



PORTLAND MAINE

POLICE DEPARTMENT

OFFICE OF INTERNAL AFFAIRS

ANNUAL REPORT

2019

Prepared by Lieutenant Clifford Strout

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Introduction

The Portland Police Department's Internal Affairs Unit is composed of a lieutenant and a sergeant. The unit is directly supervised by the Assistant Chief of Police while under the overall command of the Chief of the Department.

The unit investigates allegations of misconduct made against department personnel. Allegations may be initiated by the public or internally by department members. Other duties include monitoring certain activities relating to the professional operation of the department. These include use of force by officers, preventable accidents, vehicle pursuits, and firearm discharges. An early warning system consisting of pre-established organizational parameters is maintained and monitored by the unit. Performance Management Reports are generated and a command staff review is begun when these parameters are met. Statistical data is provided to command staff for use in planning, policy formulation, and risk management. The Internal Affairs Unit also conducts pre-employment background investigations. The Unit's functions fall into three broad categories: Investigative Incidents, Tracking and Evaluating Statistical Data and Background Investigations.

Investigative

- **External Complaints**--Investigations conducted on allegations of misconduct made by a member of the public or anonymous source.
- **Internal Complaints**--Investigations conducted on complaints generated from within the Department.
- **Pre-employment Background Investigations** -- Comprehensive investigations of all police department and Portland Regional Communications Center applicants

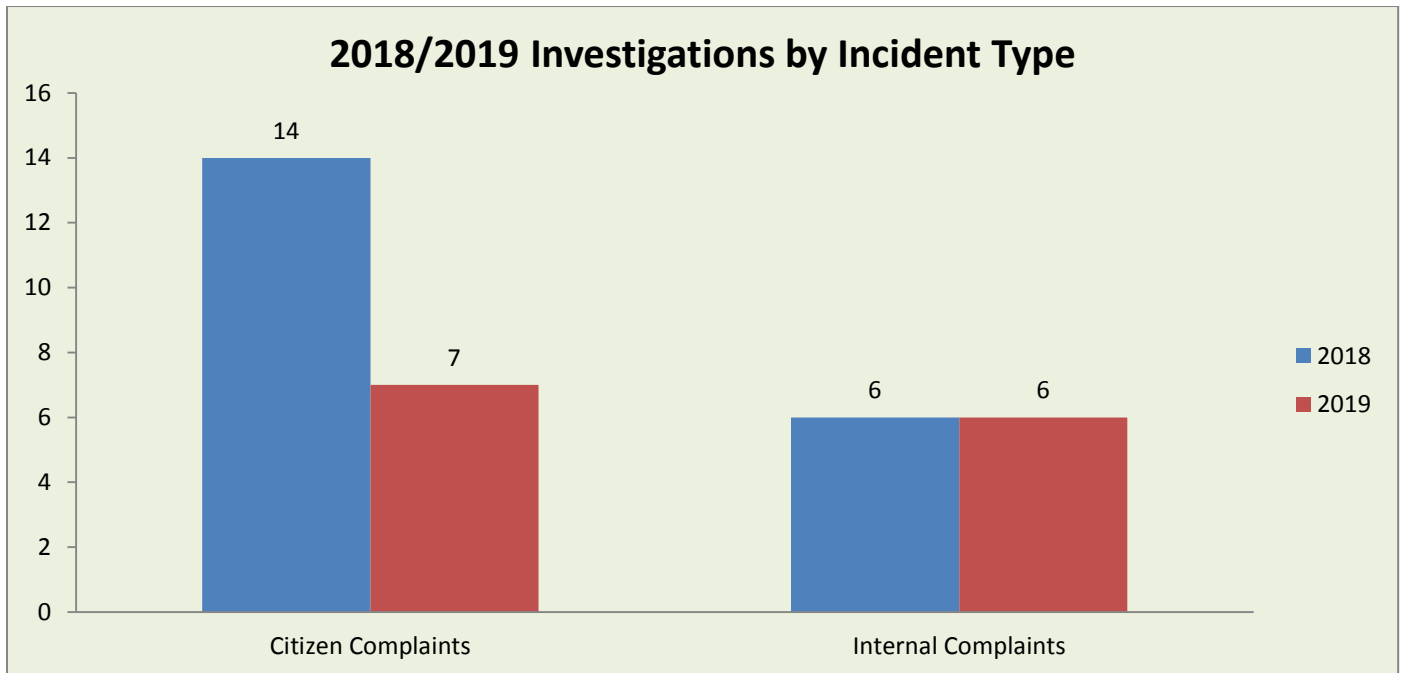
Tracking and Evaluating Statistical Data

- **Uses of Force**--Tracks all facets of each use of force and analyzes for potential patterns and trends. The lieutenant also chairs the Use of Force Committee.
- **Use of Force Committee** -- Meets monthly reviewing all use of force reports examining for trends, training needs, and policy concerns. Members include Command Staff, Police Attorney, IA Staff, Union Representatives, and a Defensive Tactics Instructor.
- **Vehicle Pursuits**--Tracks all aspects of vehicle pursuits
- **Performance Management Review**-- Prepares comprehensive reports for command review of officers who exceed identified organizational parameters

Investigative Incidents: Complaint Type

External complaints are those generated by members of the public or from other outside sources. Internal complaints are those generated from within the Department.

