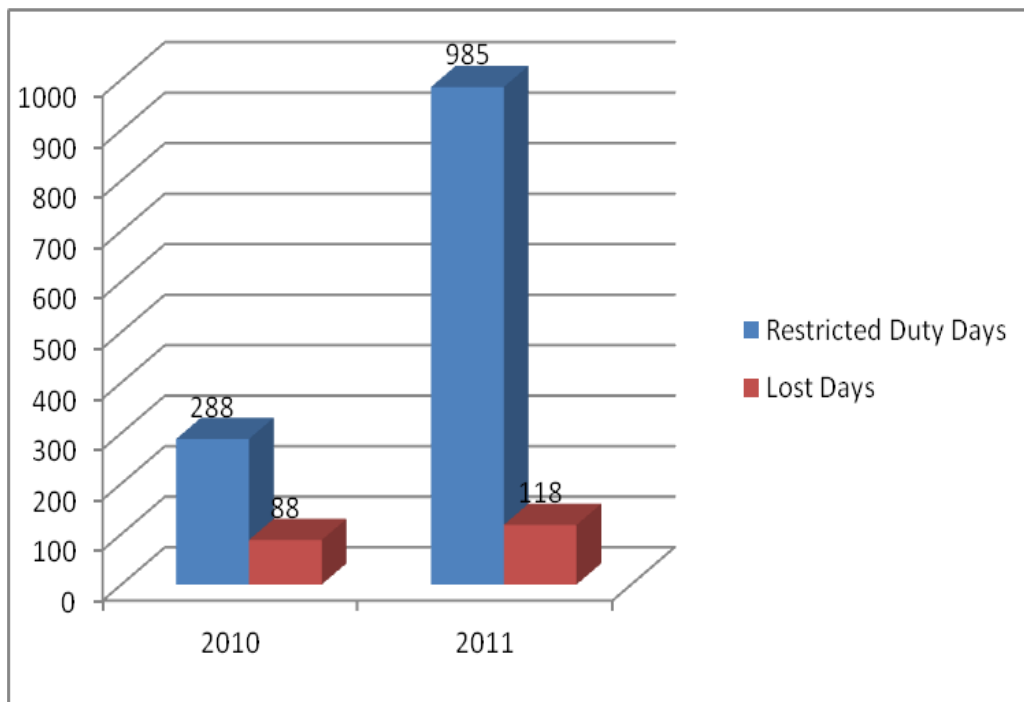
In the categories of crashes and confrontation, officer related injuries were down in 2011. They made up 75% in 2010 and only 46% in 2011. This could be the result of increased driver training and discipline for crashes. For confrontation it could be the result of CIT training to avoid confrontation and more reliance on tools such as OC spray, Tasers, and impact weapons. In the past officers relied on physical force which often leads to more injuries. Now officers are relying on other options so they don't have to rely on physical force. This in turn prevents officers from getting close enough to a violent suspect so they are not injured.

The most concerning change in the officer injury chart from 2010 to 2011, would be the increase in blood borne pathogen exposures from 2% to 16%. In 2010 there were 57 occupational injuries; blood borne exposures made up only 2% but in 2011 occupational injuries jumped up to 67 and blood borne exposures made up 16%. The increase is alarming but two incidents, which had several officers involved, are to blame for the dramatic increase. One was an accident where officers had to respond immediately to save the lives of subjects who were trapped in a burning vehicle. The other was an exposure that was airborne, it was not known until later that the officers were exposed. We believe that this is not the norm for blood borne exposures and the numbers will drop back down in 2012.



INJURY IMPACT

In 2011 there was a slight increase in injuries from 56 in 2010 to 67 in 2011. However, there was a drastic increase in restricted duty days from 288 in 2010 to 985 in 2011. Lost days also increased from 88 to 118. The increase can be attributed to incidents which were very severe and required extended days on restricted duty. In 2010 there was only one such incident that required 70 days of restricted duty. In 2011 there were 5 incidents that were over 60 days of restricted duty. Out of these 5 incidents, 4 were injuries to the shoulder which required extended healing time or surgery. Two of the shoulder injuries occurred when the officer was fighting a suspect and was not preventable. Another shoulder injury occurred during a training exercise with a K-9 and the fourth occurred when an officer tried to lift a segway. The final two might have been preventable with better training and knowledge of the equipment. The incidents required the officer be reassigned to restricted duties of 122, 177, 63, and 97 days for the four incidents. The total of these four incidents has already exceeded the total for all the restricted days' incidents from 2010. The final incident was a slip and fall where an officer injured their knee. This incident required reassignment for 158 days.

