

OFFICE OF THE CHIEF INVESTIGATOR

DETROIT BOARD OF POLICE COMMISSIONERS



2015 ANNUAL REPORT

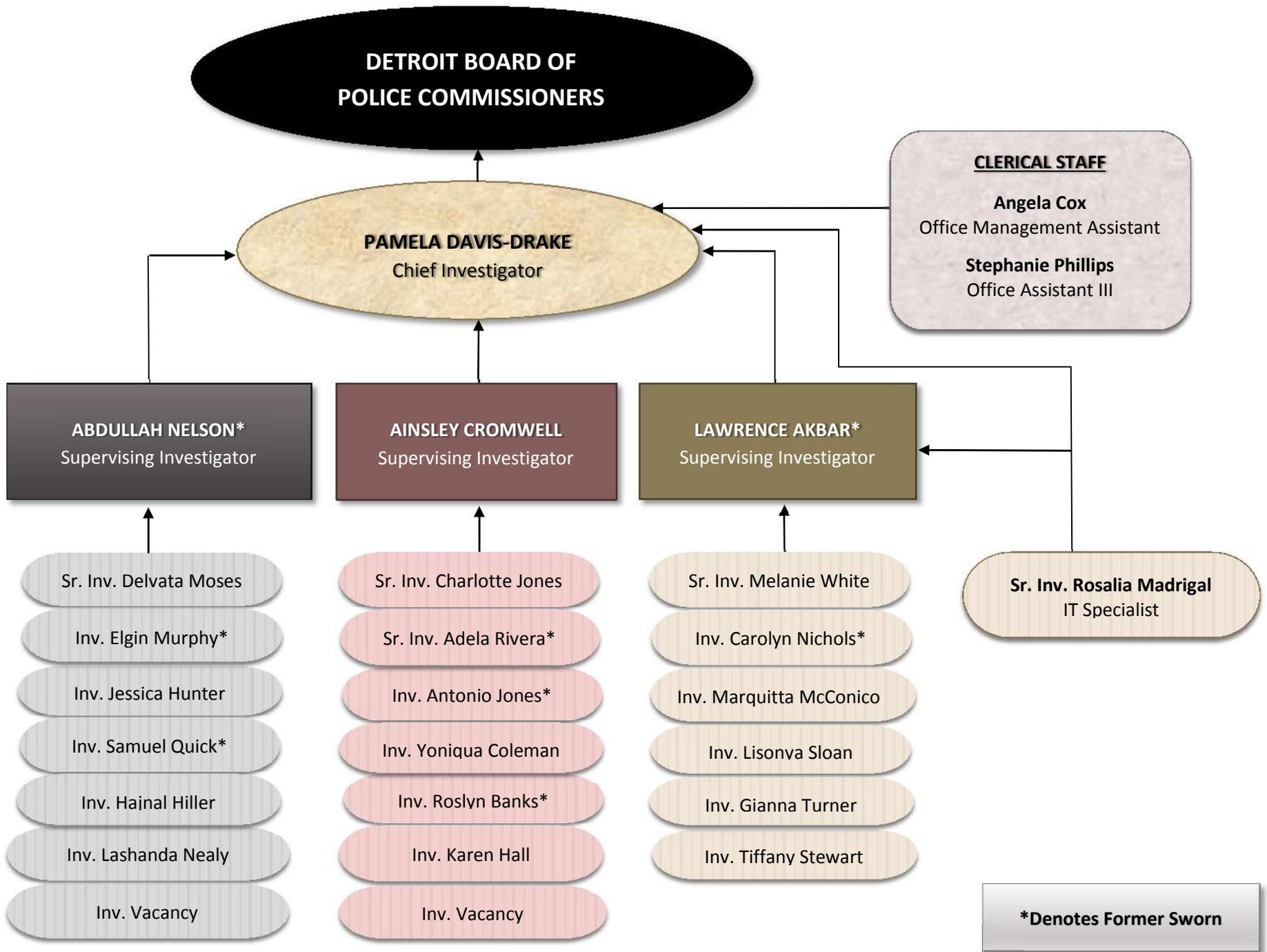


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Introduction

This report is designed to provide a general overview of the Office of the Chief Investigator (OCI) and the statistical activity of the office during calendar year 2015. The various charts and narrative detail trends observed over the past year and offer recommendations for consideration. Additionally, this report will summarize the office's new initiatives, collaborations and accomplishments that will benefit the Board of Police Commissioners, the Office of the Chief Investigator and most importantly, the citizens of the City of Detroit.

OCI Mission

The mission of the Office of the Chief Investigator is to fairly, effectively and objectively receive, investigate and make recommendations regarding complaints concerning the Detroit Police Department and its personnel. It is the goal of the OCI to assist in improving the quality of law enforcement services by instilling citizen confidence in the integrity of the Detroit Police Department.

