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New Bern, North Carolina

Three Centuries of North Carolina Heritage



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TO: Frank Palombo, Chief of Police
FROM: D.J. Cumiskey, Internal Affairs Detective
VIA: John F. West, Lieutenant
COPIES: Mary Trude, Accreditation Manager, Internet, File
SUBJECT: Internal Affairs Report for 2010
DATE: March 7, 2011

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.

Summary:

During 2010 the total numbers of arrests (1,961) and calls for service (96,500) of which generated (41,108) reports. There were only 20 internal affairs complaints filed with the department during 2010. Of the 20 internal affairs complaints filed 17 were investigated by the Internal Affairs Unit and 3 were investigated at the division level. The 20 complaints filed involved 25 department employees and 14 policies that were violated.

The following table shows the policies that were violated and the finding of the investigation.

Type	Sustained	Unfounded	Written Warning	W/D	Letter of Rep	Total
Falsifying Reports	2	1				3
Tardiness	1	0				1
Duty to Read/Understand	2	0	1		1	4
Excessive Force	0	1		1		2
Discourtesy	2	1				3
Personal Business on Duty	1	0				1
Improper Use of City Computer	2	0				2
Insubordination	2	0				2
Prompt Performance of Duty	0	1				1
On/Off Duty conduct	0	2				2
Workplace Harassment	1	0				1
Malicious/Unnecessary Complaint	1	0				1
Truthfulness	1	0				1
Discriminatory Conduct	1	0				1
Total	16	6	1	1	1	25

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 in the area of 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 Personal 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 to Internal Affairs Incidents. Therefore this report is submitted to document this evaluation.

Summary:

During 2010 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.

During 2010 there were three (3) vehicle pursuit reviews. When the three vehicle pursuits were compared to the total number of vehicle stops (4019), pursuits were a factor in 0.074% of the total number of vehicle stops in 2010. There were no uses of roadblocks, or forcible stops during these pursuits.

Analysis:

All three vehicle pursuits took place during high traffic times. The hours ranged from mid-afternoon to late afternoon hours. Two of the pursuits began in the city limits while the third started outside the city limits and involved the Sheriff's Office. Two of the pursuits started from traffic stops with stolen vehicles. One pursuit started when a robbery suspect was located and attempted to leave the area by using his vehicle as a weapon. Two pursuits were justified and authorized. One pursuit was not authorized. All three pursuits involved a variation of employees from Officers, Sergeants and Detectives with various levels of training.

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 analysis 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 analysis.

During 2010 a total of (49) use of force reports were filed by the officers. When compared to the total number of calls for service (96,500) in 2010, force was a factor in 0.050 % of the total calls for service during 2010. When you compare the total number of use of force reports (49) to the total number of arrest (1961) force was a factor in 2.5% of the total number of arrest in 2010.

Analysis:

There were no significant trends identified in the 49 use of force reports filed in 2010. The encounters happened at all hours of the day and night in various locations of the city. The encounters occurred with various types of people/suspects and various officers with all levels of rank, experience, education and years of service. Of the 49 reports filed physical control and pointing a firearm accounted for the highest percentage both being 42.9%. Of the 21 uses of force by pointing a firearm the Special Response Team (SRT) accounted for six (28.6%) of those during the execution of search warrants. Seven reports (14.3%) were accounted for by female officers. Four of the reports (8.2%) were accounted for by School Resource Officers in their encounters with students. In the remaining four reports filed (8.2%) the person or the validity of the paperwork was not accurately verified and the person was released from custody.

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

Type	Number	Percentage of Total
OC Spray	6	12.2%
Impact Weapons	1	2.0%
Pointed Firearm	21	42.9%
Physical Control	21	42.9%
Total	49	100%

Assessment:

The low number of use of force reports filed (49) in comparison to the total number of arrest (1961) and calls for service (96,500) 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.