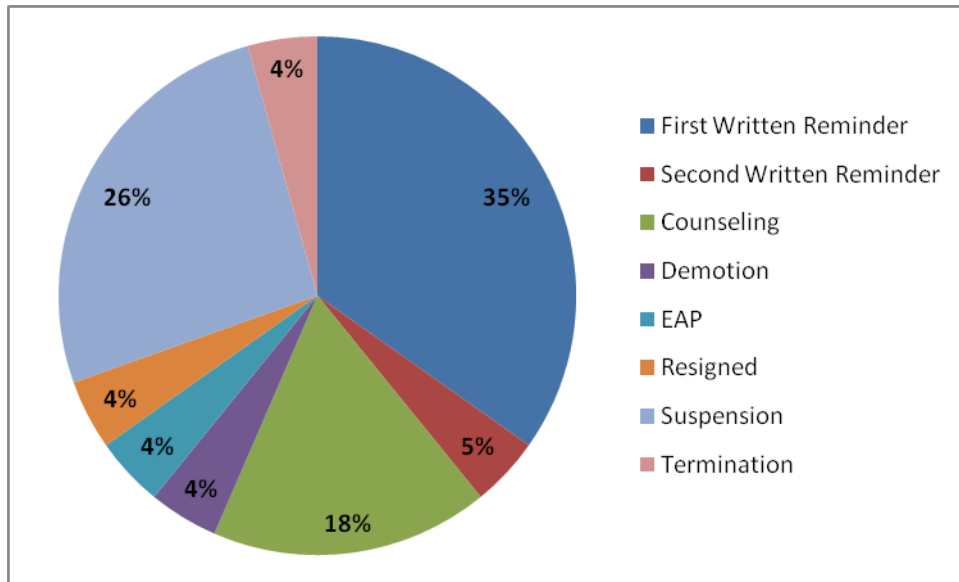


The Wilmington Police Department should set goals for 2012 to reduce the severity of the injuries to our officers where possible. We must encourage our officers to use all the tools they carry to prevent officer injuries. We must also train them better in the equipment they use for safety purposes. I feel the large increase this year was due to the severity of the injuries, but we must become more proactive as a department with the safety of our officers.

DISCIPLINARY SUMMARY

While specific disciplinary actions taken against an employee as a result of a complaint, internal investigation, or other processes cannot usually be disclosed to the complainant or the public, our agency wants to assure the public that action is indeed taken when it is found that an officer was not acting in accordance with all the governing rules, procedures, and laws.

The following chart portrays disciplinary actions taken by the Wilmington Police Department during 2011 in response to: citizen complaints, internal investigations, special investigations, use of force issues, unauthorized vehicle pursuits, and police vehicle crashes which were determined to be outside of authorized practices. Additionally the chart also reflects the resignations of Wilmington Police Employees whom were under scrutiny by Internal Affairs.



The above chart does not capture first line supervisory actions against their employees; this table only captures disciplinary matters handled by the Division Level to the Office of the Chief of Police. First-line supervisors handle general officer performance issues, and minor disciplinary issues with counseling, and the employee evaluations.

PERSONNEL EARLY WARNING SYSTEM REVIEW

The Wilmington Police Department Internal affairs unit houses a multi-faceted personnel early warning system. The primary security network for personnel early warning is our Internal Affairs database. That database is the controlling database for all of the internal affairs records. Those records include: use of force incidents, pursuit involvement, citizen complaints, internal investigations, special investigation, officer-involved crashes, officer involved injuries/fatalities, and departmental property losses. The database contains thresholds which are decided by WPD Staff for the early warning system, and when employees meet or exceed those thresholds, notices are sent out to the first line supervisor of the affected employee. The first line supervisor in receipt of such notice will then make any determination as to any follow-up that may be necessary to curb problematic behaviors prior to those behaviors manifesting into permanency. That supervisory follow-up can take multiple forms, including: supervisory counseling, counseling through the employee assistance program, removal of privileges, change in assignment, and suspension days. The secondary security network is the Department Safety Committee. The Department Safety Committee reviews all officer crashes, officer injuries, and departmental equipment losses to determine whether or not the affected employee was capable of preventing each incident. When trends are discovered, the affected officer's entire chain of command is notified of same. Supervisors are expected to, and indeed mandated to take affirmative action when officers are found to be culpable by the Department Safety Committee. In 2011 there were 83 alerts sent to supervisory personnel from our IAPro Personnel Early Warning System. There were 4 corrective measures or responses from supervisory personnel with validations in those cases. Additionally, the Department Safety Committee reviewed 64 cases in 2011, and recommended corrective actions for 9 of those incidents.

The Wilmington Police Department values each and every one of our employees, and we would much rather take early preventative actions upon our employees than to uncover through investigation more serious flaws that may exist in our workforce. The Personnel Early Warning System is an invaluable asset to our agency for retention, maintenance, and the professionalization of our agency. We do recognize that not all members of our agency will be receptive to behavior modification, and even in the face of our preventative actions, that there will be some occasions where the personnel early warning system fails. Additionally, we are aware that some behaviors may remain latent, unobserved, and unreported until their severity alone will force departmental action. However, the personnel early warning system certainly provides us with a generous sample of our overall workforce behavior trends. In 2012, we must better educate our supervisors on what is expected of them when a supervisory notification is sent out from IAPro. As of now it appears that not all of the supervisors are aware that they need to respond back to professional standards. This is evident that since only 4 responses were sent back from 83 alerts.

