

**Lakeland
Police
Department**

2012

Office of Professional Standards
Annual Report



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Introduction

In 2012, the Lakeland Police Department continued with department wide changes and restructuring as efforts were continued to increase operational efficiency. Numerous promotions and transfers occurred along with the hiring of over a dozen new police officers and strides were made increasing accountability department wide. The agency continues to move forward and look for ways to improve. The contents of this report are what the Office of Professional Standards reports on:

- Internal Affairs Statistical Summary and Analysis
- Early Intervention System and Review
- Use of Force Review and Analysis
- Pursuit Review Summary and Review
- Bias Based Policing Summary
- Analysis of Grievances
- Safety Board (NEW)

The Lakeland Police Department recognizes the following core values in conjunction with its mission:

- **R**espect
 - **I**ntegrity
 - **T**eamwork
 - **E**xcellence

In support of these values, the members of the Lakeland Police Department have adopted the following Mission Statement as a means of its commitment to excellence in serving the community:

“In partnership with the community, while affording dignity and respect to all persons, our mission is to maintain order and improve the quality of life of the citizens we serve.”

The Department’s Values and the Mission Statement are designed to support and foster a vision, established by the organization’s Chief of Police and is reflected in the following statement:

“Our shared vision for the Lakeland Police Department is dedicated professionals working together to provide excellent service which enhances the quality of life in Lakeland.”

The Office of Professional Standards also has a Mission Statement in support of the agency, its members, and the community:

“The Office of Professional Standards assists Lakeland Police Department administrators, supervisors, and employees in maintaining high standards of accountability and integrity while providing effective and efficient law enforcement services. The members of the Office of Professional Standards assure fair and equal treatment to the citizens of Lakeland and the employees of the Lakeland Police Department.”

Office of Professional Standards

The Office of Professional Standards (OPS) completed its first full year of operations after being restructured in the latter half of 2011. A Lieutenant is the Officer-in-Charge of OPS and works with the current deployment of an OPS Sergeant, two OPS Detectives, an Accreditation Manager and an Office Assistant. This team approach has worked well this past year and much has been accomplished. Although, each member has specific responsibilities, each member can also assist in other matters.

OPS reports directly to the Chief of Police and is responsible for the management of the department's complaint and administrative investigation process (Internal Affairs) and Accreditation Program. Additionally, internal inspections of the various components within the department (Inspections) are set to resume in 2013 as none were conducted in 2012 due to logistical and manpower issues. Further, this section is tasked with quality control and oversight that includes a review of the department's higher liability incidents such as use of force actions and motor vehicle pursuits. OPS works on special projects assigned by the Chief of Police and the management of the department's Early Intervention Program. As such, this annual report was produced by OPS to serve many purposes, which include:

Identifying patterns and trends related to policy, training or supervision

An annual and historical review of the department's complaints of employee misconduct, use of force actions, vehicle pursuits and bias based policing practices allows the department and city officials to evaluate their delivery systems and methods for service to the community.

Record Keeping

The annual report contains information that covers the previous year's activities for a comparison over a period of time. This information may assist the agency in identifying trends present in either specific members or the department as a whole.

Building Trust

Citizens are mostly unaware of the actual responsibilities of the Office of Professional Standards. Employee conduct is primarily visible through media sources and little is known about the Department's review and investigation of such matters. This annual report provides insight into the processes used by the Department to document, investigate and review the actions of our members. Accountability of department personnel and transparency of the department as a whole is essential to public trust.

Quality Assurance

The 2012 Annual Report encompasses the following reports:

- Annual Statistical Summary
- Annual Analysis of Use of Force Incidents
- Annual Review of the Employee Intervention Program
- Annual Review of Motor Vehicle Pursuits

- Annual Review of Bias Based Policing
- Annual Analysis of Grievances
- Annual Review of Safety Board findings.

In 2012 efficiencies were continued along with other projects. Some of the major projects for OPS in addition to Accreditation and IA cases were:

- Nepotism Policy
- Social Networking Policy
- Bias Based Policing and Demographic Tracking program completed
- Over 70 General Order changes and rewrites
- Update of the OPS Procedures/Operations Manual
- Supervisor Development Training Program conducted in September.
- Working towards a paperless Reaccreditation process via PowerDMS.

Moving forward in 2013

In 2013, the main goal is to complete the on-site assessment in the spring and become reaccredited with CALEA. OPS is charged with ensuring this occurs and facilitating the process department wide. As such, this is our main focus through spring. Then, OPS will focus on state accreditation (CFA) in late Spring or early Summer to become members in good standing with both Commissions.

As the year progresses, the goal of completing all AIM modules for pursuits, the complaint process and AIM self reporting has been established in an effort to further push paperless process at LPD. In between, these main goals, members will continue to work on assigned projects and work Internal Affairs cases as assigned.

Internal Affairs

In 2012, investigations were broken down into informal and formal investigations. In both instances, all complaints that the Lakeland Police Department received (Citizen Complaint) or initiated (Employee Incident Report) were fully investigated. This agency takes these investigations seriously as they are utilized as a means of checks and balances and to ensure its members treat citizens and co-workers with dignity and respect.

Informal Investigations

“Informal investigations” are generated from allegations of employee misconduct, and/or violations of policy/procedure that are minor in nature. Informal Investigations are initiated from either an external source (Citizen Complaints) or internal source within the department (Employee Incident Reports). Informal investigations are assigned to supervisors and normally do not require an extensive investigation.

In 2012, forty one (41) informal investigations were assigned to supervisors based on a combination of citizen complaints and internal employee incidents. The following table shows a comparison, by month, to the previous three years. In comparing 2012 to 2011, the total number of informal investigations decreased by 9 or 18%. When looking into this further, no exact cause could be determined for the decrease other than as more accountability has been demanded of supervision, issues are now being handled before they get to the actual point of an investigation needing to occur. This could also correlate to the increase in Early Intervention cases experienced compared to last year which will be discussed later. Sergeant’s accountability continues to be stressed by command staff and it appears to be paying dividends.

