

A nighttime photograph of a city street. In the foreground, a circular fountain with multiple jets of water is illuminated with purple and pink lights. The fountain is surrounded by a low wall with warm white lights. In the background, there are several tall buildings. One building has a grid-like facade with many lit windows. Another building has a more classical facade with arched windows and doorways. The street is lit with streetlights, and there are some cars parked on the side.

Tulsa Police Department

Internal Affairs

2019

Annual Report



TULSA POLICE DEPARTMENT OFFICE OF THE CHIEF OF POLICE

The Tulsa Police Department is committed to working in partnership with the community to provide quality, professional police service. The conduct of Tulsa Police officers is guided by the Department's mission statement, values, policies and procedures, and rules and regulations. Tulsa Police officers pledge to respect the dignity and rights of every individual and the Department strives to create an environment of uncompromised integrity.

The Tulsa Police Department Internal Affairs Unit is charged with upholding the public trust by performing thorough, unbiased investigations of alleged employee misconduct while seeking the truth, safeguarding the rights of employees and citizens, and ensuring that all persons involved are treated with respect. Internal Affairs processes and investigates citizen complaints, conducts administrative investigations, and investigates the use of deadly force by officers. It is our desire that this annual report will provide insight into the internal affairs process and how the Department handles citizen complaints. Additionally, some historic data from previous years is included for comparison purposes.

Sincerely,

Wendell Franklin
Chief of Police



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Tulsa Police Department Oath of Office

"Having been duly appointed a police officer of the City of Tulsa and peace officer of the State of Oklahoma, I do solemnly swear that I will defend, enforce, and obey the Constitution and laws of the United States, the State of Oklahoma, and the Charter and Ordinances of the City of Tulsa."

That I will obey the lawful orders or my superior officers ad the regulations of the Tulsa Police Department.

That I will protect the rights, lives, and property of all citizens and uphold the honor of the police profession with my life if need be.

This I solemnly swear.

Tulsa Police Department Mission Statement

The Tulsa Police Department will apply all knowledge, skills, and available resources by working in partnership with our community to provide quality service, protect life and property, prevent crime, and resolve problems so people can live without fear in a safe environment.

Tulsa Police Department Internal Affairs Unit Mission Statement

The Tulsa Police Department's Internal Affairs Unit will uphold the public trust by performing unbiased, thorough investigations of alleged employee misconduct while seeking the truth, safeguarding the rights of employees and citizens, and ensuring that all persons involved are treated with respect.

2019 City of Tulsa Demographics



2019 Tulsa Police Reserve Graduates

Tulsa Police Department¹

Employees:	1044
Sworn:	841
Non-sworn:	203

Male:	77.1%
Female:	22.9%

African American:	8.4%
Asian:	1.2%
Caucasian:	74.4%
Hispanic/Latino:	4.7%
Native American:	9.5%
Other:	1.7%

City of Tulsa²

Citizenship:	400,669
Jurisdiction:	182.65 miles

Male:	48.6%
Female:	51.4%

African American:	15.1%
Asian:	3.3%
Caucasian:	54.9%
Hispanic/Latino:	15.8%
Native American:	4.3%
Other:	7.9%

¹ Tulsa Police employment information provided by the TPD Personnel/Payroll Department

² City of Tulsa demographics based on U.S. 2010 Census Bureau data and annually updated estimates

Internal Affairs

In order to uphold the public trust in the Tulsa Police Department and ensure continued confidence in our organization, the Internal Affairs Unit performs many key functions:

- IA investigates allegations of misconduct and/or violations of policies and procedures of involved police personnel, as directed by the Chief of Police.
- IA Investigators respond to, and administratively investigate officer-involved shooting incidents.
- IA assists City Legal with police-related Tort claims.
- IA administers officer notifications for random urinalysis drug screenings.
- IA assists in processing subpoenas for court overtime.
- IA performs audits and inspections and provides documentation required to maintain the Tulsa Police Department's national accreditation status with the Commission on Accreditation for Law Enforcement Agencies (CALEA).
- It is also the unit's responsibility to help safeguard employee rights during investigations.