2011 BIASED-BASED PROFILING ANNUAL ANALYSIS
AMENDED 8/4/2011

The data and statistics for this review were compiled using the North Carolina Department of Justice website: www.ncdoj.gov, and IAPro interface of the Wilmington Police Department Internal Affairs Unit.

Biased-Based profiling has been a hot topic in law enforcement for many years but only now do we see many of the changes it has brought about in law enforcement. States like New Jersey have banned their officers from performing consent searches in hopes of deterring biased-based policing. Closer to home, the Fayetteville city council grapples with the possibility of placing a moratorium on consent searches by its officers in an attempt to combat racial profiling by its officers. This is a trend that will only become more and more commonplace throughout the nation unless law enforcement agencies work to reduce or eliminate biased-based policing within their agencies. The goal of the Wilmington Police Department is to not have any incidents of biased-based policing within the department and investigate fully the accusations of such policing.

Wilmington Police Department
Initial Purpose of Traffic Stop by Driver's Sex, Race, and Ethnicity

Friday, January 13, 2012

Report From 1/1/2011 through 10/31/2011

Purpose	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity
Checkpoint	F	0	0	0	0	0	0	0	0	0
Checkpoint	M	0	0	0	0	0	0	0	0	0
Driving While Impaired	F	8	0	0	0	0	8	0	8	8
Driving While Impaired	M	13	2	0	0	0	15	0	15	15
Investigation	F	57	32	0	0	0	89	8	81	89
Investigation	M	75	59	0	0	0	134	14	120	134
Other Motor Vehicle Violation	F	55	23	2	1	0	81	2	79	81
Other Motor Vehicle Violation	M	122	46	0	2	0	170	15	155	170
Safe Movement Violation	F	135	25	2	0	0	162	5	157	162
Safe Movement Violation	M	202	62	0	2	0	266	20	246	266
Seat Belt Violation	F	89	25	0	0	0	114	0	114	114
Seat Belt Violation	M	135	32	2	2	0	171	2	169	171
Speed Limit Violation	F	883	173	3	8	2	1069	15	1054	1069
Speed Limit Violation	M	986	222	2	10	0	1220	30	1190	1220
Stop Light/Sign Violation	F	130	39	1	0	0	170	12	158	170
Stop Light/Sign Violation	M	201	77	1	4	2	285	12	273	285
Vehicle Equipment Violation	F	196	96	1	3	1	297	6	291	297
Vehicle Equipment Violation	M	292	132	2	5	0	431	20	411	431
Vehicle Regulatory Violation	F	900	348	5	3	0	1256	18	1238	1256
Vehicle Regulatory Violation	M	1101	355	2	5	2	1465	42	1423	1465
FemaleTotal	F	2453	761	14	15	3	3246	66	3180	3246
MaleTotal	M	3127	987	9	30	4	4157	155	4002	4157
Total	A	5580	1748	23	45	7	7403	221	7182	7403

Wilmington Police Department
Enforcement Action Taken by Driver's Sex, Race, and Ethnicity

Friday, January 13, 2012

Report From 1/1/2011 through 10/31/2011

Action	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity
Citation Issued	Female	1226	320	8	7	1	1562	45	1517	1562
No Action Taken	Female	54	32	0	0	0	86	2	84	86
On-View Arrest	Female	32	9	1	0	0	42	0	42	42
Verbal Warning	Female	250	139	1	0	0	390	6	384	390
Written Warning	Female	891	261	4	8	2	1166	13	1153	1166
Written Warning	Male	1114	302	3	6	2	1427	32	1395	1427
Verbal Warning	Male	359	190	2	5	0	556	19	537	556
On-View Arrest	Male	71	39	0	0	0	110	9	101	110
No Action Taken	Male	62	61	1	1	0	125	3	122	125
Citation Issued	Male	1521	395	3	18	2	1939	92	1847	1939
Female Total	Female	2453	761	14	15	3	3246	66	3180	3246
Male Total	Male	3127	987	9	30	4	4157	155	4002	4157
Total		5580	1748	23	45	7	7403	221	7182	7403

Wilmington Police Department
Drivers and Passengers Searched by Sex, Race, and Ethnicity

