



Citizen Complaint Authority 2018 Annual Report

Executive Director Kim Neal
Presentation to Manager's Advisory Group
May 10, 2019

Introduction

The 2018 Annual Report, which is mandated by Cincinnati Administrative Code, Article 28, covers CY2018, outlining statistical complaint and investigations data and summarizing the Department's activities.

Key Features to Effective Police Oversight Body

National Association for Civilian Oversight of Law Enforcement (NACOLE) emphasizes the key attributes for an effective police oversight body:

- Independence
- Authority
- Access
- Rapport
- Community Engagement
- Transparency

CCA is a member of NACOLE and formally adopted its Code of Ethics in 2017.

CCA Complaint Process*

Summary of Steps:

- Intake
- Complaint is filed
- Investigation
- Review, Analysis and Determination
- CCA Recommended Findings
- Board Review
- City Manager's Final Decision
- Final Decision sent to Chief of Police

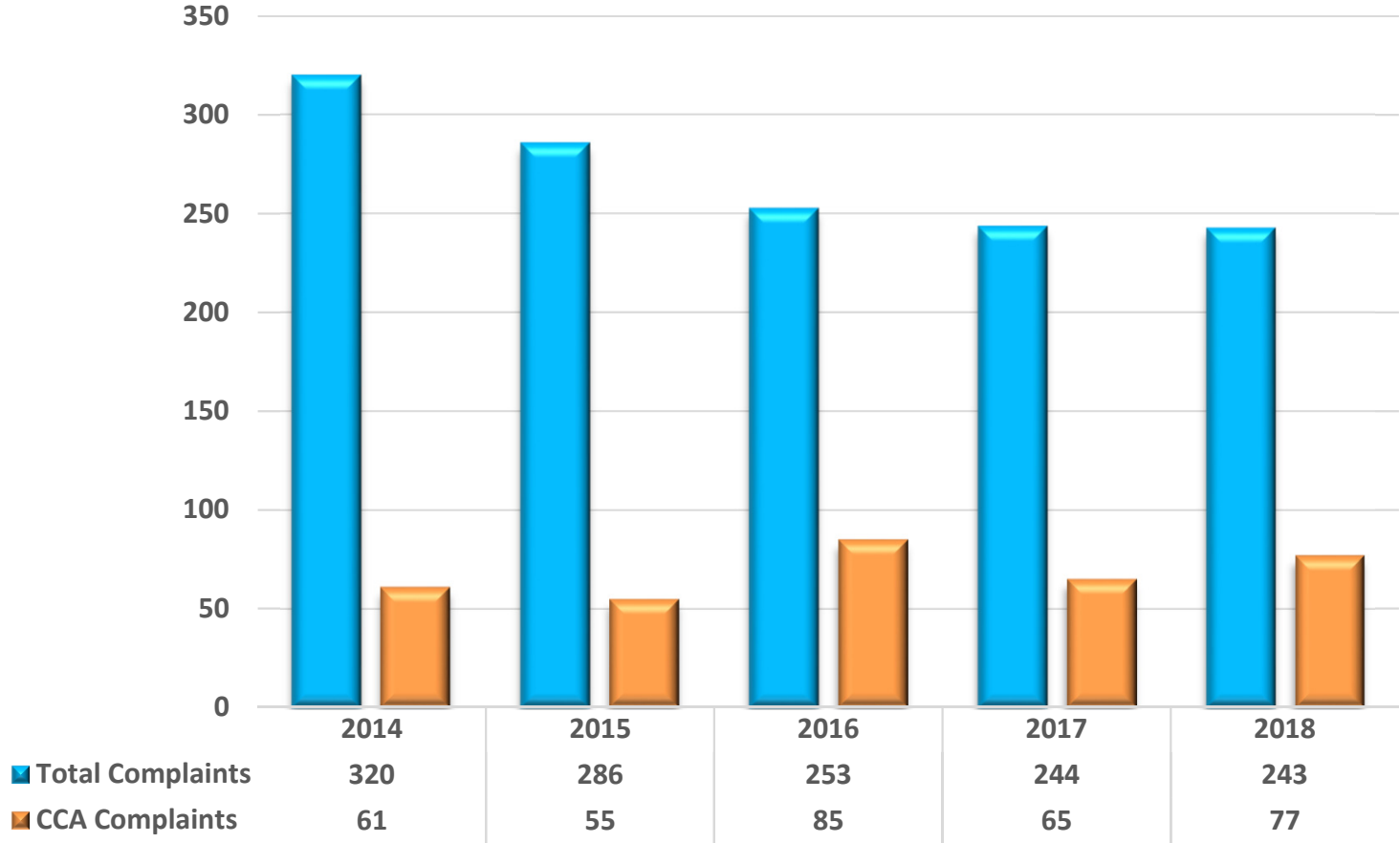
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CCA Budget*

