Wilmington Police Department

HONOR *Integrity* RESPECT

Protect COMMITMENT *Trust*

Dignity *Excellence* **TEAMWORK** Safety

Our Home – Our Community

2015 Internal Affairs Report

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Ralph Evangelous
Wilmington Police Chief

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 2015 Internal Affairs Report. Our Internal Affairs process plays an integral role in building and maintaining the public trust. This report was created to the 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,

Ralph M. Evangelous
Chief of Police

Executive Summary

The Internal Affairs Unit conducted eighty-eight (88) investigations in 2015. These cases involved 170 alleged violations of Wilmington Police Department (WPD) policy. Sixty-five (65) investigations were from Citizen Complaints and twenty-three (23) were initiated within the agency. The majority of the investigations originated from a citizen complaint. This is a consistent trend from years past.

There were sixty-five (65) fewer arrests and a decrease in use of force by WPD officers in 2015 when compared to 2014. However, citizen calls for service increased by 15,343 from 2014. There were seven (7) more vehicle pursuits in 2015.

There were two (2) uses of deadly force in 2015 which were thoroughly investigated by the Internal Affairs Unit. The first incident occurred when a suspect was driving a car towards an officer in an aggressive manner. The officer discharged his firearm to protect himself. No one was injured in this incident. The second incident involved a deer being euthanized after it was struck by a car.

Lt. David Oyler

Note from Internal Affairs Commander

The Internal Affairs Annual Report is designed to give citizens a significant insight into the Wilmington Police Department. It is my hope that this report will help citizens understand the processes used in investigating citizen complaints, an officer using force, or an officer involved in a vehicle pursuit, or an employee accused of misconduct.

For over 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 when investigating 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.

Lieutenant 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

City of Wilmington & Police Demographics

City of Wilmington	Wilmington Police Officers	Wilmington Police Civilians
Population 112,067	Officers 256	Civilians 99*
Male 47.8%	Male 83%	Male 55%
Female 52.2%	Female 17%	Female 45%
Caucasian 70.8 %	Caucasian 81%	Caucasian 70%
African American 19.9%	African American 11%	African American 26%
Hispanic 6.1%	Hispanics 5%	Hispanic 2%
Asian 1.2%	Asians 2%	Hispanic 2%
American Indian 0.5%	American Indian 1%	American Indian 2%

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 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 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, 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 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.

Types of Findings

- **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, for the following situations including, but not limited to: 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. State law precludes us from releasing disciplinary information to the public. The Wilmington Police Department makes every effort to investigate and adjudicate all complaints within 14 days from the time a complaint is made. However, there are circumstances, such as case complexity and witness unavailability, which may prevent this goal from being achieved in every instance.

Types of Findings

Once the investigation has been completed, a Finding will be established regarding whether or not a violation had occurred. Final dispositions are defined in departmental policies: 3.01 Internal Affairs, 12.04 Department Safety Program, 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.

Citizen Compliant Investigations

In 2015 Internal Affairs received sixty-five (65) Citizens Complaints revealing 110 allegations of policy violations compared to forty-six (46) in 2014.

Citizen Complaint Investigations	2013	2014	2015
Number of Citizen Complaints	50	46	65
Number of Allegations	68	75	110

There was a significant increase in citizen complaints in 2015 when compared to 2014 and 2013. The Wilmington Police Department partnered with area law enforcement agencies and launched a Public Service Announcement (PSA) entitled "Listen-Explain, Comply-Complain" in an effort to educate the community in dealing with police encounters. The purpose of this PSA is to improve communications between officers and citizens, and try to clarify the law enforcement processes during stops. WPD recognizes that despite an officer's best efforts, there will be times where citizens feel the officer's behavior or actions were inappropriate. Citizens are told to file a complaint with the Wilmington Police Department, after their encounter, if they feel the situation was handled improperly. This is a major contributing factor to the increase of Citizen Complaints in 2015.

Citizen Complaint Investigations

In some instances, a complaint event may include more than one officer or a given officer may be accused of more than one act of misconduct. It is often the case that the number of alleged policy violations is higher than the number of complaint events.

Thorough understanding of the citizen complaint classification is crucial. One citizen complaint may generate multiple allegations against more than one officer. For example: The complaint states: "The officer yelled at me, and told me he was not taking a report." 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 situation, 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.

Citizen Complaint Investigations

In 2015, there were 110 alleged policy violations, compared to 75 in 2014 and 68 in 2013. While that is a 46% increase from 2014 in alleged violations, only 27 violations, or 25%, were Sustained, compared to 35% Sustained in 2014. Table 2 identifies the most common alleged policy violations that account for the majority of the Citizen Complaints.

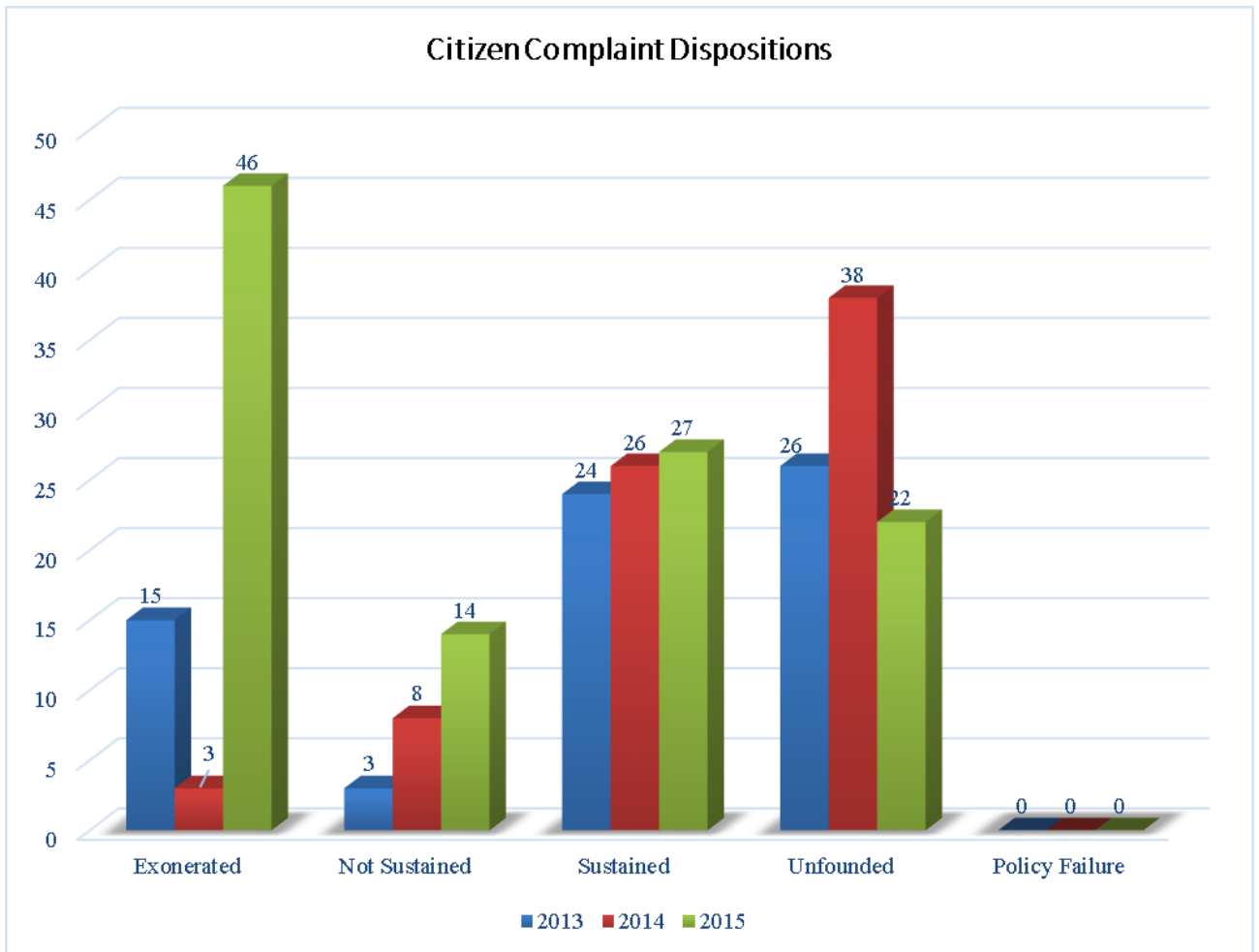| Allegation	2013	2014	2015
Conduct towards the Public	17	15	38
Excessive Force	7	6	7
Mobile Recording Violation	0	7	3
Obeying the Law	3	1	8
On Duty Performance	17	17	15
Required Officer Knowledge	0	1	5
Standard of Conduct	4	4	5
Upholding the Constitution	0	2	6
Untruthfulness	0	2	1

A review of the Citizen Complaint incidents revealed a significant increase in some categories when compared to the 2014 Annual Report. For example, there was a notable increase in the allegations of Conduct Towards the Public in 2015. Further analysis of these allegations determined that the common complaint was rudeness. In 2015, the Wilmington Police Department increased the use of body cameras by issuing cameras to 122 officers. The decrease in the Mobile Recording Violation shows that officers are using their cameras to record interactions with the public. This allows a supervisor, or Internal Affairs Investigator, to view the complaint incident. Only seven (7) of the thirty-eight (38), or 18%, of these allegations, were Sustained.

