

TULSA POLICE DEPARTMENT

INTERNAL AFFAIRS



2008 ANNUAL REPORT

Captain Luther Breashears



INTEROFFICE CORRESPONDENCE

TO: Ron Palmer, Chief of Police

FROM: Capt. Luther Breashears, Internal Affairs Unit Commander

DATE: March 19, 2009

SUBJECT: Internal Affairs Annual Report for 2008

During 2008, Internal Affairs logged 250 total cases, investigating 409 issues. This is an increase of 14 cases from 2007. Frequently, complaints involve multiple officers, employees, allegations and dispositions.

In 2008, there were 404,942 calls through dispatch. TPD had 82,356 contacts with the public, via arrests, citations, traffic warnings, collisions, and reports. There were 225 officers and 12 civilians investigated. The civilian issues were all administrative, dealing with misuse of or unauthorized leave, misconduct, incompetence, and/or disrespect. According to these amounts, we received a citizen complaint in approximately 1 out of every 1,361 contacts we made.

Of the 250 complaints investigated:

- ◆ 74 (29%) were administratively initiated
 - ◆ 164 (66%) investigations were initiated by citizens
 - ◆ 3 (1%) were initiated by community partnerships
 - ◆ 7 (3%) were initiated by the Mayor's Action Center
 - ◆ 2 (1%) complaints were initiated by the Oklahoma Human Rights Commission alleging discrimination and sent to the district attorney's office to be reviewed for criminal charges. There were no criminal charges from these.
- IA investigated 116 cases; Divisions investigated 106 cases.
- The remaining 28 cases were weapons discharges for animal control. All were found to be within policy and the majority of these involving pit bull dogs posing threats to people at separate locations.

Additionally, IA processed:

- ❖ 6,177 overtime requests for court appearance
- ❖ 60 run-in reports
- ❖ 9,888 subpoenas (*IA no longer handles distribution as of 10/27/08.*)
- ❖ 94 supervisor contact reports
- ❖ 71 tort claims
- ❖ 303 use of force reports

This information provided by RIMS database, IA statistics, and compiled by Cheryl Stice, IA Coordinator.

Four findings for investigations were determined by the City Council in 1973 (UN, EX, NS, and SU) and this has not been updated since that time. Since then, IA has added a few more to appropriately address the dispositions.

UN	Unfounded	Allegation is false or not factual
EX	Exonerated	Incident complained of occurred but was lawful and proper
NS	Not Sustained	Insufficient evidence to prove or disprove the allegation
SU	Sustained	Allegation is supported by sufficient evidence
CL	Closed	Information not available to proceed with investigation
RS	Resolved	Supervisor mediated discussion between citizen and officer, withdrawn
NI	Not investigated	Officer named originally, investigation proved error
Pend.	Pending	Case remains under investigation at end of year

CASE TYPE AND DISPOSITION

	UN	EX	NS	SU	CL	RS	NI	Pend.	TOTALS
Deadly Force	0	7	0	1	0	0	0	2	10
Discrimination	3	0	0	0	1	2	0	3	9
Excessive Force	25	14	15	8	12	1	2	12	89
Harassment	2	2	2	0	6	4	4	4	24
Inaction	3	5	0	1	0	15	3	1	28
Poor Public Relations	7	9	12	1	1	29	3	1	63
Violation of Procedure	39	15	16	35	20	10	4	18	157
Weapon Discharge	0	29	0	0	0	0	0	0	29
Totals	79	81	45	46	40	61	16	41	409

DISCIPLINARY ACTIONS = SUSTAINED

		Sustained dispositions by race:		
		Employees	Complainant Initiated	Internally initiated
Demotion	1			
Department Letters of Reprimand	5			
Division Letters of Reprimand	9			
Loss of AV Days	1	Asian	2	
Loss of AV Days/Loss of Vehicle	1	Black	8	5
Loss of Vehicle	1	Hispanic	1	
Suspension	6	Indian	2	
Termination	3	White	33	7
Verbal Counseling	19	Undetermined	0	5
TOTALS	46	Totals	46	17
				29

YEARLY CASE TOTAL COMPARISON

Employee Count		Male	Female
Asian	12	10	2
Black	114	73	41
Hispanic	15	14	1
Indian	84	68	16
White	705	555	150
Totals	930	720	210

	Investi- gated	<i>Although the numbers state "409" officers were investigated, some of these were duplicates, or officers being investigated more than one time, on different complaints and/or issues. The actual number of police employees who were investigated is 235.</i>	Male	Female
Asian	10		4	0
Black	40		18	6
Hispanic	7		3	1
Indian	34		18	2
White	316		163	20
	409		206	29

Age	Total Employees	Investigated
22-25	27	4
26-30	96	83
31-35	154	86
36-40	165	110
41-45	155	41
46-50	173	51
51+	160	32
Totals	930	409

Years of Service	Total Employees	Investigated
1-5	231	180
6-10	110	54
11-15	189	67
16-20	147	55
21-25	121	39
26+	132	12
	Undetermined	2
	930	409

DEADLY FORCE CASES

In 2008, TPD had 7 deadly force investigations; all of the 7 shootings were found “within policy” after the review board presentation and final finding from the chief of police. However, the weapon used during 1 incident was an unauthorized weapon, resulting in a follow up investigation concluding with a “sustained” violation of policy, prompting a department letter of reprimand to the officer.

USE OF FORCE

The following data represents the categorical breakdown of the 303 use of force reports processed by the unit. It is imperative to note that use of force incidents against an individual can involve more than one form of force in the same instance, hence the larger number of reported uses of force (342) in the following charts and tables.

BY DIVISION	DET	SOD	SID	TD	MVD	GID	RID	TOTAL
Conducted Energy Weapon (CEW)	1	0	0	1	2	6	2	12
Flash Sound Diversionary Device (FSDD)	0	0	0	0	1	0	0	1
Impact Weapon	0	0	1	0	13	47	8	69
K-9 Use	0	48	0	0	0	2	0	50
Less Lethal Weapon	2	1	2	0	2	3	3	13
OC Spray	0	0	16	1	37	66	31	151
Physical Control	0	1	2	1	8	27	6	45
Vehicle Containment (VC)	1	0	0	0	0	0	0	1
TOTALS	4	50	21	3	63	151	50	342

RACE OF OFFENDER	BLACK	HISPANIC	INDIAN	UNDET.	WHITE	TOTAL
Conducted Energy Weapon (CEW)	5	0	0	0	7	12
Flash Sound Diversionary Device (FSDD)	0	0	0	0	1	1
Impact Weapon	35	1	2	1	30	69
K-9 Use	30	4	0	0	16	50
Less Lethal Weapon	4	0	1	0	8	13
OC Spray	94	5	7	3	42	151
Physical Control	20	1	2	1	21	45
Vehicle Containment (VC)	0	0	0	0	1	1
TOTALS	188	11	12	5	126	342

GENDER OF OFFENDER	Male	Female	Undetermined	Totals
Conducted Energy Weapon (CEW)	11	1	0	12
Flash Sound Diversionary Device (FSDD)	1	0	0	1
Impact Weapon	64	4	1	69
K-9 Use	50	0	0	50
Less Lethal Weapon	12	1	0	13
OC Spray	137	12	2	151
Physical Control	40	5	0	45
Vehicle Containment (VC)	1	0	0	1
TOTALS	316	23	3	342