



# 2014 Internal Affairs Annual Report



We Work for You



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# Chief's Foreword



We Work for You

*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.

We welcome you to review our 2014 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.

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.

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". The signature is written in a cursive style.

Ralph M. Evangelous  
Chief of Police

# Note from Internal Affairs Commander



We Work for You

For 21 years 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. David Oyler  
Internal Affairs Division Commander



# 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 Mission Statement



Partnership with the community



Respect for human dignity



Organizational excellence and accountability



Teamwork approach to problem solving



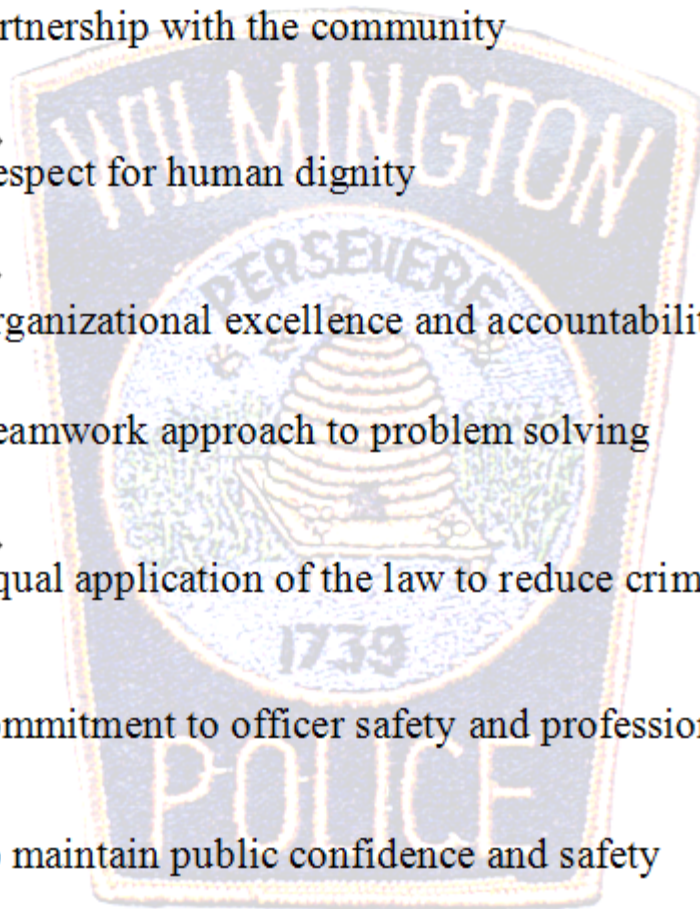
Equal application of the law to reduce crime



Commitment to officer safety and professionalism



To maintain public confidence and safety



# Community Demographic Data



| City of Wilmington   | Wilmington Police Officers   | Wilmington Police Civilians   |
|--|--|---|
| <ul style="list-style-type: none"> <li>•Population 112,067</li> <li>•Male 47.8%</li> <li>•Female 52.2%</li> <li>•Caucasian 70.8%</li> <li>•African American 19.9%</li> <li>•Hispanic 6.1%</li> <li>•Asian 1.2%</li> <li>•American Indian 0.5%</li> </ul> | <ul style="list-style-type: none"> <li>•Officers 254</li> <li>•Male 81%</li> <li>•Female 19%</li> <li>•Caucasian 81%</li> <li>•African American 12%</li> <li>•Hispanic 4%</li> <li>•Asians 2%</li> <li>•American Indians 1%</li> </ul> | <ul style="list-style-type: none"> <li>•Civilians 60</li> <li>•Male 27%</li> <li>•Female 73%</li> <li>•Caucasian 68%</li> <li>•African American 27%</li> <li>•Hispanic 3%</li> <li>•American Indian 2%</li> </ul> |

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

# Call Load / Internal Investigative Volume



## 2014

Calls for Service: **174,152**

% of calls resulting in complaint: **.04%**

| 2014 Investigations     | Total     | On Duty   | Off Duty |
|-------------------------|-----------|-----------|----------|
| Complaints              | 46        | 43        | 3        |
| Internal Investigations | 13        | 11        | 2        |
| Special Investigations  | 19        | 18        | 1        |
| <b>Total</b>            | <b>78</b> | <b>72</b> | <b>6</b> |

## 2013

Calls for Service: **178,027**

% of calls resulting in complaint: **.05%**

| 2013 Investigations     | Total     | On Duty   | Off Duty |
|-------------------------|-----------|-----------|----------|
| Complaints              | 50        | 50        | 0        |
| Internal Investigations | 21        | 20        | 1        |
| Special Investigations  | 25        | 25        | 0        |
| <b>Total</b>            | <b>96</b> | <b>95</b> | <b>1</b> |

**Summary:** Complaints, Internal Investigations, and Special Investigations have decreased in 2014. The largest percentages of sustained policy violations were initiated through a supervisor investigation. These Special Investigations had an 96% sustained policy violation rate. This shows that Division Commanders are holding their officers accountable.



# 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 exhaustive 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 federal, state and local laws and ordinances. The Wilmington Police Department Policy Manual is accessible to all police personnel. There are 86 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.

# 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.

# Investigation Types



- **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. Due to personnel laws, a complainant is not notified of the specific 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.

# Citizen Complaint Investigations

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# Citizen Complaint Investigations

In 2014 Internal Affairs received 46 Citizens Complaints revealing 75 allegations of policy violations. The chart on the following page 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:**

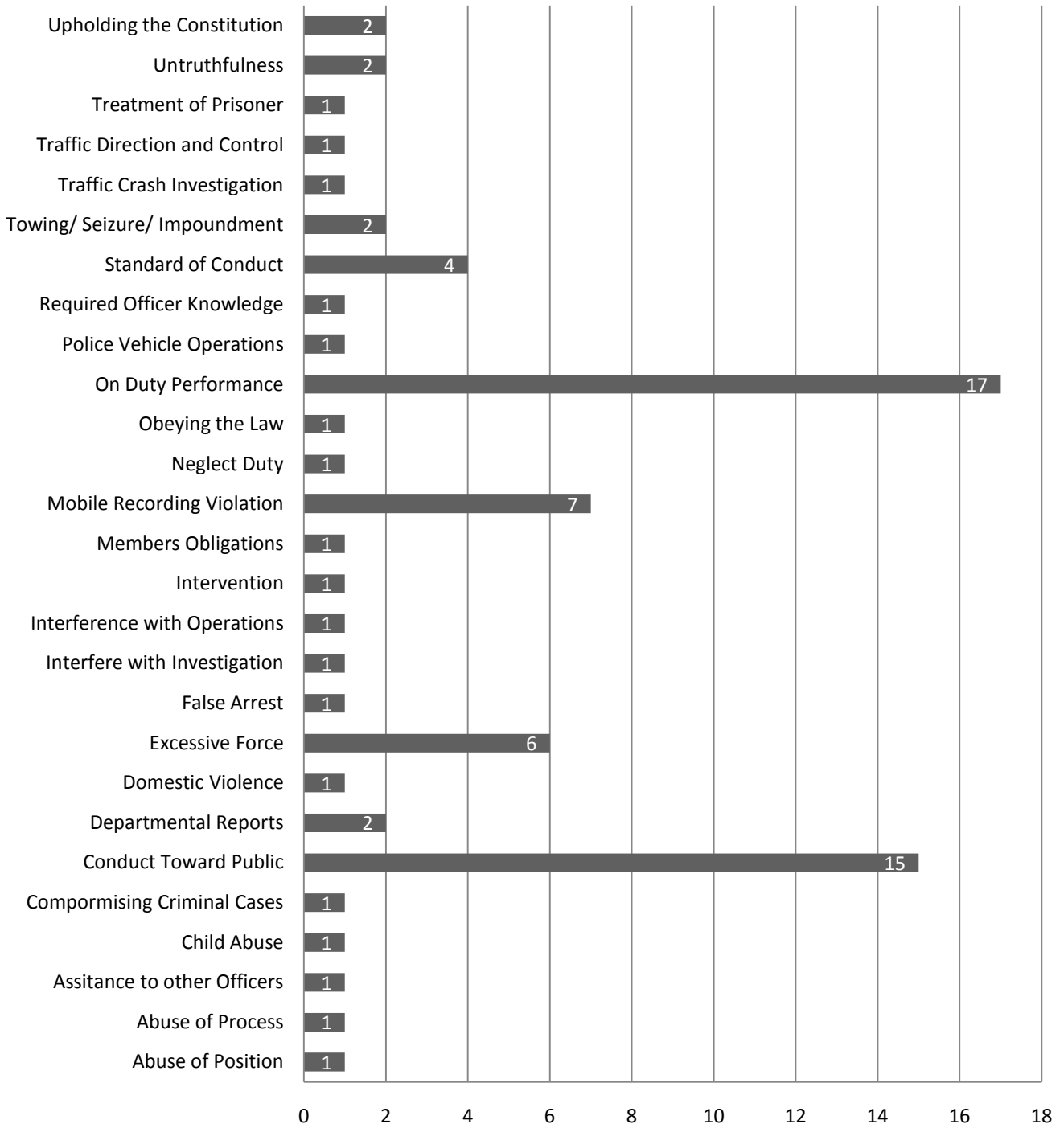
The complaint states: *The officers laughed at my predicament and did not want to help me gather my belongings before taking me to jail. I did not agree with the charges.*