	<u>FY2018</u>	<u>FY2019</u>
Personnel Services	\$486,060	\$483,810
Employee Benefits	157,730	159,880
Other Expenses	<u>29,260</u>	<u>26,820</u>
Operating Total	\$673,050	\$670,510

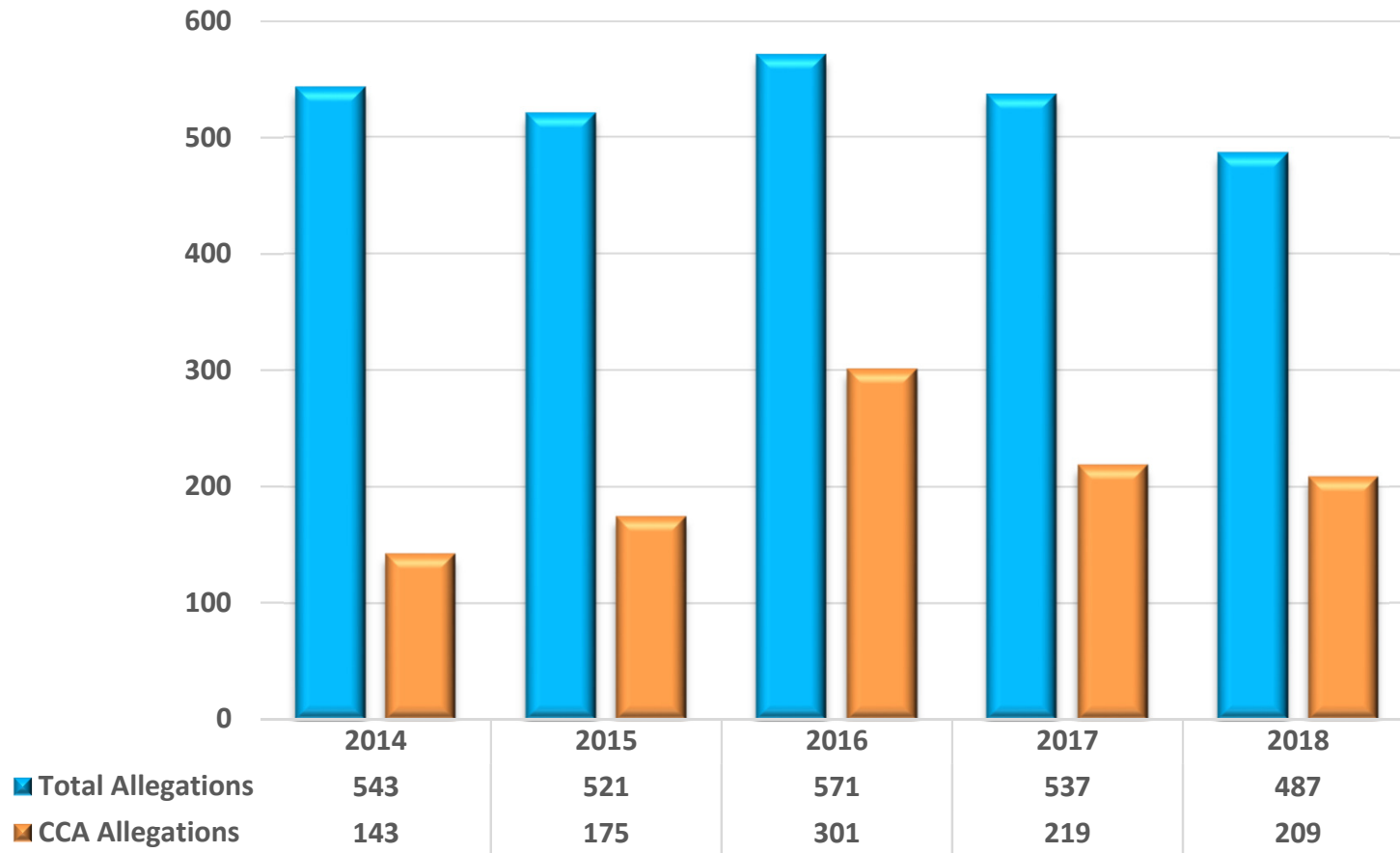
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Five-Year Complaint Trend*



