

Office of Professional Standards



2016 Annual Report

Chief's Comments

The St. Petersburg Police Department is a full-service law enforcement agency serving the 253,693 citizens of the City of St. Petersburg and the thousands who visit each year.



The Police Department is authorized to have 796 employees of which 540 positions are Sworn Police Officers and 256 are civilian support personnel (includes part time positions). The Department's full-time work force is supplemented by the dedicated work of 60 citizen volunteers. Police services are provided for an area covering 62 square miles and traversed by 1,047.75 miles of roadway. The Department also provides marine police services within 206 linear miles of shoreline.

When misconduct of an employee is alleged, it is investigated by a Supervisor or, in the case of serious allegations, by the Office of Professional Standards Division. The 2016 Office of Professional Standards Annual Report attempts to illustrate the number and type of concerns, raised by the community and Department members and compares our efforts with previous years.

The St. Petersburg Police Department received 413,672 telephone calls from the public and responded to 198,978 calls for service. The Department issued 21,988 traffic citations and made 10,907 arrests, which includes 2,213 drug arrests. Citizens initiated 11 complaints against employees in 2016, 1 less than in 2015.

During 2016, there were 103 cruiser crashes compared with 107 in 2015. Of those, 37 were found to be preventable. Also in 2016, employees initiated seven (7) pursuits; all seven (7) of the pursuits was found to be in compliance with Departmental policies. Our Department has a very strict policy governing when a pursuit can occur, and we require our employees to adhere to specific procedures.

The Department welcomes community oversight and involvement. The Department works with two high-profile advisory groups: the Community/Police Council and the Community Alliance. In addition, the Civilian Police Review Committee (CPRC) reviews citizen-initiated investigations after the cases become a public record. During 2016, the CPRC reviewed 8 cases, including 3 Bureau Investigations and 5 Office of Professional Standards Investigations. The CPRC agreed with 8 of the Department's findings in the cases. Also in 2016, we received 229 letters of appreciation from citizens, thanking our employees for their service and consideration.

Each year, the Police profession continues to evolve and change. We must be prepared to adapt to these changes if we are to be successful in our goal to proactively address crime trends and traffic safety issues, implement new law enforcement technology and techniques and attract and retain qualified and diverse professionals. We are an outstanding organization; one that values our employees and community partners while working to improve the quality of life for the citizens we serve.

Philosophy

The St. Petersburg Police Department provides police services by adhering to the community policing model and working in partnership with the community to solve mutually identified problems. While engaged with, and cognizant of the concerns of the community, the Department works to provide efficient, effective and courteous police service that promotes public safety, protects the rights of all citizens and improves the quality of life in St. Petersburg, while upholding the highest standards of the law enforcement profession.

It is the mission of the St. Petersburg Police Department to provide professional police service to the community by adhering to the values of loyalty, integrity and honor.

The St. Petersburg Police Department has been accredited by the Commission on Accreditation for Law Enforcement Agencies since 1985. We were also accredited by the Commission for Florida Law Enforcement Accreditation. The Department is committed to Law Enforcement excellence and the protection of the safety and rights of the citizens it serves.

COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES



I. Introduction

Police Officers are expected to diagnose situations they encounter within a few short moments and take the most appropriate course of action. Most encounters with citizens result in positive experiences, in part due to the training, experience and ethical character of the Police Officer. In the face of danger, the potential for complications increases, however the majority of these encounters are resolved without complaint.

In a limited number of situations, Officers clearly use their authority inappropriately. In other situations, citizens may believe Police Officers have exceeded their authority or have simply not treated them properly. Therefore, it is of critical importance to have a system in place that allows citizens to bring these concerns to the attention of police managers. This system must achieve at least three important objectives.

First, the system must create a sense of confidence on the part of citizens that their complaints will be taken seriously and properly investigated, and corrective measures will be taken when needed. Most police/citizen interactions take place without witnesses who are directly involved in the encounters. Without an effective system for addressing citizens' complaints or concerns, the Police Department will not have the type of feedback needed to ensure quality service is being provided and the Department is using its authority appropriately.

Second, the system must create a sense of confidence on the part of the Police Officers that complaints will be investigated within a reasonable time frame and that they will be treated fairly and consistently. Police Officers have a very difficult job; to do it effectively, they must be supported when they operate within the framework of the law and Departmental policy. Although most complaints are lodged because of the sincere belief an Officer's behavior was not appropriate, occasionally the system will be used as revenge toward the Officer or as leverage for criminal charges.

And third, the system must provide information to City officials, the Police Department, and the community. This information is one important measure of the Department's responsiveness to the community and the efforts made to provide guidance and direction to police employees in their encounters with citizens. It is also useful in identifying areas where policy and training changes might be made. The achievement of all of these objectives is important to the successful functioning of a system designed to ensure that police employees are carrying out their responsibilities to the community in the most appropriate manner possible.

The St. Petersburg Police Department has established a method to meet these objectives through the Office of Professional Standards, which reports directly to the Chief of Police. This Office consists of a major, four Detective Investigators, an Operations Analyst Specialist in charge of Staff Inspections and one clerical support personnel. Under the direction of the Chief of Police, the Office has the responsibility to conduct investigations into complaints of employee misconduct from both inside and outside the Department. The Office also has the responsibility for monitoring investigations of alleged employee misconduct that are conducted by an employee's Supervisor.

The Staff Inspections Unit conducts annual and triennial inspections of all Department functions and applicable policies, procedures, administrative and operational activities, and resources in efforts to ensure accountability and maintain integrity. Through staff inspections, the Chief of Police is provided objective information regarding the efficiency and effectiveness of

Department components; recommendations for the modification, revision, or creation of policies, procedures, and practices; as well as an evaluation of available resources to meet agency goals.