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 since that is a matter for the courts.

Four of the 46 Citizen Complaints were not investigated. Two of the complaints were so general in nature that they could not be investigated. The two complaints alleged that Wilmington Police harassed them all the time. However neither was able to give one instance of actual contact with the police. One complaint was against the North Carolina Highway Patrol but she thought it was the Wilmington Police. The other complaint was against an employee working for a different agency as well.

# Citizen Complaint Investigations

## 2014 Classifications of Policy Violations

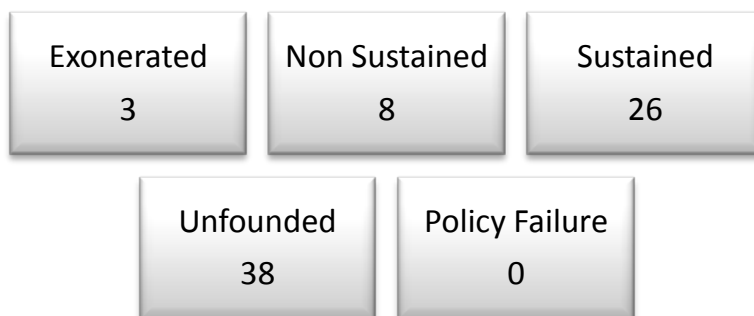


# Citizen Complaint Findings

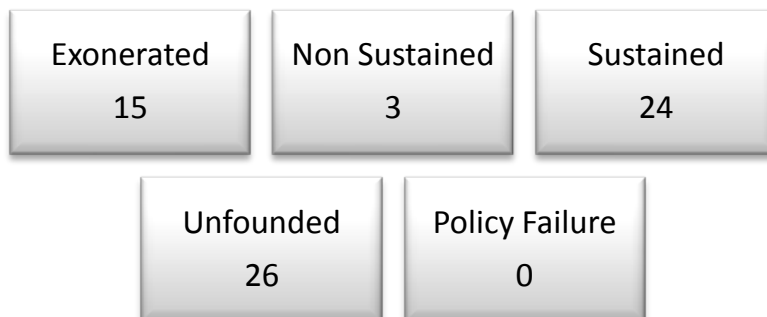
Forty-six citizen complaints were received by Internal Affairs in 2014. A slight decrease from the 50 Citizen Complaints filed last year. The 46 Citizen Complaints filed in 2014 contained 75 allegations of policy violations that were classified. The 75 allegations of policy violations were investigated and concluded with 75 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.

## 2014 Complaint Dispositions (75)



## 2013 Complaint Dispositions (68)



Internal Investigations

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# Internal Investigations

## Internal Investigations 2014

|                           |    |
|---------------------------|----|
| Assisting Criminals       | 1  |
| DCI Violation             | 1  |
| Obeying the Law           | 1  |
| On-Duty Performance       | 1  |
| Standard Of Conduct       | 4  |
| Upholding Constitution    | 2  |
| Use of Force              | 1  |
| Officer Involved Shooting | 2  |
| *Total                    | 13 |

## Internal Investigations 2013

|                              |    |
|------------------------------|----|
| Recruitment and Selection    | 1  |
| Officer Involves Shootings   | 5  |
| Standard Of Conduct          | 2  |
| On Duty Performance          | 3  |
| Canine Policy                | 2  |
| Neglect of Duty              | 1  |
| Evidence Control             | 1  |
| Insubordination              | 1  |
| Obeying the Law              | 1  |
| Excessive Force              | 2  |
| Dissemination of Information | 2  |
| *Total                       | 21 |

Internal Affairs conducted 13 internal investigations in 2014. The number of investigations decreased by 38% since 2013. The types of investigations also changed. The decrease is attributed to a decrease in calls for service, employee audits, and supervisory training.

*\*One investigation could contain multiple alleged violations.*

# Internal Investigations Classifications

The thirteen Internal Investigations conducted by Internal Affairs revealed 41 allegations of policy violations. An Internal Investigation may have started with one or more allegations and through the investigation other violations were revealed. 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 allegations 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 differ 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. No one can compel an ex-employee to cooperate with an Internal Investigation. Another discrepancy in dispositions in Internal Investigations findings is when an officer is 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 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 2014 Internal Investigation.

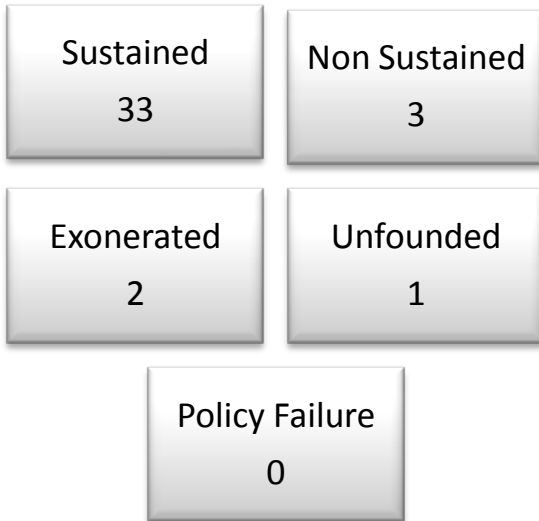
While the number of overall internal investigations declined by 38% the number of alleged violations linked to those investigations also decreased by 39% in 2014. This decrease is attributed to continued employee audits and training.

| 2014 Alleged Policy Violations | Number |
|--------------------------------|--------|
| Abuse of Position              | 3      |
| Assisting Criminals            | 1      |
| Conduct Towards the Public     | 1      |
| Criticism                      | 1      |
| Insubordination                | 1      |
| Intervention                   | 1      |
| Member’s Obligation            | 1      |
| Mobile Video Recording         | 3      |
| Obeying the Law                | 5      |
| On Duty Performance            | 3      |
| Reporting Criminal Behavior    | 1      |
| Standard of Conduct            | 7      |
| Treatment of Prisoners         | 2      |