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Five-Year Allegations Trend*



*CCA 2018 Annual Report Page 39

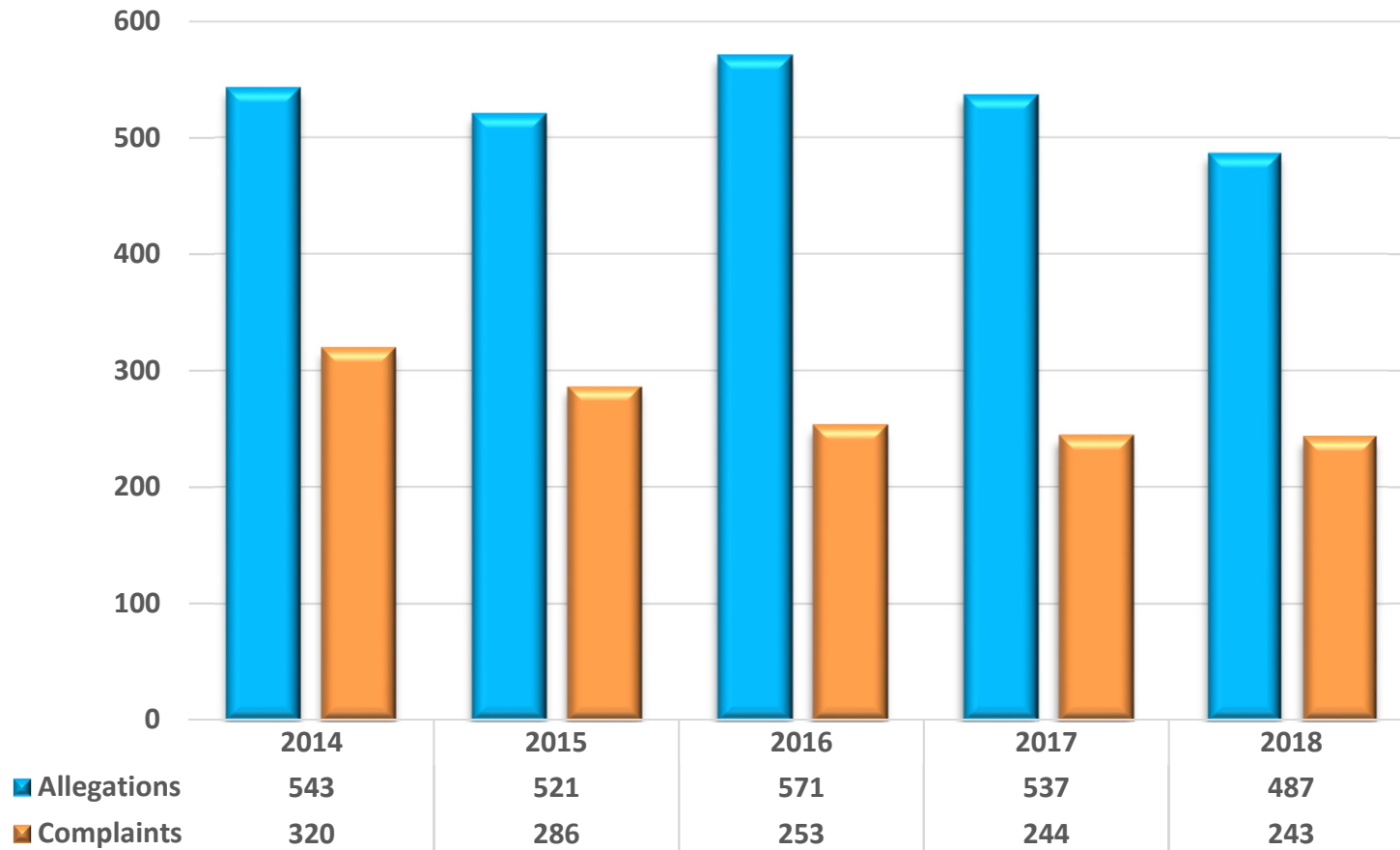
Five-Year Allegations Trend*

Allegations Assigned to CCA for Investigation

Allegation Category	2014	2015	2016	2017	2018
Criminal	0	0	0	0	1
Death (TASER)	0	1	0	0	0
Death in Custody	0	0	0	10	7
Detention	0	3	4	1	2
Discharge of a Firearm	7	9	9	3	12
Discourtesy	24	21	33	18	9
Discrimination	20	12	16	8	16
Frisk	0	1	0	0	0
Harassment	0	3	8	7	9
Lack of Service	2	0	1	10	13
Pointing of a Firearm	4	10	17	12	9
Procedure	11	10	27	15	6
Racial Profiling	0	0	0	4	0
Search/Seizure/Entry	18	38	86	49	45
Sexual Misconduct	0	0	2	0	0
Stop	0	16	26	26	26
Use of Force	57	51	73	56	54
Total	143	175	301	219	209