The purpose of this Office of Professional Standards Annual Report is twofold. First, this report will provide information to the community on the results of investigations of both citizen and Department-initiated complaints. It contains information over a five-year period from 2012 through 2016, to provide a basis for comparison. Second, the report is designed to provide greater insight into efforts by the City, Police Department, and Citizen Volunteers to meet the objectives described above.

This report achieves its purpose by describing how a citizen can make a complaint and explaining the Office of Professional Standards process. The report examines community oversight of internal investigations and police operations. It addresses commendations and investigations conducted by the Office of Professional Standards and Supervisory personnel over the past five years, and it reviews complaints from an organizational and employee perspective.

II. The Process

Making a Complaint

Complaints against employees of the Department can be made in several ways. All employees of the Police Department have the responsibility for receiving a complaint so the process can be initiated any time a citizen chooses. A complaint may be lodged against the Department or any employee, in person, by telephone, or by mail using the information provided in Appendix A. When complaints are initiated outside the normal business hours of Monday through Friday, 8:00 a.m. to 5:00 p.m., the information will usually be taken by an on-duty Supervisor and referred to the Watch Commander. The Watch Commander may direct a Supervisor to investigate or refer the complaint to Office of Professional Standards.

It is the policy of the Police Department that complaints will be handled at the appropriate organizational level and as quickly as possible. If the Supervisor who initially received the complaint is able to investigate it, they will do so upon approval of the Watch Commander and document the actions taken. This information will be forwarded to Office of Professional Standards, and the complaining citizen will be notified of the findings of the investigation. Examples of complaints normally handled at the Supervisory level include improper procedures and discourtesy. These types of investigations are categorized as Bureau Investigations. If the complaint is of a more serious nature, it will be forwarded to the Office of Professional Standards for investigation. Office of Professional Standards will normally investigate all allegations of a serious nature to include excessive force, the administrative aspects of criminal misconduct, bias-based allegations, and cases of Officer-involved shootings. These investigations are categorized as Office of Professional Standards Investigations.

Office of Professional Standards (OPS) Investigations

All Office of Professional Standards Investigations must follow guidelines established by State laws and Department policy. The Law Enforcement Officers' and Correctional Officers' Rights is a State Statute that dictates how the Office of Professional Standards Investigations are conducted. These investigations are considered confidential until the investigation is completed.

(See Appendix B for a copy of the Law Enforcement Officers' and Correctional Officer's Rights and Appendix C for a copy of the Department policy for conducting these investigations.) When a complaint is investigated by the Office of Professional Standards, the following procedures are followed:

a. The Office of Professional Standards Investigator contacts the complainant and arranges an appointment for an interview. Generally, the interview is conducted at the Police Department's Office of Professional Standards office. However, at times, interviews can be conducted at a complainant's home, business, or at the Civilian Police Review Committee's office located in the Municipal Services Building, 4th Floor. Interviews are also conducted at the County Jail; therefore, incarceration does not preclude a citizen's complaint from being heard.

b. The complainant is placed under oath and a sworn statement is taken from that person. This statement is recorded.

c. After the recorded statement is transcribed, the complainant is re-contacted and given an opportunity to review the statement for accuracy and to sign it.

d. The same procedure is used for all witnesses and Officers involved in the case. All statements are recorded, transcribed, and assembled in a case file to be reviewed by the Chief of Police.

e. If the evidence indicates there might have been improper conduct, the Chief of Police can direct the matter to be reviewed by a Command Review Board. This Board consists of the management level personnel responsible for the accused Officer and includes Assistant Chiefs and Chief of Police

f. Once the case has been reviewed by the Command Review Board, a decision is made as to whether the Officer acted properly or not. Each complaint will receive one of five possible findings by the Board:

1) Exonerated – The acts which provided the basis for the complaint or allegation occurred; however, the investigation revealed they were justified, lawful, and proper.

2) Not Sustained – The investigation failed to disclose sufficient evidence to prove the allegations made in the complaint.

3) Sustained – The investigation disclosed sufficient evidence to prove clearly the allegations made in the complaint.

4) Unfounded – The investigation conclusively proved the act or acts complained of did not occur.

5) Not Involved – The investigation disclosed the affected employee was not involved in the alleged misconduct.

g. If the Board sustains the complaint, the second phase of the process is to decide on the appropriate disciplinary action. Disciplinary action is guided by the Department's philosophy contained in Appendix D.

h. At the conclusion of the Board's action, the complainant is notified in writing of the Board's decision on the complaint and any type of discipline that was administered, if any.

i. The complainant may come to the Department to review the completed case unless there are criminal charges pending in the case. In this event, the complainant can review the case when the criminal case has been completed.

Bureau Investigations

Complaints investigated by the Officer's Supervisor (Bureau Investigations) generally follow similar steps, except the statements generally are not recorded and transcribed. In these cases, the Supervisor interviews the complainant, the Officer, and witnesses; determines the finding; and then makes recommendations that are reviewed by the various levels of supervision and management in the Officer's Chain of Command, with final review by the Chief of Police.

Information Only

Another classification of cases is known as Information Only. An Information Only case is the documentation of an incident in which a citizen requests information regarding an employee's behavior and/or actions. An Information Only case may require several hours of exploration in order to determine what actually occurred. It generally does not involve misconduct by the employee and is filed for informational purposes after an explanation has been furnished to the inquiring party. Many inquiries involve questions concerning the legality of an Officer's actions that need to be dealt with, within the judicial system.