Formal Investigations Assigned to OPS

MONTHS	2008	2009	2010	2011	2012
January	4	0	1	2	2
February	0	5	0	1	1
March	2	1	2	1	2
April	1	1	0	2	0
May	0	4	2	3	3
June	2	3	0	1	1
July	0	0	0	1	0
August	2	2	0	2	0
September	0	2	3	1	3
October	1	1	1	3	3
November	0	1	1	0	1
December	1	1	1	0	0
TOTALS	13	21	11	17	16

Informal Investigations Assigned to Supervisors

MONTHS	2008	2009	2010	2011	2012
January	2	4	0	3	0
February	3	2	4	5	3
March	3	4	5	5	0
April	3	3	2	3	7
May	3	1	4	10	3
June	7	4	2	5	7
July	4	4	6	5	3
August	2	3	6	2	3
September	4	5	3	3	4
October	10	1	3	5	6
November	2	3	3	2	1
December	2	3	3	2	4
TOTALS	45	37	41	50	41

Formal Investigations

“Formal Investigations” are generated from allegations of employee misconduct, and/or violations of policy/procedure that are serious in nature. Formal Investigations are initiated from either an external source (Citizen Complaints) or internal source within the department (Employee Incident Reports). Further, they include, but are not limited to, complaints of excessive force, sexual harassment, moral turpitude, civil rights violations, and unlawful conduct. These types of investigations are assigned to the Office of Professional Standards and often require extensive follow-up or involve multiple personnel within the department.

In 2012, sixteen (16) formal administrative investigations were assigned to the Office of Professional Standards based on a combination of citizen complaints and internal employee incidents. The table on page 4 shows a comparison, by month, to the previous years. In comparing 2012 to 2011, the total number of formal investigations decreased by 1 or 5%. The slight decrease is also attributed to OPS sending more complaints to supervisors to investigate and member conduct not being an issue as it was the past couple of years.

Annual Internal Affairs Statistical Summary (2012) - FINDINGS

The below tables are the 2012 totals for dispositions on the classification and findings of internal and external incidents. The total number below is the total numbers of allegations investigated. This could include multiple allegations on one officer that were sustained, not sustained, etc., within one investigation.

Citizen Complaints (External)

Classification	Sustained	Not Sustained	Unfounded	Exonerated	Policy Failure	Other	TOTAL
Conduct/Courtesy	4	4	3	1	0	0	12
Unlawful Conduct	0	0	2	0	0	0	2
Job Knowledge/Performance	2	2	1	0	0	0	5
Use of Force/Arrest	0	0	0	1	0	0	1
Neglect of Duty	0	0	0	0	0	0	0
Untruthfulness	0	1	0	0	0	0	1
OTHER (Violation of Policy)	0	1	2	1	0	0	4
TOTALS	6	8	8	3	0	0	25

Employee Incident Reports (Internal)

Classification	Sustained	Not Sustained	Unfounded	Exonerated	Policy Failure	Other	TOTAL
Conduct/Courtesy	9	2	0	0	0	0	11
Unlawful Conduct	1	1	0	0	0	0	2
Neglect of Duty	7	0	0	0	0	0	7
Job Knowledge/Performance	7	0	0	0	0	0	7
Vehicle Operation	22	0	0	0	0	0	22
Insubordination	0	3	0	0	0	0	3
Untruthfulness	2	0	0	0	0	0	2
OTHER (Violation of Policy)	9	0	0	2	2	0	13
TOTALS	57	6	0	2	2	0	67

FINAL DISCIPLINE OF ADMINISTRATIVE INVESTIGATIONS

The below listed tables provide the type of discipline or corrective action to the above allegations. Some discipline resulted from multiple allegations and was combined into one corrective action. Additionally, a couple of allegations were investigated and a finding was determined, however, due to the nature or timing of the case, discipline is still pending.

Informal Investigations – 2008 to 2012

Discipline / Corrective Action	2008	2009	2010	2011	2012
Counseling/Retraining	6	9	9	11	17
Formal Warning	16	13	16	10	6
Written Reprimand	9	4	5	6	5
Suspension	0	3	2	9	1
Demotion	0	0	0	0	0
Termination	1	0	0	0	0
Resigned During Investigation	1	0	2	1	0
No Disciplinary Action	NA	NA	NA	NA	6
Other	NA	NA	NA	NA	5

Formal Investigations – 2008 to 2012

Discipline / Corrective Action 2008 2009 2010 2011 2012

Counseling/Retraining	1	5	1	3	1
Formal Warning	0	0	0	1	0
Written Reprimand	0	5	2	3	1
Suspension	1	4	1	6	0
Demotion	0	1	0	0	1
Termination	0	0	1	0	0
Resigned/Retired During Investigation	1	2	1	8	3
Education Based Discipline*	N	NA	NA	2	3
No Discipline	N	NA	NA	NA	5

*This was the second full year of EBD being implemented and it still proves to be a worthwhile tool and option. In some cases the member and the agency could better benefit from some training as a result of the incident in lieu of straight discipline to the subject officer only.

USE OF FORCE ANALYSIS (2012)

The Office of Professional Standards is the final repository for all documents used to report the application of force by members of the Lakeland Police Department. Data collected from these documents is entered into an electronic case management system (AIM – Administrative Investigations Management). The information is then used to identify trends or patterns in activity and to determine training needs of Department members. This data is also used in preparation of the department's Use of Force Report. The statistics contained in this document may conflict with information in previously years as 2012 is the first full year of capturing data via the use of AIM. Further, it is also the first time other means of Use of Force has been captured to include, Handcuff and Release, Pointing of a Weapon, Non-Bite K-9 apprehensions, and Weapons of Opportunity. The data is now captured in a more standardized manner, but prior year's data has been shown for comparison.

Analysis (Trends):

In 2012, the Office of Professional Standards received 365 entries into AIM that documented use of force actions taken by sworn personnel in the performance of their duties. Of these 365 entries, force was used on 410 subjects by 499 officers. (NOTE: In reviewing this data, it revealed several entries that multiple officers used force on one subject to gain compliance and many of those were pointing of the weapon only.) An additional 14 K-9 bites and 70 non-bite apprehensions were also tracked. There was an increase in Use of Force due to new tracking methods; however, there were seven (7) fewer K-9 bites than in 2011. Arrests also increased by over 1100 which further explained the increase in force used.

ECW and OC deployments were also down from 2011, however, physical force and lethal force increased. Reasons for the preference of the ECW over OC and impact weapons appeared to be greater effectiveness, decreased recovery time of the suspect from the application, and decreased clean up of a suspect and/or officer related to other options. This is a possible indication officers continue to encounter more sudden combat situations leading to more hands-on methods of use of force. There were no reported uses of the Bean Bag munitions again in 2012; however, it is still a legitimate Less Lethal option to be deployed. Further, all physical force involving any type of empty hand control is now classified under this category.

Training deficiencies, excessive use of force issues and the effectiveness of the various types of force options used by department personnel are among the many reasons accurate reporting on use of force actions is essential. During 2012, full implementation of Use of Force reporting via AIM occurred. No AIM Use of Force entries were disapproved, however, several were sent back for correction as they dealt with needing more detailed documentation. As such, improvement in Report Writing continued and this is extremely important as many of the UOF entries were from younger officers on nightshift that are less experienced in report writing.