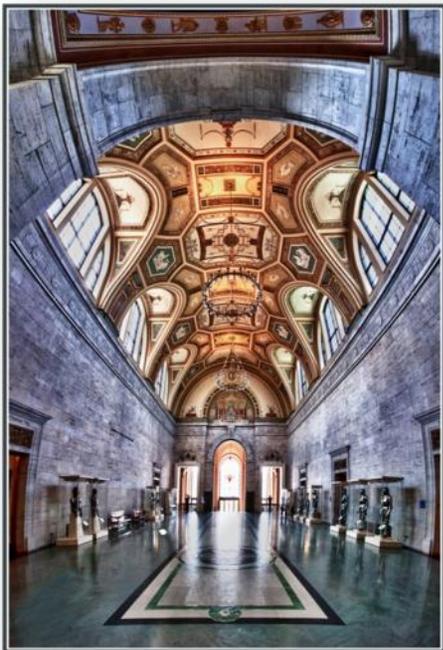
OCI Overview & Purpose

The Detroit Board of Police of Commissioners was created in 1974 by the Detroit City Charter, which was adopted by the vote of the people. The Charter vests broad supervisory authority over the Police Department in this civilian Board. The Board has plenary authority over citizen complaints and has the power to appoint fact finders, subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Under the auspices of the Board, the Office of the Chief Investigator is charged with conducting investigations regarding allegations about the Police Department and its personnel. The OCI operates independent of the Detroit Police Department's chain of command and is led by a civilian Chief Investigator appointed by the Board. In addition to the Chief Investigator, the OCI is comprised of Supervising Investigators, Senior Investigators, line staff Investigators and support staff. All employees of the office are civilian. The cases investigated are non-criminal in nature and the quality of the reports generated are essential to maintaining the office's integrity. During the course of the investigation, citizens are periodically notified regarding case status and receive findings letters upon case completion. All reports are forwarded to the Citizen Complaint Committee, a subset of the full Board charged with reviewing and approving all cases. After the Committee's review, copies of the reports are forwarded to the Chief of Police or his/her designee for review and disciplinary or corrective action, if appropriate.



Categories of Allegations

Citizen Complaints are defined as any complaint alleging inadequate police service or non-criminal misconduct against Detroit Police Department personnel. The following areas of concern/allegations are investigated by OCI:



Arrest - a seizure of greater scope or duration than an investigatory or Terry Stop. An arrest is lawful when supported by probable cause.

Demeanor – a gesture, language or other action which can be interpreted as offensive or of doubtful social propriety or gives the appearance of conflict of interest, misuse of influence or lack of jurisdiction or authority.

Entry – the use of improper and/or excessive force to gain entry into a building or onto property.

Harassment - the method of police action was improperly selective and was predicated upon factors irrelevant, under the circumstances, to good law enforcement decision making, such as race, attire, sex, age, etc.

Force - the use or threatened use of force against an individual was improper and/or excessive and/or inconsistent with Department Directives. Force includes any of the following actions by an Officer: any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. Use of force is lawful if it is objectively reasonable under the circumstances and the minimum amount of force necessary to affect an arrest or protect the member or other person.

Procedure – the actions taken were in violation of Department rules, regulations, procedures or policies, or the Law Enforcement Code of Ethics.

Property – personal property was lost or damaged while in police custody or confiscated through police action.

Search - the search of a person or his/her property was improper, unjustified or in violation of established police procedure.

Service – a complaint regarding the lack, tardiness or inadequacy of police service.

Filing Complaints

Citizen complaints are accepted in the following manner:

- At any Detroit Police Department precinct
- Through the OCI either in person or telephonically
- During the Board of Police Commissioner's weekly public meetings
- Through emails
- On-line via the DPD website or the Board's website

Any member of the DPD who is approached by a citizen wishing to file a citizen complaint while inside a police facility shall promptly put that citizen in contact with a supervisor who will document their complaint. If a member of the DPD is approached by a citizen wishing to make a complaint while the member is deployed in the field, the member shall inquire as to whether the citizen would prefer to file the complaint over the phone, through the mail, or have a supervisor respond to the scene to take their complaint. Depending on the citizen's preference, the member will provide the citizen with an informational brochure advising them as to how they may file their complaint.

Accepting Complaints

Complaints can and will be accepted from any source, including witnesses or other third parties, outside agencies and anonymous sources, within one year of the alleged incident. A complaint shall be filed within one (1) year of the date of the incident giving rise to the complaint. If a complaint is received beyond one year, the matter shall be referred to the Chief Investigator and the complainant shall be advised that the acceptance of a complaint beyond one year is discretionary. All complaints against the DPD and its personnel shall be referred for investigation and resolution by the OCI or in instances alleging criminality, the complaint shall be referred to Internal Affairs or Force Investigation for investigation. The acceptance process is as follows:

- Complaints filed at any police department precinct, unit, or section, shall be forwarded to the OCI within 48 hours. The complaint will be date-stamped by the OCI support staff, and assigned a BPC (Board of Police Commissioners) control number upon receipt.
- Complaints filed in person, by telephone or by mail/email shall be recorded on a CCR (Citizen Complaint Report) form and dated by the Investigator. If received by mail, the complaint must be date-stamped by the OCI support staff and recorded on a CCR form. All complaints must be assigned a BPC (Board of Police Commissioners) control number.



- Complaints filed on-line through the Board's website are retrieved daily, reduced to writing in a CCR, date-stamped and assigned a BPC control number.