Citizen Complaint incidents involving the allegation of obeying the law increased to eight (8) in 2015, compared to one (1) in 2014 and three (3) in 2013. The eight (8) allegations were thoroughly investigated resulting in one (1) allegation being Sustained.

As previously stated, sixty-five (65) citizen complaints were received by Internal Affairs in 2015. The sixty-five (65) Citizen Complaints contained 110 allegations of policy violations that were classified. The 110 allegations of policy violations were investigated and concluded with 109 dispositions. One investigation was suspended due to the employee being terminated prior to the citizen filing the complaint.

Internal Investigations Classifications

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 of the past three (3) years.

Citizen Complaint Dispositions

| Finding	2013	2014	2015
Exonerated	15	3	46
Not Sustained	3	8	14
Sustained	24	26	27
Unfounded	26	38	22
Policy Failure	0	0	0

A review of the dispositions of the investigations show that 25% of the allegations were sustained in 2015. This is a 10 % decrease from 2014. This reduction is believed to be strongly related to a greater usage of cameras to record officer interaction with the public and the community outreach programs that started in 2015.

Internal Investigations Classifications

Internal Affairs conducted fifteen (15) Internal investigations in 2015. This is an increase from the thirteen (13) Internal Investigations from 2014. However, this is less than the twenty-one (21) Internal Investigations in 2013.   Chart 1 shows a yearly comparison of the number of investigations and allegations.

CHART 1   Yearly Internal Investigations
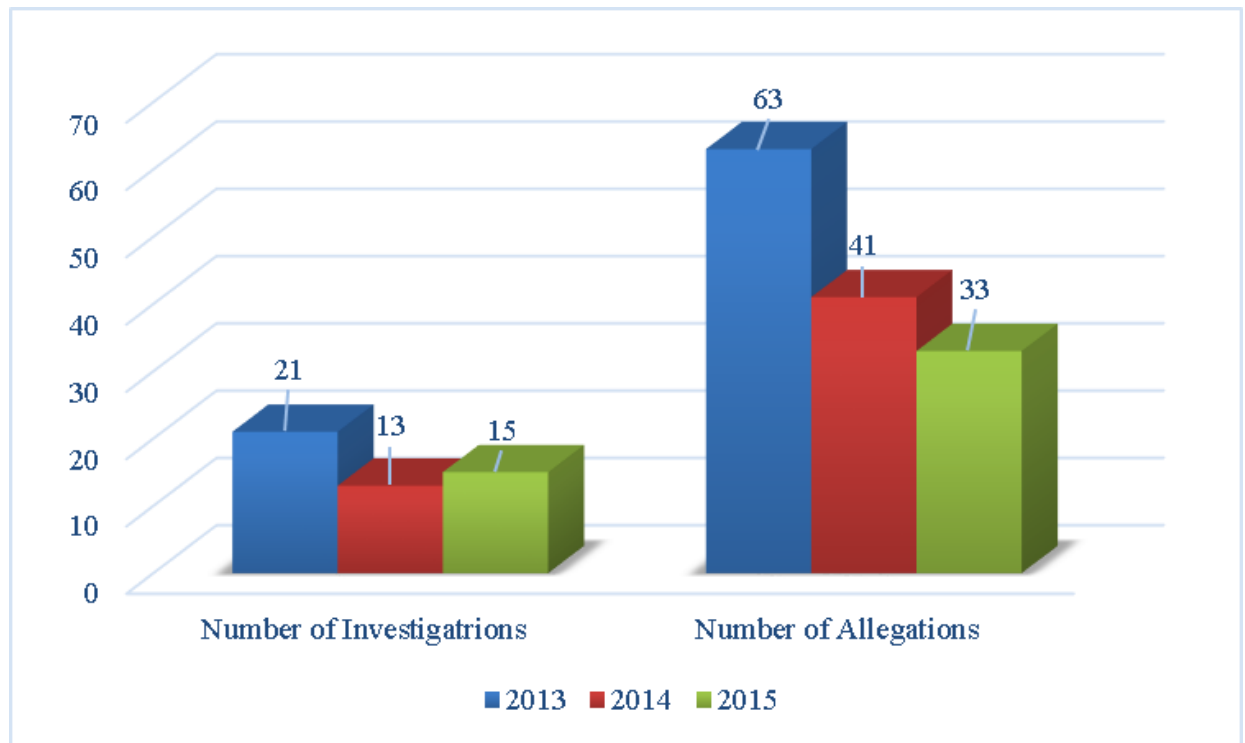
While the number of Internal Investigations increased from 2014 to 2015, the number of allegations decreased. It should be noted that this increase in investigations is not evidence of degradation of officer conduct, but supervisors holding employees accountable for their actions.

The breakdown of employees involved in Internal Investigations includes:

- Ten (10) sworn employees*
- Six   (6) civilian employees

*Some Internal Investigations contain multiple allegations involving multiple officers *

Internal Investigations Classifications

The fifteen (15) Internal Investigations conducted by Internal Affairs alleged thirty-three (33) violations of policy. This is a 19.5% decrease from 2014 and a 47.6% decrease from 2013. The start of an Internal Investigation may begin 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 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 agency. The final dispositions may also be different from the amount of policy allegations. Table 3 identifies the most alleged policy violations that account for the majority of the Internal Investigations in this review.
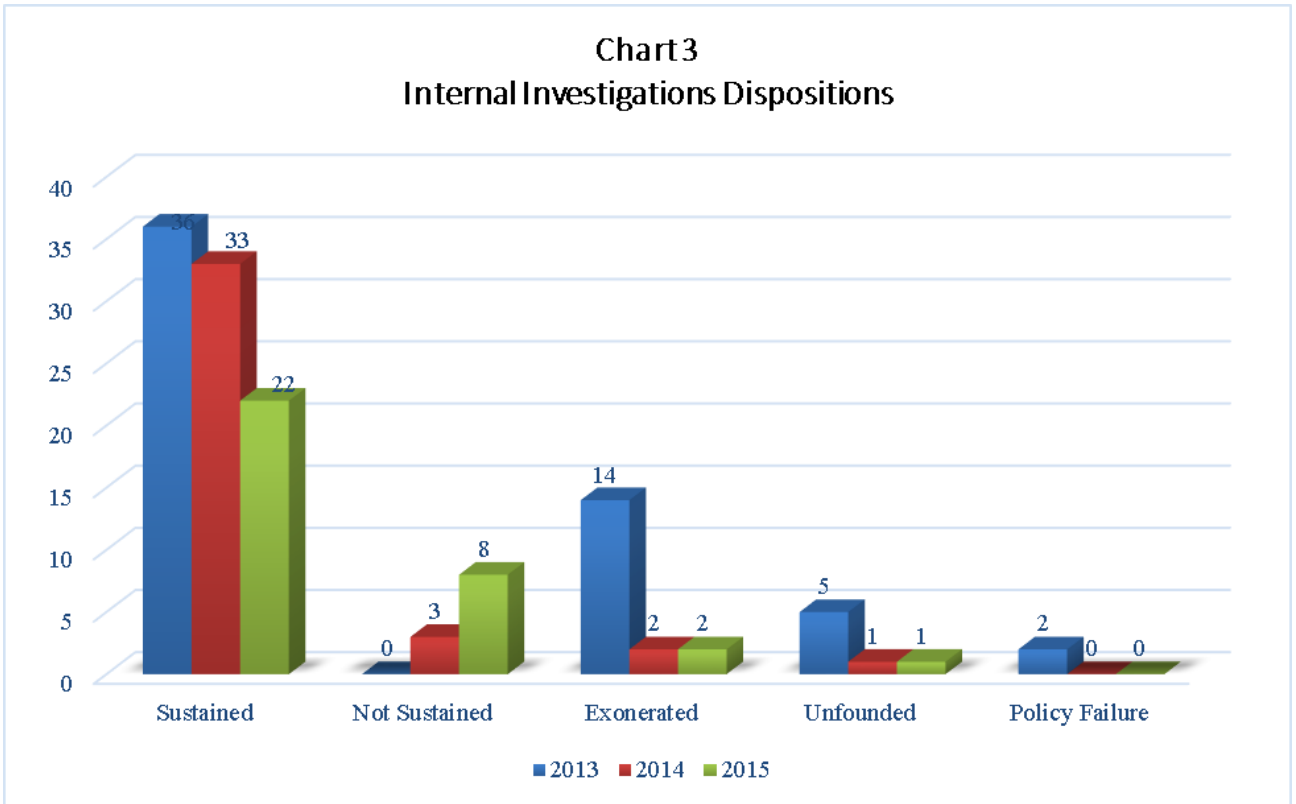
Allegation	2013	2014	2015
Abuse of Position	1	3	1
Associations	1	0	2
Dissemination of Information	1	0	3
Insubordination	1	1	2
Obeying the Law	4	5	2
On Duty Performance	3	3	2
Standard of Conduct	6	7	5
Truthfulness	3	2	3
Use of Force	0	3	1

The most prevalent allegation made during Internal Investigations continues to be Standard of Conduct. However, there was a significant decrease (42%) from 2014 to 2015. Two (2) of these allegations were Sustained in 2015 and three (3) allegations were sustained in 2014. The increased use of cameras allows a supervisor to view an incident and determine if a policy violation has occurred.