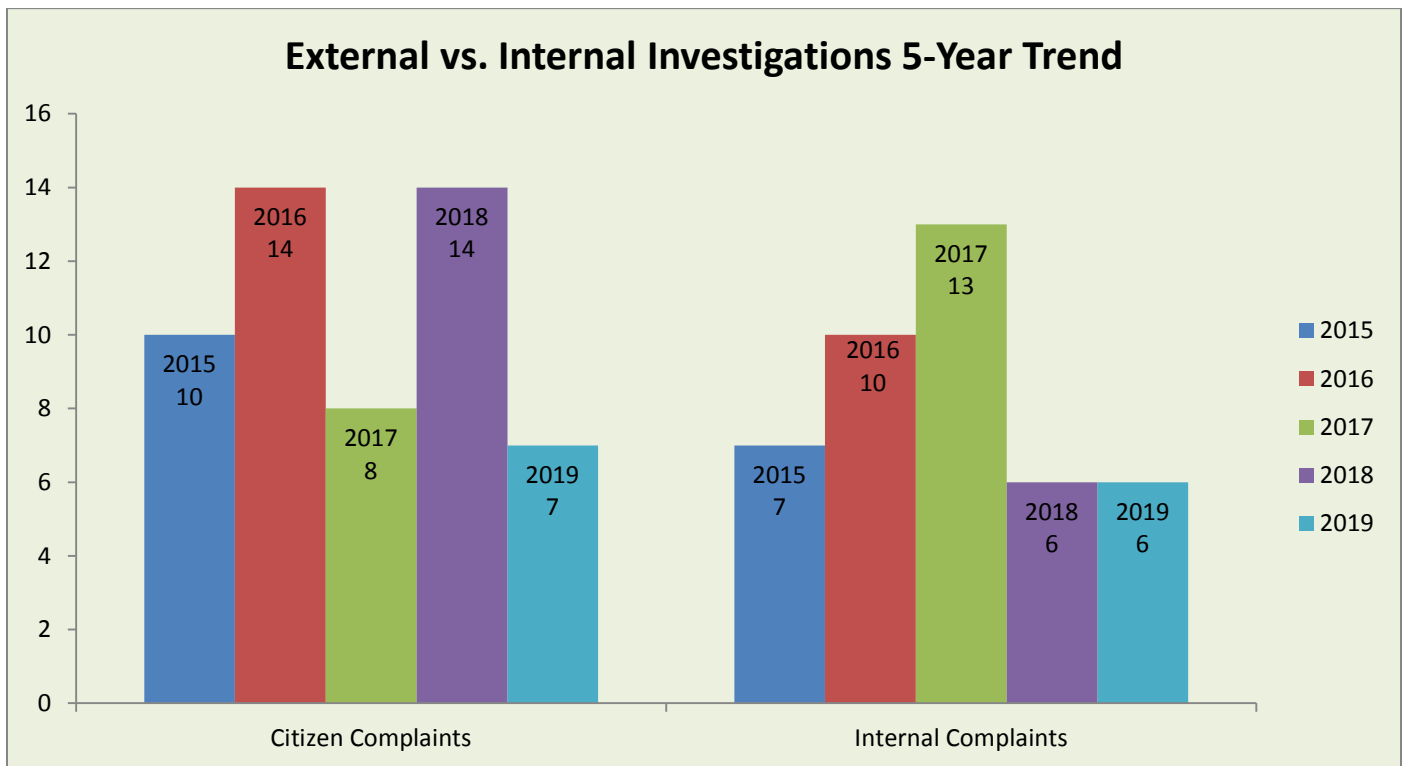
In 2019 the Portland Police Department handled 80,323 calls for police service. These include 911 and non-emergency calls, and officer initiated interactions. In 2019 officers arrested 2,651 individuals. There were 7 External Complaints and 6 Internal Complaints filed against employees in 2019.



Total Internal and External Complaints decreased from 20 in 2018 to 13 in 2019.

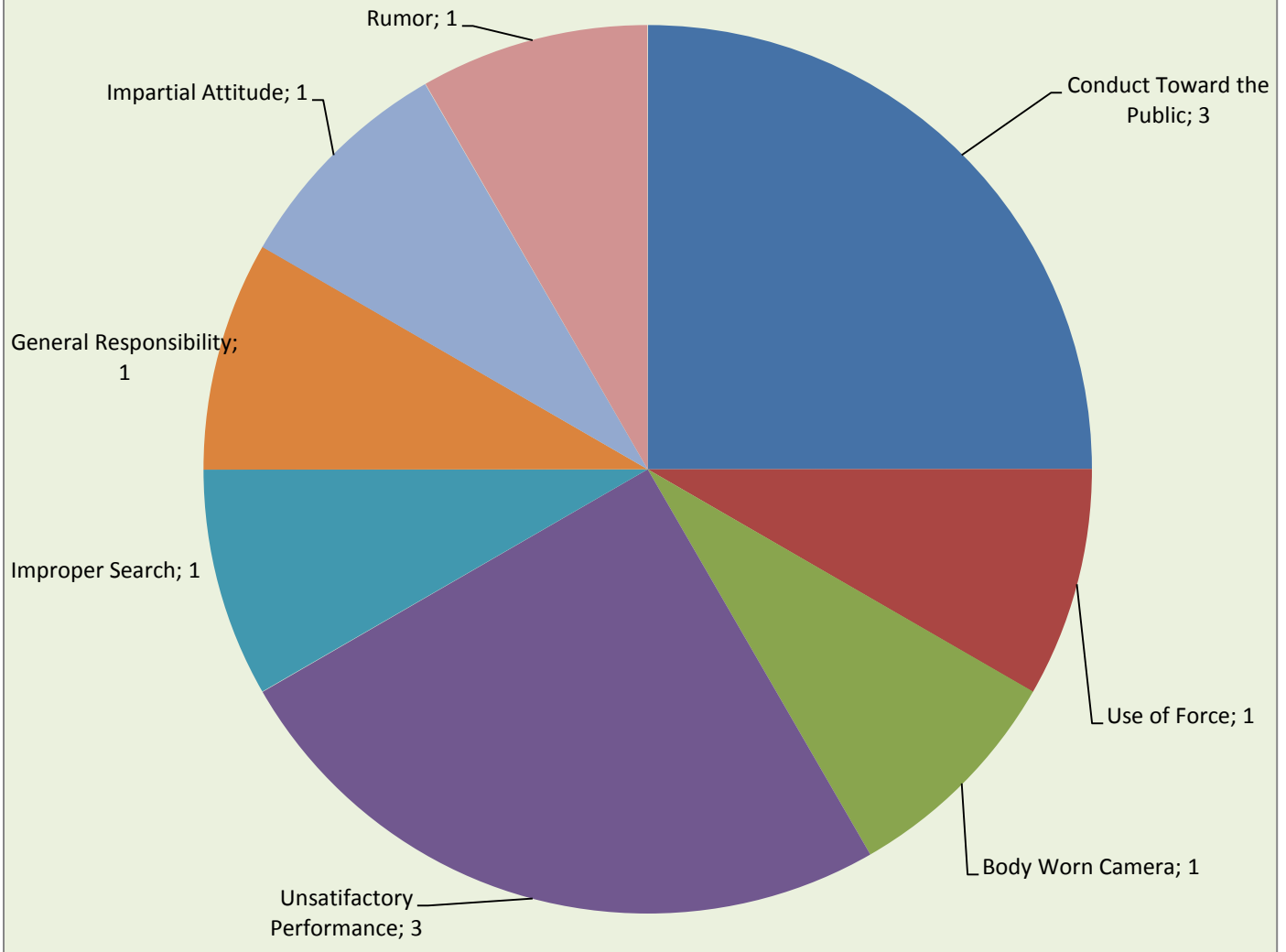


Over the past five years, the annual number of complaints has averaged 19.



