

CITY OF NEWPORT NEWS

March 16, 2007

To: Chief James D. Fox, Chief Of Police
From: Captain P. W. Haymes, Professional Standards Commander
Subject: 2006 Professional Standards Division Annual Report

Attached is the annual statistical report for the Newport News Police Department Professional Standards Division. The statistical report is prepared in compliance with Accreditation Standard 52.1.11. Additionally ADM-270 also requires that an annual summary of complaints be presented to the Chief of Police. Department policy also requires an analysis of trends, patterns and any areas of concern.

SUMMARY

There was a total of 63 citizen complaints and/or internal investigations documented with 75 separate charges filed during 2006. This represents a 4.5 % decrease in total complaints compared to 2005. Of the 75 separate charges investigated, 26 were substantiated and 2 are pending final disposition.

FIREARMS DISCHARGES AND SPECIAL INVESTIGATIONS

April 28, 2006

On April 28, 2006 at approximately 0002 hours, Vice Narcotics Unit personnel were in the 400 block of Cox Landing in reference to a pending search warrant. They were in unmarked units and wearing plain clothes with police labeled body armor and badges identifying themselves as police officers.

A suspect wanted for Failure to Appear in court in reference to a pending Evade and Elude Police charge approached the area and pulled into a parking space in the 400 block of Cox Landing. Unit members pulled their units in a tactical position to the rear of the suspect vehicle and identified themselves as police officers. The suspect started his vehicle and quickly placed the vehicle into reverse, speeding toward a detective that was on foot and positioned near his unit. The suspect's vehicle struck the passenger side of the unit and two Unit members discharged their firearms at the vehicle to stop the threat. They each fired one round. One round struck the passenger side window and the other hit the driver's door.

The suspect was taken into custody and found to be wearing ballistic armor. He was not struck by a bullet. This situation was classified as being within policy.

December 19, 2006

On December 19, 2006 officers from the Department were on John Tyler Highway in James City County on their way to attend training. A deer entered the highway and was struck by the police unit. After the accident officers located the deer and found it alive but with severe injuries. A supervisor on the scene determined the deer needed to be euthanized for humane reasons. The deer was off the roadway and away from any other safety concerns. An officer on the scene discharged one round killing the deer. This situation was classified as being within policy.

No Special Investigations were conducted during 2006.

TRENDS, PATTERNS & TRAINING ISSUES

Allegations of Improper Use of Force were the highest type of complaint received during 2006, with a total of 20. This was followed closely by 17 Improper Demeanor and 17 Improper Procedure allegations. The Improper Force allegations amounted to 27 % of the 75 total allegations. Three Improper Force complaints were substantiated and two others are pending final disposition. With only three substantiated complaints the ratio of substantiated complaints to total complaints is low and amounts to 15 % of the total. As examples 62.5 % of the Improper Conduct, 83 % of the Neglect of Duty and 47 % of the Improper Procedure allegations were substantiated. All substantiated charges result in proper disciplinary action and training in order to prevent future concerns.

BIASED BASED PROFILING ALLEGATIONS CALEA STANDARD 1.2.9 (D)

The Newport News Police Department investigated two allegations of racial profiling during 2006. Both allegations were reviewed and classified as unfounded.

WARNING SHOTS CALEA STANDARD 1.3.3

No warning shots were reported by members of the Newport News Police Department during 2006.

EARLY WARNING SYSTEM CALEA STANDARD 35.1.9

The Department's Early Warning System identified four officers that met the threshold for follow-up action during 2006. Commanders were notified and required meetings were conducted.

STAFF INSPECTIONS

The below listed staff inspections were completed by the Professional Standards Division during 2006:

January 2006	Auxiliary Police Officer Program
February 2006	Public Information Office
March 2006	Records Honor Guard
April 2006	Payroll
May 2006	P & E Unannounced
June 2006	Special Investigations Unit South Precinct Fugitive Apprehension
July 2006	Central Precinct P & E Announced
August 2006	North Precinct
November 2006	Crime Response Team Commonwealth Attorney Liaison
December 2006	Recruiting

Individual Charge Comparison

	<u>2005</u>	<u>2006</u>
Substantiated	33	26
Not Substantiated	4	2
Unfounded	60	30
Exonerated	20	14
Ref/Withdrawn	2	1
Pending	0	2

2006 Use of Force Reports Annual Analysis

The Professional Standards Division is the departmental repository for all Use of Force Reports and is charged with reviewing the reports generated by police officers. As examples Use of Force Reports are required when an officer discharges a firearm on or off-duty; when the use of force includes physical force; use of less-lethal weaponry; the force results in injury or death; when a citizen complains that an injury has been inflicted as the result of application of force; when the use of force requires medical attention or whenever OC spray or Chemical gas is employed.

During 2006, **176** Use of Force reports were received, a **15%** decrease from the **206** Use of Force Reports in 2005. All of the reports were reviewed by Professional Standards Division and Training Division staff. When appropriate these reviews identified improper actions and training issues resulting in proper corrective action.

The most active month for Use Force Reports was September with **18** reports and the least active was November with **10** reports.

Use of Force Reports by Month/Year

2006											
Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
17	14	14	14	15	13	17	13	18	17	10	14
Total Reports: 176											
2005											
Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
13	15	24	16	13	15	23	21	20	13	15	18
Total Reports: 206											