The second most prevalent allegation made during Internal Investigations was Dissemination of Information. There was an increase in this allegation from 2014. Each of these allegations were thoroughly investigated and one (1) was Sustained. These allegations were not related or similar and stemmed from different incidents.

Internal Investigations Classifications

There were thirty-three (33) dispositions for the fifteen (15) Internal Investigations. This is a 15% decrease in allegations from 2014 in Chart 3.

Chart 3
Internal Investigations Dispositions

Disposition	2013	2014	2015
Sustained	36	33	22
Not Sustained	0	3	8
Exonerated	14	2	2
Unfounded	5	1	1
Policy Failure	2	0	0

Internal Investigations are initiated from within the Wilmington Police Department. While the majority of investigations are Sustained, it is possible that officers and supervisors have a better understanding of appropriate actions and behavior. Therefore, officers and supervisors are only forwarding actions or behaviors that are a violation of WPD policy. The number of Sustained Internal Investigations has continued to decline since 2013. This could be contributed to officer and supervisor training.

Special Investigations Findings

In 2015, there were eight (8) Special Investigations alleging twenty-seven (27) violations of policy. Most of the Special Investigations were conducted at their respective division level. Table 4 shows a yearly comparison of the Special Investigations. Table 4 shows a yearly comparison of the Special Investigations.

Special Investigations	2013	2014	2015
Number of Investigations	25	19	8
Number of Allegations	45	30	27

There was is a 58% decrease in Special Investigations in 2015 from 2014 and a 68% decrease from 2013. In 2015, WPD implemented the use of PowerDMS, which is an online document management system. PowerDMS allows officers and supervisors online access to current WPD policies. The decrease in Special Investigations shows that supervisors are holding their employees accountable.

As with Citizen Complaints and Internal Investigations, there may be more than one allegation of a policy violation in a Special Investigation. There were twenty-seven (27) allegations of policy violation in 2015 compared to thirty (30) in 2014. Table 5 shows the most common policy violations in 2015.

Special Investigation Common Allegations	2013	2014	2015
Courtesy	1	3	1
Disseminate Information	0	2	0
First Line Supervisors	0	0	3
Insubordination	4	2	3
Misuse of City Equipment	0	1	0
On Duty Performance	3	6	3
Radio Communications	0	1	0
Reporting for Duty	0	1	1
Standard of Conduct	2	6	6
Use of Inappropriate Jokes or Slurs	0	0	3

Special Investigations Findings

Standard of Conduct was the most prevalent allegation in 2015 as well as the most prevalent in 2014. None of the six allegations stemmed from the same incident. All six (6) allegations were Sustained. Since most of these investigations are initiated and conducted at the supervisory level, supervisors know what constitutes a violation of policy.

There were twenty-seven (27) alleged policy violations in the eight (8) Special Investigations. This a decrease from thirty (30) alleged policy violations in 2014 and forty-five (45) in 2013. Table 6 shows the dispositions of the twenty-seven (27) alleged policy violations in 2015.

Table 6. Special Investigation Dispositions

Dispositions	2013	2014	2015
Sustained	44	29	26
Not Sustained	0	0	1
Exonerated	0	0	0
Unfounded	1	1	0
Policy Failure	0	0	0

The majority of Special Investigations were Sustained in 2015. This trend is consistent with past years. Special Investigations are initiated within the agency and usually by a supervisor. These investigations are usually conducted at a supervisory level. Supervisors are aware of appropriate action and behaviors so they may not conduct or initiate an investigation unless they feel a policy was violated.

Internal Affairs Summary

Table 7A and 7B shows a comparison of the Investigations completed by the Internal Affairs Unit for the past two years.

Table 7A shows the total investigations by the Internal Affairs unit in 2015

2015	Cases	Allegations of Policy Violations	Dispositions
Citizen Complaints	65	110	109*
Internal Investigations	15	33	33
Special Investigations	8	27	27
Total	88	170	169

- **One investigation was suspended leaving no disposition**

Total 7B shows the total investigations by the Internal Affairs unit in 2014
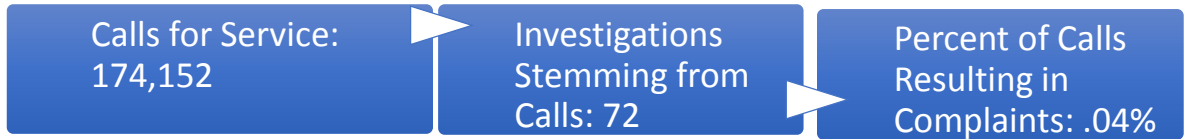
2014	Cases	Allegations of Policy Violations	Dispositions
Citizen Complaints	46	75	75
Internal Investigations	13	41	39*
Special Investigations	19	34	30**
Total	78	150	144

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

Call Load/ Investigative Volume

2014

Calls for Service: 174,152	➤	Investigations Stemming from Calls: 72	➤	Percent of Calls Resulting in Complaints: .04%

2014 Investigations	Total	On Duty	Off Duty
Citizen Complaints	46	43	3
Internal Investigations	13	11	2
Special Investigations	19	18	1
Total	78	72	6

2015

Calls for Service:189,495	➤	Investigations Stemming from Calls: 77	➤	Percent of Calls Resulting in Complaints: .04%

2015 Investigations	Total	On Duty	Off Duty
Complaints	65	61	4
Internal Investigations	17	10	7
Special Investigations	8	6	2
Total	90	77	13

Summary: WPD's calls for service increased by 8.8% from 2014. Complaints and Internal Investigations increased in 2015. Further analysis revealed that the percent of calls resulting in a complaint remained the same. The largest percentages of sustained policy violations were initiated through a supervisor investigation. There is no consistent pattern of the policy violations from previous years.

Disciplinary Summary

Specific disciplinary actions taken against an employee as a result of a Citizen Complaint, Internal Investigation, or 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 department policies, procedures and North Carolina or Federal law.

Chart 4 portrays disciplinary actions taken by the Wilmington Police Department in 2015. 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.

Chart 4
2015 Discipline Dispositions

Termination, 4
Resignation, 0
Suspension, 7
2nd Written Reminder, 1
1st Written Reminder, 9
Counseling, 15
Performance Note, 5