Data over the past five years shows no apparent patterns regarding the number of complaints.

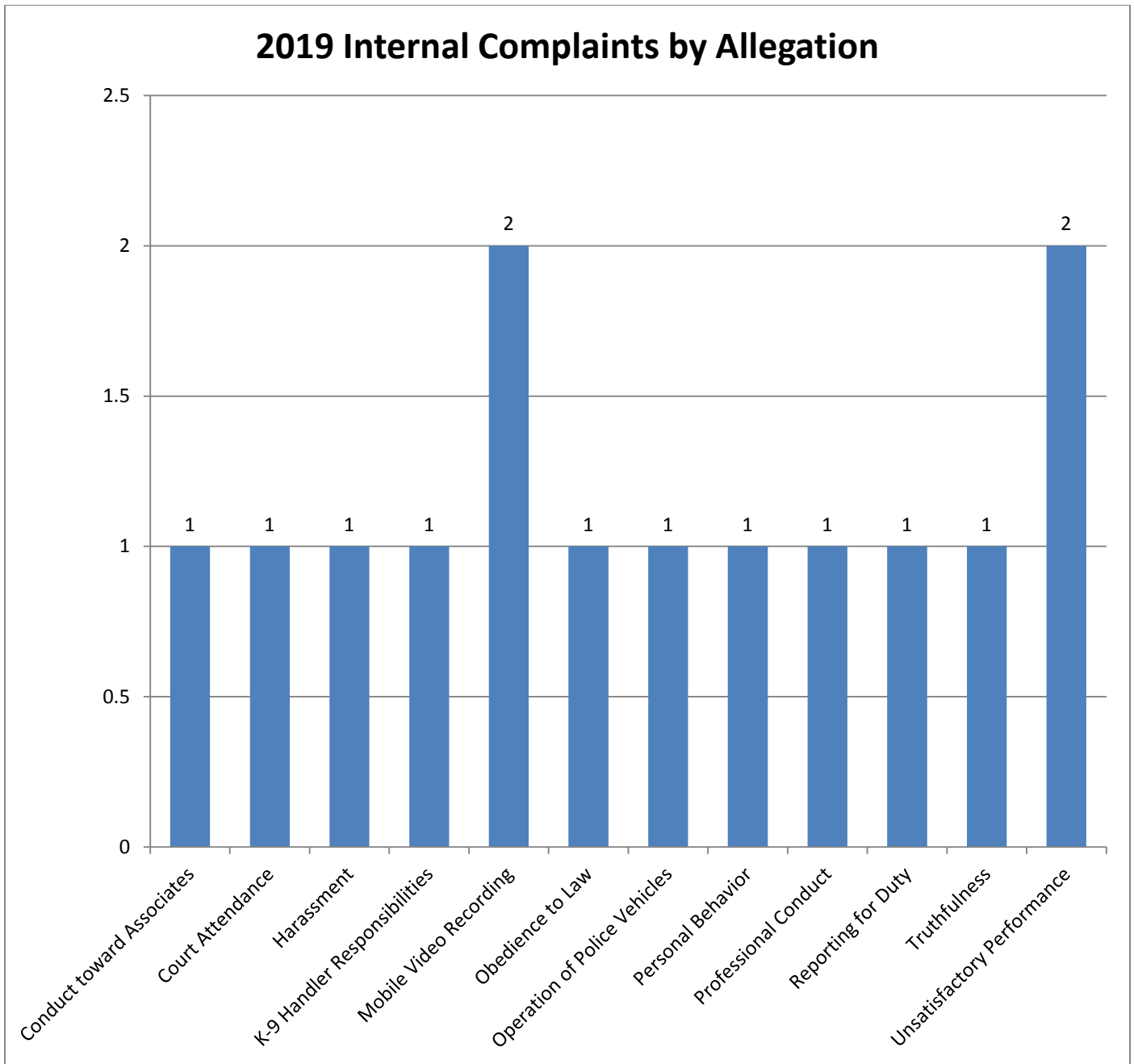
2019 External Complaints by Allegations



In 2019 there were 7 External Complaints filed against 5 departmental employees. A total of 12 allegations were investigated alleging violations of the department's standard operating procedures.

Individual allegations included: Conduct Toward the Public (3, 25%), Excessive or Unnecessary Force (1, 8.3%), Body Worn Camera (1, 8.3%), Unsatisfactory Performance (3, 25%), Improper Search (1, 8.3%), General Responsibility (1, 8.3%), Impartial Attitude (1, 8%), and Rumor (1, 8.3%).

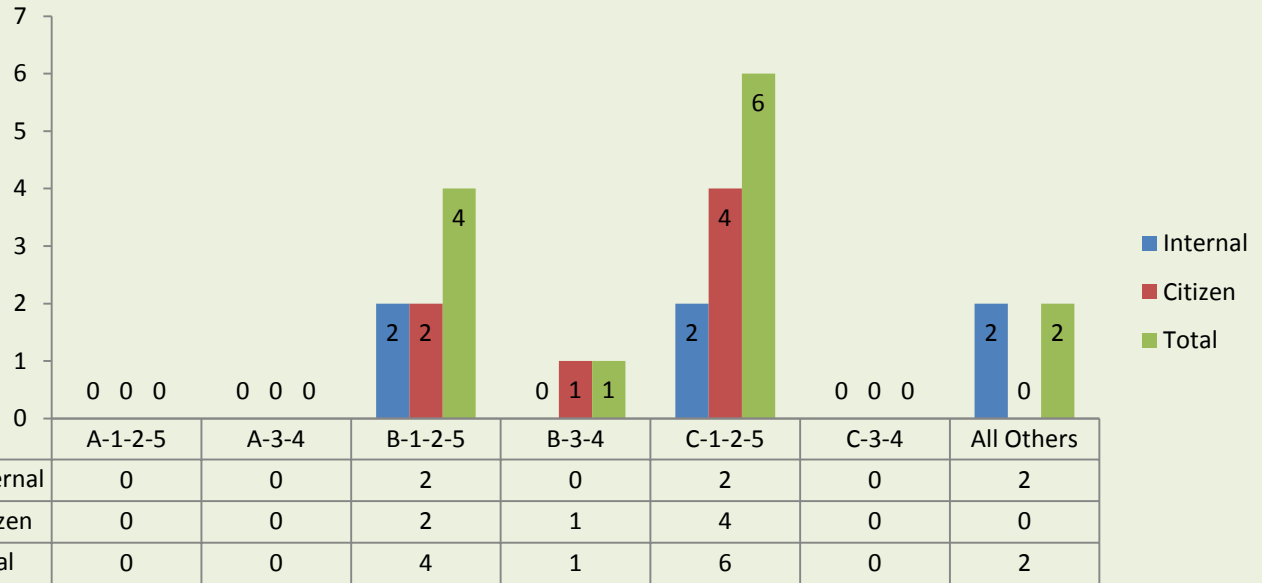
2019 Internal Complaints by Allegation



In 2019 there were 6 Internal Complaints filed against 6 Departmental employees. A total of 14 allegations were investigated alleging violations of departmental standard operating procedures.