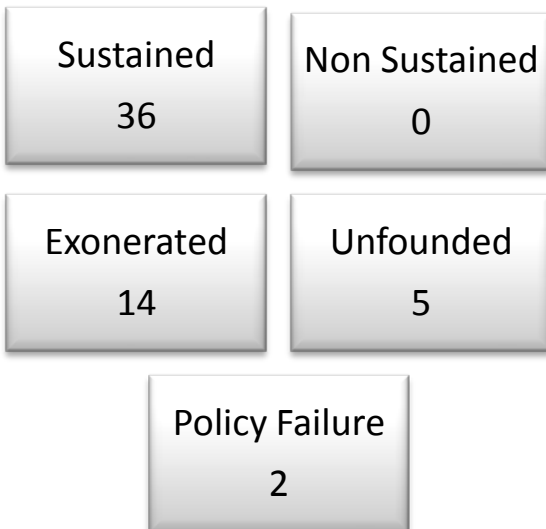
| 2014 Alleged Policy Violations | Number    |
|--------------------------------|-----------|
| Untruthfulness                 | 2         |
| Upholding the Constitution     | 6         |
| Use of Force                   | 3         |
| <b>Total</b>                   | <b>41</b> |

# Internal Investigations Findings

## 2014 Internal Investigations Dispositions (39)



## 2013 Internal Investigations Dispositions (55)



Of the 13 Internal Affairs Investigations there were two pending. From that total there were 39 dispositions for the 41 allegations of policy violations.

Special Investigations

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# Special Investigations

## 2014 Special Investigations Allegations

|                                       |          |
|---------------------------------------|----------|
| <b>Absence from Duty</b>              | <b>1</b> |
| Commending & Reprimanding             | 1        |
| Courtesy                              | 3        |
| Criticism                             | 2        |
| Departmental Reports                  | 2        |
| Disseminate Information               | 2        |
| Emergency Response                    | 1        |
| Insubordination                       | 2        |
| Members Obligation                    | 1        |
| Misuse City Equipment                 | 1        |
| On-Duty Performance                   | 6        |
| Police Vehicle Operation              | 1        |
| Prisoner Release                      | 1        |
| Radio Communications                  | 1        |
| Reporting for Duty                    | 1        |
| Sexual Harassment                     | 1        |
| Standard of Conduct                   | 6        |
| Untruthfulness                        | 1        |
| Total                                 | *34      |
| *Some SI contain Multiple allegations |          |

## 2013 Special Investigations Allegations

|                                       |          |
|---------------------------------------|----------|
| <b>Attendance</b>                     | <b>3</b> |
| Availability on Duty                  | 1        |
| Courtesy                              | 1        |
| Courtroom Testimony                   | 1        |
| Criticism                             | 2        |
| Departmental Reports                  | 2        |
| Domestic Violence                     | 5        |
| Firearms 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        |
| Standard of Conduct                   | 2        |
| Use of Equipment                      | 6        |
| Total Allegations                     | *45      |
| *Some SI contain Multiple allegations |          |

In 2014 there were 19 Special Investigations conducted. Most of the Special Investigations were conducted at their respective division level. The alleged policy violations linked to those investigations are categorized in the adjacent charts.

The number of special investigations decreased by 24% in 2014.

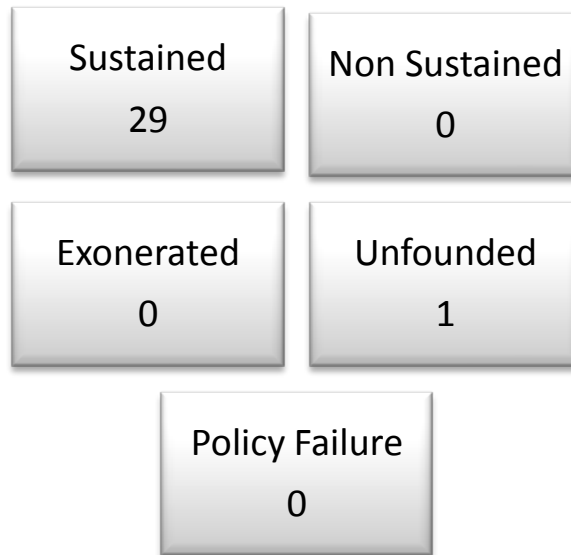
The types of investigations also expanded. Within the 19 Special Investigations there were 34 allegations of policy violations. One officer resigned during the investigation leaving no dispositions for their policy violations. This is the reason for only 30 dispositions.

# Special Investigations

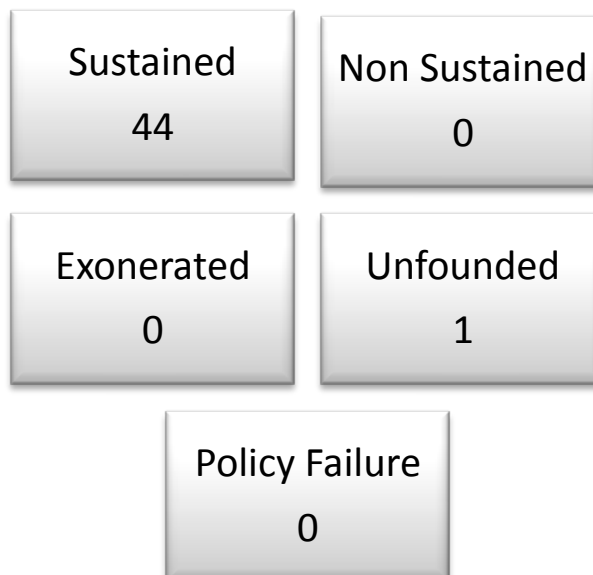
## Special Investigations Dispositions

There were 30 dispositions to the 34 allegations of policy violations stemming from the 19 Special Investigations for 2014. One officer resigned during the investigation leaving no dispositions for their policy violations. This is the reason for only 30 dispositions.

### 2014 Special Investigations Dispositions (30)



### 2013 Special Investigations Dispositions (45)



# Internal Affairs Summary



| <b>2014</b>             | <b>Cases</b> | <b>Allegations of Policy Violations</b> | <b>Dispositions</b> |
|-------------------------|--------------|---|---------------------|
| Citizen Complaints      | 46           | 75                                      | 75                  |
| Internal Investigations | 13           | 41                                      | 39*                 |
| Special Investigations  | 19           | 34                                      | 30**                |
| <b>Total</b>            | <b>78</b>    | <b>150</b>                              | <b>144</b>          |

\* Two dispositions are pending investigations

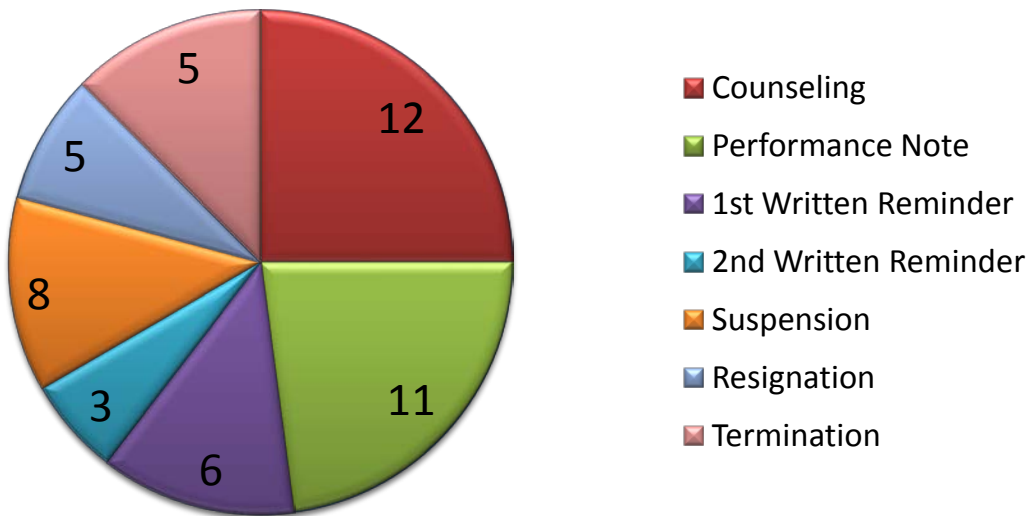
\*\* Four dispositions are not reported under Special Investigations because an officer resigned prior to the completion of one of the investigations.