Legend: Corrective Actions · Counseling · Performance Note · 1st Written Reminder · 2nd Written Reminder · Suspension · Resignation · Termination
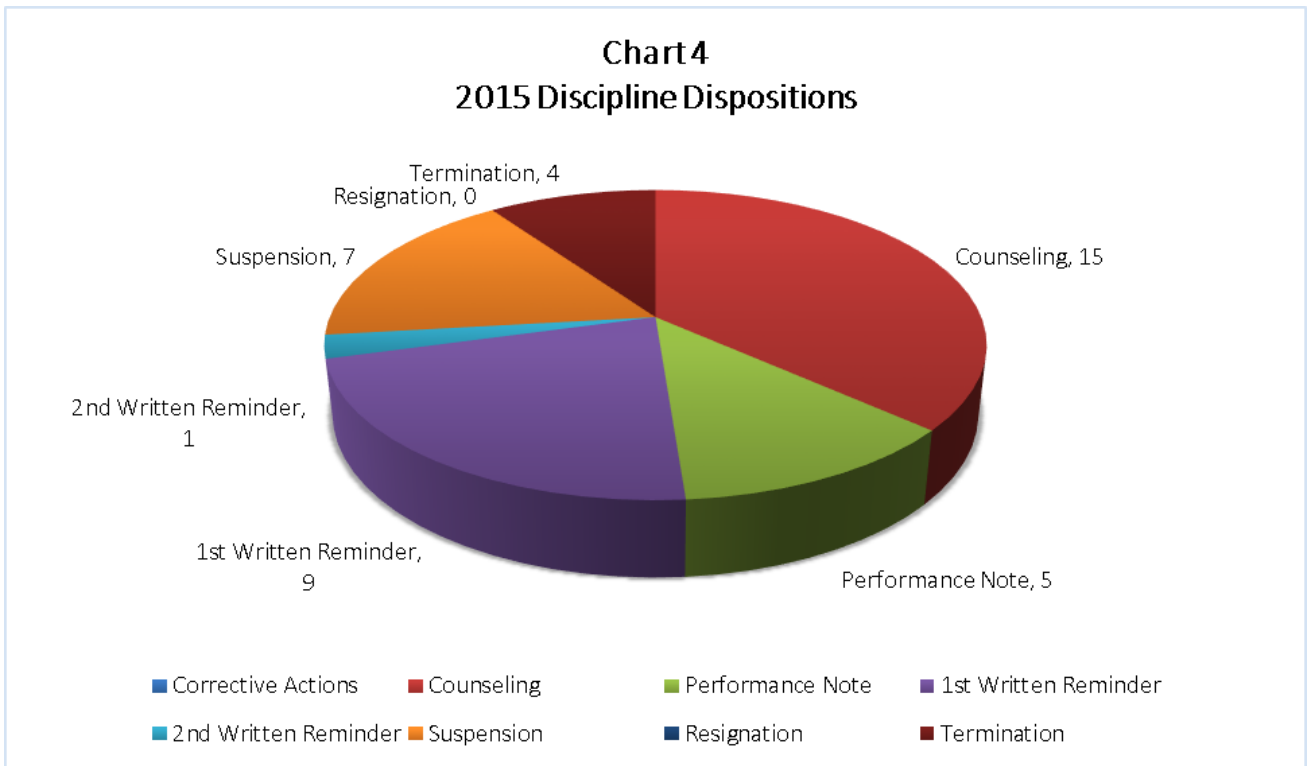
Understanding the chart is important. The previous information from the Investigative Summaries revealed twenty-six (26) sustained Special Investigations, twenty-two (22) sustained Internal Investigations and twenty-seven (27) sustained Citizen Complaints totaling seventy-five (75) policy violations. This is a 14.7% decrease from 2014. The chart shows forty-one (41) corrective actions to officers. As previously stated, there may be multiple allegations for one officer but one (1) disposition.

Use of Force

Police Officers are trained to seek voluntary compliance through lawful direction. However, sometimes circumstances, or a subject's actions, can compel an officer to use force to gain compliance. Officers are trained to use the least amount of force necessary to gain compliance. WPD policy requires officers to report use of force under a broad range of circumstances. In 2014, we used the number of physical arrests to accurately reflect WPD's use of force events. The same criteria was used for 2015. Special Order 2015.2 (Documenting Use of Force) was issued to help define a use of force event and when to document the event.

2014

Total number of use of force incidents: 197

Total number of physical arrests: 4,965

Percent of arrests requiring force to be used: 3.96%

2015

Total number of use of force incidents: 187

Total number of physical arrests: 4900

Percentage of arrests requiring force to be used: 3.82 %

The statistics indicate that for the past two years over 96 % of the arrests made by Wilmington Police Officers are accomplished without the use of any force.

Calls for service increased by 8.8 % in 2015 when compared to 2014. Use of Force events decreased by 5%. WPD officers responded to 189,495 calls for service in 2015. This means WPD officers did not use force in 99.9% of the calls for service which is statistically the same as 2014.

In 2015, there were 187 documented use of force incidents compared to 197 documented uses of force in 2014. There were two (2) use of force policy violations in 2015 compared to five (5) use of force policy violations in 2014. The policy violations stemmed from officers failing to activate their cameras during an incident. In the incidents, the use of force was within WPD policy.
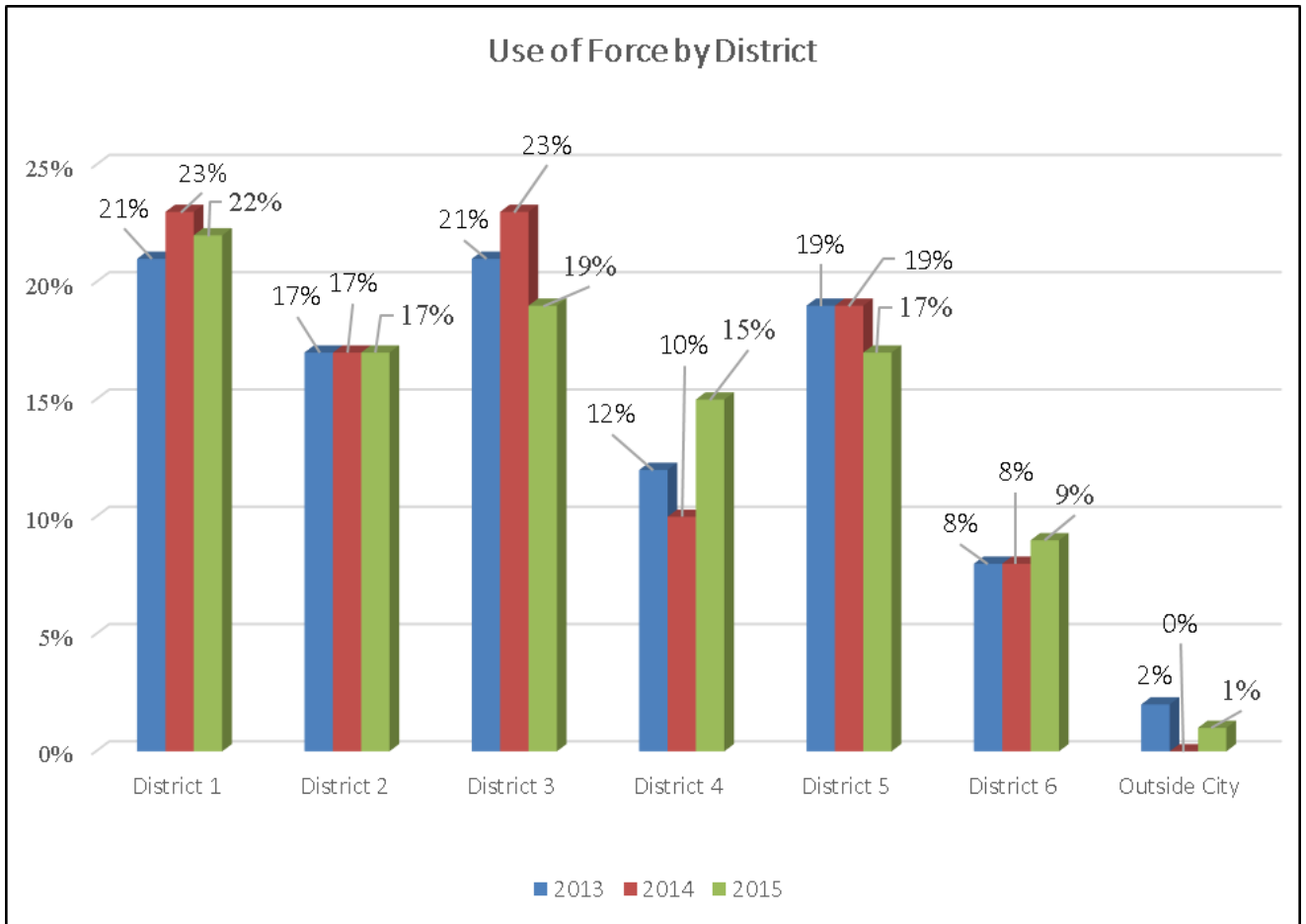
Use of Force

There was a 6.97% decrease in documented use of force incidents between 2014 and 2015. There are several factors that could have contributed to this decrease. First, Part I crimes statistically remained the same for 2015. Second factor lowering use of force incidents was the arrests were down 1.3%. The most important factor for lowering use of force incidents was the emphasis on de-escalation techniques. Officers were encouraged to use various tactics in an attempt to gain voluntary compliance when making an arrest. Use of force incidents have continually decreased since 2013 as shown in Chart 5.

