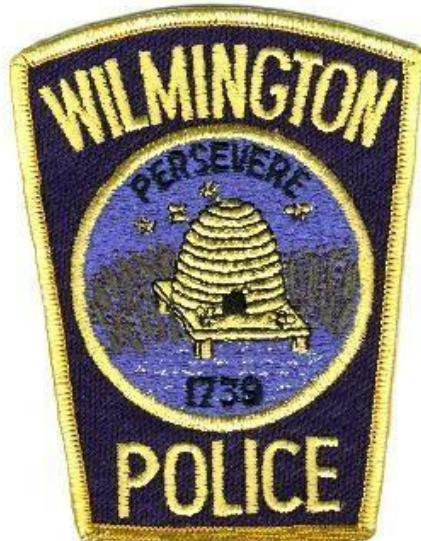




# 2013 Internal Affairs Annual Report



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## Chief's Foreword



We Wear The Blue

*Dear Citizens & Friends,*

The Wilmington Police Department is committed to upholding our Code of Ethics and to ensuring those ethics are maintained and monitored throughout our agency.

Officers are given authority to enforce laws, take away individual freedoms and use force when necessary. It is undeniable that there is a tremendous expectation from law enforcement officers to live to a higher standard. With that in mind it is my job as your Chief of Police to monitor the actions of our officers to ensure that this standard is not compromised.

We welcome you to review our 2013 Internal Affairs Report. Our Internal Affairs process plays an integral role in building and maintaining the public trust. This report was created to give our citizens a view into the way we handle complaints and matters of employee misconduct.

It is my hope that you will find the information in this report reassuring and informative. I look forward to working with you to make our community a better place to live, work and play.

Sincerely,

A handwritten signature in black ink that reads "Ralph M. Evangelous".

Ralph M. Evangelous  
Chief of Police

## Note from Internal Affairs Commander



We Wear The Blue

For two decades 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 investigate issues that could 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.

Lt. Ben Kennedy  
Internal Affairs Division Commander

# Wilmington Police Department Mission Statement

- 
- A faint, light blue watermark of the Wilmington Police Department badge is centered in the background. The badge is shield-shaped with a gold border. At the top, it says 'WILMINGTON'. In the center, there is a circular seal with a scale of justice and the word 'PERSEVERE' above it. Below the seal is the year '1739'. At the bottom, it says 'POLICE'.
- 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

# Community/ Wilmington Police Demographics



## City of Wilmington

- Population 112,067
- Male 47.8%
- Females 52.2%
- Caucasians 70.8 %
- African American 19.9%
- Other 10.1%

## Wilmington Police

- Sworn 261
- Civilian 54
- Male 73.6%
- Female 26.4%
- Caucasian 80.3%
- African American 15.7%
- Other 3%

<http://quickfacts.census.gov/qfd/states/37/3774440.html>

# Internal Affairs Rules and Policies

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 accessible to all police personnel. 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 will use well-established procedures for investigating and adjudicating complaints. All complaints are 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.

# Internal Affairs 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





# Types of Investigations



- **Citizen Complaint:** an investigation based upon statements of a citizen made in regards to an officer's on or off duty conduct.
- **Internal Investigation:** An internal investigation will be required 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.
- **Special Investigations:** An investigation directed by either the Chief of Police or a Division Commander that does not fit into the above classifications.

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 any disciplinary action. 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.

# Citizen Complaint Investigations

In 2013 Internal Affairs received 50 Citizens Complaints revealing 68 allegations of policy violations. The chart below shows the actual classification of allegations of policy violations that were investigated. The understanding of the classifications of Citizen Complaints is crucial. One Citizen Complaint may generate multiple allegations against more than one officer. For example:

The complaint states: The officer was rude by yelling at me and refusing to take a report of a crime.

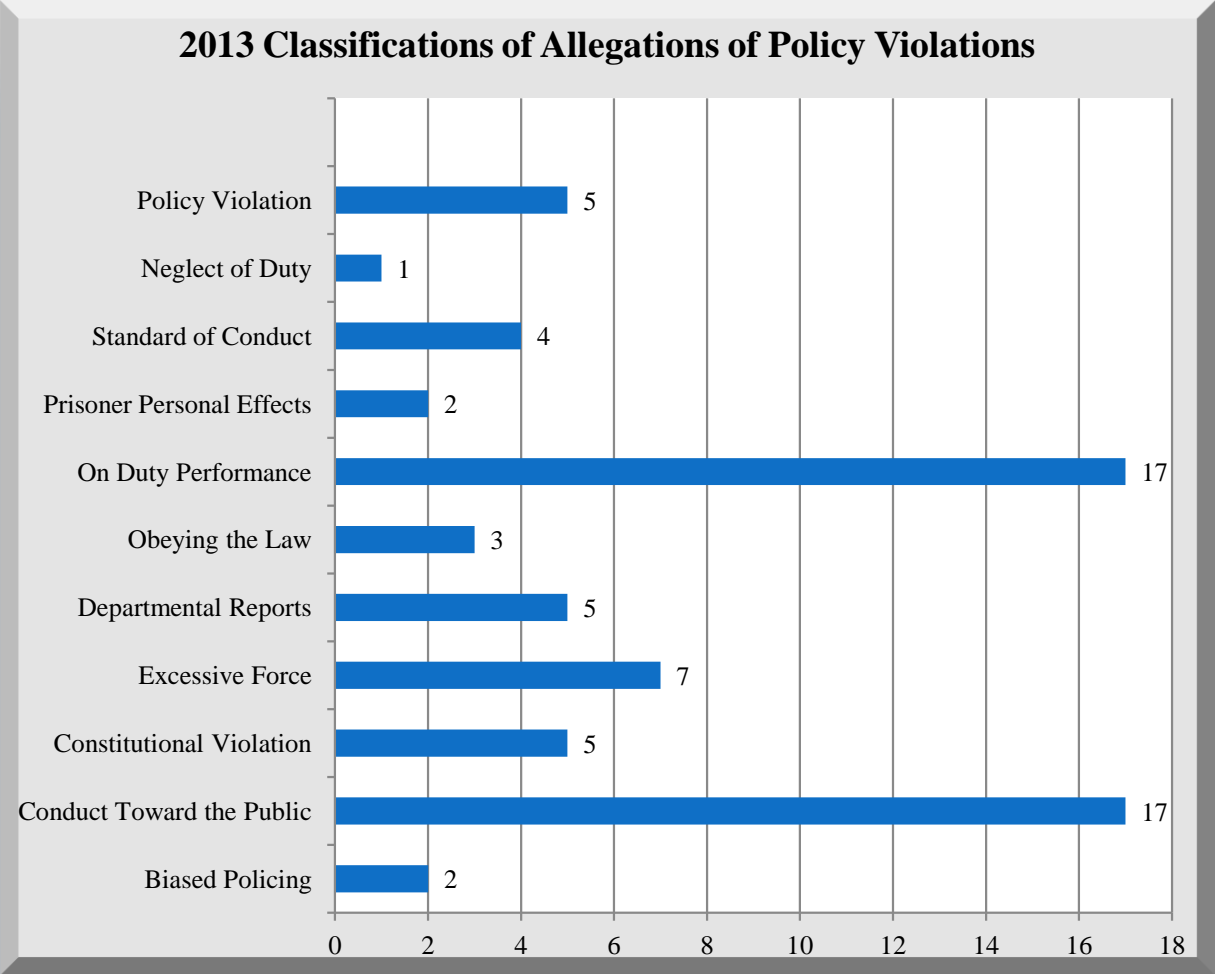
The complaint is counted as one complaint received but there are two allegations of policy violations: Conduct Toward the Public and On Duty Performance.

Some Citizen Complaints received are extremely vague and lack clarity. The complaints must be classified into a policy violation so it can be defined and investigated. For example:

The complaint states: The officers laughed at my predicament and did not want to help me gather my belongings before taking me to jail. I did not agree with the charges.