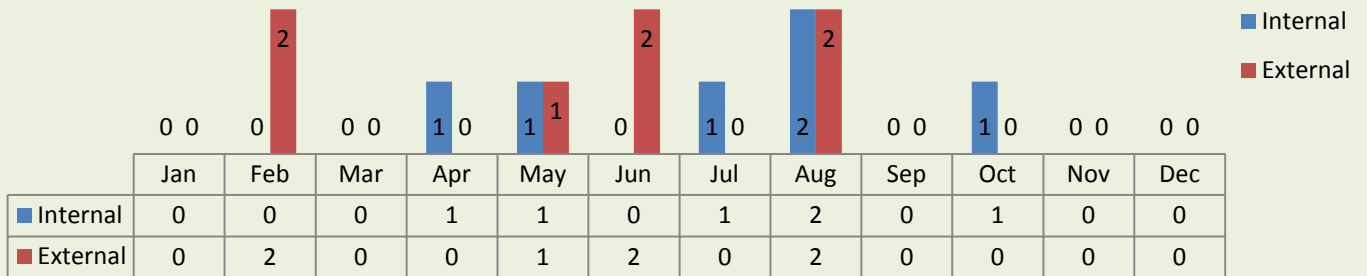
Unsatisfactory Performance (2, 14%) and Mobile Video Recording (2, 14%), accounted for 28% of the Internal allegations.

2019 Complaints by Squad or Unit

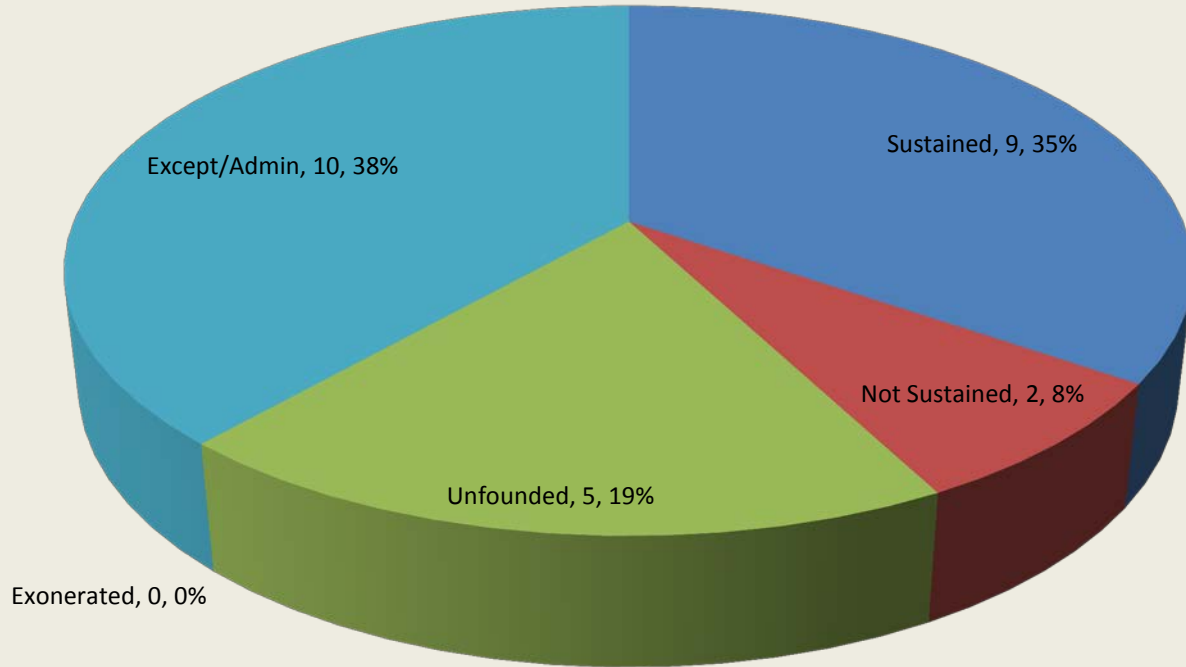


Squads C (1/2/5) and B (1/2/5) accounted for 10 (77%) of the 13 Complaints in 2019

2019 Complaints by Month Received



2019 Investigative Findings on Allegations



In 2019:

External Complaint Allegations:

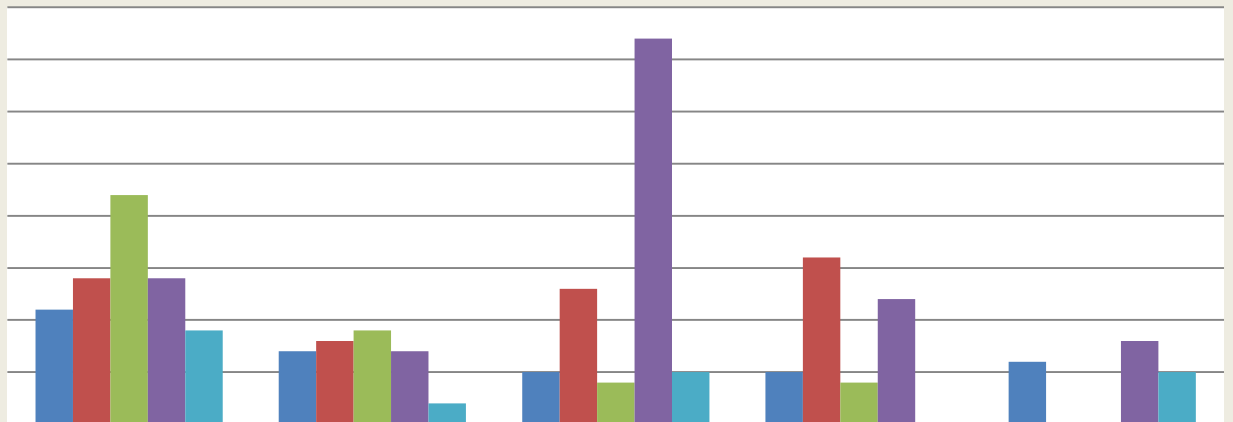
- There were 7 External Complaints against 5 employees. These complaints alleged 12 policy violations
- 2 of the 12 allegations from External Investigations were sustained and discipline issued.
- 3 of the 12 allegations from External Investigations were closed exceptionally or administratively.
*2 of the 3 allegations closed except/admin were the result of the employees' resignations.