With the inclusion of Pointing of a Weapon and Non- K-9 bite apprehensions being factored in the Use of Force used in Arrests versus total number of arrests, the ratio increased by only a half of a percentage point to 3.81%. With the significant increase in arrests this past year, this number is remarkable and continues to show LPD officers are properly trained and prudent in the use of force. Conversely, over the past four years, use of force has not established any negative trend at LPD as it increased in 2009 from 2008; declined in 2010; increased again in 2011.

Finally, the above analysis and statistical summary noted no significant concerns regarding use of force actions administered by Lakeland Police Department personnel during citizen encounters. The percentage of use of force actions in relation to the number of agency personnel as well as the total number of arrests continues to be low. While reporting mechanisms changed in 2012, the change is not alarming. In fact, the new reporting procedures have allowed supervisors to have more accountability of subordinates as it relates to Use of Force.

Use of Force Options:

- **Empty Hand Control Techniques:** This has now been combined into one definition that was formerly known as soft and hard empty control techniques. It is now defined as Weaponless tactics used to overcome a subject's resistance to the exertion of an authorized member's authority or to protect persons from harm. Examples include but are not limited to, pain compliance through the use of joint locks, pressure point control methods, hand strikes and kicks.
- **Less Lethal Weapons:** Weapons not intended to cause serious injury or death, such as OC Spray, Expandable Baton, Bean Bag, electronic control devices (ECW) and Police Canines.
- **Lethal Force:** Any use of force, with or without a weapon likely to cause death or serious injury.
- **Weapons of Opportunity:** This new definition was added to policy and in AIM. The definition includes all other means of force that could be used such as a flashlight if the officer's only opportunity was to use an instrument such as this.

Reporting Procedures:

Department policy requires supervisors to respond to all use of force actions that result in injury or complaint of injury by the suspect. All use of force action taken by department members requires documentation of the incident. Department members are required to report all use force actions that include:

- When a member discharges a firearm, which does not pertain to authorized firearms training, qualifications or lawful recreational events.
- When a member takes action that results in (or is alleged to have resulted in) any injury or death of another person.
- When a member applies lethal or less lethal force.
- When a member applies physical force defined by this directive at a level that involves pain compliance or hard empty hand control tactic.

- When a member applies a weapon of opportunity under any circumstance.
- When a member uses handcuffs to temporarily detain a subject, who is subsequently released without arrest or charges.
- When a member intentionally points a firearm at a person in the course of duty to gain control or compliance from the individual.
- When a member points an electronic control weapon at a person, exhibits an “arc warning” or “paints” the subject with the weapon’s laser, in an attempt to gain compliance of the subject where resistance, assault, and/or violence is reasonably anticipated.
- Any deployment of a police canine as a response option to a use of force action.

With the exception of lethal force incidents, officers who engage in a use of force action as indicated above are required to complete a report. Multiple officers who use force during an incident are to document their own application of force in a supplemental report. Officers who use lethal force are not required to complete a written event report. A supervisor will assign this task to a sworn member not involved in the incident.

Required Department Forms:

Since AIM has come online and is computer based, Use of Force reporting forms are no longer used. Use of Force is reported via a Supervisor with the exception of K-9 Deployments which are self-reported via the K-9 Handler. Eventually, self-reporting is expected to be at the officer level, however, for now this reporting requirement will remain with the supervisor. It is anticipated that self-reporting will become department wide by summer of 2013. However, technology is hindering this process due to Air Card issues in the In-Car laptops.

This review process is done with email “triggers” notifying the appropriate supervisor who needs to review it. Initially, the process was setup for OPS to review each UOF after the ACOP on the review process and prior to the Chief of Police reviewing it for final approval. In an effort to streamline and reduce the amount of time an entry goes through the Chain of Command, OPS was moved to reviewing the entry after the affected OIC reviewed it. This helped the process flow better as OPS was scrutinizing the whole entry for accuracy and not just the use of force.

Use of Force Training:

The Lakeland Police Department conducts annual “Use of Force” training for its sworn members and Public Safety Aides. Included in this training is a review of the department’s use of force policies and applicable law. Emphasis is placed on the “objective reasonableness standard” as the measure used in reviewing an officer’s use of force.

Sworn members receive training in the use of firearms, defensive tactics and the use of less lethal weapons. Firearms qualification is mandatory, conducted in both daytime and low light conditions, and demonstrates proficiency with all firearms they are authorized to carry. This includes both department issued and personally owned firearms approved by the Chief. Less lethal training includes the use of aerosol deterrent (OC), electronic control weapons (ECW) and less lethal

munitions (Bean Bag). This training occurred in January/February 2012 during the Glock 22 .40 caliber handgun transition training as it was done in conjunction with the new department firearms being issued. Additionally, Use of Force policy, OC, and ECW training occurred September 4-27, 2012. Night qualifications occurred in November 2012 and separate block of training by OPS on new reporting requirements occurred during the summer for all sworn and PSA's. This training focused not on the actual use of force, but on reporting on pointing of weapon and handcuff and release. Both of these uses of force actions are now documented for a better view of how many times force is used versus how many times actual force is used and results in an injury.

Finally, there was also training in the use of AIM for supervisors so they had a fundamental understanding of Use of Force entries. As AIM was fully implemented, many additional one on one session occurred to work through issues. Further, AIM training also occurred during the first ever Sergeant's Academy conducted by OPS this year.

With the exception of Public Safety Aides, civilian (non-sworn) department members are not authorized to carry or use weapons in the performance of their duty. Public Safety Aides are authorized to only carry and use department issued aerosol deterrent (OC). The authorization is limited to the use of the aerosol deterrent as a means of self-defense. Public Safety Aides are members assigned to investigate "not in progress" incidents and are not granted the authority to search, detain and/or arrest citizens. However, they are in close contact with members of the general public due to the nature of their assignment. As such, the presence of inherent safety risks is associated with this type of assignment and the increased contact with the general public. Public Safety Aides are required to attend annual use of force training and demonstrate proficiency in the use of the aerosol deterrent (OC) and this occurred in July 2012. During this training, Public Safety Aides receive instruction on the Department's use of force and less lethal weapons policies, which include the use of the aerosol deterrent.