The complaint is counted as one complaint even though the complainant alleged multiple officers involved. The vague statement has to be categorized into a policy violation so it can be defined, recorded and investigated. The officers laughing at the complainant may be against two or more officers and would be categorized as Conduct Toward the Public and counted as one allegation of policy violations. If two officers are found to have violated the “Conduct Toward the Public” policy it would show up as two “**Sustained**” violations in the Citizen Complaint findings. The complainant disagreeing with the charges would not be investigated.

# Citizen Complaint Investigations



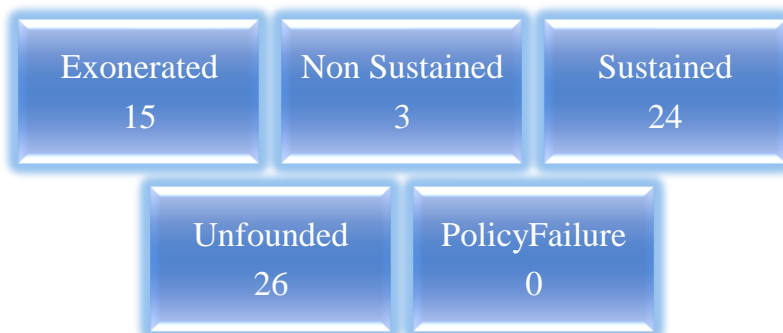
# Citizen Complaint Findings



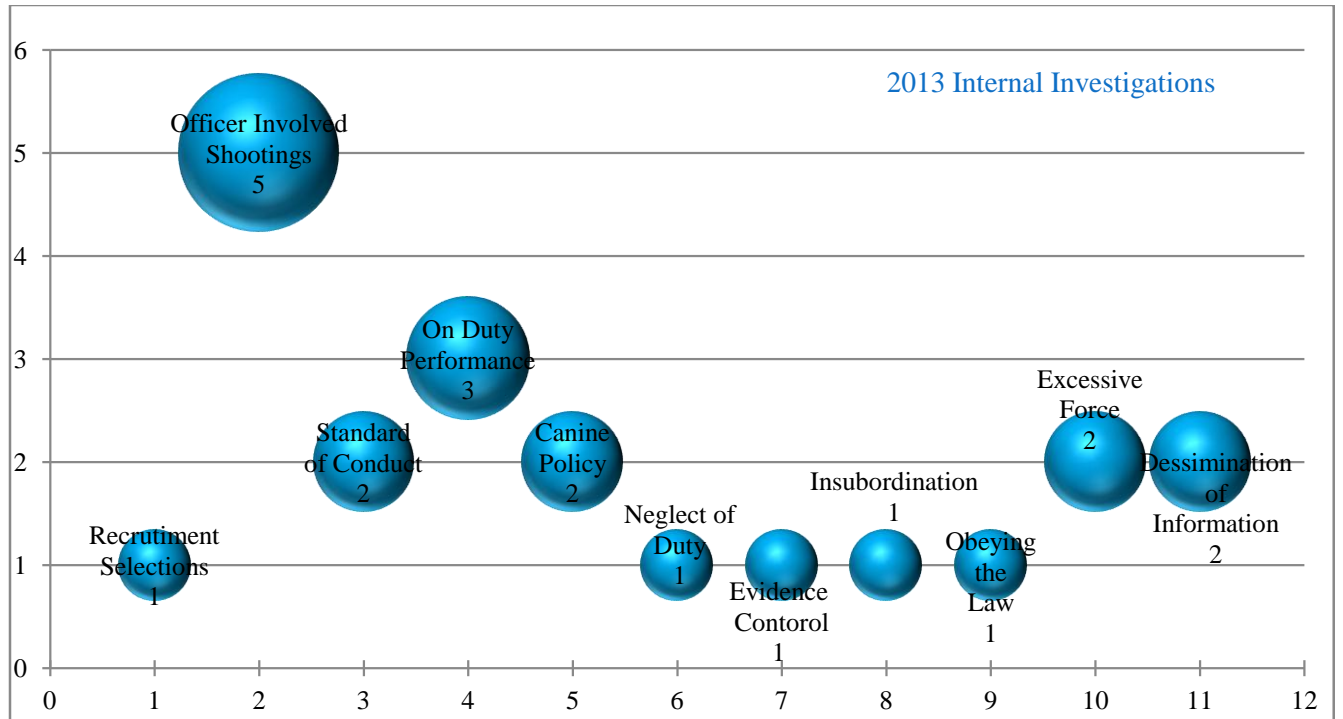
As previously stated, 50 citizen complaints were received by Internal Affairs in 2013. The 50 Citizen Complaints contained 68 allegations of policy violations that were classified. The 68 allegations of policy violations were investigated and concluded with 68 dispositions.

There are only five categorical outcomes for Citizen Complaints. The categories are: **Exonerated**, **Non Sustained**, **Sustained**, **Unfounded** and **Policy Failure** and they are commonly referred to as “**Findings**” This is the breakdown of the dispositions.

## 2013 Complaint Dispositions



# Internal Investigations Classifications



\*Some Internal Investigations contain multiple allegations involving multiple officers \*

<b>1. Recruitment and Selections</b>	<b>1</b>
<b>2. Officer Involved Shootings</b>	<b>5</b>
<b>3. Standard of Conduct</b>	<b>2</b>
<b>4. On Duty Performance</b>	<b>3</b>
<b>5. Canine Policy</b>	<b>2</b>
<b>6. Neglect of Duty</b>	<b>1</b>
<b>7. Evidence Control</b>	<b>1</b>
<b>8. Insubordination</b>	<b>1</b>
<b>9. Obeying the Law</b>	<b>1</b>
<b>10. Excessive Force</b>	<b>2</b>
<b>11. Dissemination of Information</b>	<b>2</b>

Internal Affairs conducted 21 investigations in 2013. Some investigations revealed multiple policy violations. Two of the Internal Investigations were just concerned with policy due to policy failures in other investigations.

# Internal Investigations Classifications

The 21 Internal Investigations conducted by Internal Affairs revealed 63 allegations of policy violations. The start of Internal Investigation may have begun with one or more allegations and through the investigation other violations may surface. Some Internal Affairs investigations are only inquiries into policies which have come under focus due to an incident where a policy failure has occurred.

Just as with Citizen Complaints there can be multiple officers involved in one case resulting in multiple allegation and findings. Internal Investigations are unlike Citizen Complaints since Internal Affairs does not need to classify the allegations. The classification is already known since they originated from within. The final dispositions may also be different from the amount of policy allegations. If an officer leaves employment at the beginning or during an investigation the case is closed and no disposition can be determined. Nobody can compel an ex-employee to cooperate with an Internal Investigation. Another discrepancy in dispositions in Internal Investigations findings is an officer may be investigated for violating the law. If the case is still pending in court there can be no finding for the allegation of violating the policy “Obeying the law” until after adjudication. Also some cases may be continued or appealed until the following year showing up in the next Annual Internal Affairs Report. The following chart shows the allegations of policy violations for 2013 Internal Investigation.

Absence from Duty	1	Neglect of Duty	1
Abuse of Position	1	Obeying the Law	4
Associations	1	Officers Handling Calls	1
Canine Operations	1	Officer Involved Shooting	12
Departmental Reports	1	On Duty Performance	3
Dispatching Units	1	Pursuit Policy	1
Dissemination of Information	1	Recruitment Selection	1
Dissemination of Personnel Info	1	Reporting Absences	1
Evidence Control	2	Reporting Accident	1
Excessive Force	2	Required Police Officer Knowledge	1
Financial Obligations	1	Social Media	2
FMLA	1	Standard of Conduct	6
Insubordination	1	Substance Abuse	1
Internal Records	2	Treatment of Prisoners	1
Leave without Pay	1	Truthfulness	3
Leaving the City Limits	2	Use Impairing Substance on Duty	1
Members Obligations	1	Off Duty Weapon Procedures	1
Mobile Recording	1	Total	63

# Internal Investigations Findings

## 2013 Internal Investigations Dispositions



There were 61 dispositions for the 63 allegations of policy violations from the 21 Internal Affairs investigation.

# Special Investigations

In 2013 there were 25 Special Investigations conducted. Most of the Special Investigations were conducted at their respective division level. The allegations of policy violations are categorized in the chart below.