Internal Complaint Allegations:

- There were 6 Internal Complaints against 6 employees. These complaints alleged 14 policy violations.
- 7 of the 14 allegations from Internal Investigations were sustained and discipline issued.
- 7 of the 14 allegations from Internal Investigations were closed administratively (resignation).

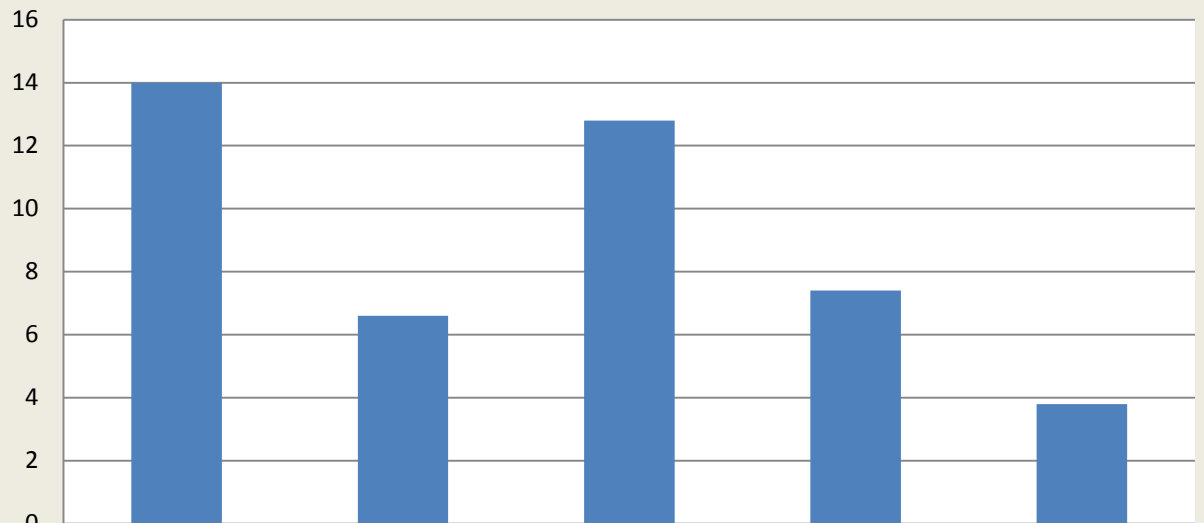
Findings by Year

■ 2015
 ■ 2016
 ■ 2017
 ■ 2018
 ■ 2019

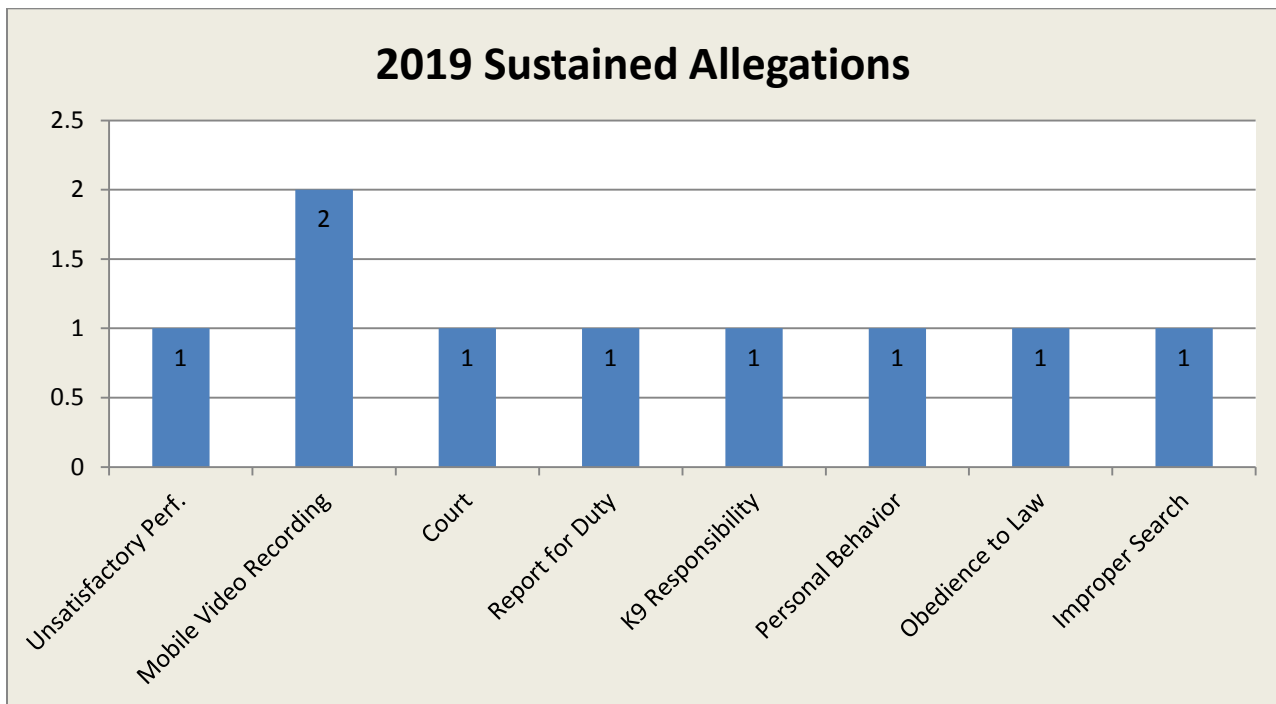


	Sustained	Not Sustained	Unfounded	Exonerated	Exempt/Admin
2015	11	7	5	5	6
2016	14	8	13	16	0
2017	22	9	4	4	0
2018	14	7	37	12	8
2019	9	2	5	0	5