The Office of Professional Standards Division reviews and records all crashes and pursuits. Office of Professional Standards also maintains a liaison with the City Legal Department and conducts inquiries into incidents involving Police Department employees which result in civil litigation.

III. Community Oversight

In addition to the Office of Professional Standards investigative process, there are additional means of oversight of police operations.

A. The first is through the elected Mayor and City Council. The Chief of Police reports to the Mayor of the City. Police Department policy and issues are regularly reviewed by the Mayor and Council through the budgetary process, special reports that are prepared on Department operations, and routine administrative oversight procedures. Citizens can raise concerns directly with the Mayor and members of City Council.

B. A second means of community oversight is through the news media. The Police Department is in constant contact with reporters from the print and electronic news media, providing both official and unofficial sources of information concerning police activities. The news media routinely reports on crime problems and any administrative issues of importance occurring within the Department.

C. A third means of community oversight is the Police Department's Crime Watch Program and regular participation in the meetings of the City's Neighborhood Associations. The Department's commitment to community problem-solving policing places employees in regular

contact with citizens throughout the community, who have an interest in police performance. Also, the State of Florida Public Records Law allows anyone the ability to review completed internal and criminal investigative cases, as long as there are no criminal charges pending.

D. There are also two different organizations that have been established over the years to provide input and some measure of oversight into police operations. They are the **Civilian Police Review Committee** (established in 1991 formerly called The Citizen's Review Committee) and the **Community/Police Council** (established 1978).

1. The Civilian Police Review Committee reviews completed Office of Professional Standards Investigations and Bureau Investigations that are initiated by citizens to help ensure they are complete and unbiased. The Committee is also charged with the responsibility of monitoring disciplinary action in the cases, reviewing them for consistency and fairness. In addition, the Committee serves an important role for citizens who may not feel comfortable making a complaint to a Police Department supervisor concerning employee misconduct (**See Appendix A.**) In those cases, the Committee's coordinator can facilitate the interview with Internal Affairs by making the appointment and being present during the interview if the complainant so desires.

2. The Civilian Police Review Committee holds periodic televised public meetings where input is received from citizens. This information is passed along to the Mayor who, in turn, passes the information to the Chief of Police. The Civilian Police Review Committee appears to be operating very effectively. It is an example of how the community can become involved in their Police Department. Membership on the Civilian Police Review Committee is voluntary and is made up of 11 multicultural community members.

IV. Bias-Based Profiling

During 2016, the Office of Professional Standards received six Bias-Based Profiling complaints. There were two complaints investigated in 2015. It should be noted the process for documenting the reporting of Bias-Based Profiling complaints by the Department changed in 2015. Prior to 2015, if a Bias-Based Profiling complaint was received by the Office of Professional Standards, and the complaint was able to be unfounded based on the information provided to, and available to, the receiving investigator, the complaint would be documented as "Information Only" The initial complaint, because there was no formal investigation, was not captured and documented as a Bias-Based Profiling complaint in Department year-end statistics. Beginning in 2015, complaints of Bias-Based Profiling are captured in year-end statistics, even if the complaint does not rise to the level of a formal investigation.

Three of the complaints in 2016 arose as a result of traffic stops conducted by Officers. The calls were received by a detective in the Office of Professional Standards and the complaints researched. In each case, there was a valid reason for the Officer(s) to conduct the traffic stop and the allegation that the stop was the result of bias-based profiling was supposition on the part of the complainant. There was nothing to indicate profiling had taken place, and therefore no need to conduct a formal investigation. One complaint was from a black female who was detained in the back of a cruiser as the suspect in an investigation of a petit theft. During the investigation, the victim determined they did not wish to prosecute for the theft and the suspect

was released. The complainant insinuated she was treated the way she was because of her race. There was, however, no indication the officers conducted themselves inappropriately or in violation of department policy. Another complaint came in from the father of a juvenile female, who was arrested and charged with disorderly conduct on the premises of the Sundial. There had been a disturbance on the property involving approximately 200 juveniles, with several brawls taking place. The complainant's daughter was told to leave the property several times by responding officers, but refused to do so. Even though racial overtones were inferred by the complainant, there was a legitimate reason for the arrest and no indication his daughter was arrested because of her race. In the final complaint, a white male, who was the victim of a grand theft, alleged his case was not taken seriously by our department because of his thick Italian accent. A review of the case indicated everything possible was done by the officers and detectives assigned to investigate the theft. All of the complainant's concerns were documented as *Information Only*, and kept on file in the Office of Professional Standards. If later, a pattern of complaints, either against an Officer or a Unit, is seen, OPS will use that information to determine if there is formal action that should take place. That formal action may include a formal investigation, discipline or some type of re-training (See Appendix F).

A review of our agency policy and practices took place in 2015, as they pertain to biased-based profiling, which resulted in changes to General Order II-25, *Discrimination and Harassment* and General Order II-38, *Biased Based Profiling*. Changes to General Order II-25 include, among other things, additional verbiage describing protected categories of employees as designated by the laws of the United States, the State of Florida and the policies and procedures of the City of St. Petersburg. The changes also include additional examples of what would be considered harassment in the work place and a more specific definition of what constitutes a hostile work environment. Changes to General Order II-38 include additional instruction on what is expected of Officers during citizen encounters involving traffic stops including guidelines for cruiser equipped video cameras and suggestions and examples of polite and professional conversation during the traffic stop. These changes became effective when the revised General Orders were issued in 2016.

