



INTRA-OFFICE COMMUNICATION

TO: Chief Tony Jones
FROM: Lieutenant Jaret Weiland
VIA: Chief Inspector Jorge Campos
DATE: February 10th, 2020
RE: 2019 Internal Affairs Annual Report

In 2019, the Gainesville Police Department Internal Affairs Unit (IA) staff remained consistent with Lieutenant Jaret Weiland as the IA Director and Sergeant Renee Guyan and Sergeant Dana Strama as the investigators. Ms. Cathy Strivers remained as the Staff Specialist. In addition to the Internal Affairs staff, a new Chief Inspector position was created and filled internally by Jorge Campos. Internal Affairs is a direct report to the Chief Inspector and falls under the Professional Standards Branch.

Another change for Internal Affairs in 2019 was that the Unit relocated to an off-campus location away from the Department headquarters. After being made aware of the need to relocate, several weeks were spent checking potential lease locations. After multiple considerations, the location that was identified that most suited our needs was an office suite at the Wells Fargo Building, 104 N. Main Street. The suite had adequate office space and was within location parameters. After receiving Department and City Commission approval, the unit relocated in July. The transition was relatively seamless with no major issues. The new site has proven to be beneficial and has been well received by both members of the public and Department members overall.

In 2017, Internal Affairs purchased IA Pro Software and implemented its use. All of the data from previous programs, both AIM and RMS, was migrated over. 2018 was the first full year that the IAPRO software was utilized and its use continued in 2019. The IAPRO software captures an abundant amount of information and assists tremendously in creating reports and researching information. Internal Affairs data and information is the regular subject of public records requests and the IAPRO software has reduced staff hours in preparing what can sometimes be very complicated and time intensive information.

In addition, as part of the IA Pro Software, Blue Team is utilized. Blue Team is used in completing Use of Force reviews, Pursuit reviews, damaged vehicle incidents, Counseling/Training, Video reviews, Citizen complaints/referrals and other Bureau level actions. Blue Team works hand in hand with IA Pro and compiles and houses all of the data in one easily accessible location.



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IAPRO also incorporates a viable Early Warning System. Early intervention has been shown to be effective in reducing misconduct, improving community relations, and reducing turnover. The purpose of the Early Warning System is to correct behaviors through training and intervention.

In 2019, Internal Affairs continued to monitor the suggestion box made available to citizens in the GPD lobby as well as a box that was accessible to GPD Staff so that referrals could be made. Most of the suggestions were directly related to facilities issues. Those were forwarded to the Logistical Support Branch for consideration. No complaints or other Internal Affairs were received.

Currently there are revisions to General Order 26.5, Disciplinary System and Investigative Process that are being considered. The changes are still in the review process and could be implemented in 2020 if there are any updates made.

The remainder of this report will summarize the numbers and types of cases submitted to GPD IA in 2019. Included in the disposition section will be seven cases that were still open from 2018 that had not been completed as of last year's summary. At the time this report is being completed there are eight cases from 2019 that are still open and therefore will not be considered in the disposition/resolution data summaries. That data will be included in the 2020 summary.

Overview of 2019 Cases Received

There were 91 complaints filed with Internal Affairs in 2019. Of the 91 cases received, 46 originated with internal complaints and 45 came from external sources. The total number of complaints received was down overall from the previous two years. External complaints have continued to reduce in comparison to the last two years. Internal complaints also decreased in 2019, primarily as a reduction in missed quasi-judicial proceedings during the year (depositions and pre-trial conferences). In 2018 missed court proceedings accounted for 31 of the internal complaints. In 2019 the court notification process was better monitored and the result was much fewer of those types of violations. 11 cases were associated with preventable crashes.