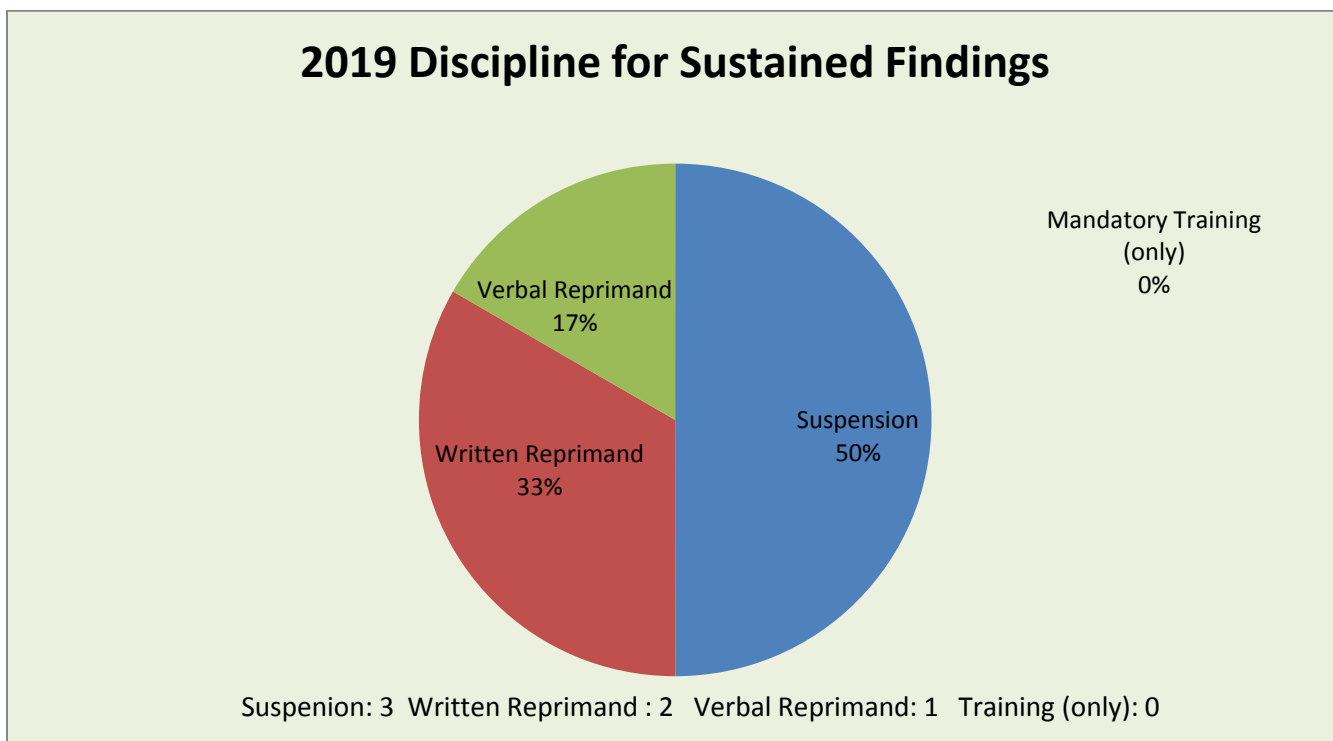
Findings 5 Year Average



	Sustained	Not Sustained	Unfounded	Exonerated	Excep/Admin
5 Year Avg	14	6.6	12.8	7.4	3.8



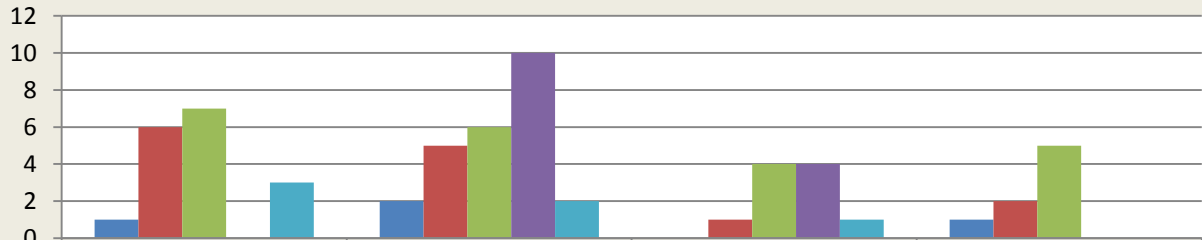
This chart displays the 9 sustained allegations generated from External and Internal complaints.



In 2019 6 of the 13 Investigations resulted in Sustained Findings and discipline was administered.