Case Assessment & Assignment

OCI Supervising Investigators review the database daily to determine whether or not new complaints have been filed. New complaints are pulled from the database and reviewed by a Supervising Investigator within two (2) days of receipt. The Supervising Investigator determines the following:

- The appropriate internal jurisdiction (OCI, IA or FI)
- Whether the referral to an outside agency is appropriate (e.g. Wayne County Sheriff, Detroit Public Schools, Wayne State University, etc.)
- Whether the complaint alleges misconduct. If so, the complaint will be designated accordingly and assigned to an Investigator for Administrative Closure (see page 8, Alternate Dispositions)
- The type of allegations contained in the complaint (including the severity, solvability and level of experience/expertise required)



The Supervising Investigator will forward the citizen complaint, together with a Case Assignment Sheet, to the OCI support staff who will:

- Input the complaint into the OCI database
- Assign the matter to an Investigator
- Generate a letter to the citizen signed by the Chief Investigator, which acknowledges receipt of the complaint, identifies the assigned Investigator, and provides the citizen with the CCR and BPC numbers

Case Investigations

Investigators shall conduct a thorough, impartial, fact-finding investigation by taking recorded statements from all relevant persons; gathering, preserving, and examining physical evidence; and collecting other factual information pertinent to the investigation. Specifically, their responsibilities include:

- Contacting the complainant (either in person, via telephone or US mail) within seven (7) days to determine the nature, scope and severity of the complaint, and to identify potential witnesses and/or evidence
- Determining whether the complaint meets the criteria for an Alternate Dispositions and handling it accordingly.

- Reviewing the allegation(s) contained in the CCR, confirming each allegation and identifying other potentially related issues to be addressed in the investigation
- Scheduling and conducting interviews with the complainant(s), witnesses and DPD personnel
- Gathering and weighing all evidence and statements, including documentation and electronic evidence
- Conducting a canvass of the scene of the alleged misconduct in an attempt to find witnesses
- Thoroughly documenting the investigation and making a determination regarding case *findings* based on the *Preponderance of the Evidence* standard

Case Findings

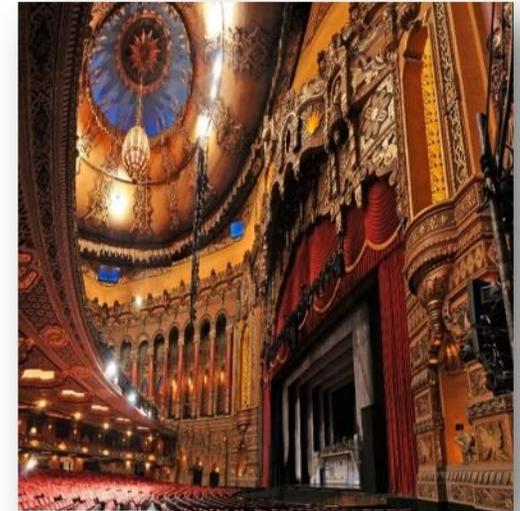
Case *findings* are the disposition of each allegation after completion of the full investigation. This section of the report should include the member's name and badge number, a reiteration of the complainant's allegation(s), a reference to the applicable department policy or procedure indicating whether the involved member adhered to or violated said procedure, a summary of the statements from the complainant, witnesses and members of DPD; any electronic evidence (i.e. scout car video, etc.) and finally, the Investigator's analysis based on his or her investigation, addressing whether there has been any violation of DPD rules and policies. The report will contain one or more of the following findings for each allegation:

Sustained – A preponderance of the evidence shows that the alleged conduct did occur, and that the actions of the member violated the law, DPD policy, procedure or training.

Not Sustained - There were insufficient facts to decide whether the alleged misconduct occurred.

Exonerated - A preponderance of the evidence shows that the alleged conduct did occur, but **did not** violate the law, DPD policy, procedure or training.

Unfounded - The investigation revealed no facts to support that the incident complained of actually occurred.



Alternate Dispositions

In some exceptional instances, a full investigation is not possible, unnecessary, or may exclude steps in the investigative process. These alternate case closure dispositions are defined as follows:



Administrative Closure: Citizens complaints which may be closed without a formal investigation and shall be limited to the following: (1) duplicates, (2) complaints transferred to the appropriate external agency, (3) complaints made against a member or employee who is no longer employed by DPD; (4) complaints where the alleged conduct does not violate law or policy, and/or (5) complaints which lack sufficient detail as to the members involved, lack sufficient detail as to the facts surrounding the incident or lack merit, AND where the complainant is unavailable and/or unwilling to contribute to the furtherance of the investigation. In this instance, the Investigator will detail the basis of his/her determination and refer the matter to the Supervising Investigator for administrative closure of the file. The Supervisor then refers the matter to the Chief Investigator for final review and approval.

Informal Complaint Resolution: The resolution of citizen complaints which allege only *inadequate service* and are not coupled with other allegations, *or* the complainant maintains his or her *innocence of a charge* (they deny violating any law).

Summary Investigation: In certain circumstances and only with the approval of the Supervising Investigator, the requirement for certain interviews may be waived when the existing evidence lends itself to a definitive conclusion. The justification and the approval must be documented within the body of the report.