In June 2015, as directed by the Chief, Officers began documenting the race and gender of individual(s) stopped for alleged traffic violations in order for the data to be analyzed to ensure Officers are not engaging in biased based profiling. A review of the data from the 2016 indicates stops being made by Officers which reflect the demographics of the citizens in the area where the stops are being made. This data will continue to be monitored.

In September 2015, Chief Holloway issued a Chief's Memorandum, *Interactions with Transgender Individuals*. The memorandum included, among other things, instructions on properly addressing transgender individuals using appropriate pronouns, as well as guidelines on stop and frisk, search policy and the transport of transgender prisoners. While the Chief's Memorandum was immediately effective, and carried the full weight of General Order, the memorandum was issued as a General Order and distributed in 2016.

V. Personnel Intervention System

The Office of Professional Standards monitors employees who receive multiple complaints, both citizen-and Department-initiated. When employees are identified, they are referred to their Chain of Command, who has the responsibility to review the complaints. The employee’s Supervisor reports their findings to the Office of Professional Standards via their Chain of Command. During 2016, there were no employees who required corrective action or additional training after review.

During 2016, 16 employees met the criteria for referral under the Personnel Intervention System as a result of having 10 or more documented force incidents in a six month period. All the employees met with their respective Supervisor to discuss the referral. The meeting and results were documented and sent back to the Office of Professional Standards via their Chain of Command. In each of the reviews in 2016, the use of force used by Officers was appropriate and properly documented. As would be expected, the Officers being reviewed are generally in very active units like Street Crimes, or are in positions where force is more likely to be used, as is the case for Department K-9 Officers who are regularly in a position where they are tracking suspects and when they find the suspect, are usually by themselves. In many of those cases, the use of force is a Taser or firearm, being pointed at the suspect, until other Officers arrive to secure the suspect, and no other force used (See Appendix C).

Personnel Interventions

	2012	2013	2014	2015	2016
Total	29	14	13	22	16

VI. Commendations, Complaints and Investigations

Commendations

The St. Petersburg Police Department welcomes positive comments on the Department and its employees. They can be received from citizens or initiated internally by a supervisor or other members of the Department.

During 2016, the Department received 229 unsolicited letters and telephone calls of appreciation from citizens, thanking Department employees for outstanding service and consideration. The Department initiated 133 commendations to employees for actions arising from heroism to outstanding investigations.

	2012	2013	2014	2015	2016
Letters of Appreciation (Citizens)	150	149	147	256	229
Departmental Commendations*	119	156	127	187	133

*Includes Service Awards, Officer of the Year, Ned March/Bud Purdy Award, Field Training Officer of the Year and the Civilian Employees of the Year

Complaints and Investigations

Administrative Investigations

In 2016, the Office of Professional Standards coordinated and investigated 43 Administrative Investigations into allegations of misconduct. These investigations are classified as Bureau Investigations or Office of Professional Standard Investigations. Citizens initiated 11 of these cases. Thirty-two cases were initiated internally, where the Chief of Police or an employee was the party alleging misconduct by another member of the Department. Allegations of misconduct were sustained in 25 complaints. All cases were reviewed by each employee's chain of command (See Table 1).

TABLE 1

	2012	2013	2014	2015	2016
Citizen Initiated	45	33	19	12	11
Department Initiated	60	72	49	37	32
Total Cases	105	105	68	49	43
Total Sustained Allegations	71	66	33	41	25

Citizen-initiated Cases

Citizen-initiated complaints are assessed by the Office of Professional Standards and the Chief of Police. The cases are either investigated by the Office of Professional Standards or assigned for investigation by the employee's immediate Supervisor at the Bureau level. In 2016, citizens initiated 11 complaints, 1 less than 2015 (See Table 2).

TABLE 2

Citizen-Initiated Cases					
	2012	2013	2014	2015	2016
Conviction/Guilt of a Misdemeanor or Felony	0	1	0	0	2
Conduct Unbecoming an Employee	2	5	2	3	2
Discourtesy	17	7	2	3	2
Improper Procedures	12	9	5	4	3
Inefficiency	7	10	9	5	1
Unnecessary Force	6	1	3	3	8
Gender Discrimination	1	0	0	0	0
Total	45	33	19	18*	18*

*The total number of allegations/not the total number of cases. One case may have 2 or 3 allegations of misconduct.

Department-initiated Cases

Department-initiated cases are assessed and investigated in the same manner as citizen-initiated complaints. In 2016, the Department initiated 32 complaints, which is 5 less than in 2015 (See Table 1).

TABLE 3

Department Initiated Cases					
	2012	2013	2014	2015	2016
Absent Without Leave	1	1	0	0	0
Abuse of Sick Time/Chronic Absenteeism	5	2	3	1	2
Carelessness/Violation of Safety Rule	2	2	0	0	0
Chronic Offender of the Code of Conduct	2	4	2	4	0
Conviction or Guilt of a Misdemeanor or Felony	1	3	2	4	2
Conduct Unbecoming an Employee	6	4	7	9	4
Discharge of Weapon/Accidental	2	1	1	1	1
Discharge of Weapon/Animal	3	5	3	5	5
Discharge of Weapon/Person	3	11	2	1	0
Discourtesy	1	1	1	1	2
Falsification	0	0	0	2	2
Improper Procedures	9	11	7	7	11
Incompetence	0	0	0	0	0
Inefficiency	18	22	15	16	20
Insubordination	1	1	0	1	2
Misuse of City Property	1	0	0	0	0
Negligence	3	3	2	1	0
Tardiness	1	1	0	0	0
Unnecessary Force	0	0	1	1	1
Use of Deadly Force	2	0	0	1	0
Discrimination	0	0	0	0	1
Sleeping on Duty	0	0	0	0	0
TOTAL	61*	72*	46*	55*	53*

*The total number of allegations not the total number of cases. One case may have 2 or 3 allegations of misconduct.

