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# City of New Bern

FOUNDED 1710

New Bern, North Carolina

Three Centuries of North Carolina Heritage



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**TO:** Frank Palombo, Chief of Police

**FROM:** Ernest Flowers III, Internal Affairs Sergeant

**VIA:** Edward Preston, Deputy Chief of Police

**COPIES:** Mary Trude, Accreditation Manager, Internet, File

**DATE:** March 9, 2009

**Subject:** Internal Affairs Report for 2008

## **52.1.5 – Statistical summary Internal Affairs investigations** **52.2.4 - Complainant informed report status**

The New Bern Police Department is required by CALEA standards to prepare an annual statistical summary of internal affairs investigations to identify training needs with respect to the general orders of the department. Therefore this report is submitted to document this assessment.

### **Analysis:**

During 2008 the total number of arrests (3,373) and calls for service (21,514) resulted in only 13 internal affairs complaints that were filed with the department. Of the 13 internal affairs complaints filed 5 (38.5%) were investigated by the Internal Affairs Unit and 8 (61.5.3%) were investigated at the division level. The 13 internal affairs complaints filed involved a total of 20 (14.8.0%) department employees.

Of the 13 alleged policy violations in 2008, 8 (61.5%) were found to be sustained, 3 (23.1%) were unfounded, 2 (15.4) were Policy Failure.

The following table shows the number of complaints reported by type of alleged policy violation and the findings of the investigations.

<u>Type</u>	<u># Unfounded</u>	<u># Policy Failure</u>	<u>#Sustained</u>
Request for Assistance	1		
Duty to Read/Understand/Comply		1	2
Department's Records Duplication			1
Obedience to Regulation			1
On/Off Duty	1		2
Sleeping on Duty			1
Prompt Performance of Duty	1		
Discharge of Firearm		1	
Supervision			1
<b>Total</b>	<b>(3)</b>	<b>(2)</b>	<b>(8)</b>

**Assessment:**

Review of the internal affairs complaints filed shows that officers are generally making sound decisions with respect to department policies and philosophy concerning relations with the public and other employees. Officers are knowledgeable in the areas of the Department's General Orders and the procedures that are in place to address policy violations.

**Recommendations:**

This assessment did not reveal any significant areas of concern for the department regarding policy violations, or our current training outline as it pertains to the general orders of the department. As long as the training section continues to provide the quality of in service training in the area of human relations and department policy, then we should not expect to see an increase in this area.

**35.1.9c – Annual Evaluation of Personnel Early Warning System**

The New Bern Police Department is required by CALEA standards, to prepare an annual evaluation of Early Warning Alert incidents, to identify training needs with respect Internal Affairs Incidents. Therefore this report is submitted to document this assessment.

**Analysis:**

During 2008 there were (0) cases of Early Warning Alerts to be addressed.

#### **41.2.2i – Review of Pursuit**

#### **41.2.3j – Analysis of Pursuit reports**

#### **41.2.3e - Use of roadblocks and forcible stops**

The New Bern Police Department is required by CALEA standards to prepare an annual assessment of reported Vehicle Pursuits to identify training needs with respect to vehicle pursuits. Therefore this report is submitted to document this assessment.

#### **Analysis:**

During 2008 there were two (2) vehicle pursuits filed by the officers. When the two vehicle pursuit was compared to the total number of vehicle stops (5,180), pursuits were a factor in 0.038% of the total number of vehicle stops in 2008. There were no uses of roadblocks, or forcible stops during these pursuits.

#### **Assessment:**

The low percentage of reported incidents, in comparison to the total number of vehicle stops, indicates that the officers are relying on their training. Statistical analysis of vehicle pursuits reports shows that officers are generally making sound decisions with respect to the department's policies and philosophy concerning vehicle pursuit options.

#### **Recommendations:**

This assessment did not reveal any significant areas of concern for the department in the area of use of vehicle pursuits or our current training outline as it pertains to vehicle pursuits. As long as the training section continues to provide the quality of in service training in the area of vehicle pursuit policy we should not expect to see an increase in this area.

#### **1.3.7 – Review of use of force reports**

#### **1.3.13 - Analysis of use of force reports**

The New Bern Police Department is required by CALEA standards to prepare an annual assessment of reported use of force incidents to identify training needs with respect to the use of force. Therefore this report is submitted to document this assessment.

#### **Analysis:**

During 2008 a total of (42) use of force reports were filed by the officers. This represents a 37% **decrease** in the total number of use of force reports filed in 2008. When compared to the total number of calls for service (21,514) in 2008, force was a factor in .20 % of the total calls for service during 2008. When you compare the total number of use of force reports (42) to the total number of arrest (3373) force was a factor in 1.25% of the total number of arrest in 2008.

The following table shows the number of incidents reported by type of force.

<u>Type</u>	<u>Number</u>	<u>Percentage of Total</u>
OC Spray	9	21.4 %
Impact Weapons	0	0.0 %
Physical Control	18	43.0 %
Pointed Firearm	4	9.5 %
Takedown	11	26.1 %
Other	0	0.0 %
Shooting	0	0.0 %

**Assessment:**

The low percentage of reported incidents in comparison to the total number of arrest and calls for service indicate that the officers are relying on their training and communication skills rather than an application of force to resolve encounters. Statistical analysis of the use of force reports shows that officers are generally making sound decisions with respect to the department's policies and philosophy concerning use of force response options.

**Recommendations:**

This assessment did not reveal any significant areas of concern for the department in the area of use of force or our current training outline as it pertains to the use of force. As long as the training section continues to provide the quality of in service training in the area of use of force and firearms then we should not expect to see an increase in this area.

**70.1.7b – Report prepared concerning escape of detainees being transported**

The New Bern Police Department is required by CALEA standards to prepare an annual report concerning the escape of detainees being transported.

During 2008 there was one (1) report of a detainee escaping while being transported by this agency.