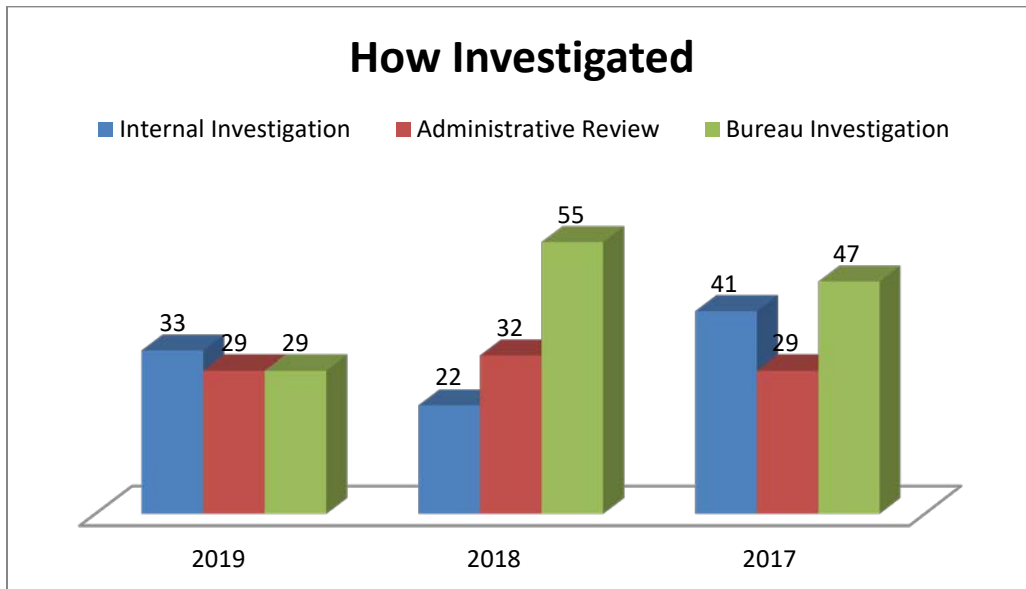
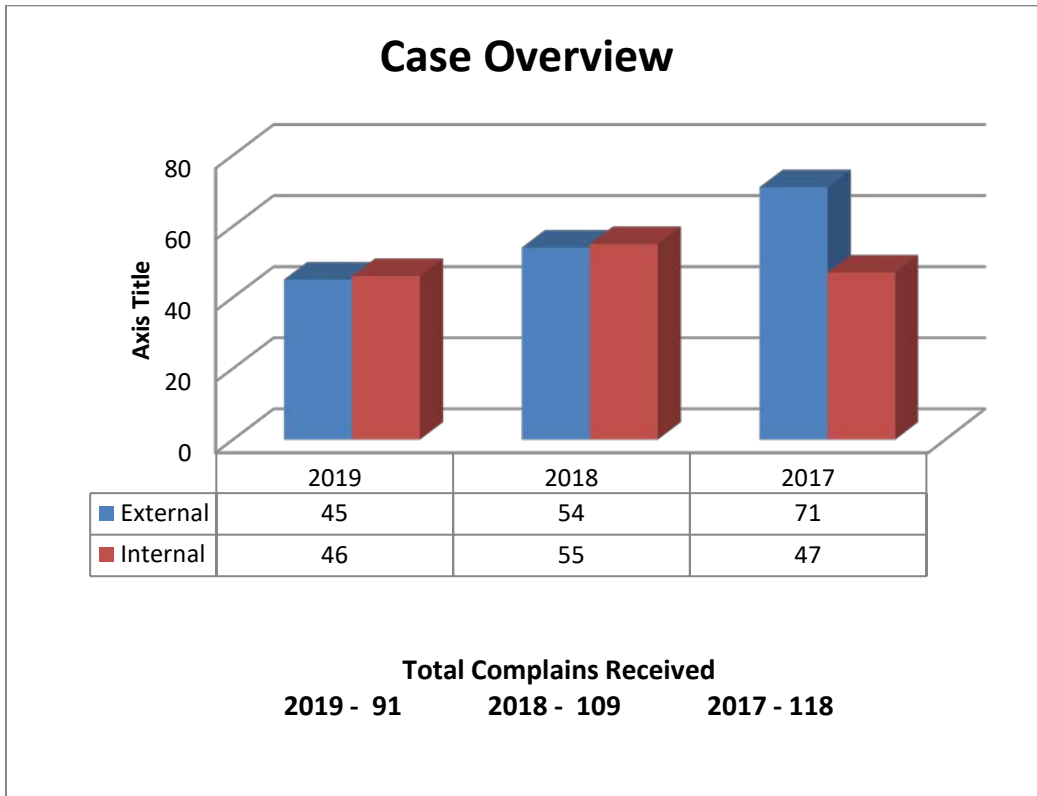
33 full investigations were completed by the three IA Investigators and 29 cases were completed as Administrative Reviews. An Administrative Review would mean that the complaint was investigated by Internal Affairs but there was enough information uncovered during the preliminary investigation that resolved the complaint and as such a full investigation was not required. 29 of the cases were referred to Bureau Commanders for investigation and/or review.