VII. Use of Force

The St. Petersburg Police Department provides training for all members in the many varied methods of force that could be utilized when affecting an arrest or defending oneself or another. Use of Force may range from a simple takedown maneuver to the discharge of a firearm. General Order II-42, *Use of Force*, states the policy of our Department is that the use of force “shall be limited to the force which is needed to halt resistance by the subject in order to accomplish a lawful objective.” The use of force is divided into two categories deadly and non-deadly (See Appendix E & G).

Officers are trained and issued weapons for use in the protection of themselves and others from death or injury. These weapons include a Glock firearm, an ASP Baton, an ASR Chemical Spray and a Conducted Electrical Weapon (CEW). Whenever force is used beyond simple handcuffing or injury occurs, including the use of the issued weapons, a *Use of Force Report* form is completed and sent through the Chain of Command up to and including an Assistant Chief.

In 2016, there were 924 Use of Force Incidents which were reviewed by the Officer’s Chain of Command and filed in the Office of Professional Standards. This is a small increase from 2015, in which 885 Use of Force Reports were generated.

The *Use of Force Report* captures several types of force to include: Firearm, ASP Baton, Chemical Spray and Physical Force (there are several types of physical force). There is also a separate *Use of Force Report* completed for either discharging or pointing the Conducted Electrical Weapon (CEW) at a person. Often during an altercation, more than one method of force may be used against an individual. In 2016, there were 205 incidents where an Officer pointed a firearm at an individual. There were 6 discharges that included five (5) at a vicious animal and one accidental discharge. Also in 2016, there were two (2) incidents where an ASP Baton was used and 117 incidents where chemical spray was utilized.

An analysis of the Use of Force statistics for St. Petersburg Police Department (SPPD) for the calendar year 2016 was compared to the same statistics for the calendar year 2015. This review was conducted to evaluate the effectiveness and appropriateness of force being used and to address any training needs for the Sworn Officers of the St. Petersburg Police Department.

Below are the Use of Force statistics for the calendar years 2014, 2015 and 2016.

2014 – 2016 Type of Force Used Comparison					
	2014	var	2015	var	2016
ASP Baton	4	+750%	4	-50%	2
ASR Spray	108	-1%	106	+14%	117
Firearm Pointed	320	-7%	299	-31%	205
Firearm Discharge (details below)	6	+14%	7	-14%	6
Hobble Restraint	5	0	5	+77%	22
K-9 Bite	74	-12%	65	-34%	43
Kick	13	-47%	7	0%	7
Knee Strike	18	+25%	24	-62%	9
Pressure Point	25	+4%	26	-31%	18
Punch	45	+17%	54	-35%	35
Take Down	385	+15%	329	-29%	235
CEW Pointed	61	+18%	74	-20%	59
CEW Discharge	125	+15%	147	+12%	168
Use of Force Totals	1,188	-3%	1147*	-19%	924
Firearm Discharge					
	2014	var	2015	var	2016
Accidental	1	0%	1	0%	1
Intentional/Vicious Animal	3	+40%	5	0%	5
Intentional/Person	4	-75%	1	-100%	0
Discharge Total	8	-12%	7	-14%	6

*the total use of force was calculated incorrectly in the 2015 report. The total number and corresponding percentages has been corrected for the 2016 report.

Key Points

The overall use of force continues to decline. While it is impossible to assign a specific reason, we continue to train officers' annually in use of force and re-enforce that use force is the last option, recognizing response to an active aggressor must be immediate and effective for the safety of the Officers and others who may be involved. The Department also continues to implement and encourage the "Park Walk and Talk" concept throughout the city.

Of the six intentional discharges of firearms by Police Officers in 2016, there were five incidents involving Officers firing their weapons at vicious dogs/animals and on accidental discharge which resulted in an injury to the hand of the involved officer. That officer was attempting to stop an unoccupied vehicle which two subjects had bailed out of and left moving. The officer had his handgun out to clear the vehicle before entering it and once he entered, the vehicle crashed in to another vehicle before the officer could get it stopped. The officer's handgun

discharged during the impact of the crash. The incident was investigated by the Office of Professional Standards and he was issued a Memorandum of Counseling/Training.

Intentional discharges at vicious animals totaled five in 2016, the same as in 2015. Officers in each incident took the appropriate measures to protect themselves and others from harm, however in one incident, the officer, even though he was found to be justified in firing at the aggressive animal, was in violation of policy for firing in the direction of other Officers on scene. The incident was investigated by the Office of Professional Standards and the officer received an Employee Notice.

Review of use of force in 2016 indicates Officers are using the appropriate level of force, as they have been trained, and properly document said use of force. There were three complaints of unnecessary use of force investigated by the Office of Professional Standards in 2016. After investigations were completed, and the results reviewed by the Command Review Board, one officer was sustained for the use of unnecessary force and issued an employee notice after it was determined he kicked a subject, who was resisting arrest, while he was on the ground. In that case, as well as another where multiple officer were accused, the allegations against the other officers were either determined to be not-sustained, the Officers were determined to be not involved in the use of force or they were exonerated for their actions. In the third case, the accused officer retired before the convening of the Command Review Board and there was no finding in the case.