IA's primary function of handling citizen complaints is accomplished by performing thorough, unbiased investigations, which are forwarded upon completion to the employee's chain of command for review and recommendations.

Although Internal Affairs personnel remain available for clarification during the review process, as well as during related grievance processes, it is up to the employee's chain of command, and ultimately the Chief of Police, to determine final adjudication of the alleged misconduct.

***TPD Fact:* Traffic incidents often account for a number of external complaints. Of the 59 citizen-initiated complaints filed in 2019, 16 involved traffic-related responses, which accounts for more than 27% of the total citizen-initiated complaints filed for the year.**

The Tulsa Police Department believes that the best way to provide high-caliber police service to the citizens of Tulsa is by requiring a high standard of its employees. In addition to the bachelor's degree college education requirement, a 6-month intensive training curriculum and 16-week police apprenticeship is required by all sworn personnel. IA investigators further their skills by completing additional investigative training. IA investigators attend training on the best practices and techniques for conducting administrative investigations.

Internal Affairs also tracks and reports a variety of other incidents such as Uses of Force, Property Damage, Collisions (officer-involved), Pursuits, Records Requests, and secondary employment.

The Internal Affairs staff consists of 5 lieutenants, 1 civilian administrator, and the IA Commander, who in turn reports directly to the Chief of Police. For more information, visit our web page at <http://www.tulsapolice.org/content/internalaffairs.aspx>.

The Complaint Process

Complaints may be initiated externally by citizens or other agencies, but may also be initiated internally by any police employee. Depending on personal preference, complaints can be initiated in any following manner:

- By visiting or contacting any patrol division during operating hours
 - By completing the online form at www.tulsapolice.org/internalaffairs
 - By emailing documentation to TPDInternalAffairs@cityoftulsa.org
 - By faxing a request to Internal Affairs at 918-596-9217
 - By contacting the TPD IA Hotline at 918-596-1355
 - During contact with any Tulsa Police employee, by requesting to speak with a supervisor
 - By contacting the city's Ethics Hotline at 877-888-0002, or online at www.tnwinc.com/webreport
 - By contacting the Mayor's Action Center at 918-596-2100
 - By contacting the Dispatch Non-Emergency line at 918-596-9222
-
- By sending correspondence directly to:

Tulsa Police Department
C/O Internal Affairs
600 Civic Center Ste. 305
Tulsa, Ok 74103

Once received, complaints are reviewed to determine appropriate assignment.³ Depending on the nature of the allegation, a complaint may be assigned to an employee's supervisor or an Internal Affairs investigator. At the conclusion of the investigation, the findings are reviewed by the employee's chain of command to determine a recommendation. The Chief of Police reviews all allegations, findings, and recommendations before determining a final disposition. The Chief of Police will then make a determination regarding discipline, if applicable. Unless filed anonymously, the citizen is then notified by the Chief's Office of the outcome of the investigation.

Internal Investigations are classified with one of the following dispositions:

Unfounded - The allegation has no merit; evidence exists to either disprove or discredit the allegation.

Exonerated - The incident did occur, and the officer acted within established policies, procedures, and/or operating guidelines.

Not Sustained - Insufficient evidence exists to either prove or disprove the allegation.

Sustained - The incident did occur, and the officer was found to be in violation.

Withdrawn - The officer's actions were explainable and the citizen chose of his/her own accord to withdrawal the complaint.⁴

³ Requests for investigations that occur more than one year after the incident occurrence are reviewed on a case-by-case basis.

⁴ A request to withdraw a complaint does not prevent the completion of an investigation, nor does it prevent discipline from occurring if administrative issues are uncovered.

Closed – No allegations against known personnel exists and/or no reasonable means of identifying the subject(s) of the allegation exists.

Citizens often make allegations based on their own perceptions of police procedures or of state/federal laws and city ordinance violations. Since it is in everyone's best interest to educate all involved parties, the Citizen's Complaint Resolution Process (CCRP) was created. This process entails a formal meeting with the complainant, the involved officer and the officer's supervisor to discuss the incident in question. Since these types of complaints do not rise to the level of a policy violation or a conduct issue, they result in a disposition of "Resolved."