Deadlines & Timeframes

OCI's Standard Operating Procedures (SOP) manual contains deadlines and timeframes to which Investigators must strictly adhere. The assigned Investigator shall complete his or her investigation and submit a thorough written report to his or her Supervising Investigator within ninety (90) days of filing. The Chief Investigator must review completed investigations within seven (7) days of receipt from the Supervising Investigator. Subsequently, within forty-five (45) days of the Chief Investigator's review, a committee of the Board of Police Commissioners, the Citizen Complaint Committee, must review and approve all cases and forward the approved investigations to the Office of the Chief of Police. The Chief or his/her designee must review the investigation within seven (7) days of receipt. In order to remain in compliance, it is imperative that all parties adhere to deadlines and timeframes as outlined in the SOP manual. The SOP serves as the ultimate guide to the operations of this office and every procedure provides staff with clear and comprehensible plans of action required to carry out day-to-day operations.

Chart A

CITIZEN COMPLAINT TOTALS BY YEAR

| MONTH | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------------------|-------------|-------------|--------------|-------------|-------------|--------------|-------------|-------------|-------------|-------------|-------------|
| January | 81 | 117 | 147 | 147 | 106 | 80 | 116 | 109 | 90 | 108 | 75 |
| February | 93 | 96 | 98 | 127 | 101 | 136 | 82 | 91 | 82 | 97 | 55 |
| March | 143 | 104 | 129 | 124 | 140 | 165 | 143 | 132 | 76 | 122 | 85 |
| April | 148 | 100 | 134 | 145 | 144 | 94 | 138 | 90 | 97 | 128 | 97 |
| May | 143 | 112 | 149 | 139 | 145 | 212 | 107 | 117 | 130 | 131 | 89 |
| June | 135 | 145 | 143 | 176 | 138 | 146 | 176 | 135 | 113 | 124 | 132 |
| July | 140 | 133 | 172 | 179 | 163 | 150 | 132 | 117 | 130 | 111 | 110 |
| August | 145 | 187 | 157 | 172 | 179 | 148 | 132 | 91 | 123 | 106 | 115 |
| September | 126 | 156 | 151 | 164 | 182 | 158 | 137 | 103 | 121 | 88 | 104 |
| October | 127 | 131 | 172 | 159 | 164 | 114 | 136 | 116 | 137 | 103 | 88 |
| November | 120 | 130 | 138 | 125 | 132 | 149 | 122 | 109 | 109 | 85 | 87 |
| December | 99 | 81 | 119 | 79 | 135 | 115 | 125 | 91 | 89 | 87 | 82 |
| TOTALS | 1500 | 1492 | 1709 | 1736 | 1732 | 1669 | 1586 | 1301 | 1298 | 1290 | 1119 |
| Variance | -5% | -.5% | 14.5% | 1.6% | 0% | -3.6% | -5% | -18% | 0% | 1% | -13% |

Chart A Overview

For the past 11 years, OCI statistics have shown a consistent decrease in the number of cases filed. Moreover, between 2008, which peaked at 1,736 cases received; and 2015, which peaked at 1,119 cases received, the OCI experienced a 35.5% decrease in the total number of complaints filed. This significant decrease could be attributed to a number of factors, including but not limited to police training and police/community initiatives; improved member adherence to policies and procedures set forth by the Department; OCI's attempts to educate the community, assisting them in fully comprehending the purpose of the office and its role in the community; or perhaps deterrence from misconduct through the accountability that OCI provides by completing thorough investigations more expeditiously (see Summary & Conclusion, page 17). While the exact variables which directly impact a reduction in case filings may never be fully determined, the Department is certainly trending in the right direction.

Chart B

| ALTERNATE DISPOSITIONS (6-YEAR HISTORY) | | | | | | | |
|---|--------------|---------------------|-------------------------|------------|---------------------|--------------------|-----------------|
| YEAR | TOTAL CCRS | TOTAL ALT. CLOSURES | ADMINISTRATIVE CLOSURES | TRANSFERS | INNOCENCE OF CHARGE | INADEQUATE SERVICE | % OF TOTAL CCRS |
| 2010 | 1669 | 271 | 79 | 49 | 39 | 104 | 16% |
| 2011 | 1586 | 338 | 145 | 57 | 44 | 92 | 21% |
| 2012 | 1301 | 220 | 77 | 53 | 34 | 56 | 17% |
| 2013 | 1298 | 94 | 34 | 40 | 8 | 12 | 7% |
| 2014 | 1290 | 152 | 59 | 63 | 8 | 22 | 12% |
| 2015 | 1119 | 231 | 119 | 47 | 26 | 39 | 21% |
| | TOTAL | 1306 | 513 | 309 | 159 | 325 | |

Chart B Overview

Due to a number of factors, OCI Investigators may periodically exclude certain steps in the investigative process and close cases after conducting the preliminary investigation. These types of case closures are known as *alternate dispositions* (see page 5). The above chart displays all alternate dispositions over the past 5 years. The 309 *transfers* involve cases where complainants initially suspected DPD member involvement in the incident; however, the preliminary investigations revealed that in actuality, other agencies were involved. To provide examples of the entities to which the OCI frequently transfers complaints, the specific designations for the 47 transfers in 2015 are as follows: Internal Affairs (28), Force Investigations (6), and various outside agencies (13); including Wayne State University (1), Wayne County Sheriff (1), US Marshall (1), DPD Precincts (4), Chief of Police (1), 36th District Court (1), Greektown Security (1), Detroit Fire Department (1), Animal Control (1), and the Detroit Water & Sewerage Department (1).