# Disciplinary Summary

Specific disciplinary actions taken against an employee as a result of a Citizen Complaint, Internal Investigation, and 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 2014. 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 resignations of Wilmington Police employees who were under scrutiny by Internal Affairs.

## 2014 Corrective Actions



The previous information from the investigative summaries revealed 29 sustained Special Investigations, 33 sustained Internal Investigations and 26 sustained Citizen Complaints totaling 88 policy violations. The chart shows 48 corrective actions to WPD employees. As previously stated, there may be multiple allegations for one employee.



Use of Force

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# Use Of Force

In an effort to comply with CALEA standards and to adequately record Use of Force data we assessed Use of Force protocols with other accredited agencies across the state. There is no National Standard as to what defines a Use of Force. However, our assessment showed that the way the Wilmington Police Department has traditionally defined Use of Force is much broader than the definition used by other agencies. For example: The Wilmington Police Department Use of Force policy requires officers to complete a Use of Force report anytime they display a firearm. Other agencies only require officers to report when a firearm is pointed at an individual. This difference in how data is reported has inflated our Use of Force numbers.

As a result of our state-wide assessment, we have decided from this point forward to re-draft the Use of Force policy to redefine how WPD reports of Use of Force data.

In 2014, there were 197 documented use of force incidents compared to 232 documented uses of force in 2013. There were five use of force policy violations for 2014 compared to none in 2013. This means 2.5 % percent of the force used in 2014 was inconsistent with WPD policy and guidelines. Those five incidents were investigated.

## **2014**

Total number of Use of Force Incidents: **197**

Total number of physical arrests: **4,965**

Percentage of arrests requiring force to be used: **3.96%**

## **2013**

Total number of Use of Force Incidents: **232**

Total number of physical arrests: **5,648**

Percentage of arrests requiring force to be used: **4.01%**

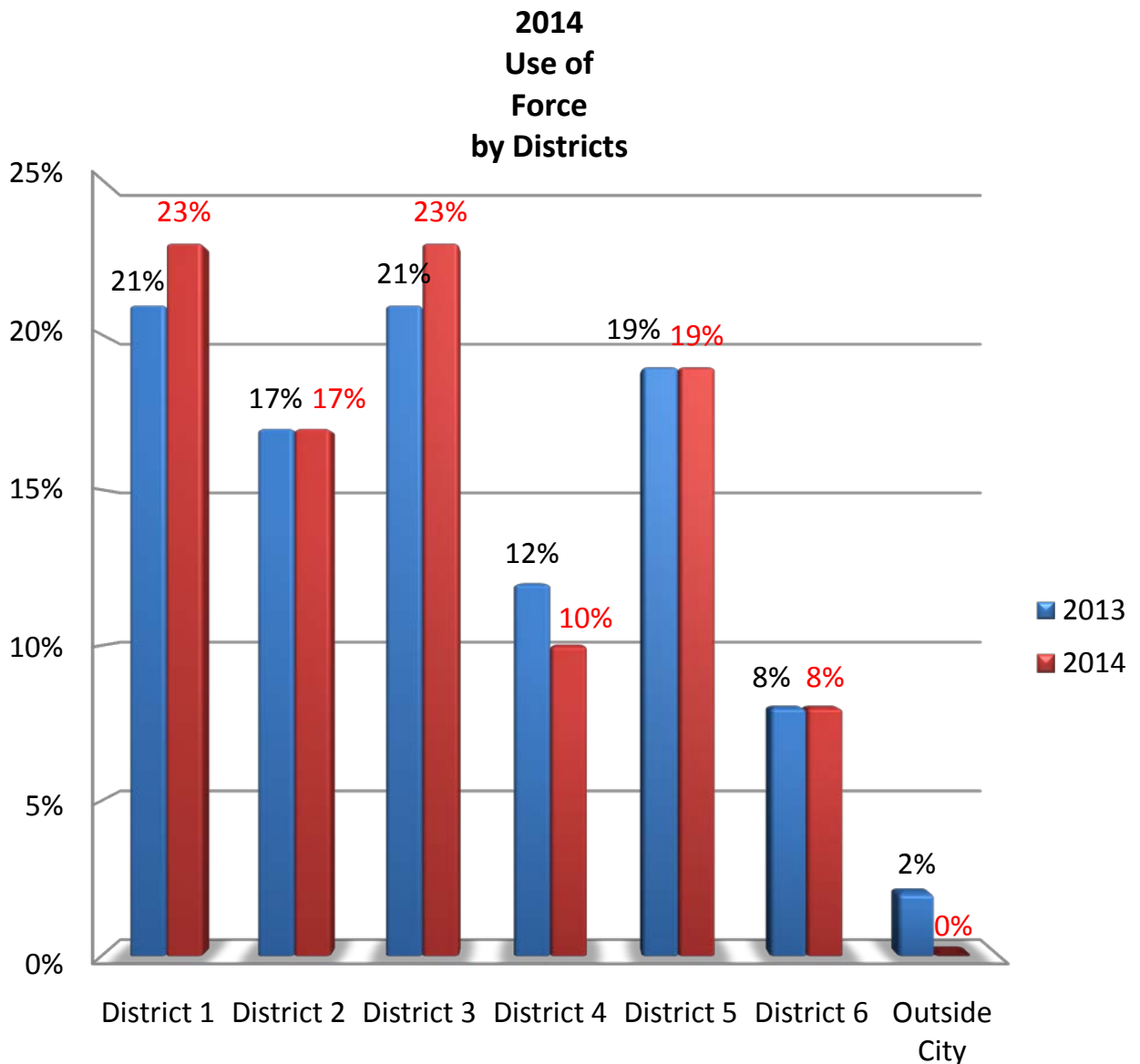
In 2014, we used the number of physical arrests to accurately reflect WPD's use of force numbers. For a comparison, the 2013 numbers were also amended. These numbers do not capture criminal summons and multiple charges resulting from one arrest.

Ninety six percent of the arrests made by Wilmington Police Officers are accomplished without the use of any force.

WPD Officers responded to 174,152 calls for service in 2014 and used force on 197 occasions. This means that WPD officers did not use force on 99.9% of the calls for service.

# Use Of Force by District

There was a 15.08% decrease in documented use of force incidents between 2013 and 2014. There are several factors that have contributed to this decrease. Calls for Police Service went down by 2.18% from the previous year, Part 1 crimes declined by 6% and lastly overall arrests went down by 12.09%.