Additional training was provided to all Officers during 2016 Firearms Qualifications. Specifically, issues concerning the Use of Force General Order. All Officers received additional training in reference to authorized less-lethal weapons, impact weapons (ASP), aerosol subject restraints, positional restrain asphyxia, use of an ASR against an Officer, and review of CEW use. Officers also completed scenario based training utilizing Simunition weapons which provided additional training and guidance in force on force situations.

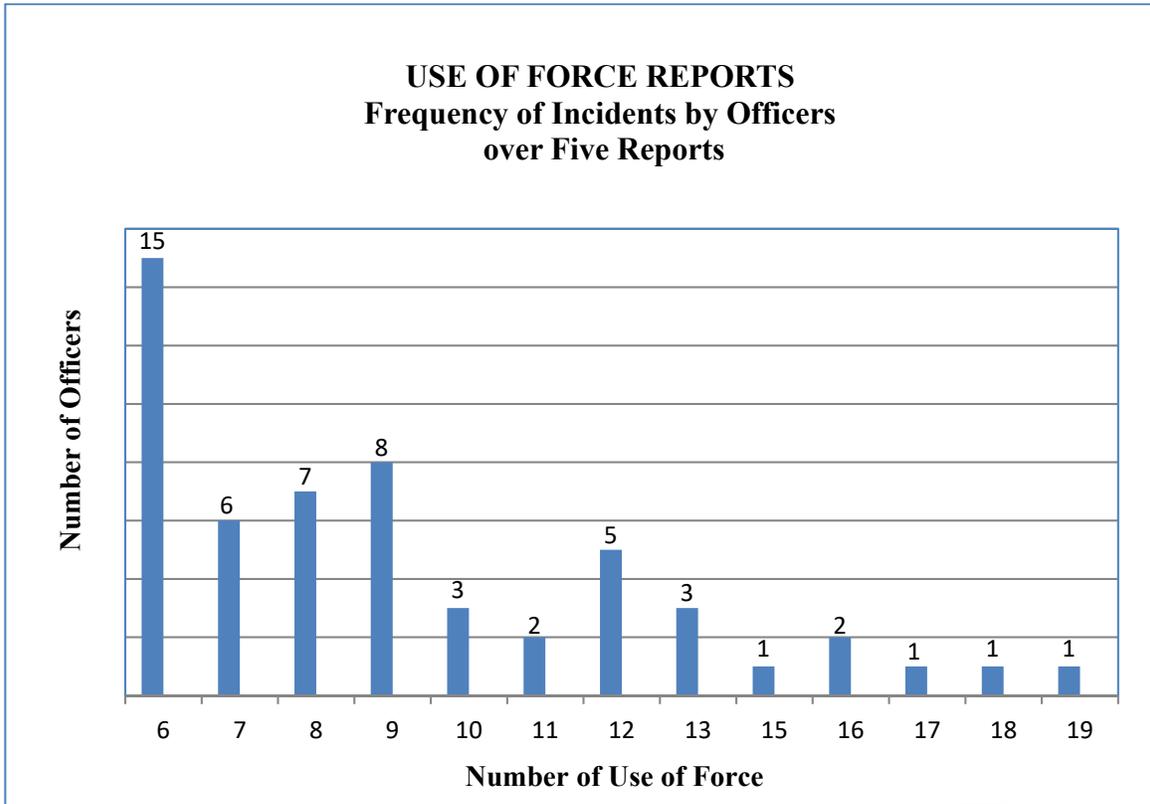
There are no specific training issues to be addressed at the time of this review. It is interesting to note that Officers pointing firearms at individuals has decreased every year since 2012, and is occurring less than half of the time in 2016 than it was in 2012

The following graph shows the Use of Force Reports over a five-year period (2012-2016).

USE OF FORCE BY CATEGORY

	2012	2013	2014	2015	2016
Total	1048	1017	904	1147	924
Firearm Pointed	466	436	322	299	205
Firearm Discharge	8	17	6	4	6
CEW Pointed	82	48	63	70	59
CEW Discharge	151	140	128	142	168
ASP Baton	5	3	3	4	2
ASR Spray	137	131	109	106	117

The following graph illustrates the number of times Officers completed *Use of Force Reports* more than five times during 2016. Thirty-nine Officers completed a *Use of Force Report* more than five times during 2016. Only 9 Officers completed a *Use of Force Report* more than 10 times with one Officer completing 19 *Use of Force Reports* during 2016.



Use of Firearms

The St. Petersburg Police Department provides firearms training on a semiannual basis and the Officers are provided with the resources to practice every month. The use of firearms is authorized when all other means of defense have failed, and there is a reasonable belief that action is necessary to defend human life or to prevent great bodily harm. All discharges of firearms, either intentional, accidental or at a dangerous animal will be investigated by the Office of Professional Standards. They are broken down as follows:

	2012	2013	2014	2015	2016
Accidental	2	1	1	1	1
Intentional/Vicious Animal	3	5	3	5	5
Intentional/Person	3	11*	2*	1*	0
Total Discharges	8	17	6	7	6

*Involves more than one Officer firing their weapon during an incident

Intentional/Persons (0 incidents)

Intentional/Vicious Animals (5 incidents)

1. On June 1, 2016, Officers responded to 728 18th Avenue South, in regards to a complaint of an aggressive dog. The dog resides at 720 18th Avenue South and was secured inside the neighbors' fenced yard. An Officer was in possession of a 'catch pole' but due to the dogs' level of aggression, he was unable to successfully secure the dog. It is alleged the dog charged at another Officer, who was standing closest to a small gap in the fence between the corner of the residence and the fence post. One Officer fired four rounds at the dog, fearing it was going to attack the other Officer, striking the animal once. It was determined the trajectory of the rounds fired (field of fire) by the Officer placed other officers and a cadet ride a long in danger of being struck by the discharged rounds.