Absent from Duty	3
Availability on Duty	1
Courtesy	1
Courtroom Testimony	1
Criticism	2
Departmental Reports	2
Firearm Safety	1
Insubordination	4
Leaving Duty Assignment	1
Obeying the Law	2
On Duty Performance	3
Preliminary Investigation	2
Prisoner Control and Transport	4
Reporting Absence from Duty	2
Required Police Knowledge	1
Respect for Superiors	2
Responding to Domestic Violence	5
Standard of Conduct	2
Use of Departmental Equipment	6
<b>Total</b>	<b>45</b>

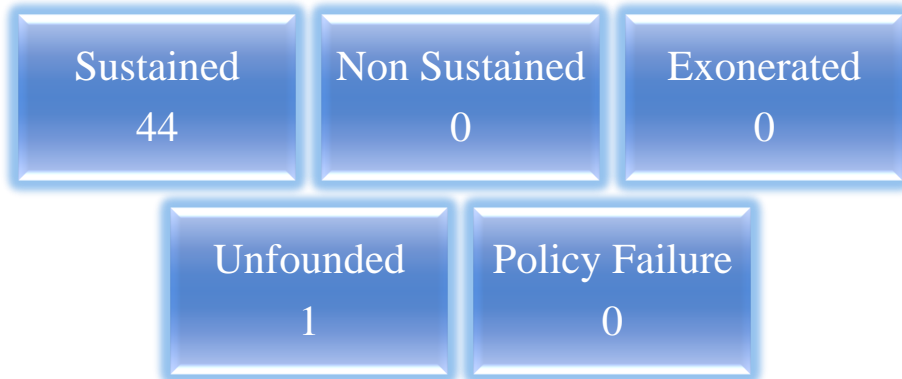
Within the 25 Special Investigations, three investigations did not pertain to any specific Wilmington Police officer but were still labeled as Special Investigations. One was an investigation into a different city department at their request. Another special investigation was conducted by a supervisor to find out who left some pills in an unsecured open area. The supervisor believed it could have been evidence in a case. The third investigation was done into a complaint that was not an actual complaint just a comment from a citizen on a complaint form.

There were 45 allegations of policy violations in 2013



# Special Investigations Findings

## 2013 Special Investigations Dispositions



There were 45 dispositions to the 45 allegations of policy violations stemming from the 25 Special Investigations for 2013.

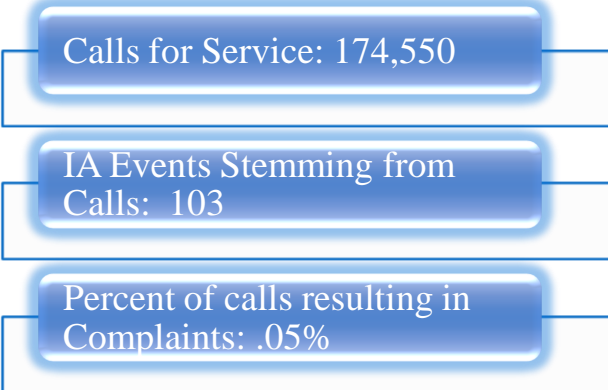
# Internal Affairs Summary

2013	Cases	Allegation of Policy Violations	Dispositions
Citizen Complaints	50	68	68
Internal Investigations	21	63	61
Special Investigations	25	45	45
Total	96	176	174



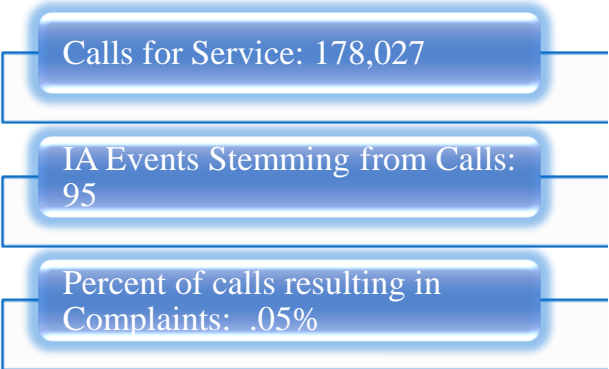
# Call Load/ Investigative Volume

2012



2012 Dispositions	Total	Calls	Off-duty
Complaints	63	61	2
Internal Investigations	22	17	5
Special Investigations	29	25	4
<b>Total Incidents</b>	<b>103</b>	<b>***</b>	<b>***</b>

2013



2013 Dispositions	Total	On-duty	Off-duty
Complaints	50	50	0
Internal Investigations	21	21 (5 officer involved shootings)	1
Special Investigations	25	25	0
<b>Total Incidents</b>	<b>96</b>	<b>***</b>	<b>***</b>

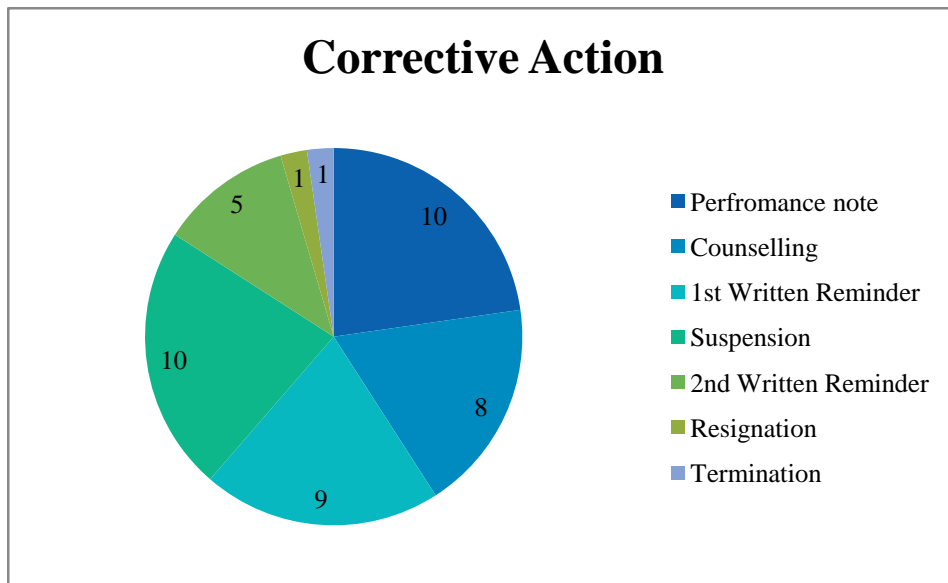
**Summary:** Complaints, Internal Investigations, and Special Investigations have slightly decreased in the last year. The largest percentages of sustained complaints were initiated through a supervisor after a policy violation.

# Disciplinary Summary

Specific disciplinary actions taken against an employee as a result of a Citizen Complaint, Internal Investigation, Special Investigation cannot be disclosed due to North Carolina Public Employee Privacy Laws. We want to assure the public that actions are taken when officers do not act in accordance with Wilmington Police policies, procedures and North Carolina or federal law.

The chart portrays disciplinary actions taken by the Wilmington Police Department in 2013. This chart does not reflect any disciplinary action taken at the supervisory level. Supervisory level discipline is for minor performance issues that are handled through counseling. It only reflects the disciplinary actions that have made it to the Division level or Office of the Chief. Also this chart reflects the resignation of a Wilmington Police employee who was under scrutiny by Internal Affairs.

Understanding the chart is important. The previous information from the Investigative Summaries revealed 44 sustained Special Investigations, 36 sustained Internal Investigations and 24 sustained Citizen Complaints totaling 84 policy violations. The chart shows 44 corrective actions to officers. As previously stated, there may be multiple allegations for one officer.