Chart 5. Use of Force by Year
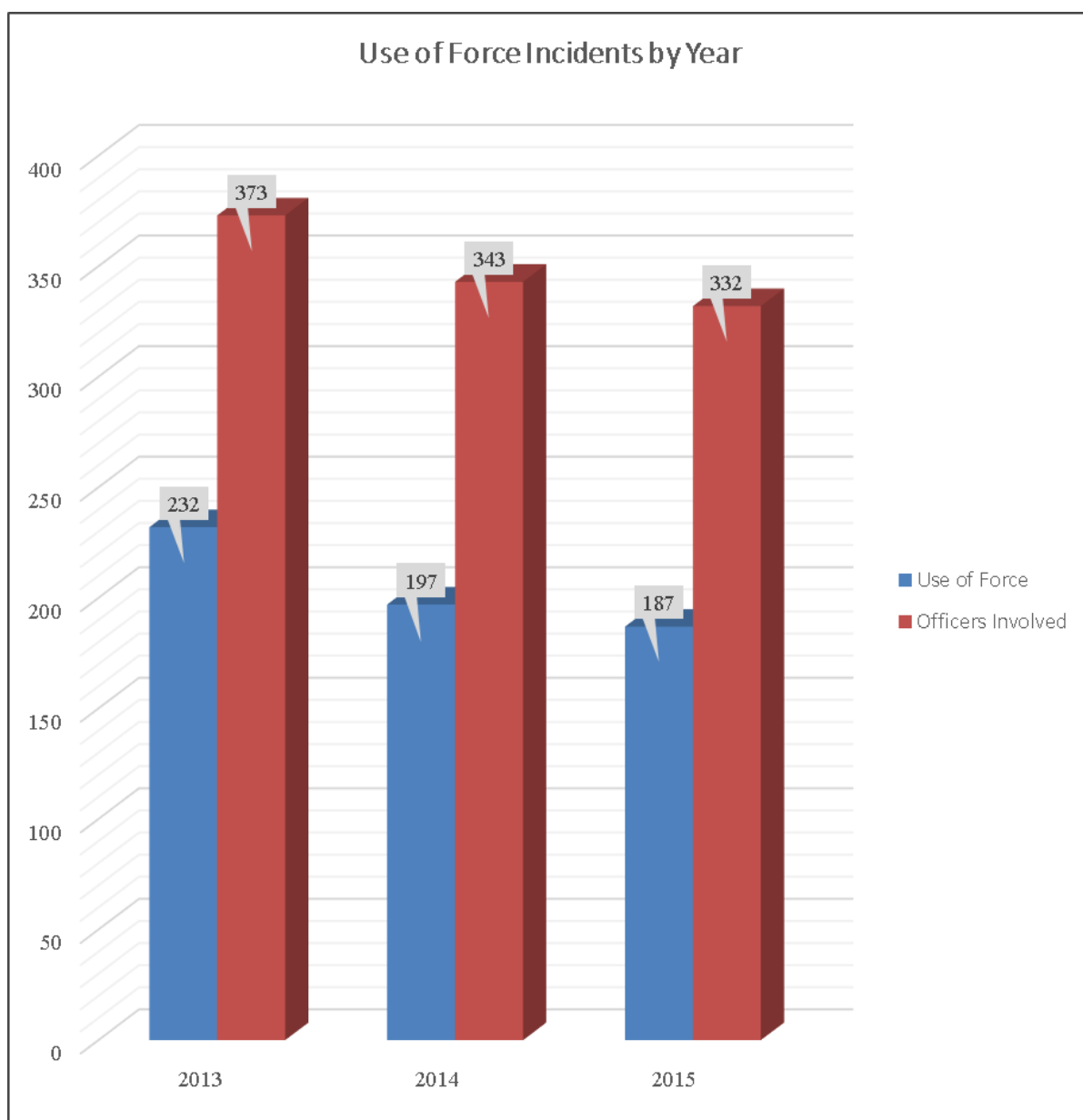
Use of Force

Chart 6 shows a comparison of use of force incidents by district.

In 2015 there was very a slight increase in the use of force in District 4. There was minimal or no change in the remaining districts.

Use of Force

Chart 7 shows the type of force used by officers during a use of force incident from 2013 to 2015. Note that a use of force event may have included the use of multiple weapons by one (1) or more officers. This explains why the number of weapons is greater than the number of use of force events.

Types of Force	2013	2014	2015
Bean Bag	2	0	1
Flashbang	0	1	0
Gas	1	0	0
Hard Empty Hand	22	18	27
Impact Weapon	9	3	2
K9 Apprehension	10	6	5
K9 Display Only	20	19	0
Lethal Force	5	1	1
Lethal Force Animal	5	3	1
Lethal Force Display Only	81	69	110
OC Spray	14	7	2
Patrol Vehicle	1	0	0
Ram	1	0	0
Soft Empty Hand	85	67	116
Taser Display Only	1	5	0
Taser Probes	49	29	33
Taser Stun	16	7	14
Total	**322**	**235**	**312**

Lethal Force Display Only (LFDO) is defined as an officer points a deadly weapon directly at a suspect. Sixty-one (61) of the LFDO use of force events were warrant service by multiple officers (SWAT) or officers responding to a report of a violent crime. Lethal force display only and soft empty hand control increased significantly in 2015.

Soft Empty Hand (SEHC) control is defined as an officer physically putting hands on a person, for example grabbing a suspect with their hands. SEHC continues to be the most often used weapon by officers in a use of force situation. This could be due to the close proximity of the suspect at the time of the incident.

Use of Force

Certain incidents involving police may require varying levels of force in order to affect an arrest or resolve a matter. The chart below displays the reasons officers used force during the past two years and the percentage change.

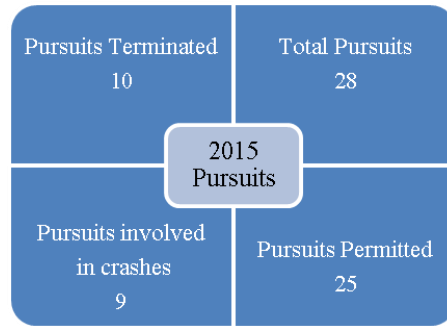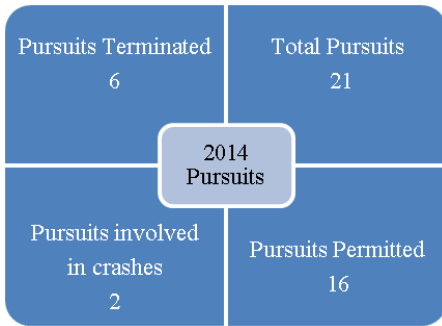Table 8 shows the reason why officers used force.

Reason for Use of Force	2014	2015	Percent Change
Armed Suspect	2.99	4.81	1.82%
Arrest	2.49	1.07	-1.83%
Assault LEO	4.98	3.2	-1.78%
Assaulting Others	2.99	4.28	1.29%
Attempted to Flee	11.94	19.3	7.36%
Dangerous Animal	1.99	0.53	-1.46%
Failing to Comply with Commands	2.99	1.07	-1.92%
Fleeing to Elude	1.49	0.53	-0.96%
High Risk Vehicle Stop	6.47	8.56	2.09%
LF Animal	0.99	0.53	-0.46%
Mental Commitment	1.99	1.07	-0.92%
Other/ No Entry	2.49	1.07	1.42%
Possible Mental Subject	0.49	4.28	3.79%
Resist Delay Obstruct	18.4	12.83	-5.57%
Resist Arrest	19.9	15.51	-4.39%
Search Warrant Execution	0.99	2.14	1.15%
Suicidal Subject	0.49	1.6	1.11%
Suspect Dangerous Subject	6.97	4.28	-2.69%
Suspected Weapon	5.47	8.56	3.09%
Warrant Service	3.48	4.81	1.33%

Officers were assaulted thirty-three (33) times in 2015, compared to thirty-one (31) in 2014, during use of force incidents while making arrest. This means that 17.6% of the time the officers were assaulted when the suspect actively attacked the officer during the arrest. These are not the reasons for the use of force; these assaults occurred during the incident.

Police Pursuits Analysis

Police Pursuits

Vehicle pursuits are inherently dangerous, high risk situations, which require careful consideration and evaluation. Complex and sometimes unpredictable factors, which may continually change during the pursuit, and requires a continued assessment of the risks involved in the pursuit. Any officer in a police vehicle may initiate a vehicle pursuit when the officer, after weighing all of the factors, determines that the need for apprehension of the suspect or violator is greater than the danger of the pursuit to the public or the involved officers. A police pursuit occurs when the police pursue, in order to capture and overtake the occupant(s) of a motor vehicle, who have chosen to ignore police presence and authority.

Pursuits Terminated 6	Total Pursuits 21
2014 Pursuits	
Pursuits involved in crashes 2	Pursuits Permitted 16

Pursuits Terminated 10	Total Pursuits 28
2015 Pursuits	
Pursuits involved in crashes 9	Pursuits Permitted 25

2014	
Approved	16
Policy Violations	5

2015	
Approved	25
Policy Violations	3

Once a pursuit has ended, supervisors are responsible for completing a post action pursuit report. This report is forwarded to Internal Affairs for further investigation to ensure compliance with WPD policy.

In 2015 there were seven (7) crashes from the twenty-eight (28) pursuits in which the fleeing vehicle was damaged. One (1) pursuit resulted in a crash involving a police vehicle and a suspect vehicle. One pursuit resulted in one (1) police vehicle being damaged. Most of the 2015 pursuits lasted an average of 2 minutes in duration.