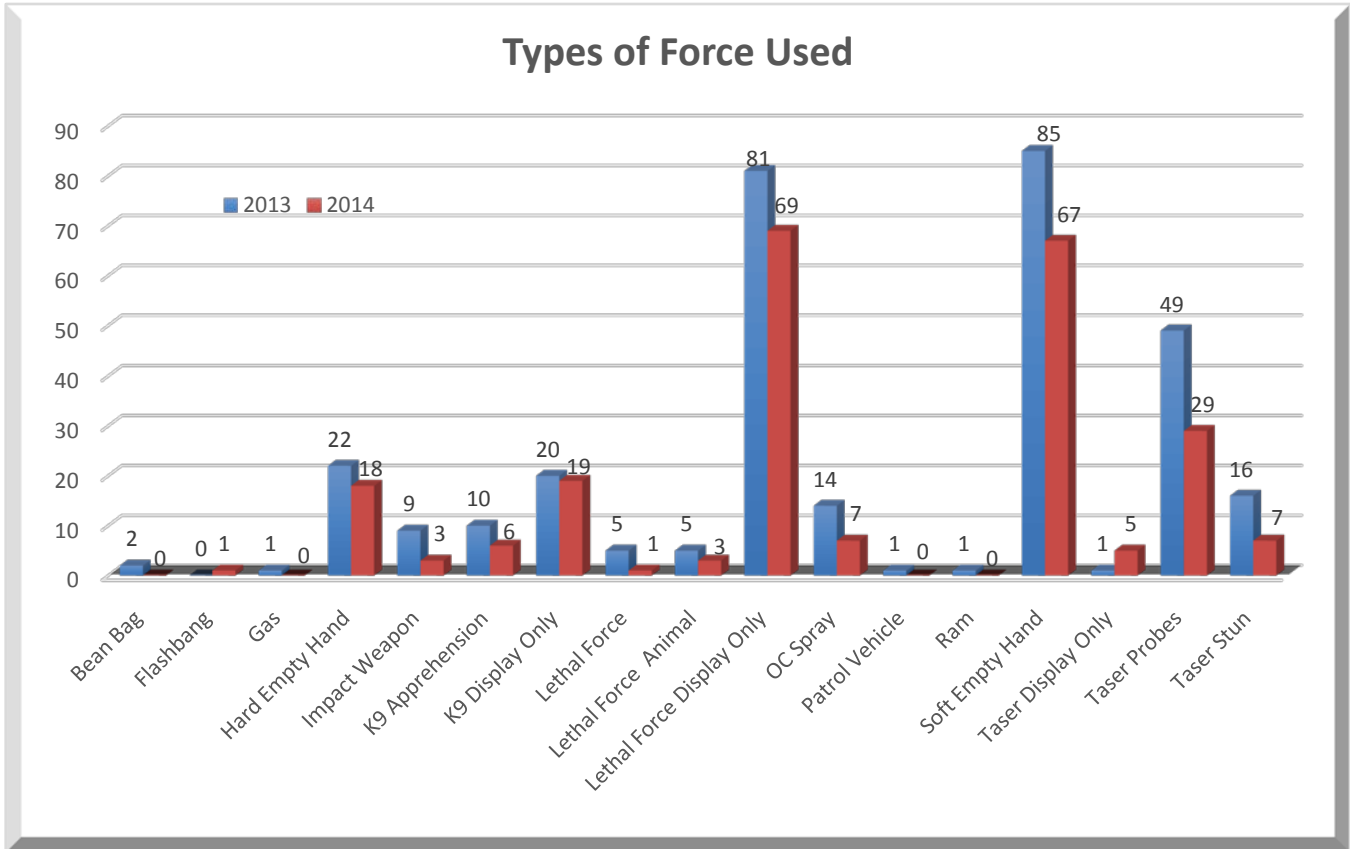


In 2014 there was minimal or no change in the use of force in each district.

# Use Of Force

## Type of Force Used

This chart reflects the type of force used by officers. There is a decrease in every force option except for displaying the Taser.



# Use Of Force

## Reasons for Use of Force

| Reason for Use of Force         | Number of Uses |
|---------------------------------|----------------|
| Armed Suspect                   | 2.99%          |
| Arrest                          | 2.49%          |
| Assault LEO                     | 4.98%          |
| Assaulting Others               | 2.99%          |
| Attempted to Flee               | 11.94%         |
| Dangerous Animals               | 1.99%          |
| Failing to Comply with Commands | 2.99%          |
| Fleeing to Elude                | 1.49%          |
| High Risk Vehicle Stop          | 6.47%          |
| LF Animal                       | 0.99%          |
| Mental Commitment               | 1.99%          |
| Other/No Entry                  | 2.49%          |
| Possible Mental Subject         | 0.49%          |
| Resist, Delay, Obstruct         | 18.4%          |
| Resist Arrest                   | 19.9%          |
| Search Warrant Execution        | 0.99%          |
| Suicidal Subject                | 0.49%          |
| Suspect Dangerous Subject       | 6.97%          |
| Suspected Weapon                | 5.47%          |
| Warrant Service                 | 3.48%          |

This chart reveals the reasons why officers used force. This chart is replacing the “Use of Force Effectiveness” chart from 2013. We feel it is more important to know why the police officers use force rather than the effectiveness of a force option. Percentage is the unit of measure for this chart.

Resisting Arrest and Resist, Delay, Obstruct seem to have the highest percentages. The explanation for the high percentages and descriptions is necessary to understand the meaning. “Resist, Delay, Obstruct” for the reason of force used is usually when a suspect is running from the officer. It is usually a more passive resistance than violent. The “Resist Arrest” is when a suspect actively uses physical force to prevent the arrest. “Assault LEO” is when the suspect assaulted the officer trying to harm the officer before or during the arrest.

Officers were assaulted 31 times during use of force incidents while making arrest. This means that 15.4% of the times the officers were assaulted by the suspect actively attacking the officer during the arrest.

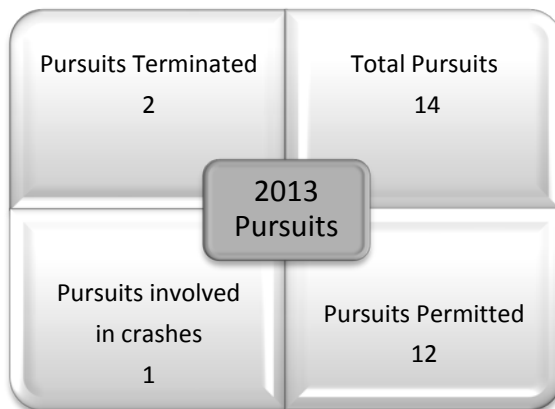
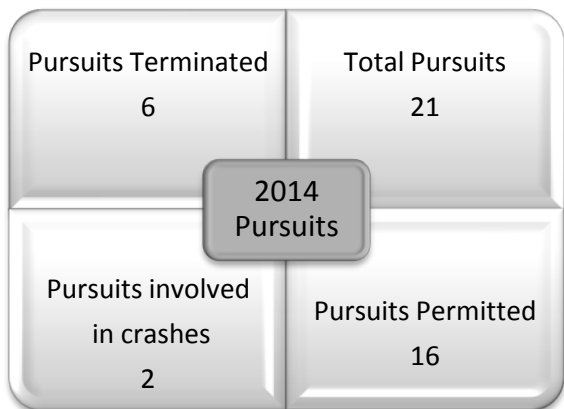
Police Pursuits

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# Police Pursuits

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



|                   |    |
|-------------------|----|
| <b>2014</b>       |    |
| Approved          | 16 |
| Policy Violations | 5  |

|                   |    |
|-------------------|----|
| <b>2013</b>       |    |
| Approved          | 13 |
| Policy Violations | 1  |

In 2014 there were 2 crashes from the 21 pursuits in which the fleeing vehicle was damaged. All of the 2014 pursuits lasted an average of 2 minutes in duration with an average speed of 55 MPH.