# Use of Force

2012

Total Number of Use of Force Incidents: 201

Total Number of arrests: 8,123

Percent of arrests requiring force to be used: 2.47%

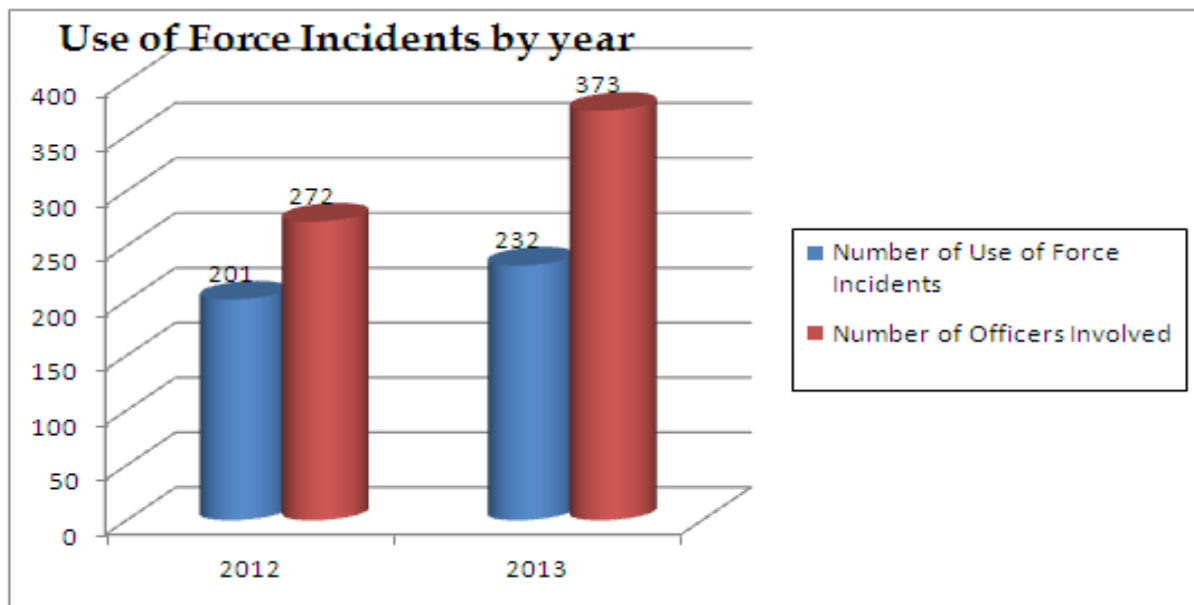
2013

Total Number of Use of Force Incidents: 232

Total Number of arrests: 8,318

Percentage of arrests requiring force to be used: 2.78%

The statistics indicate that for the past two years over 97 % of the arrests made by Wilmington Police Officers are accomplished without the use of any force. The percentage of arrests requiring the use of force increased from 2.47% in 2012 to 2.78% in 2013

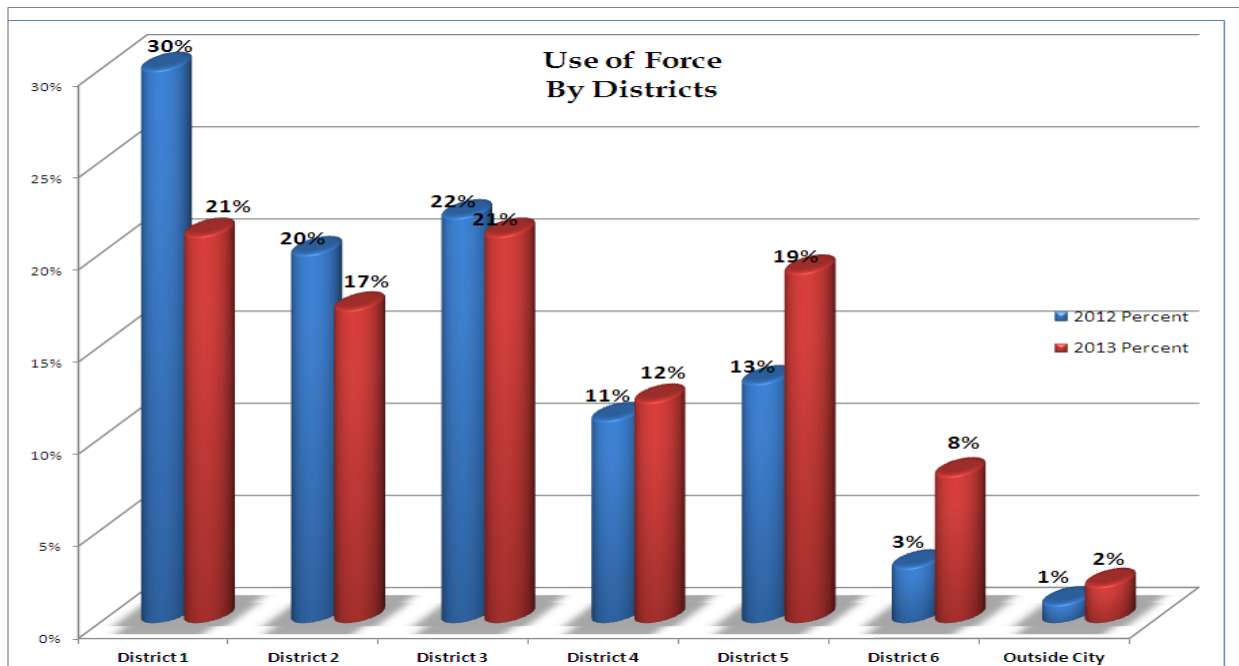


In 2013, there were 232 documented uses of force incidents compared to 201 documented uses of force in 2012. There was no use of force policy violations in the 232 use of force incidents for 2013 compared to the one use of force policy violation in 2012. This represents less than .05% of 201 uses of force incidents where an officer was in violation of policy for 2012. Since there were

# Use of Force

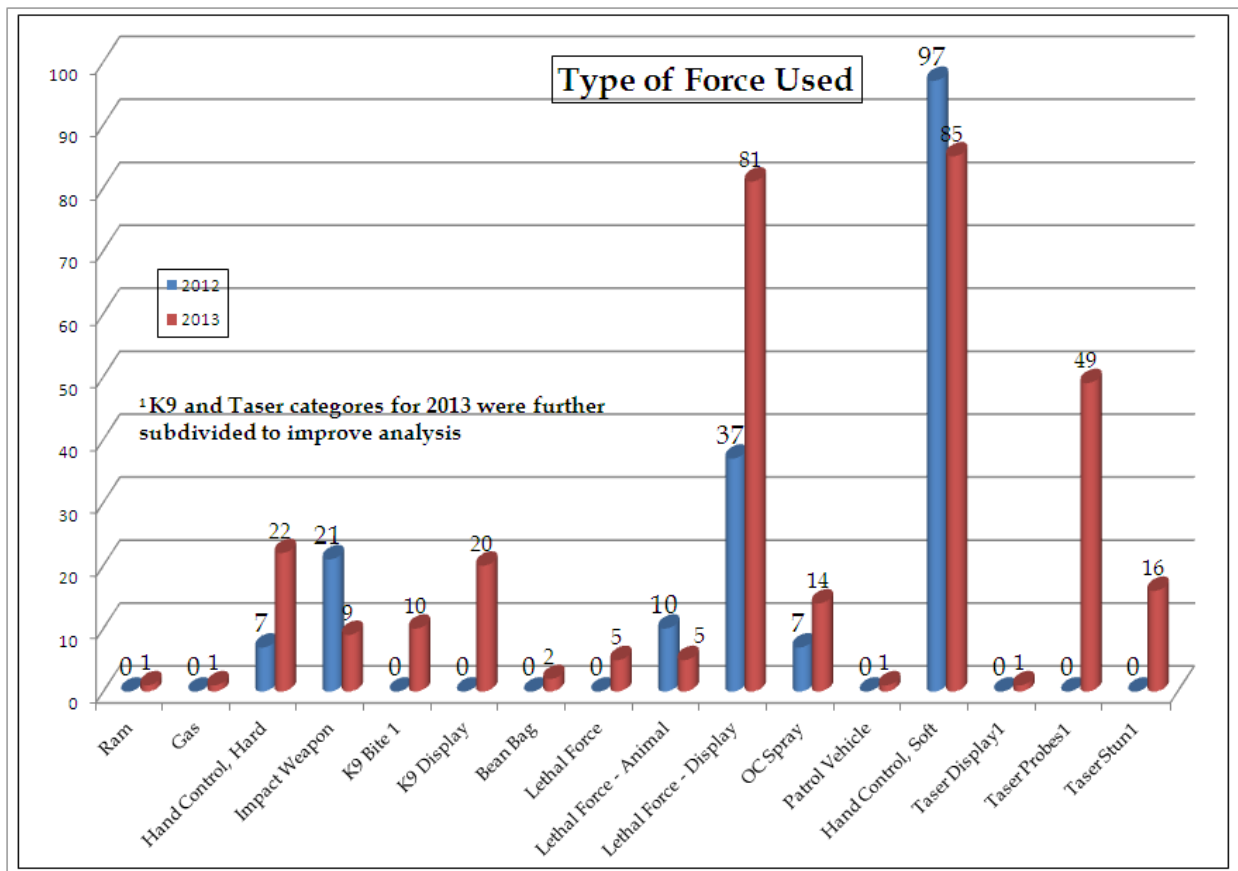
no documented use of force policy violations in 2013 and only one in 2012 there were no changes made to the use of force policy.