Complaint Investigations

All complaints receive a preliminary investigation to determine facts, allegations, establish involved parties and identify potential policy violations not listed in the initial complaint.

Table 1 compares the number of preliminary-only complaints⁵ for previous years, while Table 2 displays the total number of investigated complaints as well as the number of sustained dispositions (in red).

Preliminary Investigations					
	2015	2016	2017	2018	2019
Citizen-Initiated	207	361	381	350	444
Administrative	22	33	38	45	20
Totals	229	394	419	395	464

Table 1

⁵ Investigators may be unable to perform more than just a preliminary investigation if the case lacks sufficient information, evidence, and/or contact information, or does not constitute a policy violation (or does not involve Tulsa Police employees). Preliminary Investigations may also include documentation of citizen concerns that are resolved by field supervisors prior to formal filing of complaints.

Citizen and Administrative Complaint Totals											
		2015		2016		2017		2018		2019	
Citizen-Initiated	Sustained	91	11	73	5	53	6	46	11	59	16
Administrative		36	19	51	25	55	34	49	12	56	32
Totals		127	30	124	30	108	40	95	23	115	48

Table 2

Table 3 provides a comparison rate of citizen complaints to calls for police service and citizen arrests.⁶ The number of citizen-initiated complaints increased by approximately 28%, while administrative complaints decreased by approximately 14%. The number of citizen complaints requiring only preliminary investigations has also increased, although the number of administrative complaints requiring only preliminary investigations decreased by approximately 55%.

Charts 1 and 2 (page 8) provide a breakdown of citizen and administrative dispositions while Chart 3 (page 9) displays the number of internal investigations by division.

Citizen Complaints by Calls for Service, Arrests ⁶											
		2015		2016		2017		2018		2019	
Citizen Complaints	91	Rate	73	Rate	53	Rate	46	Rate	59	Rate	
Calls for Service	293,749	3.1 per 10,000	290,448	2.5 per 10,000	279,256	1.9 per 10,000	274,853	1.7 per 10,000	288,764	2.0 per 10,000	
Total Arrests	16,679	5.5 per 1,000	15,711	4.6 per 1,000	14,306	3.7 per 1,000	14,550	3.2 per 1,000	15,798	3.7 per 1,000	

Table 3

⁶ Arrest and Service calls data supplied by TPD Crime Analysts. Note: arrest and calls for service data may have been updated for previous years in an ongoing attempt to improve efficiency and accuracy.

TPD Fact: In order to utilize tasers, officers must complete specialized training on its use. Part of this training requires subjecting the officer to the effects of tasers, so that officers will be better prepared to deal with its effects. In addition, all sworn officers are equipped with pepper spray which also requires exposure during training.