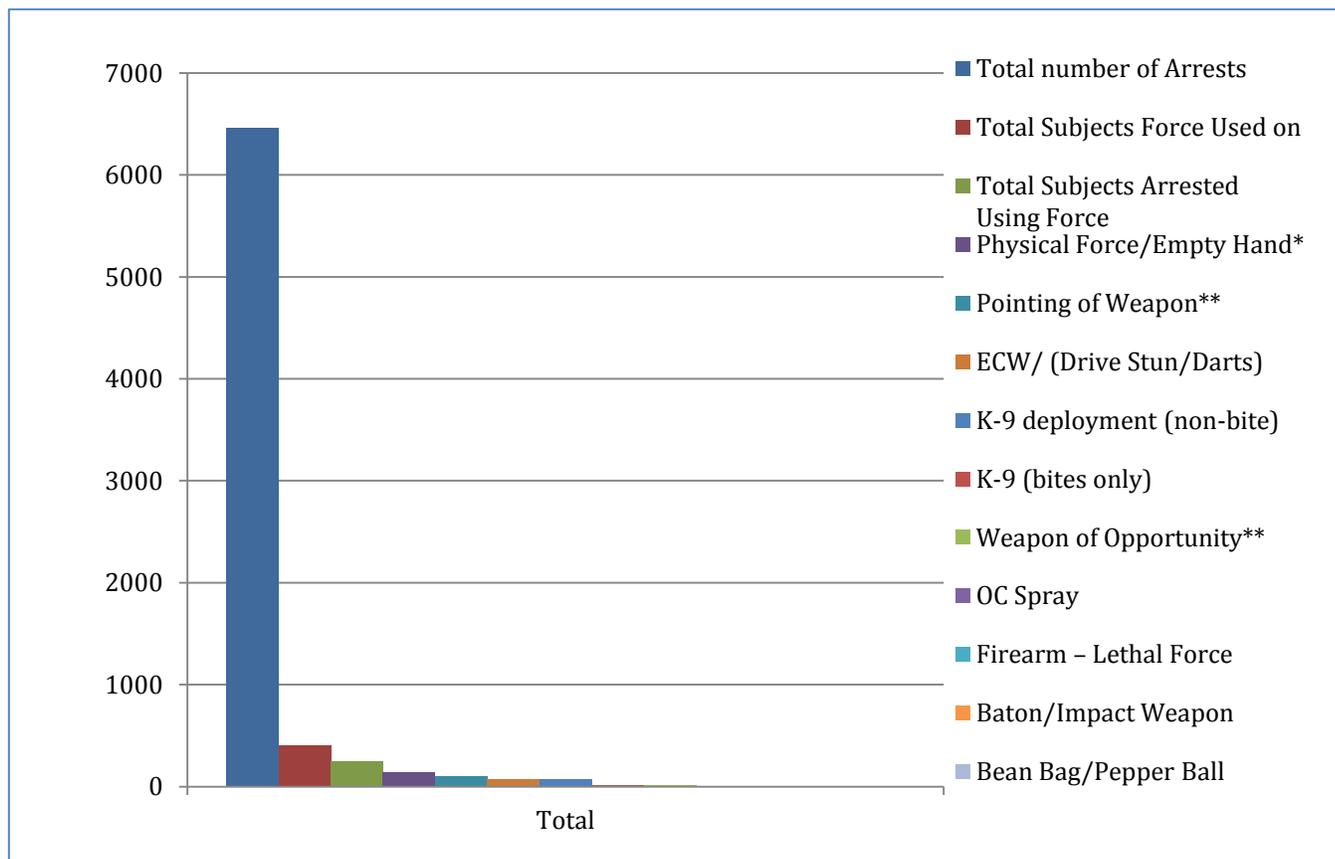
Statistical Data for Use of Force Analysis:

The below data was collected from AIM entries and reflects all Use of Force used by LPD members in 2012.

Use of Force Reported Per Incident – Last Five Years

TYPE	2008	2009	2010	2011	2012
AIM Use of Force Entries	NA	NA	NA	NA	365
Total Subjects Arrested Using Force	NA	NA	NA	NA	246
Total Subjects Force Used on	NA	NA	NA	NA	410
Total Officers Using Force	NA	NA	NA	NA	499
Physical Force/Empty Hand*	31	32	19	54	136
ECW/ (Drive Stun/Darts)	98	107	105	83	76
OC Spray	19	14	12	17	9
Bean Bag/Pepper Ball	1	0	0	0	0
Baton/Impact Weapon	1	4	3	0	1
K-9 (bites only)	34	36	19	21	14
K-9 deployment (non-bite)	NA	NA	NA	NA	70
Firearm – Lethal Force	2	1	3	1	2
Pointing of Weapon	NA	NA	NA	NA	101
Handcuff and Release	NA	NA	NA	NA	112
Weapon of Opportunity	NA	NA	NA	NA	10
Total	187	194	161	176	NA
Total number of Arrests	6920	3115	5345	5328	6459
Use of Force Actions/Arrests	2.70%	3.20%	3%	3.30%	NA
% Force Used results in Arrest 246/410	NA	NA	NA	NA	60%
% Force Used/Total # Arrests 410/6459	NA	NA	NA	NA	6.35%
% Force Used Arrests/Total # Arrests 246/6459	NA	NA	NA	NA	3.81%

2012 Use of Force DATA



Administrative Investigations:

In 2012, the Office of Professional Standards received one (1) citizen complaint of excessive force from the 410 subjects force was used on. There were no reported injuries on this complaint and was investigated pursuant to department policy. The investigation did not reveal any improper conduct or policy violations.

Lethal Force Review:

In 2012, the use of lethal force action increased from one (1) incident to two (2) and involved the discharge of the officer's firearm. The following is a short synopsis of the incident:

The first event resulted from an officer being dispatched to a subject in an alleyway discharging a firearm. One officer arrived on scene and confronted the subject who was armed with a handgun. A second officer arrived as the first officer was giving verbal commands to the subject. The subject raised the firearm toward the first officer and the officer shot the subject striking him in the abdomen. The suspect was treated at the hospital and then booked into jail. He was charged with Aggravated Assault with a

Firearm on Law Enforcement Officer (2 Counts), Possession of a Firearm by a Convicted Felon, Aggravated Assault with a Firearm (5 Counts), Threats to a Public Official and Assault on a LEO. A formal investigation by the State Attorneys Office deemed the shooting justified and a Internal Investigation also found the shooting within policy and no training issues were noted. In fact, it was noted in the Lethal Force Review Board that recent firearms training provided by the agency proved to be effective in this incident.