2015 OCI CCR ALLEGATIONS & FINDINGS

Chart
C

| ALLEGATION | ADM/CLOSURE | EXONERATED | NOT SUSTAINED | SUSTAINED | UNFOUNDED | TOTAL |
|------------------|-------------|------------|---------------|------------|------------|-------------|
| Arrest | 8 | 39 | 0 | 3 | 10 | 60 |
| Demeanor | 31 | 17 | 387 | 77 | 81 | 593 |
| Entry | 8 | 13 | 13 | 1 | 4 | 39 |
| Force | 23 | 12 | 108 | 3 | 33 | 179 |
| Harassment | 28 | 0 | 15 | 1 | 28 | 72 |
| Procedure | 126 | 217 | 244 | 109 | 128 | 824 |
| Property | 27 | 14 | 40 | 2 | 8 | 91 |
| Search | 12 | 31 | 32 | 4 | 7 | 86 |
| Service | 54 | 38 | 41 | 15 | 37 | 185 |
| TOTAL | 317 | 381 | 880 | 215 | 336 | 2129 |

2014 OCI CCR ALLEGATIONS & FINDINGS

| ALLEGATION | ADM/CLOSURE | EXONERATED | NOT SUSTAINED | SUSTAINED | UNFOUNDED | TOTAL |
|------------------|-------------|------------|---------------|------------|------------|-------------|
| Arrest | 17 | 45 | 4 | 6 | 17 | 89 |
| Demeanor | 32 | 15 | 511 | 110 | 81 | 749 |
| Entry | 8 | 26 | 28 | 0 | 11 | 73 |
| Force | 35 | 24 | 185 | 6 | 33 | 283 |
| Harassment | 23 | 0 | 27 | 2 | 20 | 72 |
| Procedure | 61 | 281 | 395 | 156 | 182 | 1075 |
| Property | 25 | 27 | 71 | 6 | 8 | 137 |
| Search | 17 | 47 | 64 | 6 | 7 | 141 |
| Service | 32 | 46 | 77 | 26 | 60 | 241 |
| TOTAL | 250 | 511 | 1362 | 318 | 419 | 2860 |

2013 OCI CCR ALLEGATIONS & FINDINGS

| ALLEGATION | ADM/CLOSURE | EXONERATED | NOT SUSTAINED | SUSTAINED | UNFOUNDED | TOTAL |
|------------------|-------------|------------|---------------|------------|------------|-------------|
| Arrest | 3 | 35 | 4 | 4 | 13 | 59 |
| Demeanor | 13 | 26 | 417 | 113 | 112 | 681 |
| Entry | 1 | 20 | 12 | 3 | 5 | 41 |
| Force | 9 | 18 | 181 | 9 | 18 | 235 |
| Harassment | 4 | 1 | 32 | 3 | 36 | 76 |
| Procedure | 27 | 226 | 306 | 126 | 153 | 838 |
| Property | 5 | 14 | 43 | 8 | 11 | 81 |
| Search | 3 | 48 | 38 | 5 | 13 | 107 |
| Service | 22 | 54 | 76 | 34 | 70 | 256 |
| TOTAL | 87 | 442 | 1109 | 305 | 431 | 2374 |

2012 OCI CCR ALLEGATIONS W/FINDINGS

**Chart
C
Cont.**

| ALLEGATION | ADM/CLOSURE | EXONERATED | NOT SUSTAINED | SUSTAINED | UNFOUNDED | TOTAL |
|------------------|-------------|------------|---------------|------------|------------|-------------|
| Arrest | 8 | 38 | 2 | 0 | 4 | 52 |
| Demeanor | 52 | 36 | 621 | 77 | 119 | 905 |
| Entry | 3 | 10 | 9 | 0 | 0 | 22 |
| Force | 15 | 37 | 220 | 9 | 59 | 340 |
| Harassment | 19 | 8 | 22 | 1 | 27 | 77 |
| Procedure | 101 | 277 | 309 | 120 | 131 | 939 |
| Property | 11 | 13 | 48 | 4 | 15 | 91 |
| Search | 10 | 49 | 46 | 2 | 7 | 114 |
| Service | 98 | 71 | 104 | 31 | 71 | 375 |
| TOTAL | 317 | 539 | 1381 | 244 | 433 | 2915 |