The 15.42% increase in documented use of force incidents between 2012 and 2013 is attributed to several factors. One contributing factor was officers had been exposed to new training in 2013 such as “Surviving the First Three Seconds”, “Below 100”, and “Early Stage Street Encounters”. These types of training courses increase officers’ awareness and reminds them of the dangerous environment they work in. Another factor was the Intelligence Bulletins distributed by the Intelligence Unit to officers. Intelligence Bulletins passed on information such as gangs promised 52 days of gun violence and planned retaliation against officers. These bulletins kept officers on alert about the violent activities in the city. Furthermore, officers had been assigned to work areas experiencing violent crime during the peak hours of activity. One initiative, MUD, Maximum Uniform Deployment, was implemented to put more officers on the street just for that specific purpose.



In 2013 there was a 9% reduction in use of force incidents in District 1. While District 5 showed a 6% increase and District 6 gained 5% in use of force incidents.

# Use of Force



This 2012- 13 chart for Type of Force Used was modified for 2013. The 2012 chart showed K9 was used 35 times and was not broken down into any other categories. For the 2013 report, we further divided K9 into two separate categories, “K9 Display” and “K9 Bite”. We also divided up the Taser category. In 2012 the Taser was used 73 times not clarifying use. For 2013, we created three categories for Taser to improve analysis. We now have “Taser Display”, “Taser Probes” and “Taser Stun”. This will differentiate between displaying the Taser to gain compliance, the actual shooting of the Taser and just placing the Taser against the body to stun subjects.

For 2013, the chart reveals a 214% increase in Hard Hand Control, a 19% increase in officers displaying Lethal Force and 100% increase in the use of OC Spray. The chart also shows there have been decreases in other areas of force types used. There was a 10% decrease in Taser use, 57% decrease in Impact Weapons, 14% decline in K9 use and a 12% reduction of Soft Hand Control.

The 119% increase in Displaying Lethal Force can be attributed to Wilmington Police being hyper vigilant. In 2013 a task force officer was shot in one of the housing communities we patrol.

# Use of Force

Type of Force	Effective	Percent	Not Effective	Percent	Total
Blackhawk Ram	1	100%	0	0	1
Gas Grenades	0	0%	1	100%	1
Hard Empty Hand Control	17	77%	5	23%	22
Impact Weapon	7	78%	2	22%	9
K9 Bite	8	80%	2	20%	10
K9 Display	19	95%	1	5%	20
Less Lethal Bean Bag	0	0%	1	100%	1
Lethal Force	5	100%	0	0%	5
Lethal Force on Animal	5	100%	0	0%	5
Lethal Force/Display Only	73	90%	8	10%	81
OC Spray	12	86%	2	14%	14
Patrol Vehicle	1	100%	0	0%	1
Soft Empty Hand Control	77	91%	8	9%	85
Taser Display	1	100%	0	0%	1
Taser Probes	29	59%	20	41%	49
Taser Stun	11	69%	5	31%	16

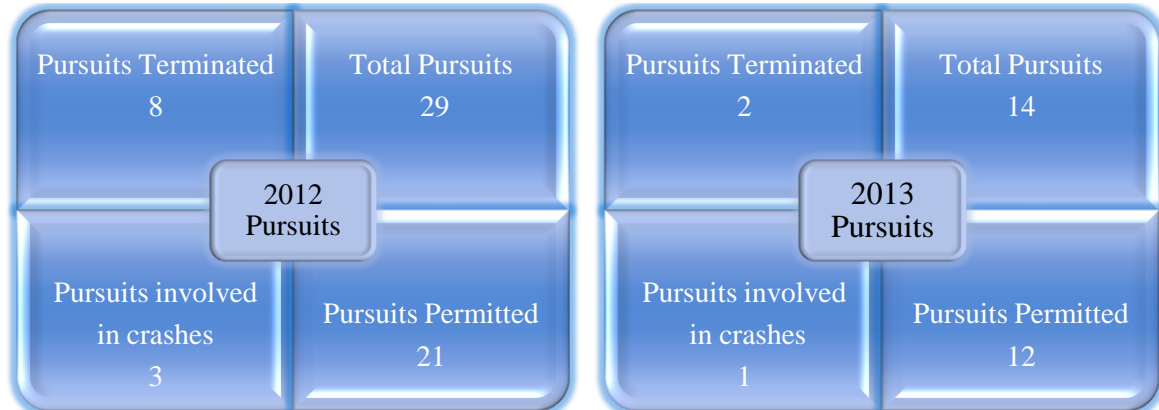
This chart reveals that not all force used is effective. Officers understand that not all force options work 100% of the time. A reason for this is because officers are trained to always use the least amount of force necessary to make an arrest.



# Police Pursuits

## Police Pursuits

Police pursuits are inherently dangerous to the community, officers involved, and the persons eluding the officers. The Wilmington Police Department recognizes the dangers and strictly governs when an officer can pursue a fleeing suspect vehicle.



2012	
Approved	21
Policy Violations	8

2013	
Approved	13
Policy Violations	1

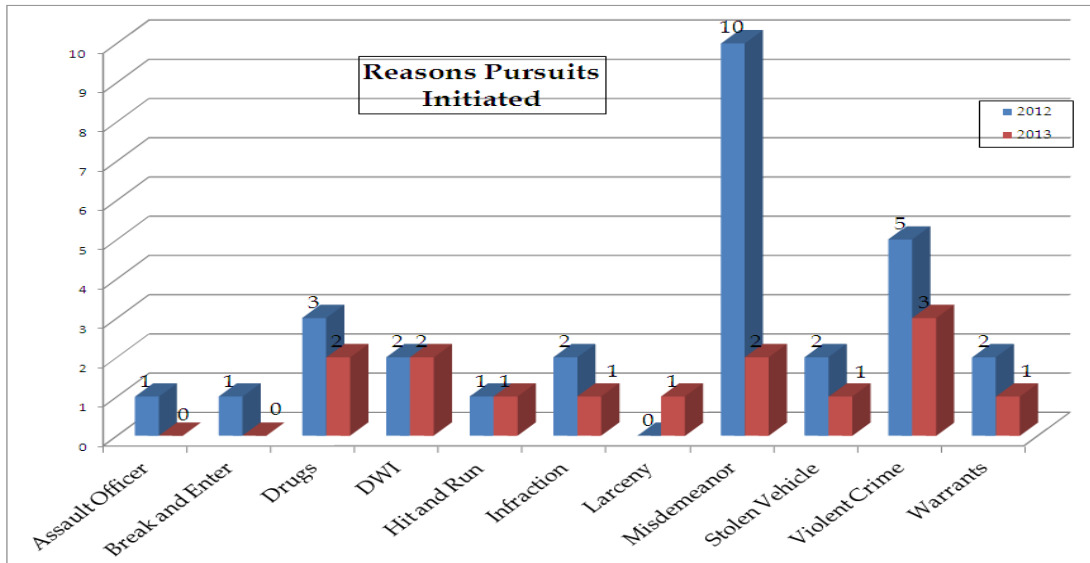
In 2013 there was one crash from 14 pursuits in which a citizen's vehicle was sideswiped by the suspect's vehicle. All of the 2013 pursuits lasted an average of 2.5 minutes in duration with an average speed of 60 MPH.