Of the 45 external complainants, 7 began with a traffic stop, 12 resulted in a person (complainant or other) being arrested, 5 started with a crash investigations conducted by GPD, 4 from domestic



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disturbance cases, 6 were a Baker Act or had some other Mental health nexus and 16 from other types of calls for service. Below are comparisons of the last 3 years for this data:

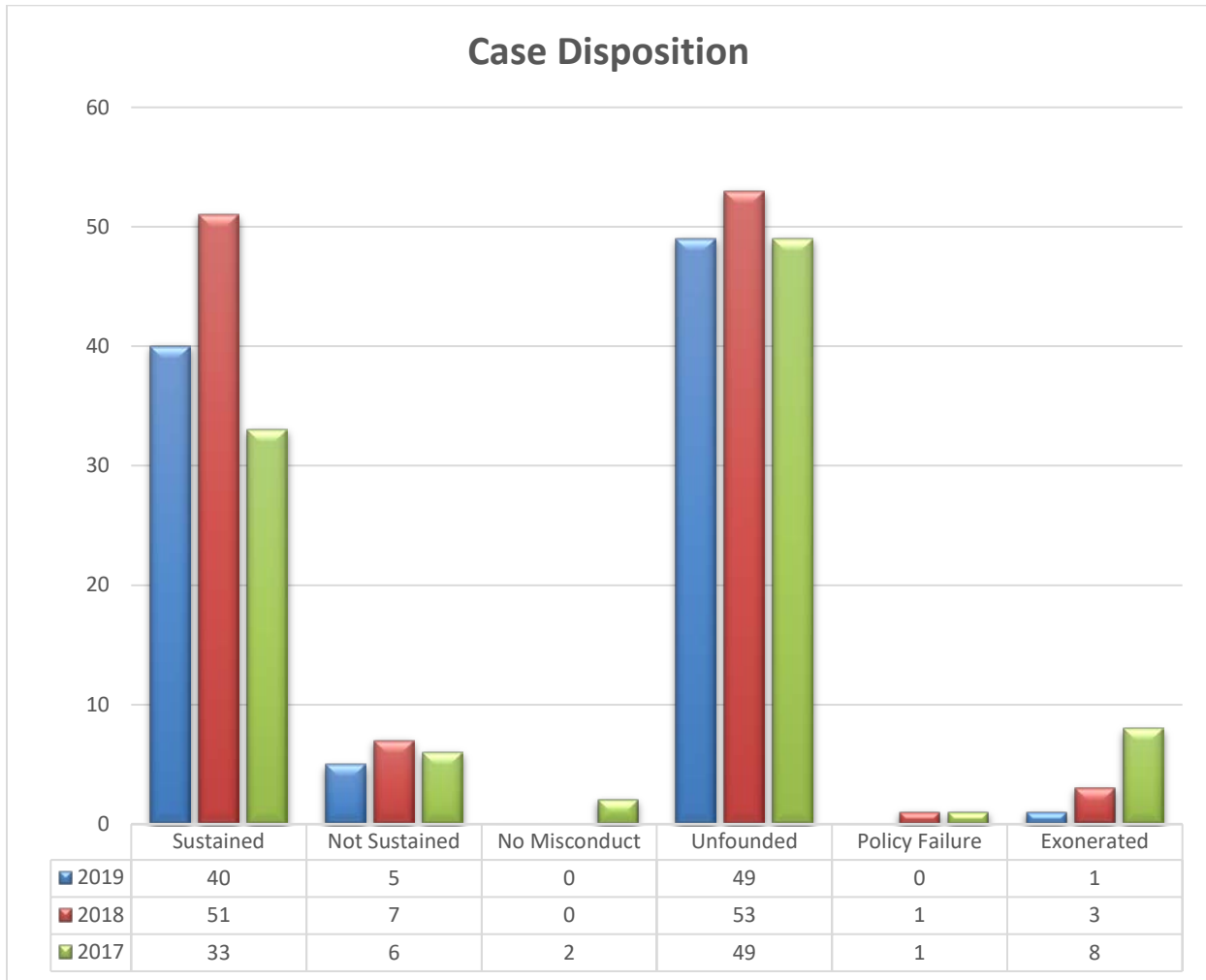




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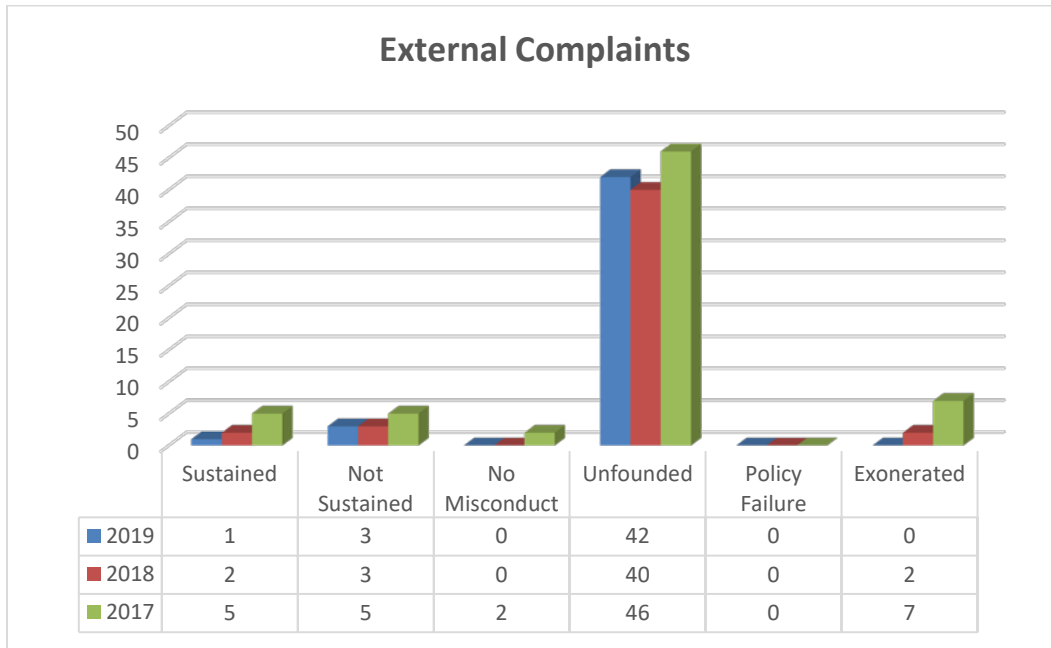
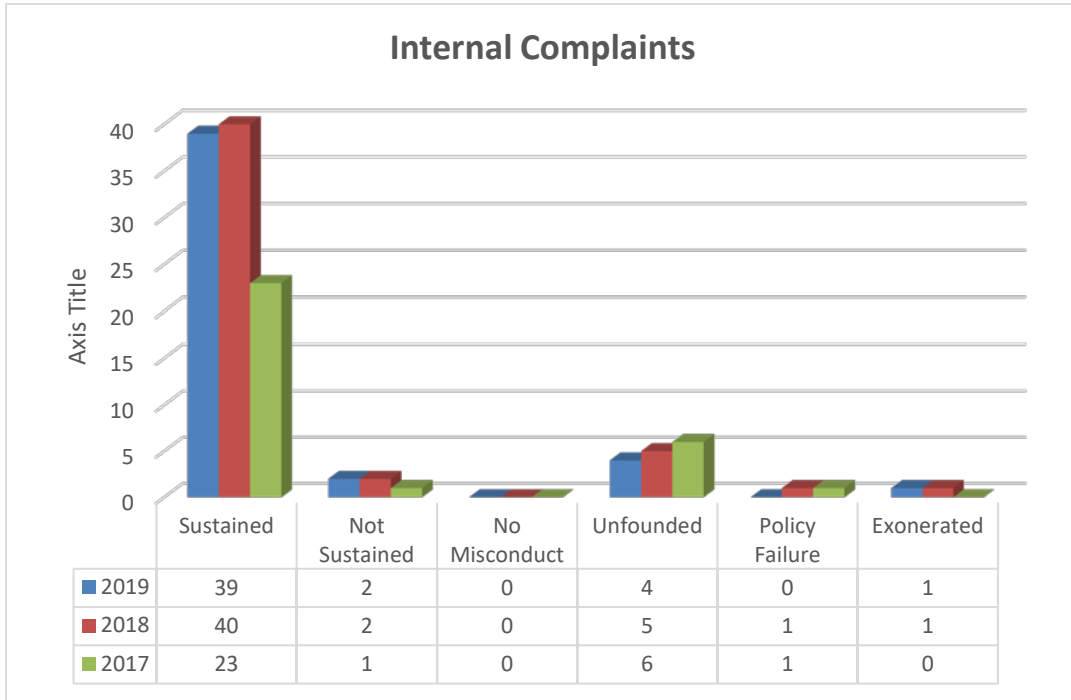
Disposition of Cases