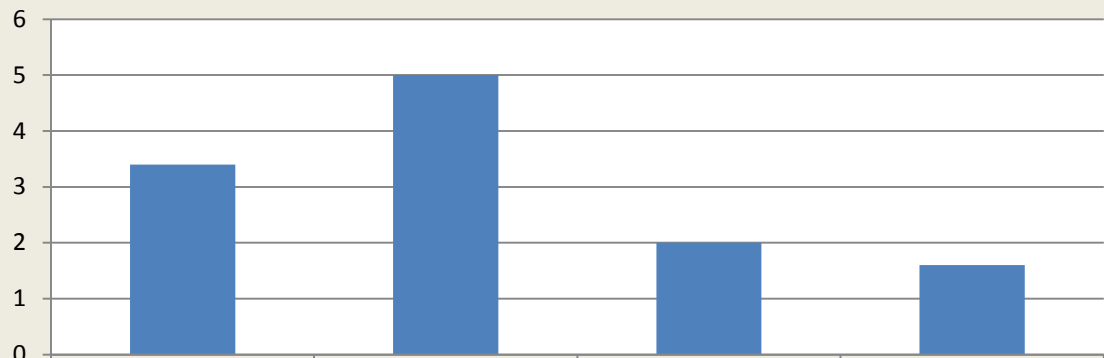
Discipline by Year

■ 2015
 ■ 2016
 ■ 2017
 ■ 2018
 ■ 2019



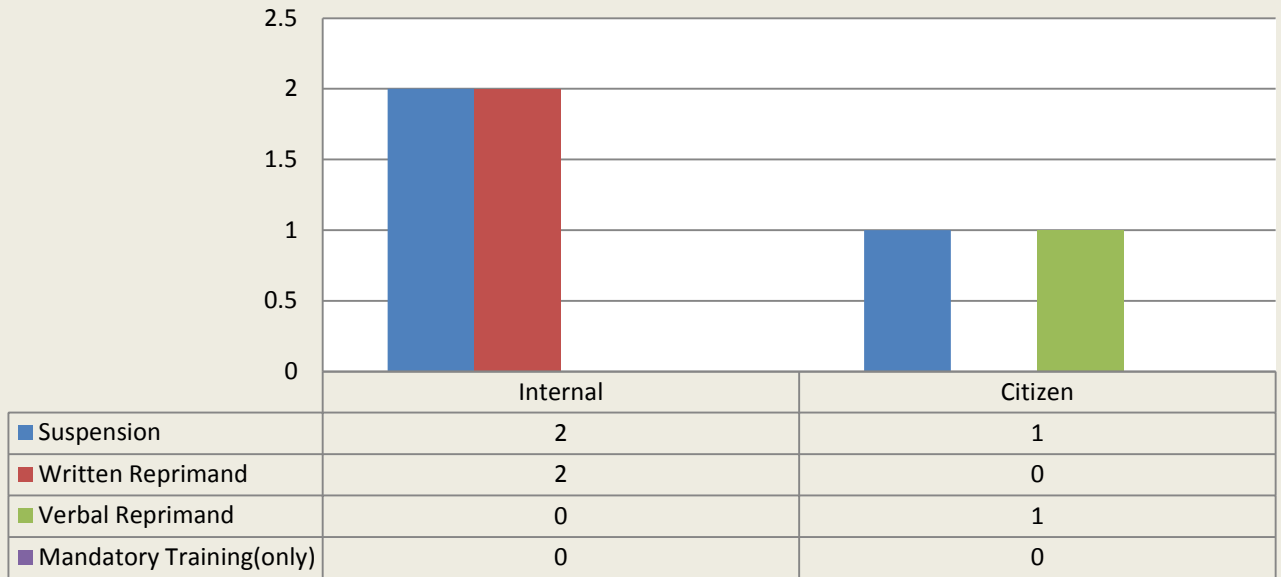
	Suspension	Written Reprimand	Verbal Reprimand	Mandatory Training(only)
■ 2015	1	2	0	1
■ 2016	6	5	1	2
■ 2017	7	6	4	5
■ 2018	0	10	4	0
■ 2019	3	2	1	0

Discipline 5 Year Average



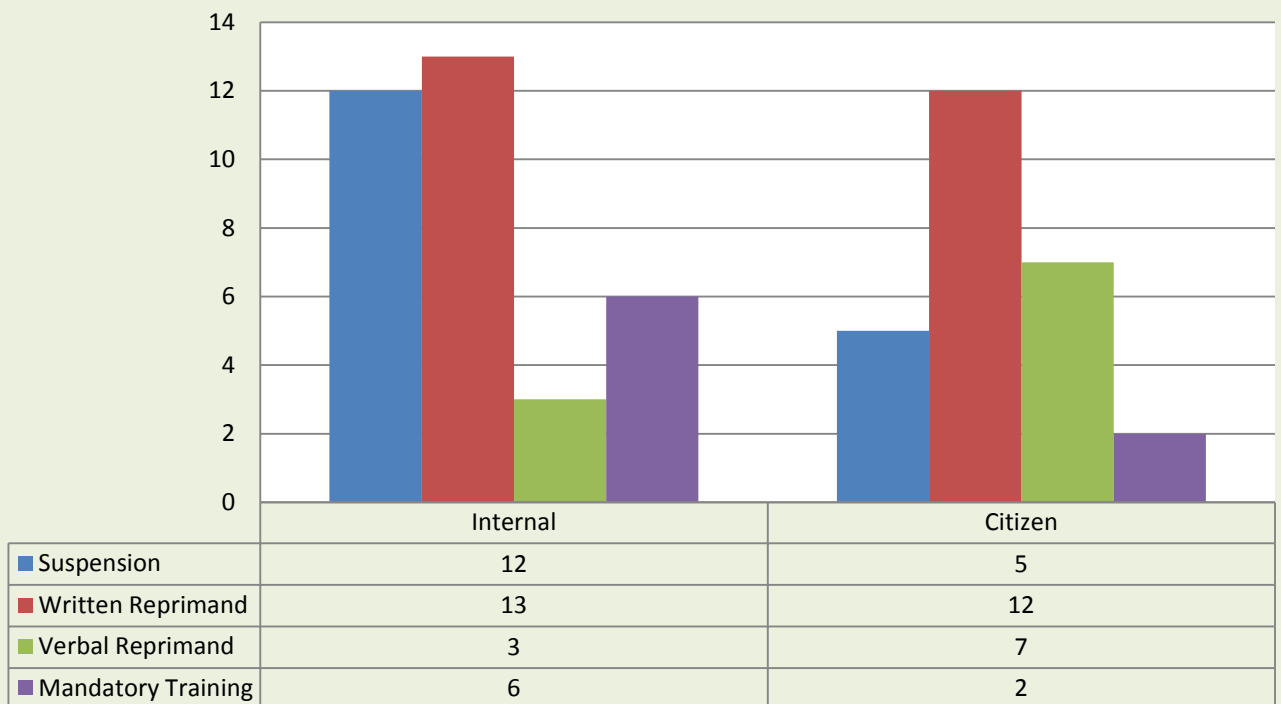
	Suspension	Written Reprimand	Verbal Reprimand	Mandatory Training(only)
■ 5 Year Av	3.4	5	2	1.6

2019 Discipline by Complaint Type



This chart compares type and frequency of discipline issued between Internal and External Complaints.

5 Year Discipline by Complaint Type



Performance Management Reviews

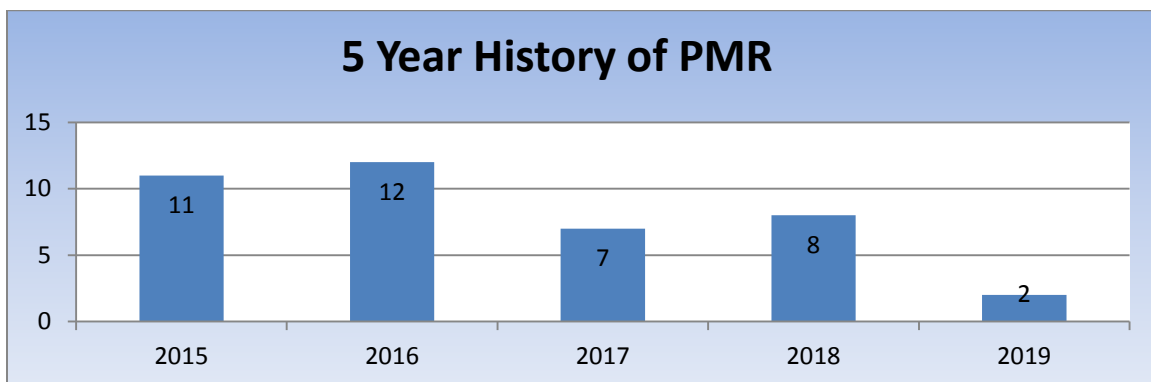
As part of an early warning system, the Internal Affairs Unit monitors the number of use of force incidents by officers as well as other indicators that might represent areas of concern regarding employee performance. When certain parameters are met the Internal Affairs Unit prepares a comprehensive report for the officer's lieutenant and command staff. This process is known as Performance Management Review (PMR). In 2019, 2 performance management reviews were conducted on 2 officers.