The second shooting involved two officers being dispatched to assist a female subject with getting belonging out of a trailer. The reportee advised that there was a male subject at the trailer who is known to carry firearms and has a history of violence. Officers arrived on scene with the female who knocked on the door. The male subject opened the door with a gun in his hand. The officers commanded him to drop the gun and instead he charged a round into the chamber. Officers gave more commands when then placed the gun on the floor of the trailer and went down the steps of the trailer. Seconds later, the subject made a movement back toward the gun and both officers fired their handguns, subsequently killing the subject. A formal investigation by the State Attorney's Office revealed the shooting was justified. An Internal investigation also revealed the shooting was within policy and no training issues were noted.

Suspect Injuries:

The majority of subject injuries documented on a Use of Force report in 2012 were abrasions and lacerations along with K-9 bites. Two other subjects were shot by LPD officers in a justified lethal force encounters. Likewise, a further review of AIM entries noted that many of these injuries were not caused by the initial application of use of force and were received when the suspect fell to the ground or while being taken into custody following the initial deployment of the ECW.

Reported Suspect Injuries Out of Force

Some suspects suffered more than one injury as a result of the use of force as well as the suspect may have more than one type of injury. Out of the 410 subjects, 75 were injured or claimed injury as a result of being taken into custody. This was an increase of 16 from 2011, however, an additional 1100 more arrests were made in 2012. There is also a potential error in this data as some AIM entries noted the subject was injured, but only counted the probe marks on an ECW deployment. The goal of this category was to note other injuries as it is a given that a proper ECW deployment will cause puncture marks. OPS intends to work on the potential data entry issue in 2013. However, even with the increase in arrest and injuries, the rate of suspect injury as a result of arrest remained 1.1% for the second straight year.

Total Number of Suspects Injured

2011 - 59

2012 - 75

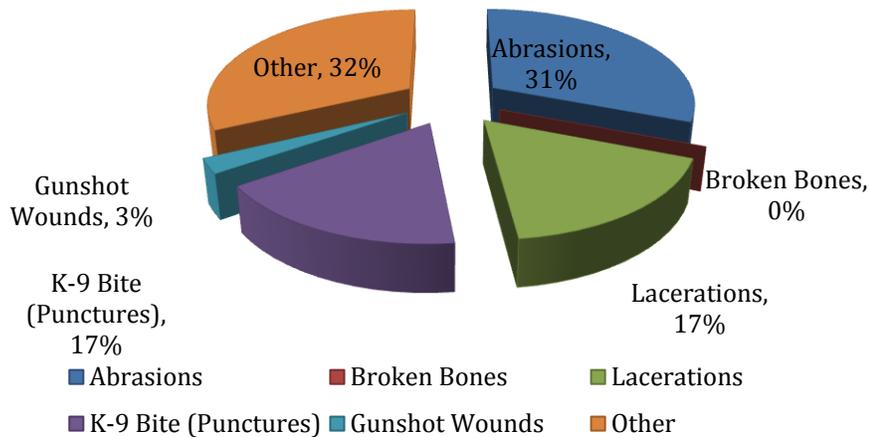
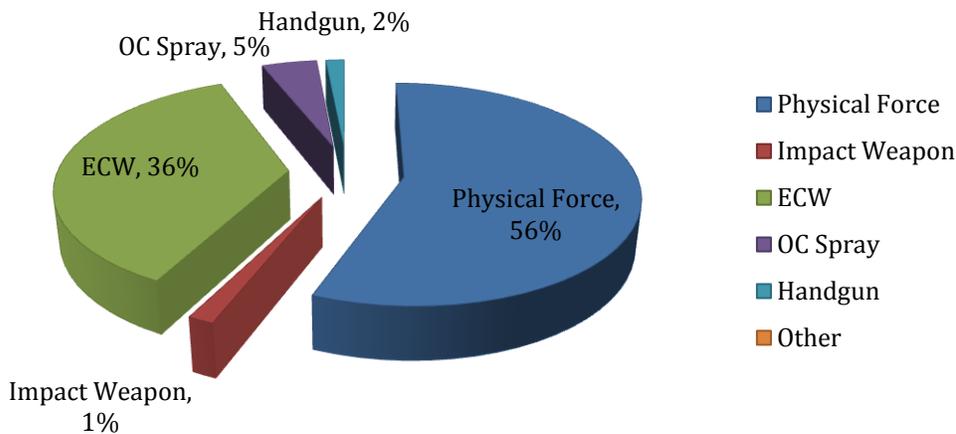
Cause of Injury - Suspect

Physical Force	37
Impact Weapon	1
ECW	24
OC Spray	3
Handgun	2

Type of Injury – Suspect

Abrasions	25
Broken Bones	0
Lacerations	14
K-9 Bite (Puncture)s	14
Gunshot Wounds	2
Other*	26

*Other includes the following: Chest Pain, Punctures, Skin Irritation, Contusion and Swelling.



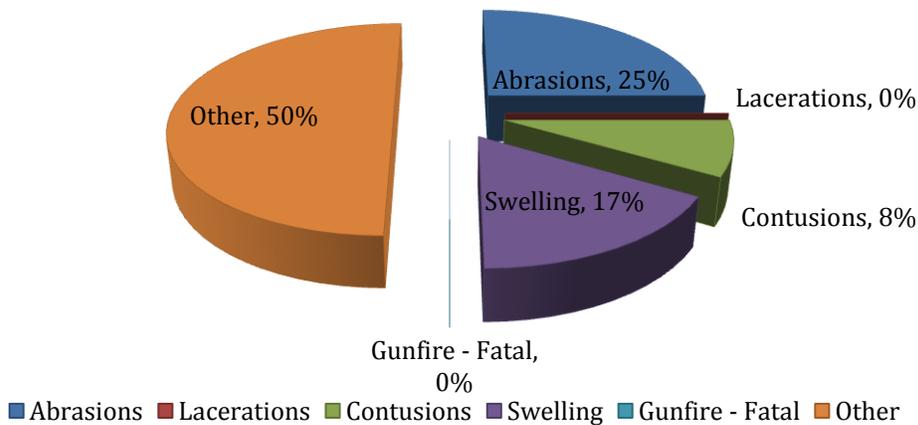
Reported Officer Injuries out of 499 Officers using force.

Type of Injury – Officer

Gunshot Wound	0
Abrasions	3
Lacerations	0
Contusions	1
Swelling	2
Other	6 (Pulled Muscle, Skin Irritation, Puncture Wound)

- 2009 7 injuries
- 2010 4 injuries
- 2011 7 injuries
- 2012 8 injuries
-

Eight (8) officers reported injuries following a use of force action during incidents that occurred in 2012. This figure increased by only one from 2011 even with an increase in use of force and the number of arrests. Statistically, less than one percent of the time an officer is injured making an arrest this past year. When comparing officer injuries to Use of Force on the 410 subjects, the percentage rose to 1.9%. Eight (8) officers being injured is still too many, luckily all were minor.