In 2019, the cases were concluded with 40 sustained findings, cleared 5 as not sustained, 49 as unfounded, and 1 as exonerated. Included in this count are the cases from 2018 that closed in 2019. Below are graphs showing a comparison of 2018 to the previous 2 years as well as a breakdown of how internal and external complaints were categorized in each year.





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Participation in REDII Process

In 2019, 7 members elected to participate in the Request for Expedited Disposition of Internal Investigation (REDII). 6 made this election in 2017 and 7 in 2016. This is a beneficial option for both the member and the department. Of the cases resolved via the REDII process three were workmanship or performance issues, two were related to At Fault vehicle crashes, and one for an unauthorized absence. To qualify the employee generally has no similar violations or has not participated in the process previously. It still requires Department approval and the employee still would receive some kind of corrective action or reduced discipline.

Demographic Breakdown of Complaints Received

Below is the demographic breakdown associated with the 91 complaints, 45 External and 46 Internal, received during the 2019 calendar year. The numbers are broken down by both External and Internal categories. In 13 of the External Complaints the complainant did not specify a race or sex. Ten of the 45 Internal Complaints were at fault crashes so there was not a complainant.

External Complaints (45 Received)

White Male	Black Male	White Female	Black Female	Not Provided
6	11	4	11	13

Internal Complaints (46 Received)

White Male	Black Male	White Female	Black Female	VIRB (Crash)
22	4	4	6	10



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Activity of Origin

In several complaints, multiple accusations are made against officers. An example of this may be when a citizen alleges rudeness by the officer and a poor investigation in the same contact. The below table also shows a comparison of the previous two years and is an aggregate of both internal and external complaints. It does not show the final disposition of each allegation of misconduct as many of the allegations were determined to be unsubstantiated.

Activity of Origin	2019	2018	2017
Use Of Force Complaint	5	4	4
Profiling Complaint	5	4	6
Pursuit Issue	4	1	1
Equal Opportunity Referral	3	1	2
Database Misuse	2	0	2
Criminal Activity Alleged Against Employee	2	2	2
Fail to Protect Property (Citizen or City Owned)	2	4	3
Handcuffing Complaint	0	1	1
Fail to take Report	2	1	1
Internal Relations Issue	5	1	4
Insubordination	2	2	2
Missed Court	7	31	1
Conduct Unbecoming/Discourtesy/ Rudeness	14	16	19
Juvenile Involved	3	4	1
Off Duty Conduct	3	2	5
Social Media Issues	1	3	2
Overtime Issue	1	1	5
Issue with an Arrest	7	10	
Investigation Issues/Workmanship	16	13	
Improper Contact	6	8	



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Discipline and Correction Action resulting From Internal Investigations

There were no terminations served as a result of Internal Investigations in 2019. In one case termination would have been the recommendation but the employee retired prior to the conclusion of the investigation so disciplinary action was not possible.

