

OFFICE OF COMMUNITY COMPLAINTS SEMI ANNUAL REPORT

All OCC Complaints Received January thru June (2016 - 2020)

Complaint Category	2016	2017	2018	2019	2020
Bias-Based Policing	4	1	1	3	3
Discourtesy	15	8	8	11	13
Excessive Use of Force	17	19	16	17	14
Harassment	17	4	14	10	6
Improper Member Conduct	17	13	25	32	21
Improper Procedure	73	57	61	56	64
Not Yet Determined					3
TOTAL	143	102	125	129	124

Community complaints alleging improper actions are classified in one of the following six (6) defined categories:

1. **Bias-Based Policing** – Circumstances where the police actions of a member were substantially based on the race, ethnicity, gender, age, sexual orientation, religious beliefs, disabilities, or national origin of a person, rather than upon lawful and appropriate police procedures.
2. **Discourtesy** – Circumstances where the actions or statements of a Department member were in violation of the Code of Ethics or Rules of Conduct of the Department based upon the context of the contact with the complainant. For example, the use of ethnic slurs would be classified as discourtesy.
3. **Excessive Use of Force** – Circumstances where a member of the Department used more force than is reasonably necessary to arrest a suspect, take a suspect into custody, stop a suspect for investigation, control a situation, restore order, or maintain discipline.
4. **Harassment** – Circumstances where a member of the Department has had repeated or continued contact with a person without lawful police justification.
5. **Improper Member Conduct** – Circumstances where the behavior of a member was unprofessional, unjustified, beyond the scope of the authority of the member, unauthorized by Department procedures, or constituted an unreasonable lack of police service.
6. **Improper Procedure** – Circumstances where an administrative or procedural requirement was not met. This includes, but is not limited to, improper search and seizure, omission of the Miranda Warning where required, etc.

The findings of the Office of Community Complaints (OCC) will fall into one of the following defined categories:

1. **Sustained** – The alleged act occurred and was without lawful police justification.
2. **Not sustained** – The evidence fails to prove that an act of misconduct occurred.
3. **Exonerated** – The alleged act did occur but the Department member engaged in no misconduct because the actions of the Department member were lawful, justified and/or proper.

Other dispositions:

1. **Resolved without investigation** – Any complaint which is mediated, conciliated or resolved prior to the IAU investigation.
2. **Withdrawn** – The complainant did not wish to pursue the complaint.
3. **Non-cooperation** – The complainant failed to cooperate.
4. **Closed** – The complaint was closed due to the following circumstances:
lack of jurisdiction, no violation of policy or procedure, mediation, pending litigation, complainant anonymity, or third-party complaint.

Conciliation – Conciliation is defined as the informal resolution of a complaint without the need for a formal investigation. Conciliations may take place with the Director of OCC or the Director's designee and the complainant, or with the Director of OCC or the Director's designee, the complainant and the officer.

Mediation – The informal resolution of a complaint through the use of persons trained as mediators. These persons must be neutral, outside parties and may not be practicing attorneys.