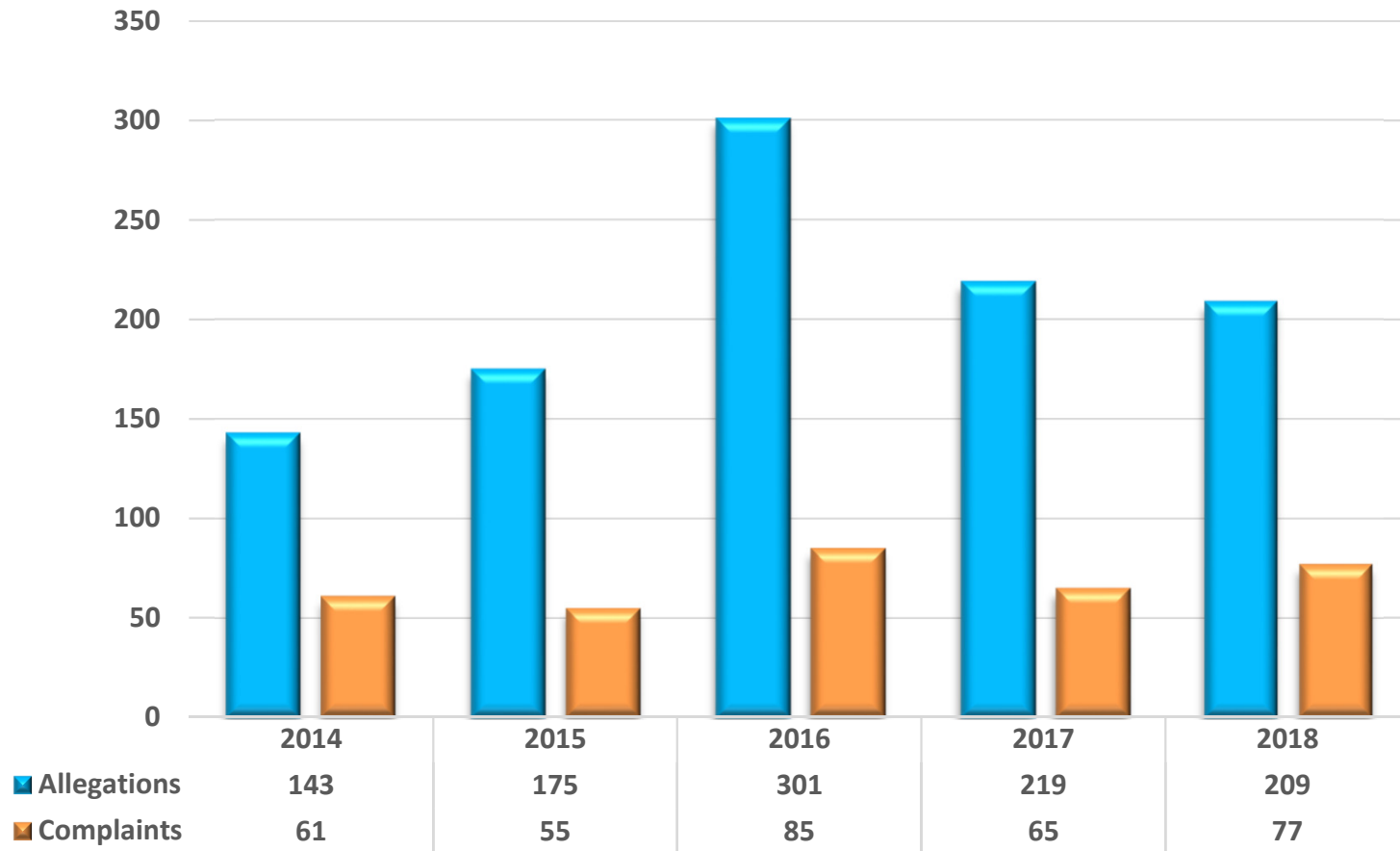
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Five-Year Total Complaint and Allegations Trend*