Four employees received a suspension as a part of their discipline in 2019 which was a slight increase from the previous years. Three were sworn members and one was a civilian employee. One suspension was the result of several crash incidents by an employee that resulted in the suspension as a result of progressive discipline. One for neglect of duty when the employee did not properly investigate an incident. One for transporting an unauthorized civilian in their vehicle and violating the take home car policy. The final for discourteous contact with a fellow employee.

During 2019, more employee notices were issued than in the previous year. This is most definitely the result of the discipline associated with at fault vehicle crashes incidents. There were eleven crashes that resulted in discipline during 2019.

The number of written warnings decreased tremendously during 2019. This was the direct result of the reduction in missed court appearances violations from the previous year. Thirty-one of the written warnings in 2018 were the result of missed court. The Logistical Services Branch took more steps to correct and monitor court appearances during the year and the result as a drastic decrease. The number of missed court infractions reduced to 7 in 2019 which directly decreased the number of written warnings being issued.

Discipline and Correction Actions	2019	2018	2017
Termination (used Dismissal)	0	3	0
Resigned/Retired In Lieu of Termination	1	3	4
Suspension	4	3	3
Demotion	0	0	0
Employee Notice	19	12	15
Written Warning	17	43	18
Verbal Counseling	2	2	2



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Preventable Fleet Incidents

In 2019, GPD members had 18 preventable fleet incidents. The total number of preventable incidents was down from previous years but because the damage amounts were more significant, discipline associated with those cases increased. There were 23 preventable crashes in both 2018 and 2017. None of the employee involved crashes in 2019 resulted in significant injury.

Nine of the cases would be considered minor in nature. Seven of those resulted in a written warnings. Two employees received progressive discipline in what would be considered a minor crash as a result of previous crash events.

Nine of the preventable crashes resulted in what would be considered significant damage. Eight incidents were considered Enhanced Crashes due to the damage amount being greater than \$2500 but less than \$10,000. One incident fell in to the major crash category because damage was in excess of \$10,000. All of the 9 significant crashes resulted in discipline via an Employee Notice. Seven also resulted in loss of take home care privileges. One resulted in a suspension of pay and loss of vacation leave due to it being third incident within 24 months. That officer also was mandated to attend remedial driver training.

The revision of General Order 61.7, Department Traffic Crash Investigations in 2014, has resulted in more progressive discipline as it created a crash matrix with a point system for separate events. As more officers have had more repetitive minor preventable incidents, discipline had increased. Prior to this policy revision, a member of this agency could have been involved in multiple and frequent minor preventable incidents and continually received a corrective action via a written warning. With the new policy revision, a cumulative point system discourages personnel from repeating minor preventable fleet incidents.

Discipline Issued for Preventable Fleet Incidents	2019	2018	2017
Written Warning	7	17	18
Employee Notice	11	8	7
Suspension	1	1	3
Loss of Take Home Care Privileges	7	9	8

Severity of Crash	2019	2018	2017
Minor Crash	9	19	9
Enhanced Crash due Damage	7	2	5
Enhanced Crash due to Injury	0	1	0
Major Crash	1	2	2

*Note, the point system was not utilized until September 2014.