MOTOR VEHICLE PURSUIT ANALYSIS (2012)

At times, enforcement of the law may necessitate the initiation of a motor vehicle pursuit in order to apprehend violators. However, the Lakeland Police Department also recognizes the inherent dangers and risk factors associated with police motor vehicle pursuits. The preservation of life and public safety is more important than property or the immediate apprehension of non-violent criminals. The Department continuously evaluates its policies and procedures as they relate to members' participation in motor vehicle pursuits.

The Lakeland Police Department's motor vehicle pursuit policy authorizes sworn members to initiate a vehicle pursuit based upon the reasonable belief that the suspect has committed a violent felony. Only under circumstances defined by policy and with the approval of a supervisor, an officer may pursue a suspect vehicle when it is believed that the vehicle is stolen.

Additionally, the decision to initiate, continue, or terminate a motor vehicle pursuit requires the evaluation of many factors, to include the nature of the offense, environmental conditions, and to the overall safety of the public. The responsibility for the motor vehicle pursuit rests with the initiating officer and authorizing supervisor.

Reporting and Review Procedures:

Officers involved in a motor vehicle pursuit are required to complete and submit an event report that includes all information known at the time the pursuit was initiated. The supervisor is required to report the motor vehicle pursuit on the Lakeland Police Department's Motor Vehicle Pursuit Review Form (LPD 045). Currently, this form is submitted to the Department's Pursuit Review board for an administrative review of the pursuit. Pursuit modules have not been completed in AIM as of yet due to other priority projects and due to the limited number of pursuits LPD045 is easily managed. However, in 2013 the modules will be completed and pursuits will be entered into AIM in lieu of using this form.

The Pursuit Review Board consists of the involved member's chain of command (Sergeant, Lieutenant, and Captain) and is chaired by the Bureau Commander (Assistant Chief of Police) of the respective division. Additional members of this board consist of the Department's General Counsel, the Training Coordinator and a supervisor from the Office of Professional Standards. The purpose of this board is to review all motor vehicle pursuits for compliance with Department policies and procedures. The board also conducts a policy review to identify any training needs, procedural changes or modification to the Department's current motor vehicle pursuit policy.

The board may make recommendations for any changes to training, policies or procedures in relation to motor vehicle pursuits. These recommendations are submitted to the Chief of Police and are advisory only. Pursuits that appear to be out of compliance with Department Policies may result in the initiation of an administrative investigation into the actions of the involved members. It should be noted in 2013, OPS is reviewing the process and may modify it to be in line with the Safety Board process.

Pursuit Training:

At the conclusion of the administrative review process for all motor vehicle pursuits, the Officer in Charge of the involved squad conducts a “critique” session during the shift briefing. During these sessions, discussions about the incident occur as well as a review of the motor vehicle pursuit policies and procedures. During 2012, there were 2 documented motor vehicle pursuits that were reviewed administratively by the Pursuit Review Board. A critique session was also held during the involved squad’s shift briefing in both incidents as well.

Statistical Data and Analysis:

Pursuits	2008	2009	2010	2011	2012
Total Pursuits	15	16	10	12	2
Terminated by agency	2	2	1	2	0
Compliant with Policy	12	15	8	10	2
Not Compliant with Policy	3	1	2	2	0
Reason Pursuit Initiated:					
Violent Felony	5	7	2	9	1
Felony /Motor Veh. Theft	8	8	7	2	1
Misdemeanor	1	0	0	0	0
Traffic Offense	1	0	1	1	0

In 2012, a large decrease was noted from 12 in 2011 to two (2) this past year. The pursuit policy was not changed, however a strong emphasis was communicated to ensure all elements of the policy were met before a pursuit was to occur. Deferred apprehension and officer discretion opting not to pursue also appears to be a part of the reduction. After a formal review, both pursuits in 2012 were found to be within policy.

In 2012, the time of the pursuits ranged from 5 minutes to 13 minutes. Top speed of one was 50MPH and the other was 70MPH. One pursuit ended with the vehicle stalling and the other ended with the use of Stop Sticks. Additionally, no pursuit this year ended in a crash, which also lends itself to officers being even more aware and prudent of these types of incident when operating their patrol cars. Pursuits continued to remain low when compared to other arrest data and that is based on a pursuit policy that is enforced, education and training of officers, and supervisory accountability on this high liability issue.

Motor Vehicle Pursuits: Traffic Crashes	2008	2009	2010	2011	2012
Total # of Vehicle Crashes	6	5	4	5	0
Total Amt. Suspect Vehicle Damage	\$9,200	\$17,300	\$15,000	\$26,600	\$0
Total Amt. Dept. Vehicle Damage	\$10,000	\$18,000	\$15,000	\$4,000	\$0
Total Amt. Other Property Damage	\$1,000	\$20,600	\$6,500	\$2,290	\$0
Total Overall Annual Traffic Crash Damage	\$20,200	\$55,900	\$36,500	\$32,860	\$0

Motor Vehicle Pursuits: Injuries	2008	2009	2010	2011	2012
Officers Injured	0	0	0	0	0
Suspect Injured	3	1	2	1	0
Third Party Injured	0	0	0	0	0

BIAS BASED PROFILING/BIAS FREE POLICING ADMINISTRATIVE REVIEW

The Office of Professional Standards is responsible for an annual review of the department's practices as they relate to Bias Based Profiling. The Lakeland Police Department's General Orders contain policies that place the Department in compliance with Florida Statutes and community expectations.

During 2012, Chief Womack directed OPS to find a better way to track encounters with the public and document the statistical data. Several ways were explored to find the most efficient method and work in conjunction with a CAD/Tiburon upgrade that caused a delay in the implementation. In the late summer and fall of 2012, methods were beta-tested and reporting via an officer's in-car computer was found to be the most efficient. This is a post incident reporting requirement and officer safety was discussed as being paramount. Motor officers as of now cannot report via in-car computer and have to voice the demographics. This did prompt further research into equipping the motors with in-car computers so they have the reporting ability on demographic data and access to all programs that officers in cars have. This portion is still in the beta testing stage with different types of equipment being evaluated.

Additionally, starting January 1, 2013, the Demographic Tracking procedures established by OPS will be in effect. Attached to this report in Appendix A is the report on the Beta Testing data for reference as to how data will be captured in 2013.