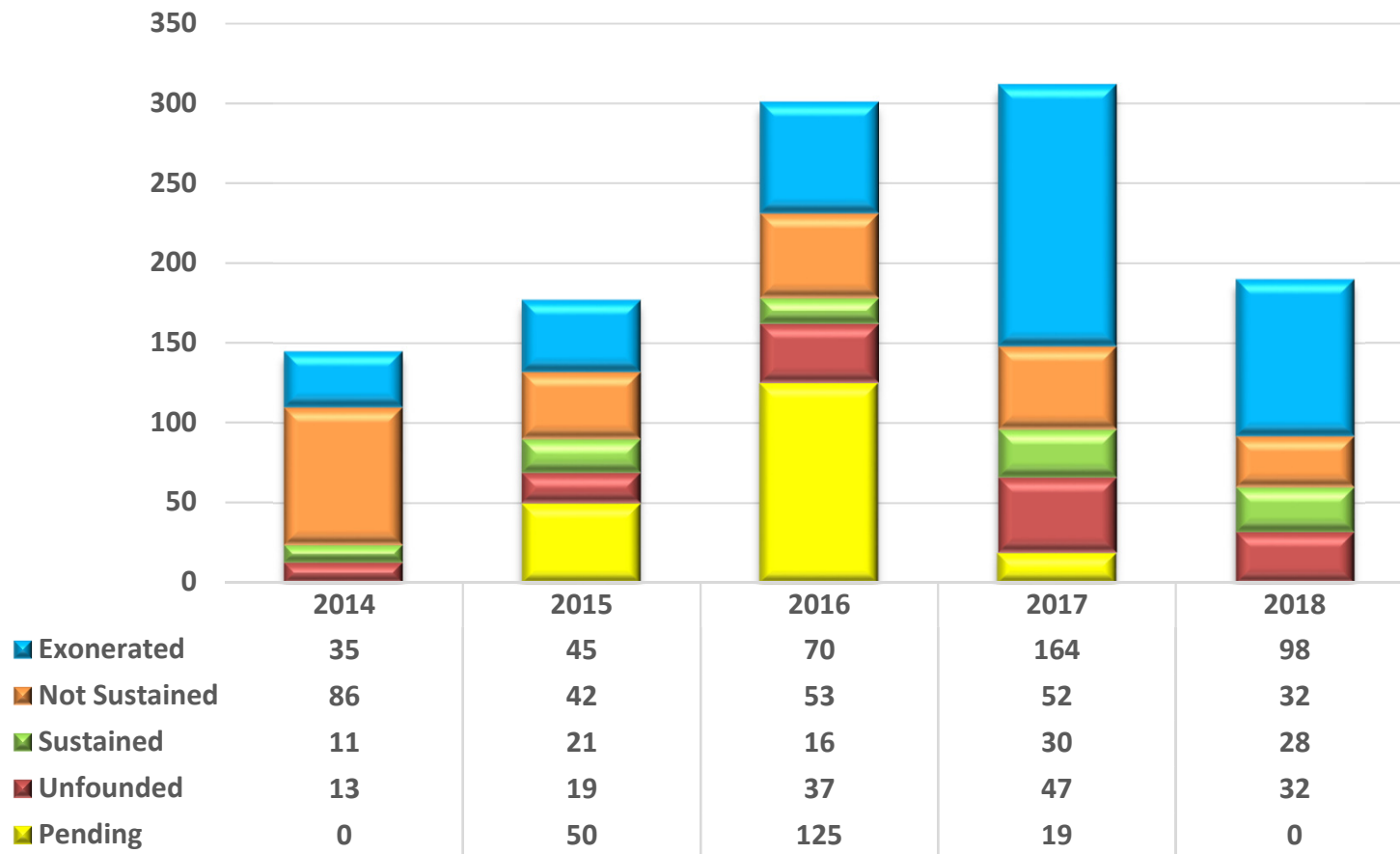
*CCA 2018 Annual Report Pages 37 and 39

Five-Year CCA Complaint and Allegations Trend*



*CCA 2018 Annual Report Pages 37 and 39

Five-Year CCA Findings Trend*



*CCA 2018 Annual Report Page 37

Recommendations/Observations Issued*

- 10 Director Recommendations
- 2 Director Observations/Comments

Examples of CCA's Recommendations

CCA expressed concern regarding the FAS [Fugitive Apprehension Squad] not wearing BWCs, including during the BWC Policy implementation period. CCA continues to recommend that the FAS plain clothed officers be required to wear BWC. The FAS is not an undercover unit; its primary role is to execute warrants including the investigation, location, and apprehension of offenders with warrants. As further support of this recommendation, the International Association of Chiefs of Police Model BWC Policy also recommends such units like CPD's FAS wear BWCs.

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Recommendations/Observations Issued*

Examples of CCA's Recommendations (continued)

CCA recommended in prior investigations involving the allegation of use of force that CPD re-enact the Use of Force Board. While CPD acknowledged that enactment of the Use of Force Board is not needed due to the concurrent investigations by CPD and CCA, CCA still has concern. Since Use of Force is still the underlying cause of many CPD and CCA complaints, CCA believes the Use of Force Board is imperative. CPD Procedure § 12.545 Use of Force, refers to the Use of Force Board conducting comprehensive reviews of various use of force incidents; this would also include reviewing police tactics in cases like this one, where the person displays behaviors consistent with mental illness or crisis. By enacting the Use of Force Board, protocols and patterns may be further identified that can lead to a decrease in Use of Force complaints.

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Annual Report Highlights*

- Complaints reviewed by CCA decreased by less than 1.0% from 244 in 2017 to 243 in 2018.
- Allegations reviewed by CCA decreased by 9.3% from 537 in 2017 to 487 in 2018.
- CCA issued 10 recommendations and 2 observations.
- February represented the busiest month for CCA; 11.5% of CCA's complaints were reviewed that month.
- Twenty (20) community engagements/trainings conducted.