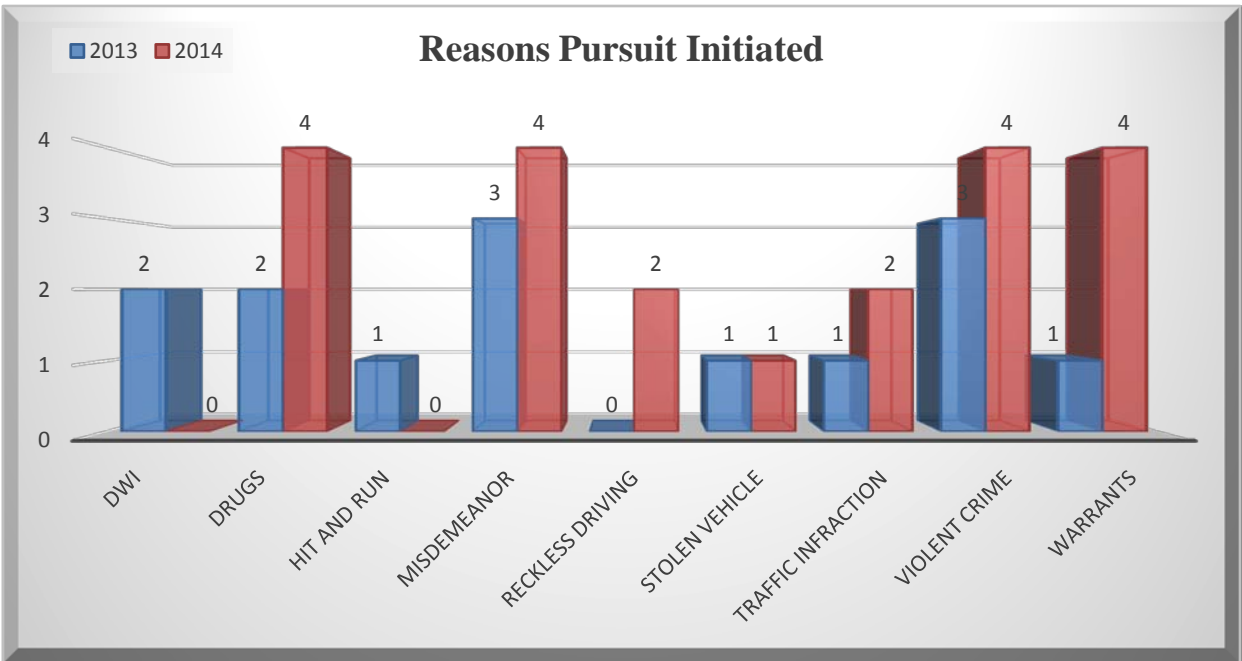
The policy is very clear on when a pursuit is allowed, type of vehicles used, considerations when deciding to pursue and terminating the pursuit. The policy details the responsibility of the officer, supervisor and communications. With all of these procedures in place human error will occur. It is up to the individual officers, their supervisors and command staff to monitor pursuits. For 2014 there were 5 violations of the pursuit policy but not a policy failure. No revisions to the policy are necessary at this time. Four out of the five pursuit policy violations were committed by officers with less than two years on the police department.

WPD Supervisors documented each vehicle pursuit on a Post Action Report that was forwarded to Professional Standards in compliance with policy.

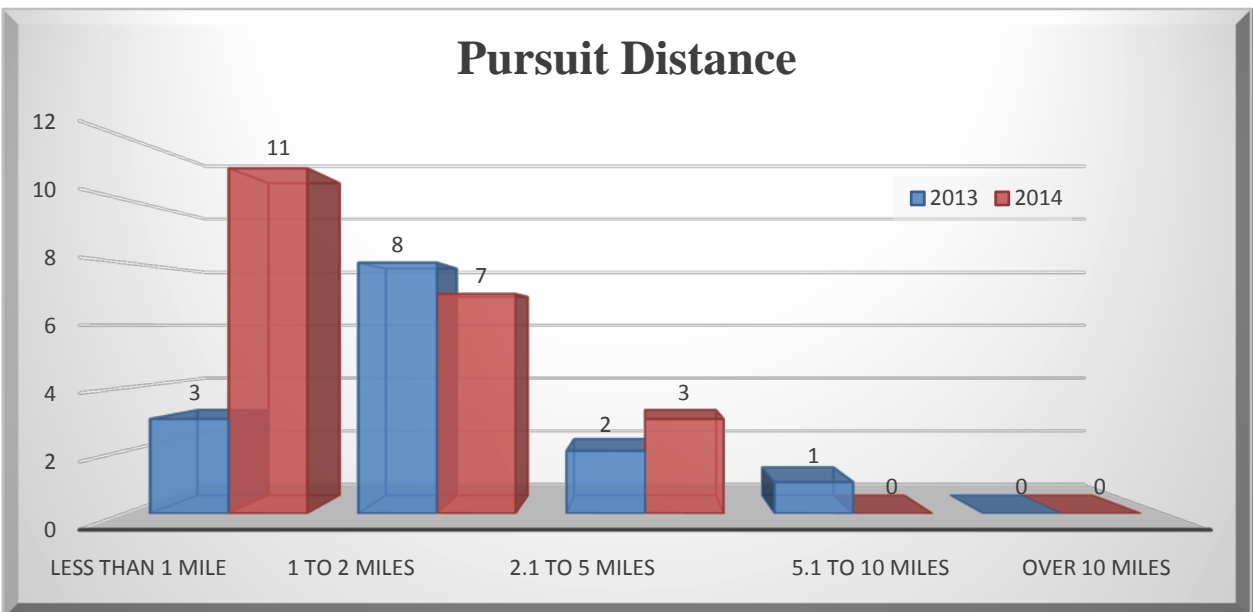
# Police Pursuits

## Analysis

There were 21 pursuits in 2014 compared to 14 pursuits in 2013. This represents seven more pursuits than in 2014.



This chart reveals an increase in pursuits for almost every category except Driving While Impaired and Hit and Run.