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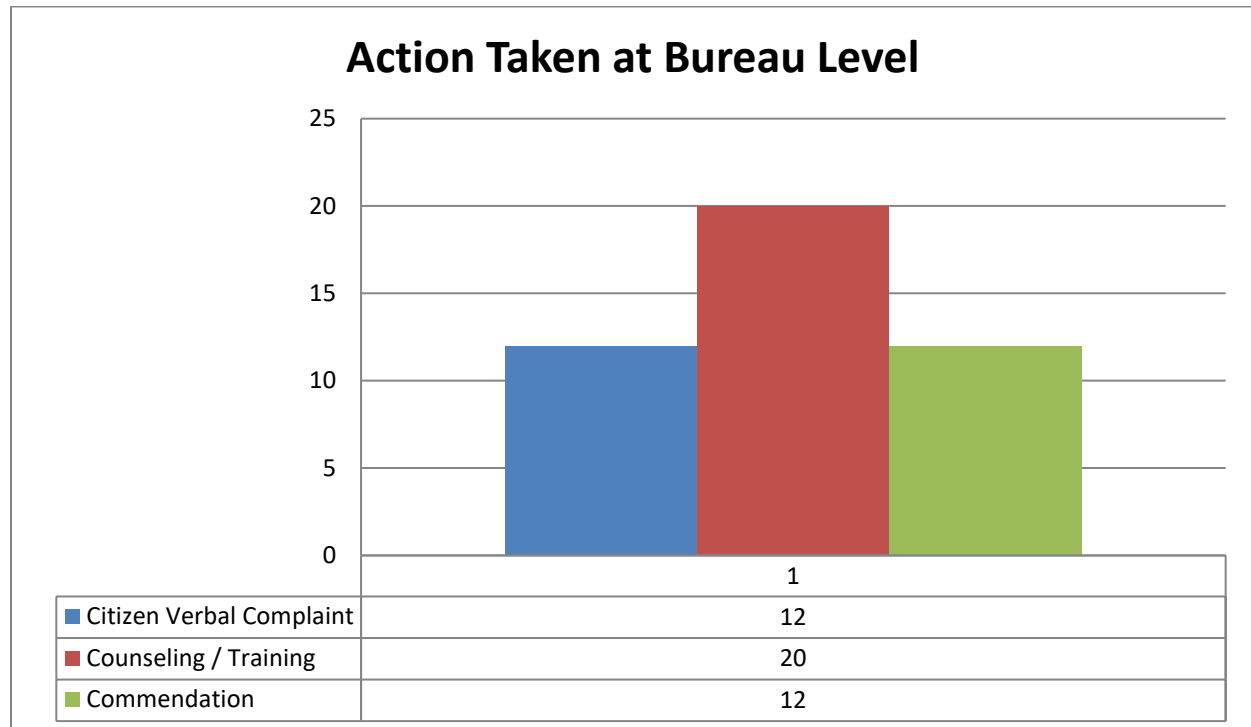
Officer Involved Shooting / Deadly Force Encounters

In 2019, there were no officer involved shootings or other deadly force encounters involving Gainesville Police Department members.

Operations Documented Events

Many events of internal concern do not pass through the Internal Affairs Office but instead are directly documented by line level supervisors. Over the last 3 years, the frequency in using the RMS module and now Blue team has increased. This will likely continue as supervisors are now utilizing the systems more consistently.

The graph below shows the types of entries made by supervisors in Blue Team for 2019. This number does not include Internal Affairs Complaints that were sent down to be investigated at the Bureau level.





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Early Warning Analysis

One of the main reasons for the implementation of IA PRO and Blue Team was the ability to use Early Warning System function. The incidents being monitored that could trigger an alert were identified as Use of Force events, Vehicle Pursuits, Counseling / Training sessions, Internal and External complaints (Bureau and Internal Affairs) and other disciplinary functions. There are other factors that will be considered as an example, but these are the primary events that will trigger the alerts. Attendance / sick leave usage is a matter that is being considered as it could indicate an issue. Although there is no specific and universal set of incidents that determine the cause of job stress or job performance problems, the above incidents can be an indicator that some kind of intervention is warranted and necessary.

2018 was the first full year that the system was utilized and Internal Affairs was still becoming familiar with the component. Now that Internal Affairs staff became more familiar with the software, the Early Warning System was better utilized in 2019. Overall thresholds were established and when employees would meet this minimum referrals would be made.

In 2019, there were nineteen members that met the early warning threshold. All but one of the employees were sworn officers. A majority were related to either meeting the Use-of-Force or pursuit threshold. Utilizing Blue Team, alerts were forwarded to their direct supervisors, primarily a Lieutenant, so that they could review the situation and determine if there were any underlying issues that needed to be addressed. The supervisors were directed to have a face to face meetings with the employee and address any concerns. None resulted obvious concerns that required further intervention or training. That be said, it did give the reviewing supervisor and employees the opportunity to discuss importance of professionalism and encourage compliance with existing policies and procedures.