2011 OCI CCR ALLEGATIONS W/FINDINGS

| ALLEGATION | ADM/CLOSURE | EXONERATED | NOT SUSTAINED | SUSTAINED | UNFOUNDED | TOTAL |
|------------------|-------------|------------|---------------|------------|------------|-------------|
| Arrest | 3 | 2 | 28 | 3 | 2 | 37 |
| Demeanor | 13 | 73 | 34 | 468 | 52 | 680 |
| Entry | 1 | 3 | 5 | 3 | 0 | 11 |
| Force | 9 | 24 | 43 | 188 | 7 | 293 |
| Harassment | 4 | 21 | 7 | 20 | 1 | 59 |
| Procedure | 27 | 119 | 300 | 239 | 93 | 819 |
| Property | 5 | 5 | 7 | 40 | 6 | 65 |
| Search | 3 | 5 | 43 | 50 | 3 | 106 |
| Service | 22 | 126 | 60 | 56 | 24 | 308 |
| TOTAL | 378 | 527 | 1067 | 188 | 218 | 2378 |

Chart C Overview

OCI's leading allegations for the past 10 years have consistently been Procedure and Demeanor, which constitute an average of 64% of all allegations filed. The top 3 units leading in complaints filed in 2015 were as follows: 1) 8th Precinct, 2) 9th Precinct, and 3) 12th Precinct, respectively. Historically, the objective has been to reduce the number of citizen complaints filed, which in theory, would suggest a correlation between OCI caseloads and member performance. However, as we cannot specify causation and are clearly achieving the desired results without targeted effort, it would be more logical to examine other data trends. Since 2003, findings of "Not Sustained" have been as consistent as the leading allegations. To maximize our resources, efforts should focus on reducing the number of "Not Sustained" findings, which constitute an average of 45% of our findings. Simply stated, in almost half of our cases, we do not have enough evidence to make a conclusive determination. The OCI is currently partnering with the Department's Professional Standards unit to address this issue (see Summary & Conclusion, page 18).

Chart D

| DISCIPLINARY DISPOSITIONS (2015) | | | | | | |
|----------------------------------|---------------------|-------------------|---------------------|----------------|------------|------------|
| ALLEGATION TYPE | INFORMAL COUNSELING | CORRECTIVE ACTION | DISCIPLINARY ACTION | NO DISPOSITION | CANCELLED* | TOTALS |
| Arrest | 8 | 0 | 0 | 0 | 0 | 8 |
| Demeanor | 59 | 0 | 11 | 6 | 0 | 76 |
| Entry | 1 | 0 | 0 | 0 | 0 | 1 |
| Harassment | 0 | 0 | 1 | 0 | 0 | 1 |
| Force | 1 | 0 | 2 | 0 | 0 | 3 |
| Procedure | 111 | 1 | 29 | 6 | 3 | 150 |
| Property | 3 | 0 | 0 | 0 | 0 | 3 |
| Search | 2 | 0 | 2 | 0 | 0 | 4 |
| Service | 14 | 0 | 5 | 1 | 0 | 20 |
| TOTALS | 199 | 1 | 50 | 13 | 3 | 266 |

Chart D Overview (*Denotes incidents where additional information was discovered after closing which changed the original finding.)

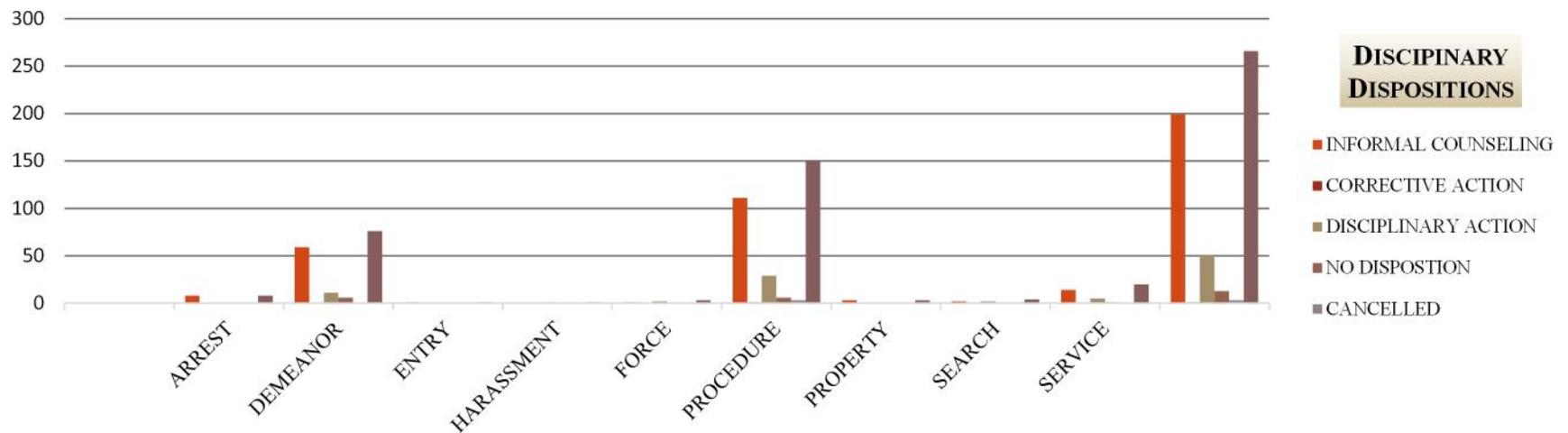


Chart E

| COMPARATIVE STATISTICS FOR WALK-INS | | | | | |
|--|-----------------|--|-------------------------------|---|-------------------------------|
| YEAR | LOCATION | TOTAL # OF WALK-INS (DEPARTMENT-WIDE) | % OF ALL WALK- INS | TOTAL # OF WALK-INS (OCI ONLY) | % OF ALL WALK- INS |
| 2010 | Palms Building | 610 | 37% | 34 | 6% |
| 2011 | Palms Building | 636 | 40% | 23 | 4% |
| 2012 | Palms/Cadillac | 178 | 14% | 8 | 4.5% |
| 2013 | Cadillac Towers | 306 | 24% | 29 | 9% |
| 2014 | Cadillac Towers | 355 | 28% | 22 | 6% |
| 2015 | Cadillac/DPSH | 378 | 34% | 28 | 7% |
| OCI Average Walk-Ins Per Year (2010 – 2015) | | | | 24 | 6% |