2. On March 3, 2016, a Sergeant was involved in the service of a residential search warrant acting in his capacity as a Team Leader on the SWAT Team. In the course of serving the warrant the Sergeant discharged his department issued AR-15 rifle at a pit bull dog that was threatening both him and the other SWAT Team members

3. On March 22, 2016, an Officer observed dogs chasing citizens toward their home. One citizen nearly got attacked by two of the four dogs. Fearing for the safety of the citizens in the area the officer began to approach the dogs and yell at them to get away from the citizens, two of the dogs then focused their attention on the officer. The two dogs then charged the officer as he began to back step and yell at the dogs to get away. The two dogs were growling and appeared very aggressive. The officer fired two rounds center mass of the larger of the two dogs. The other dog was struck and ran away.

4. On June 15, 2016, an officer was chasing a fleeing subject on a bicycle the subject dropped the bicycle and fled on foot. The K-9 was released as they entered vacant lot. The officer observed a large size dog emerge approximately 3 houses away. The dog ran directly toward the officer and K-9. As the dog charged bearing its teeth, the officer yelled at the dog in an attempt to scare it. The dog stopped momentarily but then continued toward the officer and

K-9. The officer at this point drew his department issued firearm and aimed at the dog. One round was discharged. The dog quickly changed its path and ran away.

5. On December 13, 2016, Officers were in the process of serving a search warrant when one of the entry team officers shot a dog inside the house. At the time of this report, the case is being investigated and the results will be reviewed by the Command Review Board.

Accidental Discharges of a Firearm (1 incident)

1. On September 9th, 2016, an Officer was working as a member the Pinellas County Violent Crimes Task Force. (V.C.T.F) He was involved in a moving surveillance of a stolen vehicle. The Officer was a passenger in a covert vehicle. In the 2900 Block of Freemont Terrance South, the occupants of the vehicle “bailed’ from the car and fled on foot, as the stolen vehicle continued to roll unattended towards another unmarked vehicle belonging to other V.C.T.F personnel, who had exited the vehicle and given chase to the fleeing suspects on foot. The Officer ran towards the moving unattended vehicle. He utilized his firearm to ‘clear’ the vehicle as he approached. Officer entered into the driver’s seat and attempted to stop the vehicle. While inside the vehicle, Officer accidentally discharged one round from his department issued Glock 21, striking himself on his right hand. Officer sustained serious bodily injury as a result of the accidental discharge.

Annual Analysis of Use of Force Policies

1. An analysis of use of force policies and practices included the review of the following:

- a. General Orders; IV-1, *Rules of Conduct*,
- b. II-42, *Use of Force*,
- c. II-43, *Lethal and Less-Lethal Weapons*,
- d. II-44, *Conducted Electrical Weapons*, and
- e. III-17, *Pursuit of a Vehicle or Boat*.

2. Review of General Order IV-1, Rules of Conduct resulted in minor verbiage changes. The interim change providing guidelines for temporarily removing an employee from a line-duty assignment to include: substance testing, fitness for duty, disposition of OPS investigations, and action or use of force in an official capacity that results in death or serious physical injury, etc., was incorporated into the order. In a reissue in October of 2016, a major revision to the use of tobacco products was added to the order stating tobacco products of any kind shall not be used by employees hired on or after October 1 of 2016.

3. An Interim change to General Order IV-1, Rules of Conduct was issued on October 18 of 2016, outlining rules for unpaid leave as a result of unlawful conduct by employees stating any employee charged with committing any felony violation or select misdemeanor violations may be immediately placed on administrative leave without pay until the resolution of the criminal case.

4. Review of General Order II-42, Use of Force resulted in additional guidelines involving the off-duty storage of Department issued rifles and shotguns as well as additional policy for the review of use of force forms by the Training Division and the Office of Professional Standards. The new forms are now filed electronically in Blue Team and direction for reporting and administrative review was provided. Conditions for reassigning officer after deadly force encounters in coordination with the EAP Supervisor were detailed.

5. Review of General Order II-43, Lethal and Less-Lethal Weapons resulted in revisions regarding personally owned off-duty weapons and their off-duty storage requirements, as well as direction in reference to the amount of rounds to be loaded into approved handguns, i.e. a fully loaded magazine and one round in the chamber is now approved, increasing the capacity of the handgun by one round. The attachments to this General Order were also updated to include additional approved off-duty firearms, ammunition and holsters, personally owned shotguns and AR-15 rifles.

6. An Interim change to General Order II-43, Lethal and Less-Lethal Weapons was issued in December of 2016 listing additional Glock handguns officers are authorized to carry in an on-duty non-uniform capacity or off-duty.

7. Review of General Order II-44, *Conducted Electrical Weapons* resulted in revisions to include guidelines for carrying and use of the CEW by uniformed and plain cloth personnel. The Department also upgraded from the X26 Taser to the Taser model X2 which required changes to the spark testing procedure as well as use guidelines since the X2 has dual cartridges. The revised General Order also provided procedures for evidentiary upload, supervisor review and audits of data.

8. Review of General Order III-17, Pursuit of a Vehicle or Boat resulted in revisions to include the addition of the Precision Immobilization Technique for personnel in units who have received training, StarChase reporting requirements and the use of Stop Sticks was removed from this General Order and a separate General Order, III-38, Specifically for Stop Stick use was created.