Friday, January 13, 2012

Report From 1/1/2011 through 10/31/2011

Type	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity	Total Stopped	Percent Searched
Driver	Female	47	27	0	0	0	74	2	72	74	3246	2.28
Driver	Male	100	81	0	0	0	181	4	177	181	4157	4.35
Passenger	Female	15	21	0	0	0	36	0	36	36	36	100.00
Passenger	Male	30	72	0	0	0	102	1	101	102	102	100.00
	Female	62	48	0	0	0	110	2	108	110	3282	3.35
	Male	130	153	0	0	0	283	5	278	283	4259	6.64

Overall all three charts are very similar to last years. They support departmental claims that we do not disproportionately stop vehicles, search them, or take enforcement action, based on race. However, the total number of people has dropped on all three charts. This could coincide with the decrease in number of citations or a drop in traffic stops. It can also be a decrease in the number of officers submitting the appropriate forms for traffic stops. Either way we must do a better job of getting officers to comply with submitting their traffic stop forms for every traffic stop. It is a state law and we are obviously failing to follow it. I feel if we had a more officers complying with the law we would have a better representation of the community that we stop.

In 2011, there were three complaints of biased based policing coming from traffic stops. Two of the complaints emanated from patrol traffic stops. The first involved a subject who was stopped for expired tags. The drivers claim he was stopped and his vehicle was searched for no reason. After the case was reviewed the case, the officers were exonerated. The driver was intoxicated and charged with DWI and Expired Tags.

The second was also a patrol stop in which officers stopped a driver who states he was illegally searched after the officers stopped him for speeding. The investigation showed that the officers were well within law and policy when a K-9 officer performed a walk

around while the officer wrote the warning ticket. After the K-9 hit on the vehicle nothing was found and the driver was released.

The final complaint came from a subject who said her vehicle was illegally stopped and search by police without reasonable suspicion. In this case the officers were told to stop the vehicle based on a narcotics detective's surveillance of the residence that the driver was leaving. This residence had been under surveillance for the dealing of narcotics. Based on the detectives' information the officers had reasonable suspicion to stop the vehicle and investigate. In this case the officers were also exonerated.

While the number and percentage of biased-based policing complaints received at the Wilmington Police Department have risen in the last year, this is primarily attributable to a change in our complaint receipt process as we attempt to gain accreditation through CALEA. Because we now will accept any complaint from anyone, including anonymous complaints, the volume of complaints has risen. Comparison of complaint data from this year to previous years is like comparing apples to oranges. We must truly compare 2010 data with 2011 data to accurately reflect any discerning trends to be addressed. The Office of the Chief, Internal Affairs Unit makes no recommendations for changes for 2011, except for a continuation of training on the prohibitions of biased-based policing, and for supervisory personnel to continue re-enforce the importance of Officers continuing to fill out their Profile Reports for each traffic stop, as per State Law. Our agency will be conducting training on prohibitions of biased-based policing, our policy which prohibits it, and legal aspects throughout the coming year.



ANALYSIS OF EMPLOYEE GRIEVANCES 2011

There were three employee grievances in 2011 and all three had to do with the promotional process. All of the grievances had to do with the Sergeants tests. After taking the tests and then meeting with human resources to discuss the tests it was discovered by these officers that multiple questions on the tests have vague or multiple answers that were correct on the test. Human resources asked how they could fix the problems for the next process but policy had not been followed in the current process. One of the grievances quoted Wilmington Police Policy 4.11 section III B (1C) which states “each promotional test shall be internally validated by subject matter experts from within the Wilmington Police Department.” However the officers contend that this was not done before the tests were administered which caused the problems. To make matters worse the testing went on to the next phase before all the grievances were heard and corrections or retesting could be administered. This particular grievance was heard and it was determined that section III.B.1.c of departmental directive 4.11 states “the Chief or [his] designee, with concurrence of the Director of Human Resources, shall establish screening devices, to include written examinations, interactive exercises and/or work sample exercises (Assessment Centers), specific to the vacancy.” “All instruments used shall have demonstrated content and criterion validity, which is accomplished by contraction with qualified outside entities to develop the written testing instruments.... Work sample exercises will be internally validated using Wilmington Police Department subject matter experts”. The department contends that the only portion of the testing that is required to be reviewed by departmental personnel is the assessment center. They also contend that the written test was created by an IACP qualified entity. The testing was in accord with departmental policy and the grievance was denied.

It turns out that all of the grievances from the 2011 promotional testing were denied. The human resources department does acknowledge that there are problems with the current testing process and work is being done to improve it.



MISCELLANEOUS PROVISIONS FOR ANNUAL SYNOPSIS

There were 0 reported incidents of consular/diplomatic officials arrested or interacted with in 2011.

There were no warning shots fired by Wilmington Police Officers in 2011.

There were no amber/silver alerts issued by members of the Wilmington Police Department in 2011.

There were no successful deployments of stop sticks (TDD) in 2011.

There were no road blocks/forcible stops performed by Wilmington Police Employees in 2011.

There were no requests for Federal or National Guard Assistance in 2011.