During this testing process, the department reviewed its Bias Based Policing Policy. The review confirmed that the directive contained the following:

- Provisions for training department personnel in bias based profiling issues to include legal aspects and in accordance with CJSTC.
- Provisions for corrective measures if bias based profiling occurs.
- Definitions of Bias Based Profiling and Reasonable Suspicion.
- Provisions for Traffic Stop Procedures.
- Provisions for Community education and awareness efforts.

Training:

The Lakeland Police Department conducts training on issues that pertain to Bias Based Profiling in accordance with guidelines established with Criminal Justice Standards and Training Commission (CJSTC). This includes in-service training sessions in either the form of computer based (Power DMS) or reality based scenario training every two years. The last in-service training session noted during this review was in 2011. It was a “Police Discrimination” video and was placed on Power DMS for members to view and acknowledge it with an electronic signature. The training covered various types of discrimination during the course of police work and specifically mentioned traffic enforcement.

In 2012, OPS trained every sworn member on the new reporting requirement and a procedure was also placed on Power DMS for everyone to review and sign off. Implementation of January 1, 2013 was established and members have been able to use it during the last two weeks of December. A couple of suggestions for improvement are being looked at for an upgrade that will occur sometime in 2013.

Citizen Concern/Complaints:

The Lakeland Police Department’s General Orders explicitly prohibits bias based profiling, or taking action based solely upon an individual’s race, ethnic background, national origin, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups. Citizens can obtain information on how to file a complaint of bias based profiling through brochures that are disseminated by the Lakeland Police Department. These brochures are available in English and Spanish at the Lakeland Police Department and the City of Lakeland “City Hall”. Additionally, this information is available on the Lakeland Police Department’s website (www.lakelandgov.net/lpd). Police Supervisors are required to assist all citizens wishing to file a complaint for bias based profiling upon request. All allegations of bias based profiling are thoroughly investigated by the Internal Affairs Unit. Administrative Investigations into any allegation of Bias Based Profiling will

be investigated regardless of the circumstances, including the complainant's unwillingness to proceed following submission of the complaint.

In 2012, the Lakeland Police Department received one complaint that was categorized as either racial discrimination or bias based profiling. The complaint was assigned to Internal Affairs for investigation. The following is a summary of the complaint:

The incident occurred during a traffic stop in which a white male officer stopped a black male officer for a traffic violation. Backup officers arrived also and begin to deal with the subject while the original officer completed his investigation. The allegation was that two white male back-up officers used derogatory language toward the black male during this portion of the traffic stop. The allegation was investigated and recommended finding of NOT SUSTAINED was issued. The Chain of Command and Chief of Police concurred.

Community Education/Awareness:

The Lakeland Police Department's Community Services Unit provides members of the public with an informational brochure on Bias Based Profiling. Additionally, this information can be accessed via the Department's website: <http://www.lakelandgov.net/lpd/Home/BiasFreePolicing.aspx>

Department Practices / Traffic Stops/Citations:

The following Lakeland Police Department General Orders serve as written directives that provide procedures for Traffic Stops:

- 20-12/3-6 (Bias Free Policing)
- 24-2 (Traffic Enforcement)
- 24-11 (In Car Audio or Video Recording)

Florida State Statute requires police agencies to create department policies that prohibit the practice of racial profiling. Additionally, the statute requires an officer to record a subject's race and ethnicity when issuing a traffic citation for a seat belt violation.

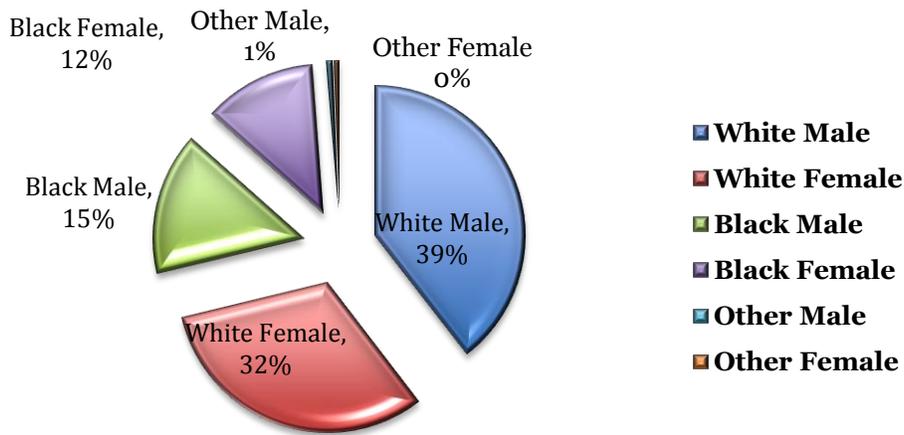
The below table represents a profile of driver demographics of the citations submitted where a complete disposition data was available, however, with the new reporting requirements starting in 2013, a better depiction of all traffic stops will be captured, not just those resulting in a citation. Additionally, the below data closely mirrors our current city demographics where are the following:

Statistically, we have remained the same the past three years with amount of citations issued in relation to race and sex. When compared to this year's demographic used in the CALEA Tables for 2012, slightly more citations were issued to Caucasians and African American than those listed in the other category, however, it is not significant and some portion can be contributed to data entry error.

Total Traffic Citations

	2010		2011		2012		Current City
Race / Gender	Citations	% Rate	Citations	% Rate	Citations	% Rate	Demographic
White Male	8350	40%	6620	39.95%	6121	39.53%	
White Female	6256	30%	5454	32.91%	4907	31.69%	71.3% m/f
Black Male	3297	16%	2375	14.33%	2381	15.38%	
Black Female	2708	13%	2030	12.25%	1887	12.18	27.5% m/f
Other Male	101	1%	66	.40%	101	.65%	
Other Female	61	>1%	26	.16%	84	.54%	1.2% m/f
Total	20,773	100%	16571	100%	15,481	100%	100%

**Source: LPD Records Section



The above data was obtained from the Lakeland Police Department’s Records Management System (RMS) “I-Leads”. The program categorizes both “Caucasian” (White) and “African American” (Black) as a Race; however, the remaining ethnic groups (Native American, Asian, Hispanic) are not separately identified. When compared to community demographics, approximately 73% of traffic citations were issued to Caucasians who represent 75% of the community; approximately 27% of the traffic citations were issued to African Americans who represent approximately 22% of the community; and, 1% of the citations were issued to members of other races who represent approximately 3% of the community.