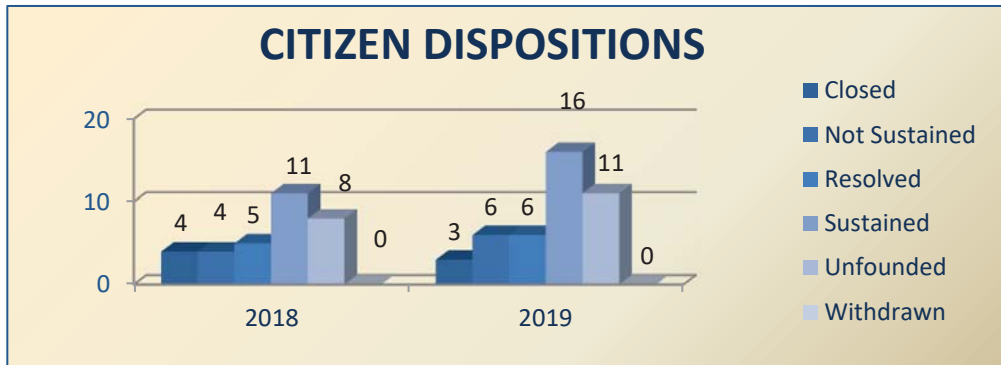


Chart 1

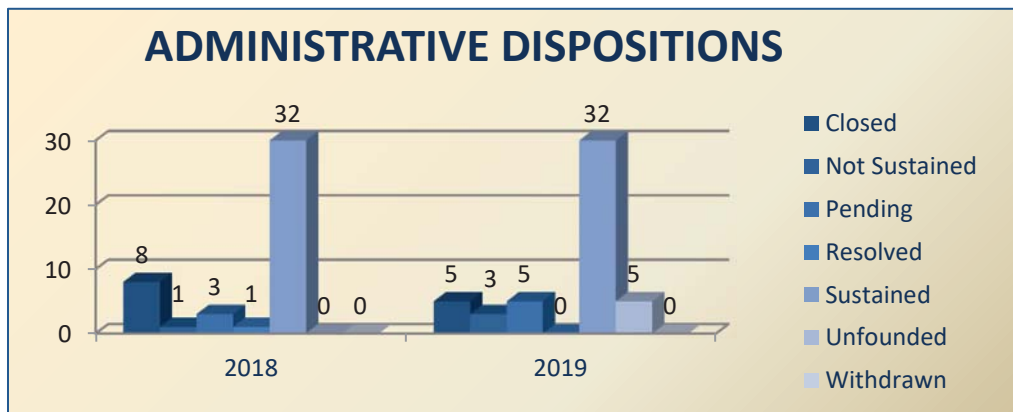


Chart 2

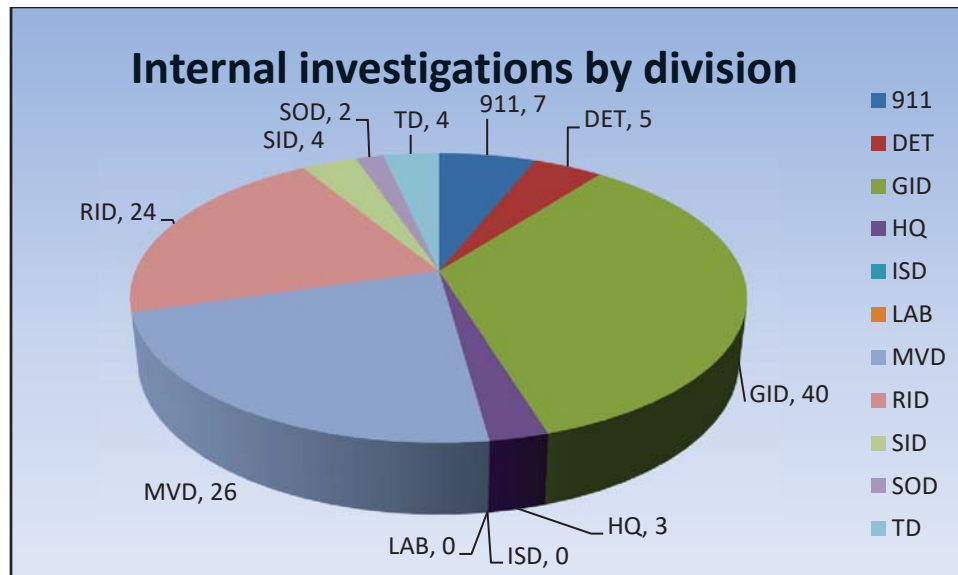


Chart 3

DET = Detective, GID = Gilcrease Division, HQ = Headquarters, ISD = Information Services Division, MVD = Mingo Valley Division, RID = Riverside Division, SID = Special Investigations Division, SOD = Special Operations Division, TD = Training Division

Disciplinary Actions

Administrative investigations can be initiated by other departments such as Human Resources, the District Attorney’s Office, neighboring law enforcement agencies, or by police employees. In 2019, 31% of all Administrative investigations were either self-reported or were initiated by TPD employees.

The Tulsa Police Department holds its employees accountable to an extensive list of Rules and Regulations, Policies and Procedures, and Departmental Orders, as well as the City of Tulsa Policies and Procedures. In order to administer reprimands fairly, the Department practices a philosophy of progressive discipline, meaning that reprimands can increase in severity with repeated infractions.

Table 4 provides a 5-year comparison of disciplinary actions resulting from internal investigations. In 2019, the majority of all disciplinary actions consisted of Letters of Reprimand.⁷

⁷ Totals include yearly dispositions from both administrative investigations and citizen-initiated complaints, and are based on total number of reprimands (as opposed to total number of complaints).