*CCA 2018 Annual Report Pages 27-28

Annual Report Highlights*

- Excessive force/Use of force represented 25.8% of the allegations investigated by CCA.
- 51.6% of the 190 CCA findings were exonerated.
- CCA reviewed 7 new serious police intervention incidents including 5 discharge of firearm allegations (2 fatal) and 2 deaths in custody allegations.
- District 3 represented a total of 25.5% of where the 243 complaints occurred.

* CCA 2018 Annual Report Pages 27-28

Community Engagement*

Provided 20 presentations and trainings reaching 424 individuals.

- Trainings included:
 - CPD New Supervisors
 - CPD New Recruits
 - CPD Citizen Police Academy
- In addition, CCA attended periodic meetings:
 - City Manager’s Advisory Group (Quarterly)
 - Chief of Police Statistic and Tactical Analytic Review for Solutions (Weekly)
 - CPD Employee Tracking System Review (Quarterly)
 - CA Refresh Partners (Monthly)

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CCA Patterns Report*

In addition to the Annual Report, the CA mandates the Annual Patterns Report. The patterns criteria represented includes:

- Repeat Officers - Complaints from 10 or more complainants in 3 years
- Repeat Citizens - More than 3 citizen complaints in 3 years
- Repeat circumstances

Year	Officers	Citizens
2014	4	5
2015	3	10
2016	3	11
2017	1	6
2018	2	9

*CCA 2018 Annual Report Pages 29-32

CCA Patterns Report*

The circumstance of each complaint is also tracked in the Annual Patterns Report. The top five repeat circumstances in 2018 were:

- Request for Service (36)
- Traffic Stop (27)
- Communication (26)
- Criminal Offense (23)
- Accident (20)

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CCA Information Dissemination Tools*

CCA continues to re-invent ways to reach citizens, stakeholders and CPD to increase awareness about civilian oversight and the CA.



city of
CINCINNATI
CITIZEN COMPLAINT
AUTHORITY

Citizen Complaint Authority . . .

- Is fair and impartial
- Investigates serious interventions by police officers, such as discharge of firearms, deaths in custody, excessive force, improper pointing of firearms and improper searches and seizures. Complaints not investigated by Citizen Complaint Authority (CCA) are referred to Cincinnati Police Department (CPD) and handled through the Internal Investigations Section or the Citizen Complaint Resolution Process (CCRP).
- Is a result of the Collaborative Agreement signed in 2002 that required police to adopt community-oriented policing and the Memorandum of Understanding between the U.S. Department of Justice, the City and the CPD.
- Is independent from the Cincinnati Police Department
- Is focused on allegations of police misconduct
- Utilizes an investigative protocol and examines relevant information
- Makes recommendations to the City Manager and Cincinnati Police Department
- Provides one of these findings for each allegation:
 - **Unfounded** - investigation determined no facts support that the incident complained of actually occurred
 - **Sustained** - the allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper
 - **Not Sustained** - There are insufficient facts to decide whether the alleged misconduct occurred
 - **Exonerated** - Where the alleged conduct occurred but did not violate CPD policies, procedures, or training

Statistics

In 2017, CCA reviewed and assessed 244 complaints which led to 65 complaints investigated by CCA. The 177 complaints not investigated by CCA were referred to CPD for investigation.

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CCA Continues to Serve as Effective Catalyst

- Serves as an avenue for human relations and community police relations.
- Provides transparency and accountability.
- Increases confidence in citizens and CPD by impacting trust, giving citizens and police a voice and validation.
- Builds bridges between the city government and citizens.
- Supports effective, collaborative policing.
- Assists with the protection of civil rights.
- Impacts positive change.
- Identifies patterns to address.
- Can support the City and CPD in managing risk.

Questions? Comments?



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