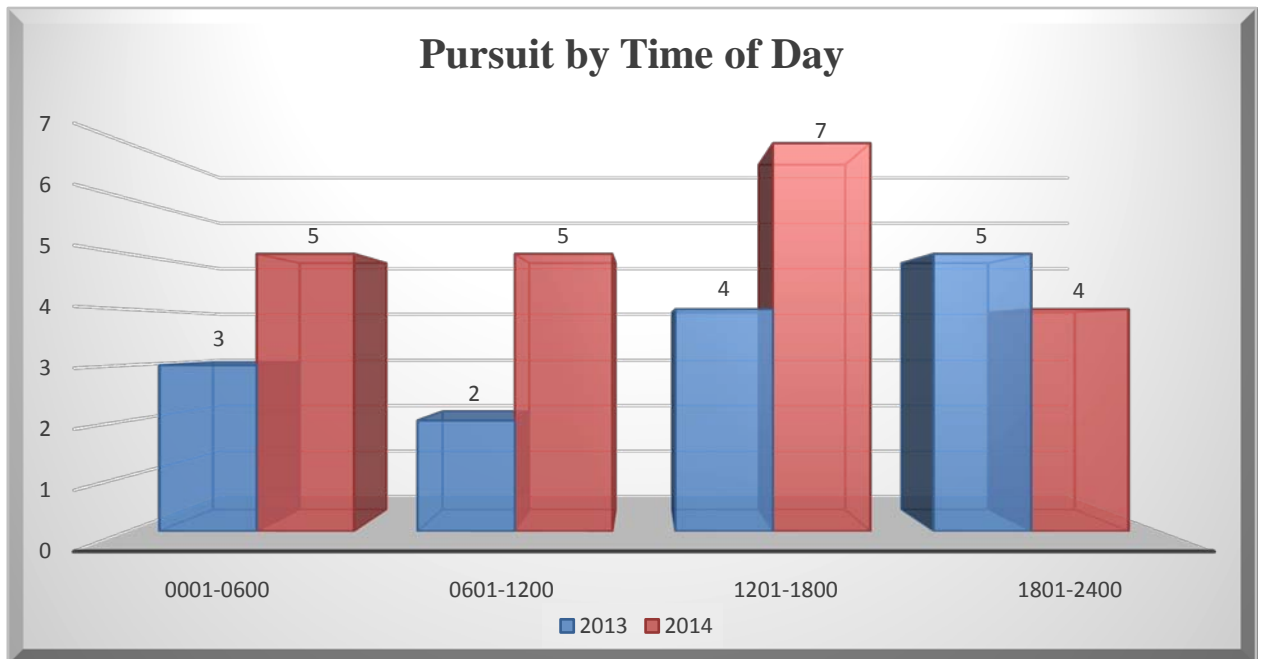


There were eight more pursuits that lasted less than a mile. The rest of the distances stayed relatively close to their 2013 numbers.

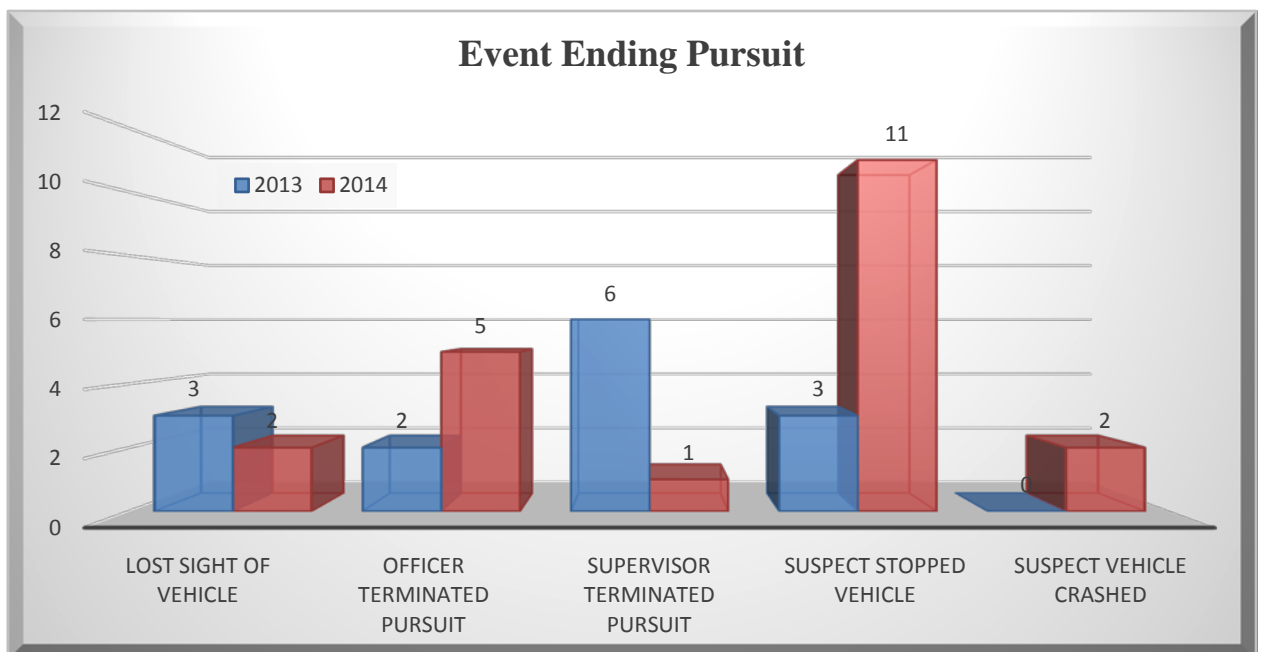


# Police Pursuits

## Analysis



The majority of police pursuits took place in the morning and afternoon hours but more evenly distributed compared to 2013.



Eleven of the pursuits, compared to three in 2013, were ended when the suspect stops the vehicle, jumps out, and runs in an attempt to elude the police. The decrease for 2014 is supervisors terminating pursuits, which is 5 fewer than 2013. Officers terminated pursuits more than in 2013. This can be attributed to in service driving training in 2014.

# 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 2014 there were 136 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 their respective 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 the alert incident is consistent with policy or if immediate action needs to be taken. The supervisor shall respond to the Internal Affairs email to notify them of their findings.

In 2014, WPD supervisors responded to 94 of the alerts resulting in a 69% compliance rate. This is a significant increase from the 2013 compliance rate of 12.6%. It appears additional training is needed for supervisors regarding the personnel early warning system. The supervisor needs to confirm the officer understands the alert and what it reveals about their activity.

Biased Based Policing

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We Work for You

# 2014 Biased-Based Profiling Annual Analysis

Wilmington Police Department

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

Tuesday, April 07, 2015

Report From 1/1/2014 through 12/31/2014

| Action          | Gender | White        | Black       | Native American | Asian      | Other     | Total By Race | Hispanic   | Non Hispanic | Total By Ethnicity |
|-----------------|--------|--------------|-------------|-----------------|------------|-----------|---------------|------------|--------------|--------------------|
| Citation Issued | Female | 2997         | 931         | 11              | 29         | 2         | 3970          | 109        | 3861         | 3970               |
| No Action Taken | Female | 149          | 174         | 0               | 5          | 0         | 328           | 6          | 322          | 328                |
| On-View Arrest  | Female | 68           | 42          | 0               | 1          | 0         | 111           | 3          | 108          | 111                |
| Verbal Warning  | Female | 922          | 663         | 1               | 12         | 0         | 1598          | 25         | 1573         | 1598               |
| Written Warning | Female | 1382         | 628         | 9               | 7          | 1         | 2027          | 44         | 1983         | 2027               |
| Written Warning | Male   | 1686         | 765         | 2               | 20         | 3         | 2476          | 67         | 2409         | 2476               |
| Verbal Warning  | Male   | 1374         | 941         | 10              | 10         | 5         | 2340          | 73         | 2267         | 2340               |
| On-View Arrest  | Male   | 213          | 141         | 1               | 1          | 1         | 357           | 27         | 330          | 357                |
| No Action Taken | Male   | 268          | 233         | 0               | 6          | 0         | 507           | 16         | 491          | 507                |
| Citation Issued | Male   | 3565         | 1263        | 16              | 34         | 6         | 4884          | 297        | 4587         | 4884               |
| Female Total    | Female | 5518         | 2438        | 21              | 54         | 3         | 8034          | 187        | 7847         | 8034               |
| Male Total      | Male   | 7106         | 3343        | 29              | 71         | 15        | 10564         | 480        | 10084        | 10564              |
| <b>Total</b>    |        | <b>12624</b> | <b>5781</b> | <b>50</b>       | <b>125</b> | <b>18</b> | <b>18598</b>  | <b>667</b> | <b>17931</b> | <b>18598</b>       |