Police Pursuits Analysis

WPD pursuit policy is 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 can still occur. It is up to the individual officers, their supervisors, and command staff, to monitor pursuits. For 2015 there were 3 violations of the pursuit policy which decreased from five (5) in 2014. Two (2) of the three (3) policy violations in 2015 were the improper use of emergency equipment. One (1) pursuit was not justified and outside the scope of WPD's pursuit policy.

One pursuit revealed a policy failure on the use of tire deflation devices. This policy was addressed and corrected in WPD Directive 5.27, Less Lethal Weapons.

There were twenty-eight (28) pursuits in 2015 compared to twenty-one (21) pursuits in 2014. This represents seven (7) more than 2014. Pursuits have increased since 2013. Table 9 shows the reasons for the pursuits in 2015.

| Reason for Pursuit	2013	2014	2015
DWI	2	0	2
Drugs	2	4	2
Hit and Run	1	0	2
Misdemeanor	3	4	5
Reckless Driving	0	2	2
Stolen Vehicle	1	1	4
Traffic Infraction	1	2	3
Violent Crime	3	4	8
Warrants	1	4	0

Pursuits increased in almost all of the categories in 2015. The largest increase was pursuits as a result of violent crime.

Police Pursuits Analysis

Analysis of the distance of the pursuits for 2015 revealed that 89% of the pursuits ended in two miles or less as shown in Chart 8. This is a consistent pattern since 2013.
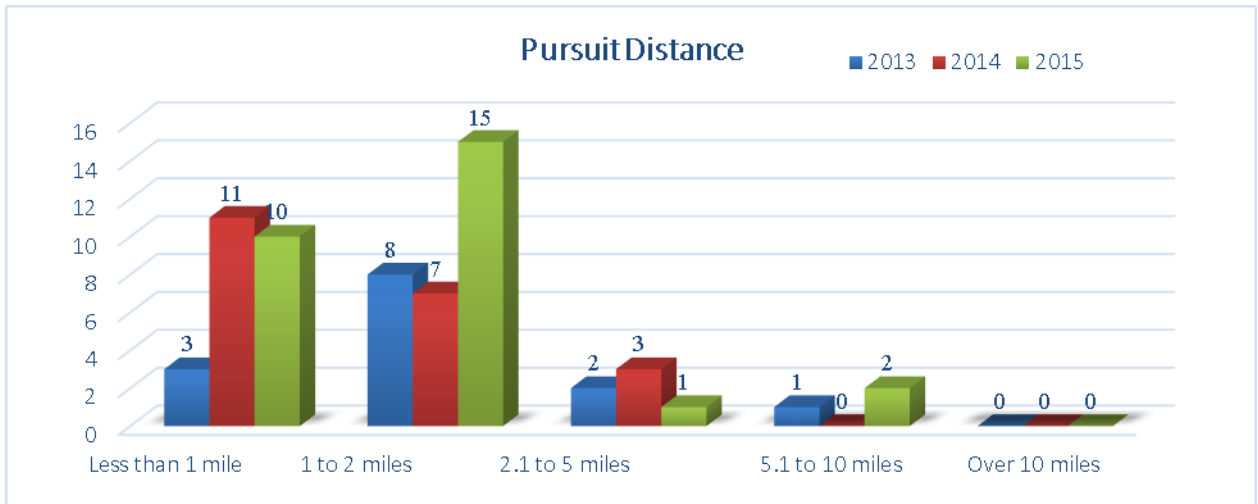

Vehicle pursuits occurred mostly in the early morning hours in 2015 going from five (5) in 2014 to eleven (11) in 2015. The remaining pursuits were consistent with 2014 and stayed relatively unchanged as shown in **Chart 9.**
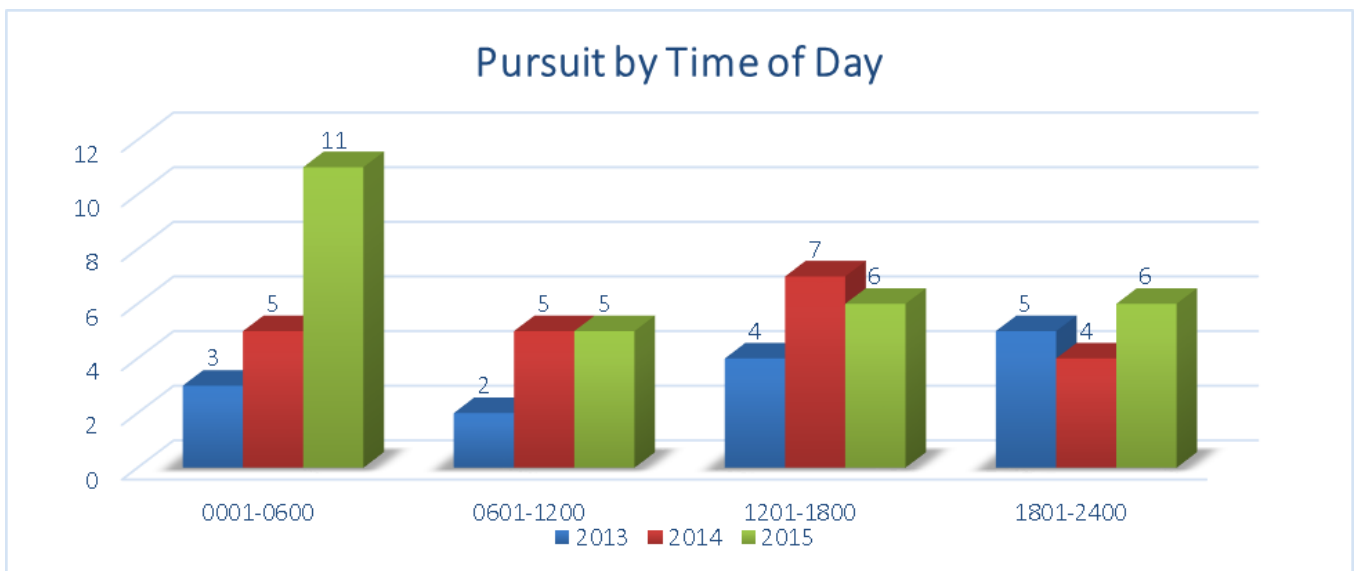
Police Pursuits Analysis

Most pursuits ended when the suspect stopped the vehicle in 2015 as shown in Chart 10. This is consistent when compared to 2014.
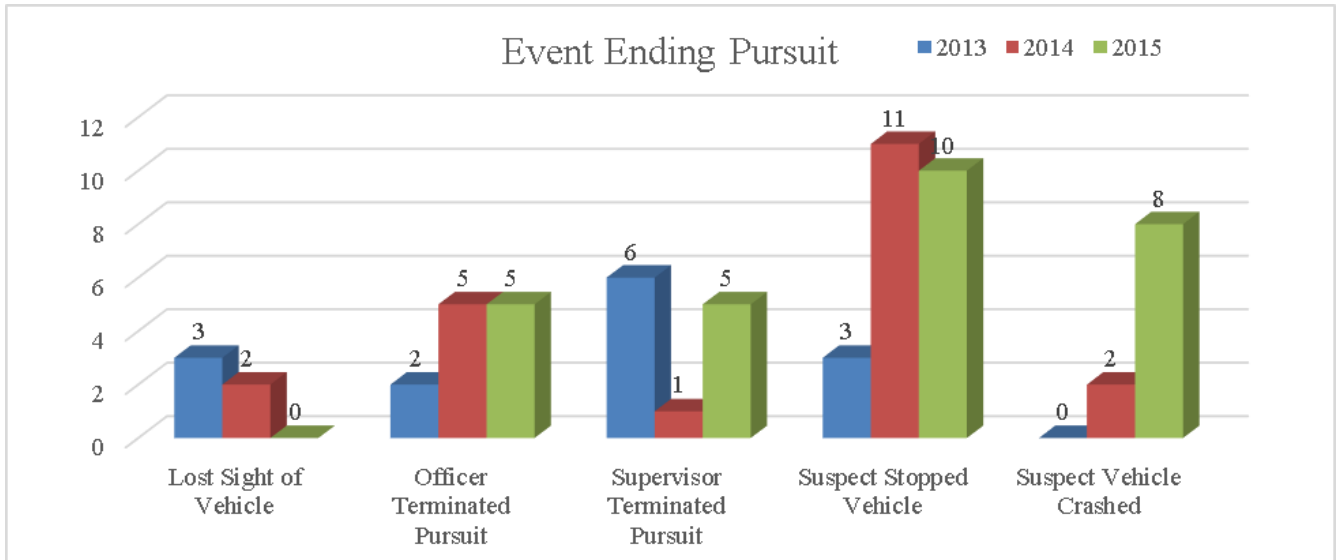
Supervisors and officers terminated 36% of all pursuits in 2015 compared to 29% in 2014. The suspect crashed their vehicle in eight of the twenty-eight pursuits in 2105 compared to two in 2014.