DISCIPLINARY ACTIONS					
	2015	2016	2017	2018	2019
Counseling	10	13	9	24	18
Written Reprimand	7	13	12	12	30
Loss of Vehicle	1	-	-	-	-
Suspension	4	9	9	6	5
Demotion	1	-	6	-	-
Termination	3	3	1	6	3
Resignation	2	6	3	5	-
TOTALS	28	44	48	53	56

Table 4

Employee Tracking and Assistance Program

Each quarter the Internal Affairs Unit reviews various department-wide criteria to help identify trends and recognize potential opportunities for improved training⁸. This information is then forwarded to the officer's chain of command, who reviews the criteria in more detail to determine if a training opportunity exists. If such an opportunity is identified, the chain then creates a curriculum to implement the training.

In 2019, three employees were identified as meeting ETAP eligibility requirements. Although statistically eligible, conferees determined that the need for additional training did not exist. The majority of all ETAP-eligible events involved canine use of force incidents, all of which were found to be within policy.

⁸ Evaluated criteria involve uses of force, deadly force, citizen complaints, officer-involved collisions, and assault and battery on police incidents. Although evaluated criteria may vary by department, an "early warning system" is now commonplace for most major metropolitan police departments.

Criminal Versus Administrative Allegations

Allegations against police personnel can involve issues of misconduct, policy violations, or violations of laws and ordinances. If the allegation involves evidence of the latter, a criminal investigation is conducted first. Criminal and administrative cases are kept separate in order to ensure that an officer’s Garrity Rights do not impede upon their Civil Rights as a citizen of the United States.⁹

Alleged Civil Rights violations are an example of a criminal allegation. Although Oklahoma State law does not require both criminal and administrative reviews for allegations of Civil Rights violations, administrative issues can arise from criminal proceedings, and the Tulsa Police Department reserves the right to work an additional administrative investigation at the conclusion of a criminal investigation.¹⁰

In 2019, 11 cases involved allegations of violation of a law. Of these, one case is pending and nine cases lacked prosecutorial merit or there was insufficient evidence for the District Attorney to file a charge. The District Attorney declined to file on the remaining case.

Administrative investigations of all 11 cases revealed four preliminary-only investigations and no policy violations. Tables 5 and 6 provide a breakdown of the criminal adjudication versus the administrative disposition.

Adjudication of Criminal Cases						
Criminal Allegation Cases	Cases Forwarded to DA	Outcome of Court Case				
		Declined	Dismissed	Guilty	Not Guilty	No Contest
11	1	1	-	-	-	-

Table 5

⁹ Garrity v. New Jersey, 385 U.S. 493

¹⁰ Oklahoma State Statute 22 O.S. § 34.4

Disposition of Administrative Investigations								
Admin. Invest.	Outcome of Admin Case							
	Prelim only Investig.	Pending	Resolved	Not Sustained	Closed	Sustained	Exonerated	Unfounded
11	4	1	-	1	-	-	-	5

Table 6

Deadly Force Investigations

All firearm discharges that occur in the line of duty are categorized as either "Weapons Discharges" or "Deadly Force" incidents.¹¹ A "Weapons Discharge" refers to either animal shootings (whether in defense of citizen/officer safety or animal euthanasia) or to accidental discharges and weapons malfunctions. A "Deadly Force" incident refers to the intentional use of deadly force against another person.

Weapons Discharges

Citizens often ask why animals are not restrained using tranquilizers or other chemical means, such as OC Spray, rather than using firearms. The City of Tulsa operates an Animal Control Department, which utilizes not only tranquilizers but also various forms of safety equipment, and when the animal poses no immediate threat this is the preferred option. Unfortunately, tranquilizers do not have an immediate effect, and OC spray is not a reliable deterrent for aggressive animals. When safety is a factor, officers must act quickly and appropriately using readily available resources.

Weapons Discharge cases are reviewed by the officer's chain of command, up to and including the Chief of Police. In 2019, 26 Weapons Discharge incidents resulted in ten animal terminations due to safety, six due to euthanasia, and three non-injury incidents. One accidental weapons discharge occurred, which is still pending review by the Deadly Force Review Board.