The Internal Affairs Office monitors the Performance Management Review System and initiates a review any time an officer reaches one of the following thresholds:

- Three use of force incidents in any ninety-day period or seven in any 365-day period,
- Two disciplinary incidents in twelve months,
- Request for review by officer's lieutenant, or
- A member of the Command Staff or the Chief of Police requests a review.

A Performance Management Review Report includes the following data: awards and commendations, training, calls for service, the number of arrests, including the ratio of arrests to uses of force, use of force incidents, sick leave usage; motor vehicle pursuits, discipline, overtime and leave usage, cruiser accidents, Internal Affairs complaints, no-complaints from the District Attorney, outside employment, lawsuits and notices of claim, job improvement plans and numerical comparison of the officer to others on the same patrol team are provided. The report will include an analysis of the data including areas in need of improvement or change, patterns, and performance or training issues.

The officer's sergeant and lieutenant review the report before it is discussed with the officer. After consulting with the officer a written action plan is devised to address any areas of concern or ensure continued monitoring if no issues are readily apparent. The Performance Review Committee must approve all action plans before implementation. The Performance Review Committee consists of the Chief of Police, Assistant Chief, Commander, Major, Internal Affairs Lieutenant, Training Sergeant, Police Attorney, and the Lieutenant of the officer.

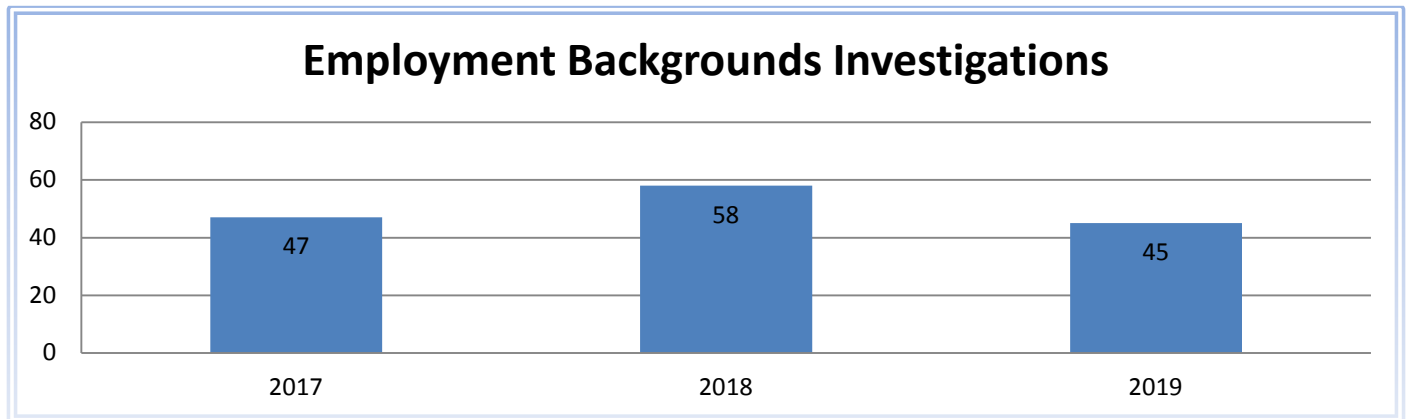


Background Investigations

Pre-Employment Background Investigations

The Internal Affairs Unit conducts pre-employment background investigations on police officers and emergency communications candidates. While investigators from other divisions will assist in this task when there are numerous candidates, the majority are done by Internal Affairs. Investigations include querying criminal, credit, and driving history databases, along with interviews of employers, references, relatives, friends, and co-workers. Every attempt is made to verify all applicant information for truthfulness and completeness. The information is compiled and used by the Chief and Human Resources in making employment decisions.

The Internal Affairs Unit conducted 45 Background Investigations in 2019.



Conclusion

The duties of the Internal Affairs unit are varied but generally revolve around risk management. 2019 had an overall decrease in the total number of complaints investigated along with a decrease in the total number of allegations. The number of External Investigations decreased by 50% (14 to 7) and the number of allegations in those complaints decreased by 73% (45 to 12) between 2018 and 2019.

If a conclusion can be drawn that most Complaints arise from a Call for Service (CFS), there is approximately one complaint per every 6,179 CFS in 2019, whereas there was approximately one complaint per 3,899 CFS in 2018. External Complaints occurred approximately 1 in 11,475 CFS in 2019 and 1 in 5,571 CFS in 2018.

Over the past 5 years, the Department has averaged a total of 19 Complaints per year, with an average of 10.6 External Complaints and 8.4 Internal Complaints. In 2019, the 7 External complaints were a decrease of 34% from the 5- year average. The 6 Internal Complaints was approximately a 33% decrease from the yearly average.

Additionally, 2019 had the lowest number of PMR's in the last 5 years. Only two officers met the threshold to initiate the PMR process.

Recommendations

As described in the Portland Police Department's Standard Operating Procedures, "The Portland Police Department depends upon the integrity, decision-making, and discipline of every employee, so it is the policy of this department to expediently investigate all complaints of employee misconduct in a thorough, fair, and consistent manner, and to take appropriate action based upon the outcome of the investigations."

It is incumbent upon the Department to evaluate the process and procedures that it uses to ensure that the Department is serving the needs of the community, protecting the public, the Department, and the employees.

As part of that review process, several procedural updates, and changes have been suggested. These suggestions are being evaluated to ensure that they continue to increase the level of transparency, accountability, and maintain a high level of integrity expected of the Department within the community.

It is recommended that, once evaluated, that these updates and changes be implemented as soon as possible. Additionally, the Department should continue to review and evaluate SOP's to ensure that best practices are used and they meet or exceed, the standards established by the MCJA Board of Trustees.

Lt. Clifford Strout

End of Report