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 2015 there were ninety-six (96) 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 are assigned to the traffic Unit. 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 eighty-six (86) overall alerts to recipients and received sixty-three (63) documented supervisory responses. This shows a 73% compliance rate among supervisors who received alerts. This is an increase from 69% in 2014 and 12.6% in 2013. Professional Standards personnel attended several line-ups in 2015 to explain how the alerts are generated and to encourage supervisors to review the alerts with their personnel. IAPro helps in prevention but one must also understand that the first persons to notice unwanted behavior are the coworkers and supervisors. The majority of Special Investigations and Internal Investigations originated from observations of supervisors.

Biased Based Profiling

In 2015, Wilmington Police Officers conducted 19,189 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 16,179 Profiling forms but the state shows it only received 15,972. The submitted 16,179 Profiling forms from the 19,189 traffic stops reveal an 84% compliance rate among our officers. Table 10 shows the enforcement action taken by the driver's race, sex, and ethnicity. This data is taken from the forms submitted to the State by the Wilmington Police Department.

Table 10. Enforcement Action Taken by Driver's Sex, Race, and Ethnicity
Report From 1/1/2015 through 12/31/2015

Action	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non Hispanic	Total By Ethnicity
Citation Issued	Female	2252	757	12	18	4	3043	94	2949	3043
No Action Taken	Female	139	131	3	0	0	273	9	264	273
On-View Arrest	Female	83	33	0	1	0	117	2	115	117
Verbal Warning	Female	930	628	4	14	3	1579	31	1548	1579
Written Warning	Female	1144	466	3	11	3	1627	34	1593	1627
Written Warning	Male	1450	583	5	9	3	2050	50	2000	2050
Verbal Warning	Male	1482	982	10	13	5	2492	94	2398	2492
On-View Arrest	Male	190	162	0	2	2	356	20	336	356
No Action Taken	Male	241	194	1	1	1	438	20	418	438
Citation Issued	Male	2929	1016	13	31	8	3997	225	3772	3997
Female Total	Female	4548	2015	22	44	10	6639	170	6469	6639
Male Total	Male	6292	2937	29	56	19	9333	409	8924	9333
Total		10840	4952	51	100	29	15972	579	15393	15972

Table 11 shows the sex, race, and ethnicity of the drivers and passengers that were searched.
Drivers and Passengers Searched by Sex, Race, and Ethnicity
Report From 1/1/2015 through 12/31/2015

Type	Gender	White	Black	Native American	Asian	Other	Total By Race	Hispanic	Non-Hispanic	Total By Ethnicity	Total Stopped	Percent Searched
Driver	Female	124	71	1	1	0	197	2	195	195	6639	2.97
Driver	Male	231	352	0	2	2	587	12	575	583	9333	6.29
Passenger	Female	73	74	0	1	0	148	0	148	147	148	100.00
Passenger	Male	101	230	0	0	0	331	3	328	331	331	100.00
	Female	197	145	1	2	0	345	2	343	342	6787	5.08
	Male	332	582	0	2	2	918	15	903	914	9664	9.50

Biased Based Profiling

There are multiple issues with the numbers in this summary. First, the number of 2015 traffic stops, 19,189, 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, which are heavily scrutinized. Also the discrepancy is caused from using two separate systems to collect data. For traffic stops data collection, WPD relies on the CAD software from New Hanover County 911 Center. For Biased Base Profiling data WPD uses OSSI Pistol RMS software. The difference in the collection methods leaves room for errors.   This problem also occurred in 2014.

There were 13,636 traffic citations issued to drivers or passengers from the traffic stops. Some citations contained more than one offense. Officers also wrote 3,977 Written Warnings to drivers or passengers for minor violations.
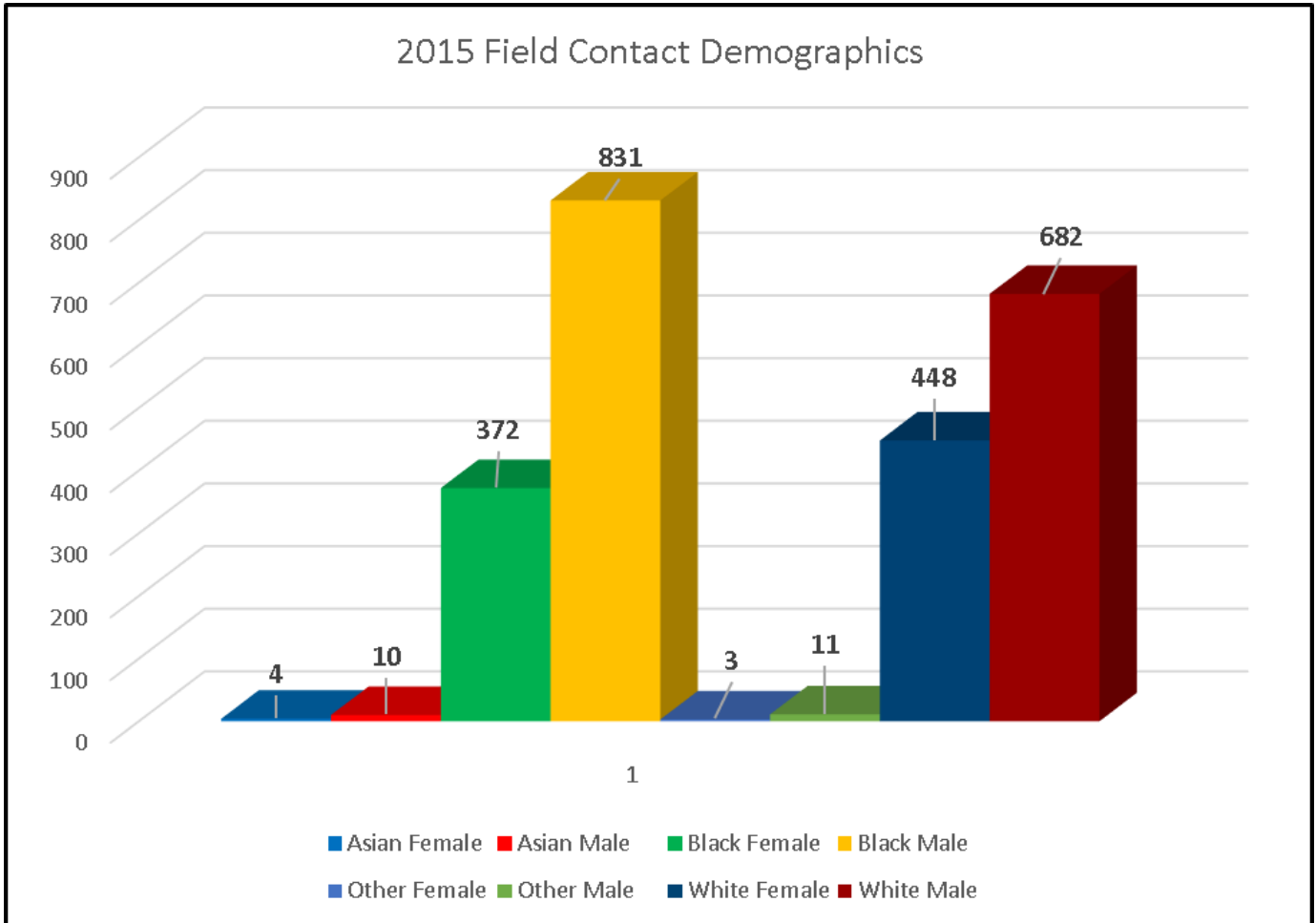
Wilmington Police Officers document interactions with the public on a Field Contact Report. Field Contact Reports are entered into the system for different reasons. Some are completed on suspicious vehicles parked around the courthouse, businesses, public meeting areas, or in a neighborhood. Some are 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.

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.

Biased Based Profiling

In 2015, Wilmington Police Officers documented interactions with citizens on 2,629 Field Contact Reports. **Chart 11** shows the race and gender of the person for the Field Contact reports.

Chart 11.

2015 Field Contact Demographics

Asian Female: 4
Asian Male: 10
Black Female: 372
Black Male: 831
Other Female: 3
Other Male: 11
White Female: 448
White Male: 682

Legend: Asian Female, Asian Male, Black Female, Black Male, Other Female, Other Male, White Female, White Male

Biased Based Profiling

In 2015, the most prevalent reason for an officer to conduct a field contact was domestic violence. This was also the most prevalent reason in 2014 as shown in **Chart 12**. WPD responded to 6,905 domestic dispute calls in 2015.