¹¹ Although firearm usage does constitute a use of force, firearm usage is tracked separately from all other non-deadly use of force incidents. Furthermore, Deadly Force does not require the use of a firearm.

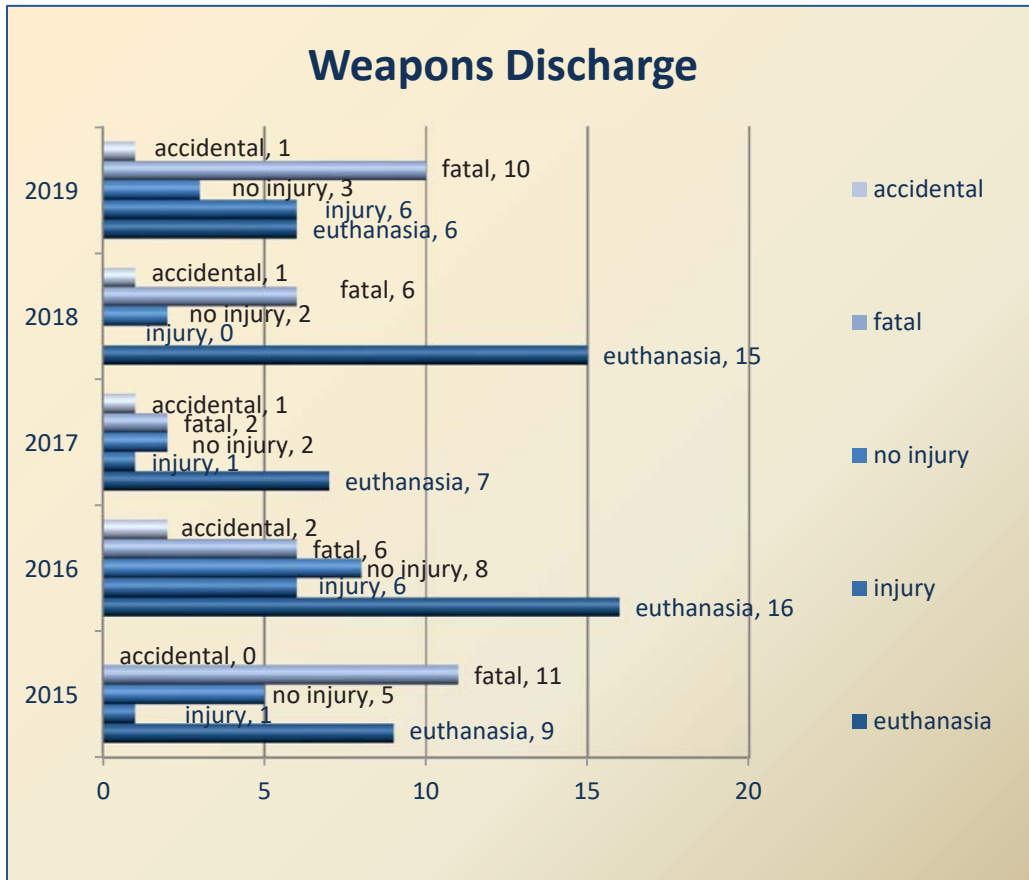


Chart 4

Deadly Force

When an officer's use of deadly force results in the death of a citizen the incident is reviewed by the District Attorney's Office to determine whether criminal charges will be filed. At the conclusion of the District Attorney's review, Internal Affairs conducts its own Administrative Investigation which is then forwarded to a Deadly Force Review Board to determine adherence to policy, and to identify any tactical training issues that may need to be addressed.

Of our seven deadly force incidents in 2019, the District Attorney's Office has reviewed four of the incidents and three incidents are still pending. The four which have received a complete review from the District Attorney's Office have also been reviewed by the Tulsa Police Department and found to be within policy. The Tulsa Police Department will conduct an

internal review of the three pending cases after the District Attorney's Office has finished their review.