VIII. Pursuits and Department Vehicle Crashes

Pursuits

The St. Petersburg Police Department is aware of the dangers of police vehicle pursuits. The Department is constantly evaluating Department procedures and every pursuit is investigated by the involved Officer's Chain of Command to ensure compliance with policy. Officers must take into consideration numerous factors before beginning a pursuit; i.e., pedestrian traffic; time of day; traffic conditions; weather conditions; and if the identity of the subject being pursued is known. Authorization must be received from a Supervisor to continue the pursuit after an Officer initiates it.

In 2016, there were a total of 7 pursuits of which 7 were in compliance with Department policy. The pursuits involved incidents of aggravated assault/battery on a police Officer, kidnapping, car-jacking, strong arm robbery, and armed robbery.

	2012	2013	2014	2015	2016
In Compliance	24	16	13	16	7
Not in Compliance	2	0	0	1	0
Total Pursuits	26	17	13	17	7

Members of the St. Petersburg Police Department (S.P.P.D.) are still active in a county-wide initiative to reduce crime, specifically violent crime. The members are assigned to the Violent Crimes Task Force (V.C.T.F.) and partnered with personnel from outside agencies. The S.P.P.D. members are deputized and operate under the pursuit policy and procedures of the Pinellas County Sheriff's Office (P.C.S.O.).

Department Vehicle Crashes

In 2016, St. Petersburg Police Department police vehicles were involved in 106 crashes. During this period, 42 of the crashes were found to be preventable. Ten of those preventable crashes resulted in formal discipline. The remaining preventable crashes resulted in counseling. Total cruiser damage was estimated at \$257,159.04. Other resulting vehicle and property damage was estimated at \$233,367.72. A review of the crashes indicates a small and statistically insignificant decrease in crashes.

	2012	2013	2014	2015	2016
Preventable Crashes	62	37	34	41	42
Non-Preventable Crashes	75	50	55	69	63
Preventable/Excusable	2	0	0	0	1
Total Crashes	135	85	87	110	106
Formal Discipline (Preventable Crashes)	26	18	11	27	10

May include multiple findings

IX. Disciplinary Action

The discipline philosophy of the St. Petersburg Police Department is not necessarily punitive in nature. The intent of the philosophy is to modify an employee's behavior(s) when found to be in

conflict with the policy of the Department. This is frequently accomplished by identifying the unacceptable behavior and providing the employee with additional training. The Police Department has also instituted having employees complete a lesson plan to instruct other Officers on certain training issues, such as Officer Safety and shooting issues. At times, training is not enough or the improper conduct recurs. In these instances, it may be necessary for the Department to take some type of formal action to discourage improper behavior on the part of the employee. The Department operates on a "progressive discipline" process in which discipline becomes increasingly harsh for similar violations in a specific time period. This action may range from verbal counseling, written reprimand, and suspension from duty without pay to termination of employment. The discipline philosophy of the Department appears in Appendix D.

In 2016, one employee was terminated from the Department. The termination involved Improper Procedures and Conduct Unbecoming an Employee and the result of progressive discipline.

	2012	2013	2014	2015	2016
Termination	2	1	1	1	1
Resignation	3	1	0	4	1
Suspension	14	21	10	25	7
Employee Notice	31	26	21	15	17
Memorandum of Counseling	33	20	21	68	51
Verbal Counseling	0	0	0	50	55
Total	83	69*	53	163**	132

*Involved three findings of Not Justified in the discharge of a firearm at a person.

** Total number was adjusted for 2015, also verbal counseling was not tracked in OPS prior to 2015

X. Organizational Complaint Profile

A. The Department has 796 employees who are assigned in the following manner:

Organizational Profile			
	Sworn	Non-Sworn	Total
Office of the Chief of Police	6	15	21
Administrative Services Bureau	15	187	202
Investigative Services Bureau	115	25	140
Uniform Services Bureau	404	29	433
Total	540	256	796*

*Includes part time employees

B. The following are comparisons of investigations by Bureau:

	2012	2013	2014	2015	2016
Office of the Chief	0	0	0	0	0
Uniform Services Bureau	72	93	57	31	30
Investigative Services Bureau	11	8	3	6	7
Administrative Services Bureau	22	4	8	6	4
Other City Departments	0	0	0	0	0
Total	105	105	68	43	41

The Department analyzes all investigations as they relate to the organizational elements. Once a pattern has been identified, the Department's administration can take corrective action to alleviate the problem.

The Department's Uniform Services Bureau received the greatest number of complaints. Approximately 73% of all complaints involve personnel of the Uniform Services Bureau. One would expect this to be the case for two reasons: first, the greatest number of employees, 404 Sworn and 29 Non-Sworn (56%), are assigned to this Bureau; secondly, uniform personnel are in a position of greater exposure to the public, therefore making them more prone to receiving complaints. They have the most direct contact with community members, under the most stressful circumstances. In addition to being responsible for traffic enforcement, they are the first representatives of the Department to respond to calls. Most encounters Patrol Officers have with a citizen are under circumstances where the person is under the stress of being a crime victim, a traffic violator or an arrested subject; or the person is involved in a dispute with another party, and each party expects the Officer to side with them in resolving the dispute. Each situation provides fertile ground for a citizen to become unhappy with an Officer's actions.

XI. Conclusion

The data in this report has been presented to more fully inform the citizens of St. Petersburg of a key aspect of a strong police/community relationship. The Department believes an informed community will be more understanding of the difficult and critical role a Police Officer must fulfill. The overall goal of the St. Petersburg Police Department is to provide efficient and effective police service to our citizens. With the cooperation and confidence of the community, we will meet that goal.