Chart E Overview

The Board of Police Commissioners and the Office of the Chief Investigator have traditionally emphasized the need for the OCI to maintain its autonomy from the Detroit Police Department. While we maintain that this is certainly important, it is equally important to examine the data. For the purposes of this report, the statistical significance of the results will not be measured; however, the data yields interesting results. Using elements of the statistics currently available, we begin by formulating simple null and alternate hypotheses:

- **Alternate Hypothesis:** *Police presence is a deterrent to citizens filing complaints with the Office of the Chief Investigator.*
- **Null Hypothesis:** *Police presence is not a deterrent to citizens filing complaints with the Office of the Chief Investigator.*

Results

1. If police presence is indeed a deterrent to citizens filing complaints, one would expect that the lowest number of walk-ins would be observed at police entities (precincts, units, etc.). In actuality, an average of **94%** of all walk-ins over the past 6 (six) years have occurred at police precincts or within other police units.

2. If police presence was indeed a deterrent to citizens filing complaints, one would expect that the number of walk-ins at the OCI would greatly exceed the number of walk-ins at police entities. In actuality, of the **2,463** CCRs filed as walk-ins over the past six (6) years, only **144**, or **6%**, have occurred at the Office of the Chief Investigator, regardless of our location.

Several factors may influence the data. For example, when the OCI moved from the Palms Building to Cadillac Towers in August of 2012, we experienced a **35% decrease** in the number of walk-ins as compared to 2011 (see Chart A). Again, one would have expected the opposite if indeed, police presence was a factor. One could attribute the low statistics in 2012 to slow moving information to the public regarding OCI's new location. This would be a reasonable explanation, as the walk-ins increased by **28% increase** the following year. Also noteworthy is that in comparison to 2011, the office experienced an overall **72% decrease** in the total number of walk-ins from all entities and an **18% decrease** in the overall number of CCRs filed. While more research is needed before we can accept the null hypothesis, an analysis of the data over the past 6 years indicates that police presence is less a factor than historically believed. Perhaps other factors (e.g. access, lighting, security, etc.) are more likely to influence a citizen decision to file a complaint. Therefore, keeping citizens abreast of OCI's location and ensuring accessibility (bus routes, free parking, handicap accessibility, etc.) are perhaps more essential to a citizen degree of comfort. In the very near future, the Office of the Chief Investigator will distribute a satisfaction survey to the community to ascertain the latter, as well as their satisfaction with services rendered.

Interestingly, the Office of the Chief Investigator has never fully maintained complete autonomy from the Police Department. For over 30 years, the OCI has shared space with units within the Department; specifically, Internal Affairs and Force Investigations. Because of the nature of those police entities, high foot traffic of sworn members is experienced. Additionally, there is some benefit to having at least a modicum of police presence located in the same building with the OCI. Police presence acts as a deterrent for the criminal element. Additionally, the OCI Investigators are no longer authorized to carry firearms, thus police presence serves as an added security measure. This will become more apparent upon OCI's move to their permanent location.



ON THE HORIZON

Spearheaded by the Mayor's office, Lean Process Management is a coordinated effort to identify and make improvements in areas that impact service deliverables within City of Detroit departments. To this end, various departments have been charged with forming teams to implement projects. The project team led by DPD's Professional Standards Bureau is working in cooperation with the Office of the Chief Investigator to examine "Not Sustained" findings. To reiterate, an average of 45% of the allegations investigated by the OCI result in findings of "Not Sustained." The goal of this joint effort is to reduce the number of "Not Sustained" findings, while increasing the numbers of "Exonerated" and "Unfounded" findings. Our belief is that if more evidence is made available to Investigators, the greater the likelihood of producing reports with more conclusive dispositions. This can largely be accomplished by focusing on the use of audio and visual equipment to capture police-citizen contacts. The Department can increase accountability by ensuring that vehicles are equipped with A/V devices, that the devices are functioning properly, and that failure to follow DPD policies and procedures regarding A/V equipment are met with increased supervision, training and discipline.