It was discovered that some incidents require multiple entries into Blue Team for a single event. An example would be a pursuit that also involved a damaged vehicle and a use of force. Because it required three separate entries into Blue Team it would sometimes cause the overall threshold category to be affected. When identified these situations will be treated as one event in order to not create false alerts. Overall, upon reviewing the Personnel Early Warning system it was determined that the system is functioning as designed and has provided information for proper review of employees involved in trackable events.



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Policy recommendations for Early Warning:

Currently, the Early Warning Systems is part of General Order 26.5, "Disciplinary System and the Investigative Process." Although Early Warning has a disciplinary nexus, there are more factors than just discipline that are addressed. It is recommend that the Early Warning System be removed from the above policy and a stand-alone policy be created. A separate policy would be beneficial, in particular because of the usage of the Blue Team software, to better specify required protocol, guidelines and expectations for the supervisor and the affected employee when threshold parameters are reached and an alert is generated.

Grievance Issues / Analysis

During 2019, there were five grievances filed compared to six in 2018. Only two were associated with a disciplinary matter related to an Internal Affairs case. The remaining three were associated with contractual issues. All of the grievances filed were by Fraternal Order of Police members whom represent the Officers, Corporals and Sergeants. All been resolved as of this writing.

The first grievance was filed by an employee who claimed the loss of compensation related to outside employment. A complaint had been filed on the GPD member for actions that occurred while he was an instructor at the police academy, off duty. After receiving the complaint, it was requested by the Department that the employee not instruct this particular class while the investigation was on-going as the complaint was filed by a GPD sponsored recruit. The employee claimed he lost compensation as a result and filed a grievance. In the end it was determined that there was no actual loss of compensation as the academy offered other assignments while the internal investigation was being completed. It was also determined that final decision to not allow him to teach the class was that of the police academy administration and not GPD.

The second grievance that was disciplinary related was associated with action taken for a workmanship issue. The employee was disciplined for not taking appropriate action during a domestic violence investigation as a result of an Internal Affairs investigation. The sustained finding resulted in an Employee Notice (written reprimand) being issued. The employee disagreed with the recommended discipline and filed a grievance. In the end the discipline was upheld and the recommended discipline remained.

The remaining grievances were contract related and will be discussed below:

A grievance was filed related to specialty pay compensation for FTO Sergeants. Each shift rotation has a designated FTO Sergeant. The FTO Sergeants would oversee trainees on their



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respective shifts and take on other associated administrative responsibilities on top of their normal shift duties. Because of the added work, compensation similar to that received by Field Training Officers was requested. The initial request was denied because it was determined that pay was specific to Field Training Officer but not to the FTO Sergeants. A grievance was filed. The resulting decision was that FTO Sergeant would receive compensated based the added responsibilities that required for the assignment. All FTO Sergeants now receive the FTO Specialty pay.

Another grievance was filed on behalf of the Fraternal Order of Police associated related to staffing concerns created when an officer was offered part-time assignment while attending law school. The concern of the FOP was that officers being placed into sworn part-time assignments could reduce the number full time sworn positions. This, in turn, could create potential staffing issues if it did affect full time positions. In the end it was determined that part-time positions would not affect the number of full times and the overall full time numbers would not be impacted. The decision resolved the grievance.

The final grievance filed was related to an employee having their probationary period extended for alleged subpar performance during the evaluation period. The employee claimed that proper protocol was not followed during the evaluation period to extend the probationary period. The determination of the grievance was that the necessary steps to extend the probation period were not properly documented nor completed within time parameters as required by the bargaining agreement. The result of the grievance was that the probationary evaluation was changed and the recommendation for extending the probationary period overturned.

ANALYSIS

The result of this grievance analysis is that there were no patterns of concern identified. It was also determined that the agency is committed to the grievance process as outlined in both Department policy and applicable bargaining unit agreements.