Deadly Force Adjudication						
		District Attorney's Ruling			Administrative Review	
	Total #	Justified	Not Justified	Pending	Within Policy	Out of Policy
2019	7	4	-	3	4	-
2018	5	5	-	-	5	-
2017	9	9	-	-	8	1
2016	13	12	-	1	12	-
2015	2	2	-	-	2	-

Table 7

Chart 5 provides a yearly comparison of the total number of deadly force shootings and injury types.

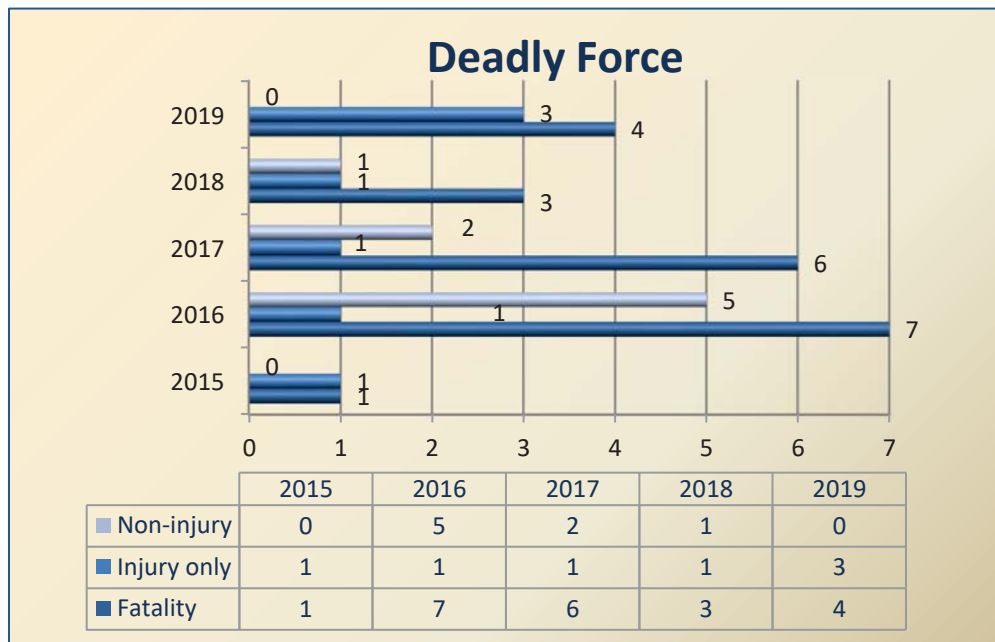


Chart 5

Use of Force

Officers encourage voluntary cooperation using low-level force techniques such as verbal commands and command presence. However, circumstances and subject responses can compel officers to use force.

In order to meet State and Federal guidelines for utilizing force, the Tulsa Police Department creates additional, internal directives to detail the circumstances under which an officer may use force on another person. Graph 1 (page 15) shows the Use of Force continuum which serves as a guideline for administering force. Reasonable force occurs when officers perceive that force is necessary to discharge their duties, or to defend themselves or someone else from imminent danger.¹²

When officers are required to use intermediate or great force, or if the subject suffers an injury resulting from force, the officer completes a Use of Force report detailing the incident. The officer's chain of command then reviews the report to determine adherence to policy and to recognize potential training issues or areas of improvement in the officer's response, after which a final review is performed by the Chief of Police. A finding of Out of Policy does not necessitate a reprimand, but can prompt an administrative investigation, the results of which could lead to additional training and/or disciplinary action.

¹² Graham v. Connor, 490 U.S. 386

DEADLY FORCE		
All Deadly Force Applications	Likely to produce great bodily injury or death	Calculated to Incapacitate (STOP)
ADVANCED FORCE		
Police Canine Bite, Launched Chemical Munitions, 37/40mm Launcher, 12-Gauge Flexible Baton, Carotid Restraint Control Hold, Personal Impact Strikes to Head, Conducted Electrical Weapon, Impact Weapons, Flash Sound Diversionary Devices, Direct Impact Pepperball,	Low expectation of great bodily injury or death, some possibility of injury, involves some pain compliance techniques	Calculated to Control and/or Overcome
INTERMEDIATE FORCE		
Personal Impact Strikes, Physical Control Holds, Area Saturation Pepperball, Vehicle Containment, Chemical Munitions, OC Spray	Less possibility of injury than Advanced Force, involves some pain compliance techniques	Calculated to Control and/or Overcome
LOW FORCE		
Firm Grip or Gesture, Verbal Commands, Uniform Presence	Little to no expectation of injury, low visual impact	Calculated to Gain Compliant Behavior