There was one documented policy violation for 2013. It involved officers engaging in a pursuit initiated by an officer from another agency.

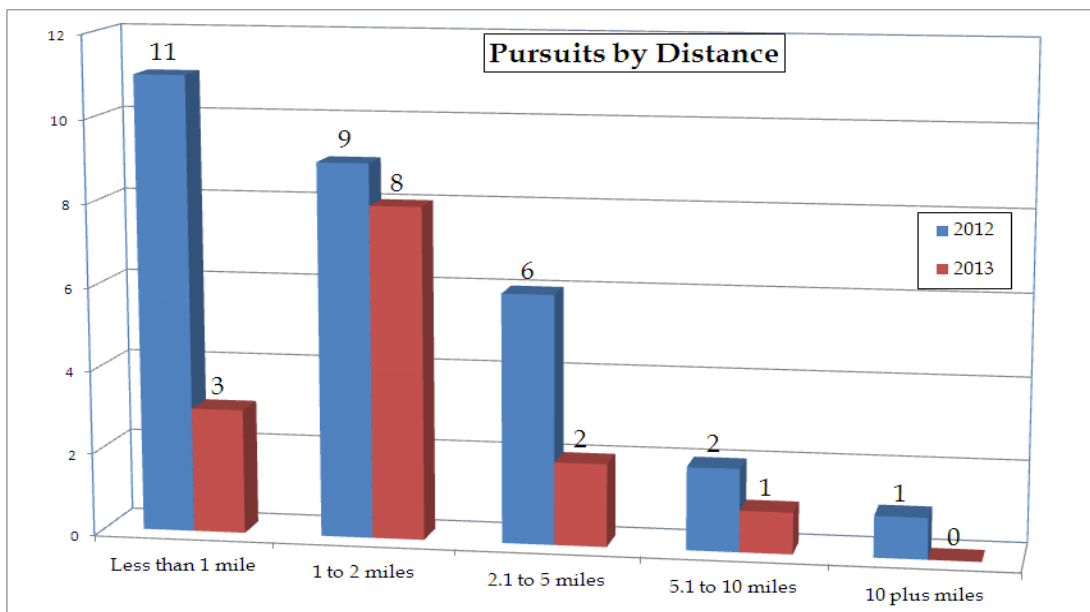
The policy is very clear on when a pursuit is allowed, type of vehicles used, considerations when deciding to pursue and terminating the pursuit. The policy details the responsibility of the officer, supervisor and communications. With all of these procedures in place human error will occur. It is up to the individual officers, their supervisors and command staff to monitor pursuits. So far there have been violations of the policy but not a policy failure. No revisions to the policy are necessary at this time.

# Police Pursuits Analysis

There were 14 pursuits in 2013 compared to 29 pursuits in 2012. This shows a 52% reduction in pursuits. There are several factors that contributed to the decline of police pursuits. In 2012 officers were disciplined for violation of the pursuit policy. Near the end of 2012, officers received “Slower is Faster” line up training. It was an informational video lesson on driving techniques. The “Below 100” training was also provided to officers on a voluntary basis in 2013. The “Below 100” training incorporated driving into the instructions and not just use of force.

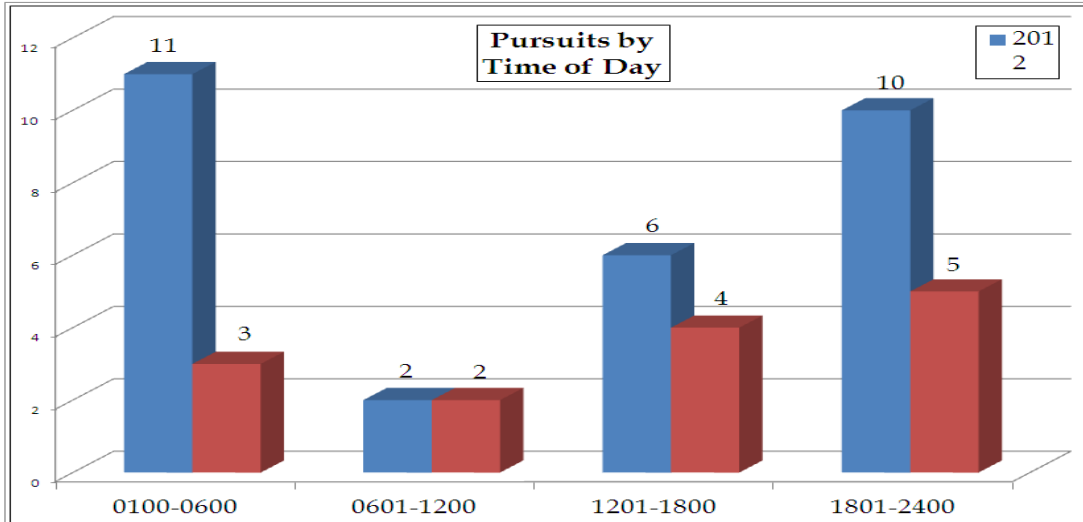


This chart reveals an 80% reduction in pursuits for Misdemeanors as reason to start a pursuit. A reduction in pursuits for Drugs, Violent Crime and Warrants was also revealed.

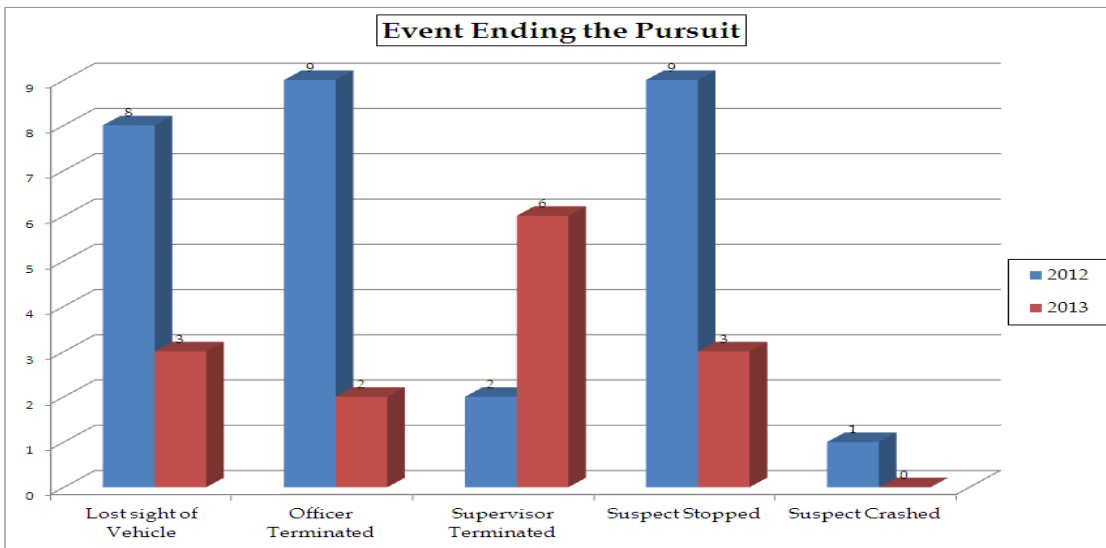


There was a 73% reduction in pursuits that were less than a mile and 67% reduction in pursuits that went from 2.1 to 5 miles. An overall reduction of pursuits in every distance category since there was a 52% decline of police pursuits.

# Police Pursuits Analysis



The majority of police pursuits are still taking place at night even with the reduction of pursuits.



The 200% increase in pursuits terminated by supervisor is significant. This means supervisors were closely monitoring the pursuits and scrutinizing them.

The documentation of police pursuits currently needs some refining. The choices available on the report for “Reason Pursuit Initiated” are too vast. The chart above shows the categorized versions. For example, home invasion, robbery and murder were all consolidated under “Violent Crime”. The Misdemeanors category was also consolidated. This would make analysis easier with fewer options in the pick list.