LEAN PROCESS MANAGEMENT SERVICE IMPROVEMENT INITIATIVE

OCI MEDIATION PROJECT

The Office of the Chief Investigator in cooperation with the Wayne County Mediation Center is currently developing a proposal regarding a pilot for a mediation project. The plan would allow for certain types of citizen complaints to be mediated rather than a full investigation conducted. All parties must agree to mediation before the process could be considered. Some allegations are not appropriate for mediation; therefore, the pilot would focus on complaints which contain Demeanor, Service and/or certain types of Procedure allegations. As earlier stated, these represent the highest number of allegations received. The Department may also determine that certain officers are not eligible to participate. Mediation would consist of small groups comprised of the complainants, focus officers and the mediators. The following benefits would potentially be realized:

- The mediation process would improve police/community relations and is a restorative justice approach to policing.
- Mediation can be a learning experience for both the member (emphasizing the importance of good, quality communication & professionalism), as well as the citizen (providing a better understanding of the duties and obstacles the job of a police officer entails).
- The citizen would have a face to face opportunity to meet with the focus officer(s) and have the benefit of a trained mediator facilitating the hearing, perhaps right in the community.

- Mediation would result in an expedited resolution of complaints (30 days or less, rather than up to 90 days).
- Mediation is cost-effective and efficient. In this case, it is free of charge to both the citizen, OCI and DPD.

If successful, mediation would facilitate communication between the Detroit Police Department and the citizens of Detroit, and assist them in reaching their own mutually-satisfactory resolution in a non-adversarial manner.

OPEN DATA PORTAL – DATA DRIVEN DETROIT

In May 2013, President Barack Obama issued an Executive Order which established the Open Data Policy, along with a memorandum from the Office of Management and Budget which supported that policy. The Open Data Portal was designed to promote transparency in government. According to its website, the purpose of Data.gov is to increase public access to high value, machine readable datasets generated by the Executive Branch of the federal government. The site would publish to the public any data that is not private or restricted for national security reasons. In keeping with the President’s mandate, Data Driven Detroit (D3), a portal which provides accessible high-quality information and analysis that drives informed decision-making, was established. Along with the Detroit Police Department, the Office of the Chief Investigator through the Detroit Board of Police Commissioners, has also partnered with Data Driven Detroit to explore and eventually publish citizen complaint data that could be useful to the public.

SUMMARY & CONCLUSION

The past few years have been challenging; however, even in adversity and often under tumultuous conditions, staff has shown resilience, learned from mistakes and made significant strides. In July 2003, the City of Detroit, Detroit Police Department and the United States Department of Justice entered into a Federal Court Consent Judgment. The Department was charged with maintaining 94% compliance for 2 consecutive years in order for the Judgment to be terminated. The OCI was named in the Judgment and at one time, was the focal point. After 11 years, the Consent Judgment was officially terminated in Federal Court on Monday, August 18, 2014. A sustainability plan was created to demonstrate the city’s commitment to continued enforcement of the terms and conditions of the former Consent Judgment. To ensure continued compliance, the DPD and OCI have incorporated all areas of the Judgment into their respective policies and procedures. Both entities continue to be audited by the Civil Rights Integrity Bureau (CRIB), a division of the Professional Standards Unit, and regular reports have been forwarded to the Department of Justice.

After over 30 years of occupancy at the Palms Building on Woodward Avenue, the OCI moved to Cadillac Towers in the heart of Campus Martius temporarily in 2012. Unfortunately, the permanent move to Palmer Park scheduled for October 2015 was postponed due to a contract dispute. This necessitated another temporary move into the Detroit Public Safety Headquarters. It is anticipated that in the near future, the Office of the Chief Investigator will occupy its permanent home.

As the OCI has maintained full compliance for the past 3 years, our focus has shifted from eliminating a backlog, to enhancing the work product. Efforts have resulted in improved quality of reports and a reduction in the number of days for case completion from an average of 139 in 2011, to 71 in 2015. This represents a 49% decrease in the average number of days it takes for Investigators to complete cases. Supervisors are submitting cases for Chief Investigator approval an average of 20 days before the allotted 90 day deadline. This is quite an accomplishment for a department that at one time was being fined by Federal Court \$1000 per day for every case open over 90 days! The OCI team has come a long way, literally cutting case completion time in half! It should also be noted that the Citizen Complaint Committee of the BOPC has reduced their review time significantly. In times past, the Board has been deemed out of compliance by the Federal Monitors for taking more than the allotted 45 days to review cases. It was evident that over the past two years, the Board has become most expeditious; however, to prove our theory, in 2015 we began tracking in our database the number of days it actually takes for the Board to review and return cases to the OCI. Our 2015 statistics confirm our theory. In 2015, the Citizen Complaint Committee took an average of 12 days to review matters, which establishes a new benchmark for the Board!

As earlier stated, complaint filings have decreased by over 35 percent. Reduced filings have resulted in more manageable caseloads. Additionally, Investigators are able to more readily identify cases for alternate case dispositions, thereby improving efficiency, better utilizing resources and affording them the opportunity to focus their attention on more complex cases. Smaller caseloads during the colder months aid in preparation for the warmer climate, when the office historically experiences an increase in case filings. Finally, OCI has enhanced an already estimable working relationship with the Detroit Police Department, partnering with them on several initiatives. Concentrating on improvements regarding the use of audio/visual equipment will improve outcomes and provide more substantive findings. All of our efforts have resulted in improved, enhanced and expedient services to the Detroit community!



OCI 2014 Picnic on Belle Isle (Picture courtesy of Commissioner Willie E. Bell)