**Chart 12.**

2015 Reason for Field Contact
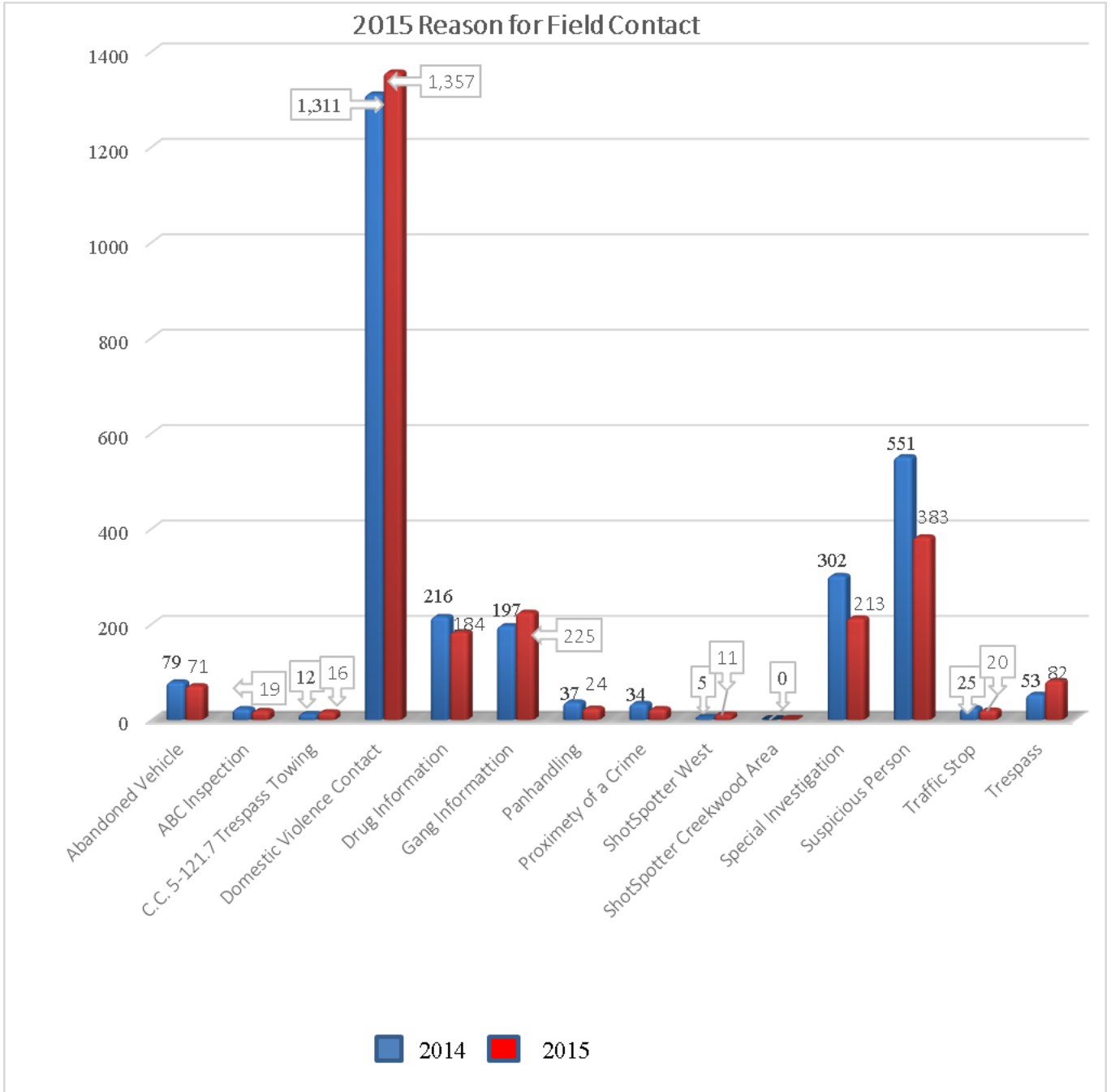
Biased Based Profiling

There were three (3) complaint incidents alleging Biased Based Policing out of sixty-five (65) Citizen Complaints filed with the Wilmington Police Department in 2015. This is an increase of one (1) allegation from 2014 and two (2) allegations from 2013. Of the three (3) Biased Based Policing allegations in 2015, two (2) involved traffic crash investigations and one (1) involved a traffic stop. All of these allegations were thoroughly investigated. The investigations determined that the officer's actions were lawful and within WPD policy. Each of these events were captured on video.

2015 Employee Grievances

According to Wilmington Administrative Policy 207, a grievance is any dispute concerning the interpretation or application of the City of Wilmington's policies, practices or procedures affecting working conditions for the City's regular employees. There were no grievances filed in 2015.
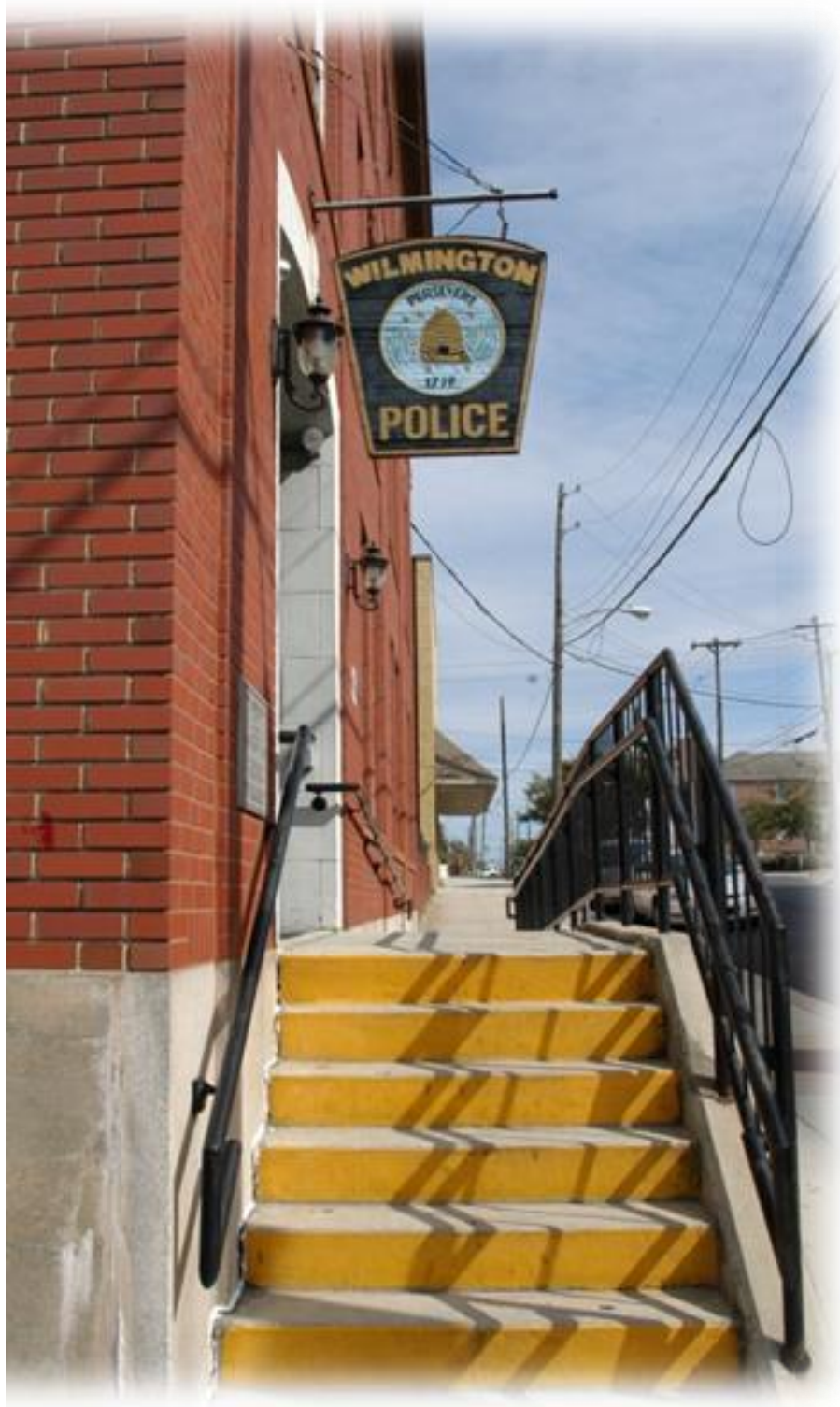
Miscellaneous

- There were no reported incidents of consular/diplomatic officials arrested or interacted with in 2015.

- There were no warning shots fired by Wilmington Police Officers in 2015.

- There were no amber alerts issued by members of the Wilmington Police Department in 2015.

- There were no road blocks/forcible stops performed by Wilmington Police Employees in 2015.

- There were no requests for Federal or National Guard Assistance in 2015.