In 2012, the Department of Highway Safety and Motor Vehicles' (DHSMV) 2011 "Safety Belt Violation Data Collection Annual Report" reflected the below data reported to them by the Lakeland Police Department:

**Seat Belt Violations (2012 Annual Statistics)
F.S.S. 316.614(9)**

Race & Ethnicity	Non-Hispanic	Hispanic	Total
White	946	124	1070
Black	462	0	462
Indian	0	0	0
Asian	7	0	7
Unknown	0	0	0
Total	1415	124	1539

*Source LPD CAIC via DHSMV/DAVID

The Lakeland Police Department reported this statistical data to the DHSMV on a quarterly basis in 2011 to comply with F.S.S. 316.614 (g). This data included information that pertained to the "Hispanic" ethnic group. Data collection and entry issues continue to result in inconsistencies on how this information is reported. This issue was being addressed in 2012 to allow for a more accurate manner in which the race/ethnicity of an individual is reported. After months of testing and programming changes to Tiburon, implementation is set to occur for department wide reporting January 2013 and a more detailed report will be generated next year.

EARLY INTERVENTION SYSTEM ADMINISTRATIVE REVIEW (2012)

The Lakeland Police Department's Early Intervention System (EIS) is a data-based police management tool designed to identify patterns of behavior which may require agency intervention efforts. The department utilizes this system in order to provide for a timely, systematic review of significant events involving agency employees. The (EIS) enables the department to evaluate, identify, and assist members who exhibit signs of performance and/or conduct related problems.

A comprehensive (EIS) is intended to assist police supervisors and managers in identifying department members whose performance warrants further review, and, where appropriate, intervention in circumstances that may have negative consequences for the member, co-worker, the department, and/or the general public. The Office of Professional Standards manages the (EIS) through an electronic case management system (AIM – Administrative Investigations Management). The Office of Professional Standards conducts an annual review of the Early Intervention System.

The Department's EIS includes procedures for reviews based on current patterns of collected material, agency reporting requirements of employee conduct, the role of the first and second level of supervision, remedial action, employee assistance such as peer counseling and annual evaluations of the system.

In 2012, there were 17 Early Intervention alert notifications. This was a significant increase from six in 2011 as the tracking mechanisms changed with the addition of Handcuff and Release and Pointing of Weapon AIM entries. As a result, OPS determined that Handcuff and Release should be separated and moved into its own category that would create a trigger. Handcuff and Release is now set at 9 within 90 days and separated from all other Use of Force. Pointing of a Weapon was also a primary cause of an EIS notification with 11 of the 17 involving at least one Pointing of a Weapon incident. Three of the EIS notifications involved Employee Incident Reports, Preventable Traffic Crashes, Citizen Concerns and no Use of Force. Further, two members had Performance Improvement Plans (PIP) developed to intervene. One member resigned, so the effect of EIS is important as it noted performance issues that needed to be addressed. The other member responded to the PIP and has seen improvement based on the intervention that occurred.

The last EIS notification was November. June and August were the busiest months with six and three respectively. This past spring/summer was when full implementation of Handcuff and Release and Pointing of a Weapon occurred thus causing those first few notifications.

Each notification was sent to the member's supervisor for review. Each one resulted in a review only and no actual intervention was needed. Further, after an adjustment to the triggers, there was a decrease in notifications. It should also be noted that there were no civilian EIS notifications since the majority stemmed from Use of Force.

Further, with the upgrade of AIM, there are more mechanisms in place to ensure there is follow-up when an intervention occurs to ensure the employee and supervisors are monitoring the situation. Overall, the program continues to be effective and with the requirement of more reporting, more situational awareness has been created for supervisors to monitor activity.

GRIEVANCES REVIEW & ANALYSIS

In 2012 the Grievance Process was moved to the Office of Professional Standards from General Services Section. The intent was to have OPS set this up to be tracked in AIM. However, there were no Grievances were received by OPS during the year 2012. It should be noted that there is still one outstanding case set for arbitration in 2013 that stems from a 2010 case. A review of this process revealed that having Grievances tracked by OPS ensures accountability which coincides with the administrative case that was monitored/maintained by OPS via the use of AIM and a Case Manager. While grievances are not a common event, having OPS monitor ensures that it is part of its mission of general oversight for the agency.

SAFETY BOARD

In 2012, Traffic Crash Review Boards and Property Incident Review Boards were merged into one board called the Safety Board. The board meets as needed and reviews every departmental crash, damaged property incident and employee injuries. (Note: Due to a routing error, employee injuries were not reviewed for the first part of 2012.) The board is tasked with determining whether a crash is preventable or not along with property damage. Employee injuries are reviewed to ensure safety measures were in place or reevaluate procedures to ensure injury reduction and risk management is a main focal point in discussions.

During the past year, the board reviewed 68 incidents. The board was also tasked with ensuring corrective measures were issued by the appropriate supervisor via the use of AIM. The standard threshold established by the board was one preventable traffic crash within the past 12 months would result in a Counseling Form. An additional one within 12 months would be trigger for a Written Reminder. If an additional one occurred or an incident was egregious enough the board felt discipline should be issued, the board would recommend discipline and forward back to the immediate supervisor so that discipline could be recommended to the Chain of Command and a Bill of Rights issue does not occur. See below for breakdown of Safety Board findings:

TYPE	Preventable	Non-Preventable	Unknown	TOTALS
Crash	22	22	0	44
Property Incidents	1	16	0	17
Employee Injury*	NA	NA	NA	7
				68

*Employee Injured reviewed was to determine if safety measures were in place or if any safety measures need to be put in place as a result of injury.

This is the first full year of tracking for the Safety Board. Causation of preventable crashes appears to be right of way violations, rear-end collisions, improper backing and responding to calls. There was no occurrence of texting and driving or use of the MCT causing a crash. Additionally, most all non-preventable crashes were rear-end collisions with the other party striking the officer. Also, no significant injuries occurred to officers or citizens in either type of crash.

CONCLUSION

In summary, the Lakeland Police Department continues to perform well and no alarming trends were noted. With that said, the use of physical force spiked enough this year for OPS to monitor, but is most likely attributed to the new reporting requirements that were implemented. Further, other areas saw a small increase or decrease depending on the topic, but none were staggering enough to cause great concern.

Many items mentioned will continue to be a focus in 2013 for the Office of Professional Standards. The staff in OPS will work continuously with other components to find ways to improve efficiency and continue the progression of the goal to go paperless. This includes combining some forms to auto fill to reduce officer downtime in completing documents other than the event report.

This past year was a year of moving forward from a grief stricken ending to 2011 from numerous promotions, transfers and changes in the agency. New patrol car paint schemes, new uniforms, award winning units and a push to continue to improve and reduce overall crime has made 2012 a very busy year. All of this leads up to April of 2013, when the Lakeland Police Department will have its on-site assessment for CALEA Reaccreditation and it will be a success.