# Personnel Early Warning System Review

The Wilmington Police Department Internal affairs unit utilizes a multi-faceted personnel early warning system (IAPro). 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 Wilmington Police staff for the early warning system. 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: no action required, supervisory counseling, counseling through the employee assistance program, removal of privileges, change in assignment, and suspension.

In 2013 there were 150 alerts from our Personnel Early Warning System. The alerts are sent out in three categories:

- **Incident Alert**, triggered by the number of incidents of a certain type within a specified time period (Example: Officer used force 3 times in a 6 month period , an alert is sent)
- **Overall Alert**, triggered by incidents linked to one officer regardless of incident type. (Example: Officer was involved in a pursuit, use of force incident, and received a complaint in 12 month period, an alert is sent.)
- **Organizational Alert**, triggered by the number of specific incidences per officer for their current work assignment. (Example: 4 officers assigned to traffic unit and two receive a citizen complaint and two are involved in a special investigation, an alert is sent since it involved the whole traffic unit.)

The alerts sent out from IAPro appear on a screen in the “What’s New” module once the Internal Affairs Investigators log onto the system. The investigators review the alerts and determine if they need to be forwarded up the chain of command. The alert is sent to the officer and his supervisors. Once the alert is emailed to the recipients the Internal Affairs Investigator notates on the alert that an email was sent and the date. The supervisor shall review the alert and determine if everything is consistent with policy or if immediate action needs to be taken. The supervisor shall respond to the Internal Affairs email affirming their beliefs.

Internal Affairs Investigators sent out 150 alerts to recipients and received 19 documented supervisory responses. This shows a 12.67% compliance rate among supervisors who received alerts.

The 12.67% compliance rate reveals a major problem in Personnel Early Warning System. It exposes a disconnect between the supervisors and the system used to monitor and ultimately prevent unwanted behavior. We understand that IAPro helps in prevention but we also understand that the first persons to notice unwanted behavior are the coworkers and supervisors. That is how almost all of the Special Investigations and Internal Investigations are started.

# Personnel Early Warning System Review

There needs to be supervisory training implemented on the how to review the alerts, interpret the results and then, if necessary, modify the behavior of the officer. The supervisor needs to confirm the officer understands the meaning of the alert, that not every alert is negative, and what it reveals about their activity.



# Biased Base Profiling

Wilmington Police Department

## Initial Purpose of Traffic Stop by Driver's Sex, Race, and Ethnicity

Thursday, July 31, 2014

Report From 1/1/2013 through 12/31/2013

Purpose	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity
Checkpoint	F	19	13	0	1	0	33	2	31	33
Checkpoint	M	47	15	1	0	0	63	11	52	63
Driving While Impaired	F	21	6	0	0	0	27	0	27	27
Driving While Impaired	M	47	11	0	0	0	58	11	47	58
Investigation	F	149	88	0	0	1	238	10	228	238
Investigation	M	301	210	1	3	1	516	40	476	516
Other Motor Vehicle Violation	F	241	69	0	0	0	310	16	294	310
Other Motor Vehicle Violation	M	386	128	2	1	1	518	49	469	518
Safe Movement Violation	F	392	132	1	3	0	528	11	517	528
Safe Movement Violation	M	589	245	3	8	2	847	38	809	847
Seat Belt Violation	F	303	96	1	1	1	402	7	395	402
Seat Belt Violation	M	456	136	0	5	0	597	13	584	597
Speed Limit Violation	F	2710	688	3	21	2	3424	65	3359	3424
Speed Limit Violation	M	3074	845	12	37	9	3977	134	3843	3977
Stop Light/Sign Violation	F	335	128	1	12	1	477	13	464	477
Stop Light/Sign Violation	M	459	164	2	8	2	635	26	609	635
Vehicle Equipment Violation	F	750	578	1	6	3	1338	47	1291	1338
Vehicle Equipment Violation	M	1092	787	5	12	0	1896	70	1826	1896
Vehicle Regulatory Violation	F	1339	658	1	6	1	2005	43	1962	2005
Vehicle Regulatory Violation	M	1774	748	5	10	6	2543	86	2457	2543
FemaleTotal	F	6259	2456	8	50	9	8782	214	8568	8782
MaleTotal	M	8225	3289	31	84	21	11650	478	11172	11650
<b>Total</b>	<b>A</b>	<b>14484</b>	<b>5745</b>	<b>39</b>	<b>134</b>	<b>30</b>	<b>20432</b>	<b>692</b>	<b>19740</b>	<b>20432</b>

Wilmington Police Department

## Enforcement Action Taken by Driver's Sex, Race, and Ethnicity

Thursday, July 31, 2014

Report From 1/1/2013 through 12/31/2013

Action	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity
Citation Issued	Female	3367	949	5	24	4	4349	113	4236	4349
No Action Taken	Female	176	112	0	0	0	288	7	281	288
On-View Arrest	Female	85	23	1	0	0	109	3	106	109
Verbal Warning	Female	945	652	1	9	2	1609	29	1580	1609
Written Warning	Female	1686	720	1	17	3	2427	62	2365	2427
Written Warning	Male	2185	853	7	25	4	3074	79	2995	3074
Verbal Warning	Male	1441	927	9	16	5	2398	54	2344	2398
On-View Arrest	Male	177	143	0	2	0	322	22	300	322
No Action Taken	Male	270	191	0	1	2	464	15	449	464
Citation Issued	Male	4152	1175	15	40	10	5392	308	5084	5392
Female Total	Female	6259	2456	8	50	9	8782	214	8568	8782
Male Total	Male	8225	3289	31	84	21	11650	478	11172	11650
<b>Total</b>		<b>14484</b>	<b>5745</b>	<b>39</b>	<b>134</b>	<b>30</b>	<b>20432</b>	<b>692</b>	<b>19740</b>	<b>20432</b>