Wilmington Police Department

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

Tuesday, April 07, 2015

Report From 1/1/2014 through 12/31/2014

| Type      | Gender | White | Black | Native American | Asian | Other | Total By Race | Hispanic | Non Hispanic | Total By Ethnicity | Total Stopped | Percent Searched |
|-----------|--------|-------|-------|-----------------|-------|-------|---------------|----------|--------------|--------------------|---------------|------------------|
| Driver    | Female | 71    | 74    | 0               | 1     | 0     | 146           | 3        | 143          | 145                | 8034          | 1.82             |
| Driver    | Male   | 217   | 261   | 1               | 1     | 0     | 480           | 23       | 457          | 478                | 10564         | 4.54             |
| Passenger | Female | 57    | 42    | 1               | 0     | 0     | 100           | 5        | 95           | 99                 | 100           | 100.00           |
| Passenger | Male   | 55    | 162   | 1               | 0     | 1     | 219           | 2        | 217          | 217                | 219           | 100.00           |
|           | Female | 128   | 116   | 1               | 1     | 0     | 246           | 8        | 238          | 244                | 8134          | 3.02             |
|           | Male   | 272   | 423   | 2               | 1     | 1     | 699           | 25       | 674          | 695                | 10783         | 6.48             |

In 2014, Wilmington Police Officers conducted 21,465 traffic stops. Some of those traffic stops required Biased Based Profiling forms. Not every traffic stop requires documentation according to state law, NCGS 114-10.01. Some traffic stops associated with vehicle checkpoints do not need Biased Based Profiling forms. All other traffic stops require the form to be submitted. The Wilmington Police Department submitted 18,621 Profiling forms but the state shows it only received 18,598. The submitted 18,621 Profiling forms from the 21,465 traffic stops reveal an 87% compliance rate among our officers. However this compliance rate should be statistically higher.

There are multiple issues with the numbers in this summary. First, the number of 2014 traffic stops, 21,465, which 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.

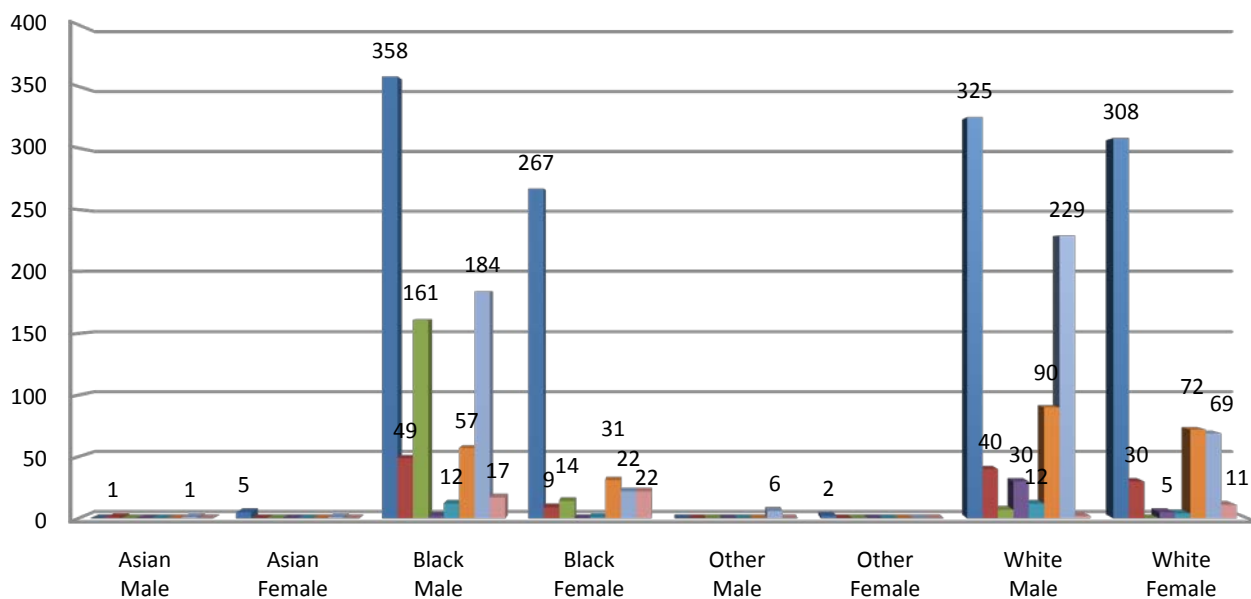
# 2014 Biased-Based Profiling Annual Analysis

Some checkpoints are just driver's license checkpoints which are put together with less planning than DWI checkpoints which are heavily scrutinized. Also the discrepancy is caused from using two separate systems to collect data. For traffic stops data collection we rely on the CAD software from New Hanover County 911 Center. For Biased Base Profiling data we use OSSI Pistol RMS software. The difference in the collection methods leaves room for errors.

There were 14,843 traffic citations issued to drivers or passengers from the traffic stops. Some citations contained more than one offense. Officers also wrote 4,840 Written Warnings to drivers or passengers for minor violations.

In 2014, Wilmington Police Officers documented interactions with citizens on 2,456 Field Contact Reports. 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.

**2014 Field Contacts Demographics**



|      | Asian Male | Asian Female | Black Male | Black Female | Other Male | Other Female | White Male | White Female |
|------|------------|--------------|------------|--------------|------------|--------------|------------|--------------|
| DOMV | 0          | 5            | 358        | 267          | 0          | 2            | 325        | 308          |
| DRIN | 1          | 0            | 49         | 9            | 0          | 0            | 40         | 30           |
| GANG | 0          | 0            | 161        | 14           | 0          | 0            | 7          | 0            |
| PAN  | 0          | 0            | 2          | 0            | 0          | 0            | 30         | 5            |
| POC  | 0          | 0            | 12         | 1            | 0          | 0            | 12         | 4            |
| SPIN | 0          | 0            | 57         | 31           | 0          | 0            | 90         | 72           |
| SUSP | 1          | 1            | 184        | 22           | 6          | 0            | 229        | 69           |
| TRAF | 0          | 0            | 17         | 22           | 0          | 0            | 2          | 11           |

The categories shown are:

- DOMV: Domestic Violence
- PAN: Panhandling
- SPIN: Special Investigation
- TRAF: Traffic Stop for Suspicious Activity

- GANG: Gang
- POC: Proximity to a Crime
- SUSP: Suspicious Person
- DRIN: Drug Investigations

# 2014 Biased-Based Profiling

The race code “I” for American Indian and “U” for Unknown were all merged with “O” for Other. O is usually reserved for 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. The reason for the merger of the three codes was necessary since their contact numbers were so low they were statistically insignificant.

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 was one Citizen Complaints categorized as Biased Based Policing in 2014. The citizen was pulled over by an officer for a traffic violation. The citizen was not complaining about the traffic stop or the officer who originated the stop. The citizen did complain about the backup officer approaching his car with his hand on his sidearm. The citizen felt the backup officer was racially profiling him for being black and that was the only reason the officer put his hand on his sidearm. The traffic stop was recorded on video and the officer was exonerated.



# Miscellaneous

There were no reported incidents of consular/diplomatic officials arrested or interacted with in 2014.

There were no warning shots fired by Wilmington Police Officers in 2014.

There were no amber alerts issued by members of the Wilmington Police Department in 2014.

There were no deployments of stop sticks (TDD) in 2014.

There were no road blocks/forcible stops performed by Wilmington Police Employees in 2014.

There were no requests for Federal or National Guard Assistance in 2014.



# 2014 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.

After reviewing the city policy it was discovered the proper procedures were not being followed. The policy states employees are to submit their grievance to their supervisor and "Upon receipt of a written grievance, the supervisor shall immediately forward a copy of it and any subsequent correspondence or decisions regarding the matter to the appealing employee's department director and to the Director of Human Resources." The original grievances were sent to the HR department without any copies being made and retained by the agency.

There were five grievances filed in 2014 which were as follows:

Three regarding the promotional process

One invalid investigation

One accrual rate discrepancy

Each of the grievances were resolved in 2014.