Graph 1

TPD Fact: When an employee is terminated or resigns during the course of an investigation, the Department forwards those investigations to the Council on Law Enforcement Education and Training (CLEET). CLEET, an agency of the State of Oklahoma, may choose to revoke the employee's state-mandated police certification based on the contents of the investigation.

Table 8 shows the total uses of force by type and division, while Table 9 displays the use of force incidents by officer and subject race.

Use of Force by Division, Force Type											
	ECD	K9	Impact Strike	Impact Weapon	Less Lethal	OC	Carotid Restraint	Other	Physical Control	Take-down	Total
DET	1	-	3	-	6	1	-	-	1	2	14
GID	34	-	35	1	10	7	3	2	30	20	142
MVD	25	-	13	1	10	8	1	-	20	14	92
RID	36	-	27	-	21	3	1	2	32	23	145
SID	1	-	2	-	29	1	1	1	6	4	45
SOD	-	46	4	-	7	-	1	-	3	5	66
Total	97	46	84	2	83	20	7	5	92	68	504

Table 8

Use of Force by Officer, Citizen Race				
	Officers		Citizens	
African-American	10	4.7%	106	37.7%
Asian	4	1.9%	0	0.0%
Caucasian	155	73.1%	136	48.4%
Hispanic	15	7.1%	22	7.8%
Native-American	24	11.3%	10	3.6%
Other	4	1.9%	7	2.5%
Totals	212	(% of total)	281	(% of total)

Table 9

There were 504 applications of force documented in 279 incidents in 2019, two of which were found to be outside of policy, prompting administrative investigations that resulted in a finding of Not Sustained and Sustained with additional training. Table 10 shows the type of service provided by responding officers as well as the number of incidents resulting in injuries or further medical treatment.

Use of Force by Citizen Call for Service, Injury				
Service Rendered	Total	Injury	Non-Injury	Medical
Alarm	3	0	3	0
Assault	19	9	10	9
Assist other agency/officer	17	6	11	12
Auto Theft	17	15	2	14
Bomb Threat	1	1	0	1
Burglary	17	13	4	8
COWB / Man Down	5	4	1	2
Disturbance	7	3	4	4
Disturbance (domestic)	9	2	7	5
Disturbance (intoxicated)	6	3	3	3
DUI / Public Intoxication	2	1	1	1
EOD / Suicidal	4	3	1	4
Fight in Progress	1	1	0	0
Fraud / Forgery	1	0	1	0
Larceny	9	3	6	2
Pedestrian Check / Routine patrol	5	2	3	4
Protective Order violation	3	1	2	1
Pursuit	9	6	3	5
Robbery	1	0	1	1
Suspicious Vehicle / Subject	3	2	1	1
Traffic Violation (non-DUI)	35	19	16	24
Trespassing	7	3	4	2
Undercover / Investigative	6	3	3	2
Vandalism	2	1	1	0
Wanted Subject	29	13	16	16
Warrant Service	36	11	25	6
Weapons Involved	25	13	12	11
Total	279	138	141	138

Table 10

**TULSA POLICE DEPARTMENT
INTERNAL AFFAIRS STAFF**

INTERNAL AFFAIRS

**Commander
Brian Carlisle**

**Investigators
DeMario Gay
August Terbrock
Mark Mears
Jack Henley
Aaron Tallman**

**IA Coordinator
Van Evans**

The data presented is currently accurate to the best of available information, however, as pending cases are completed statistics can be changed and updated. Information contained in this report is indicative only of Internal Affairs case information initiated in 2019; case information updates from previous years is not reflected (even if updates occurred in 2019). If you have any questions regarding this report or the Internal Affairs process, please contact the Internal Affairs Unit by phone: (918) 596-9379 or by email: TPDInternalAffairs@cityoftulsa.org.

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