# Biased Base Profiling

Wilmington Police Department

## Drivers and Passengers Searched by Sex, Race, and Ethnicity

Thursday, July 31, 2014

Report From 1/1/2013 through 12/31/2013

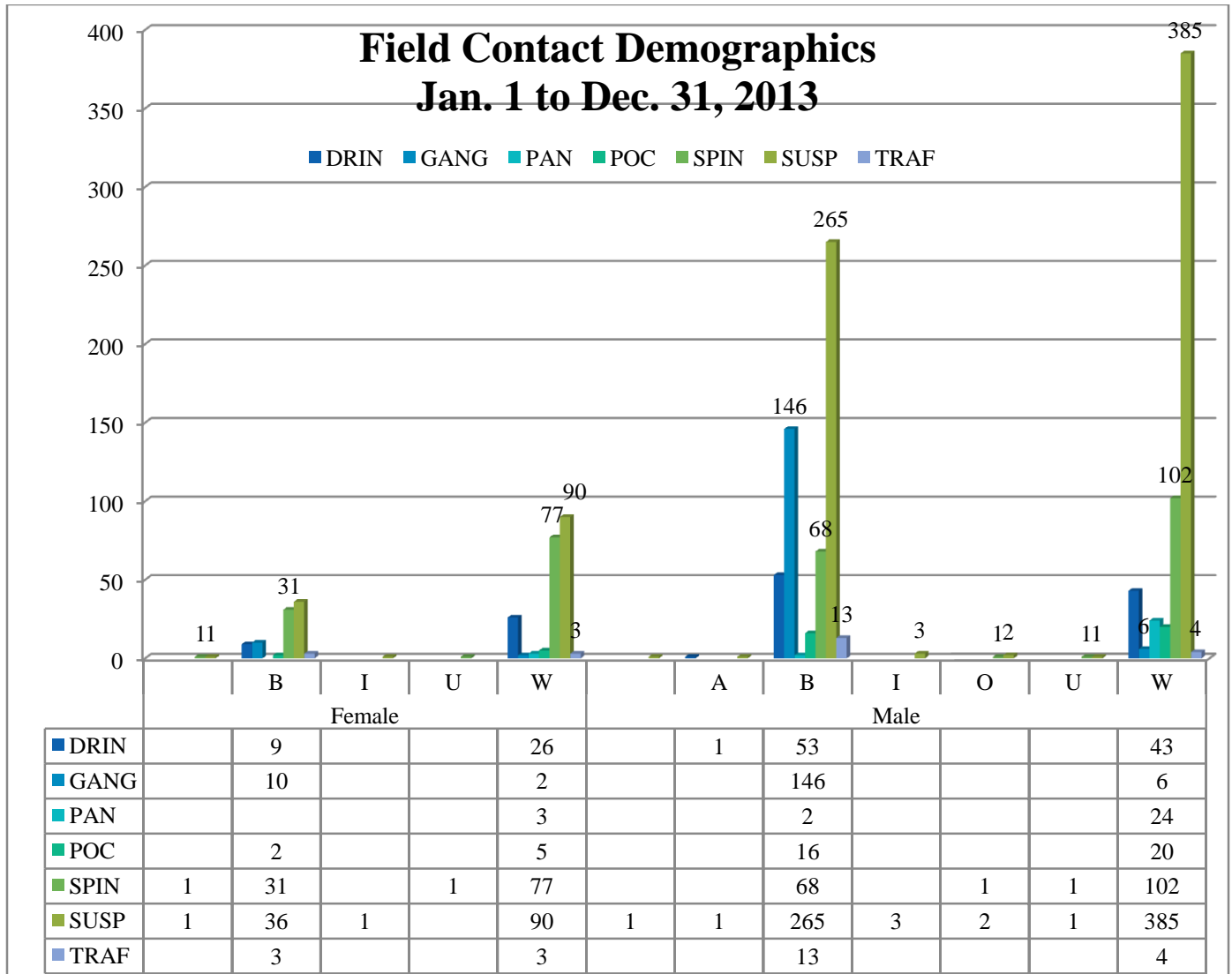
Type	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity	Total Stopped	Percent Searched
Driver	Female	111	74	1	0	0	186	6	180	185	8782	2.12
Driver	Male	287	367	0	2	0	656	19	637	654	11650	5.63
Passenger	Female	57	61	0	0	1	119	3	116	118	119	100.00
Passenger	Male	96	266	2	0	0	364	6	358	362	364	100.00
	Female	168	135	1	0	1	305	9	296	303	8901	3.43
	Male	383	633	2	2	0	1020	25	995	1016	12014	8.49

In 2013, Wilmington Police Officers conducted 23,973 traffic stops that required Biased Based Profiling forms. Not every traffic stop requires documentation according to state law, NCGS 114-10.01. Those traffic stops mainly concern vehicle checkpoints. All other traffic stops require the form to be submitted. The Wilmington Police Department submitted 20,432 from the 23,973 traffic stops. Those numbers reveal an 85.2% compliance rate among our officers.

There are multiple issues with the numbers in this summary. First, the number of 2013 traffic stops, 23,973, includes those from checkpoints and task force officers from other agencies. Currently there is no way to separate the numbers and all fall under the Wilmington Police Department. Also there are inconsistencies in reporting. The information on the chart above is from the North Carolina Department of Justice. The chart does contain some checkpoint information but it does not determine what type of checkpoint and by whom it was collected. Some checkpoints are just driver's license checkpoints which are put together with less planning than DWI checkpoints that are heavily scrutinized.

There were 15,893 traffic citations issued to drivers or passengers from the traffic stops. Some citations contained more than one offense. 6032 Written Warnings were issued to drivers or passengers for minor violations.

# Biased Base Profiling



In 2013, Wilmington Police Officers documented 1459 Field Contact Reports while interacting with citizens. The numbers show the race and gender for each group of categorized Field Contact Reports. These categories are the purpose of the contact with the citizen. The categories shown are:

- DRIN: Drug Investigations
- GANG: Gang
- PAN: Panhandling
- POC: Proximity to a Crime
- SPIN: Special Investigation
- SUSP: Suspicious Person
- TRAF: Traffic Stop for Suspicious Activity

The races are categorized as:

- A: Asian
- B: Black
- I: Indian
- O: Other
- U: Unknown
- W: White



# Biased Base Profiling

The race code “I” refers to American Indian. The race code “O” refers to an ethnicity that is not available in the pick list or the citizen is of multiple ethnicities. The race code “U” is unknown which means the officer did not ask or the citizen did not reveal.

Wilmington Police Officers document interactions with the public on a Field Contact Report. Field Contact Reports are entered into the system for different reasons. Some are completed on suspicious vehicles parked around the courthouse, businesses and public meeting areas or in a neighborhood. Some are filled out just to document a domestic issue at a particular residence. The main purpose for the Field Contact Report is safety and documentation. The information contained in a report may be irrelevant at the time but later analysis may prove the information extremely valuable. The same report could record a history of violence or other issues in an area that keep officers safe from harm. The data for the purpose of this report will only reflect officers’ interaction with citizens, not vehicles or locations, because the subject matter is Biased Based Profiling.

There were two Citizen Complaints categorized as Biased Based Policing. The first one was an allegation from a black female who accused a white male officer of pulling her over because she was black. She believed the officer ran her license plate, discovered she was black, and pulled her over for that reason alone. The entire encounter was recorded digitally and the complaint was unfounded.

The second citizen Complaint was over a warrant for a hit and run. The complainant believed the officer obtained a warrant for her son’s arrest based on his skin color and not that he was involved in a hit and run. The mother also complained that her son was threatened with a Taser and he was pulled down the stairs while handcuffed. The son never filed a complaint, the complainant refused an interview, and the event was recorded in the lobby of the police department and was unfounded.

In 2012 Wilmington Police conducted 25,402 traffic stops and 23,973 traffic stops in 2013. This is a decrease of 5.96%. For the 2012 annual report, there were 6041 Biased Based Profiling forms filled out by this agency. The numbers were so low that an audit was conducted of the Biased Based Profiling forms. This audit found several problems with the reporting system such as; electronic problems with MDT report submissions, written forms being filed in the wrong place and never being submitted to the state, and reports not being submitted to the State through our RMS system. When the audit was done and the problems were fixed the state posted new numbers for Wilmington Police Department. The total number for 2012 Biased Based Profiling report shows 9790 submitted to the state. This gives the officers a compliance rate 38.54% in 2012 compared to the 85.2% for 2013. This shows an increase of 46.66% in our compliance rate.

There is nothing in the 2012 Annual Report to compare the years of Field Contact Reports to 2013.

# 2013 Employee Grievances

According to Wilmington Administrative Policy 207, Employee Grievances are not allowed for disputes of pay, disciplinary actions, assignments or performance reviews. The grievance is submitted to the department director who review and determine validity of the grievance. The employee will receive the decision from the department director. If the employee is not satisfied they can appeal the decision to the Grievance Review Board who will examine all related documentation and submit their recommendations to the City Manager. The City Manager will make the final decision. There were two grievances filed in 2013.

The first grievance was filed over a dispute over the accrual of vacation time of a returning employee. The employee was rehired after leaving the police department. When the employee returned to the police department, his vacation accrual rate was calculated at the same rate as when he left. The error was discovered and the employee accrual rate was adjusted back to new employee status. This grievance was handled by Human Resources because it was not an issue that could be corrected by the police department. Vacation accrual is covered by Wilmington Administrative Policy 233, Vacation Leave. The grievance was resolved by the Grievance Review Board. They submitted their recommendation to the City Manager who made the final decision. The grievance was denied.

The second grievance was filed by an employee for a non-work related injury. The employee wanted his status filed under American with Disabilities Act. This grievance was forwarded to the Human Resources Department for initial review. The employee's grievance was reviewed and deemed to be an issue which cannot be grieved under city policy. It was in fact a worker's compensation issue and was handled through the worker's compensation process. The grievance was dismissed.



# Miscellaneous Provisions for Annual Synopsis

- There were no reported incidents of consular/diplomatic officials arrested or interacted with in 2013.
- There were no warning shots fired by Wilmington Police Officers in 2013.
- There were no amber alerts issued by members of the Wilmington Police Department in 2013.
- There were no deployments of stop sticks (TDD) in 2013.
- There were no road blocks/forcible stops performed by Wilmington Police Employees in 2013.
- There were no requests for Federal or National Guard Assistance in 2013.

