



CITY OF BOISE

Office of Police Oversight



2016 ANNUAL REPORT

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Introduction

Through passage of Boise City Ordinance §2-22, The City of Boise established the Office of Police Oversight.

The Office of Police Oversight (OPO) conducts independent investigations into allegations of misconduct by Police Officers and employees of the Boise Police Department (BPD). In addition, the OPO conducts separate investigations of Critical Incidents, receives Appeals from BPD OIA findings, audits Internal Affairs investigations, evaluates and makes recommendations on policy and conducts Community Outreach as defined by Boise City Ordinance.

This 2016 Annual Report contains data on the cases the OPO has opened from January through December, 2016. Additionally, it provides a summary of Internal Affairs audits completed, projects undertaken and plans for the future.

Summary

The OPO has undergone a change in the administration of the office from years past. In 2016 the OPO continued to assess the operations of the department, negotiate inter-department relationships with other city departments and continued the reconstructive work of the office. 2016 also brought new challenges and a significant effort has been made to review and update procedures, improve investigations and streamline tasks to improve efficiency.

Significant work has been made to cultivate an understanding with the BPD that fosters a mutual understanding of issues affecting the department. In both departments, there is an effort to continue community relationship building, improve transparency and build trust between the Police and the community.

National attention on policing has placed the importance of preventative measures of Police Oversight at the forefront. In Boise, the OPO focuses on Front End Oversight by reviewing systems, training, culture, leadership development, inclusion, diversity, equity, policy, practices,

procedures, recruitment and hiring practices in order to provide consultation, recommendations and guidance. Additionally, the OPO continues to work on Back End Oversight by conducting its independent investigations of reports of misconduct by the Police, Critical Incidents and of OPO instigated investigations.

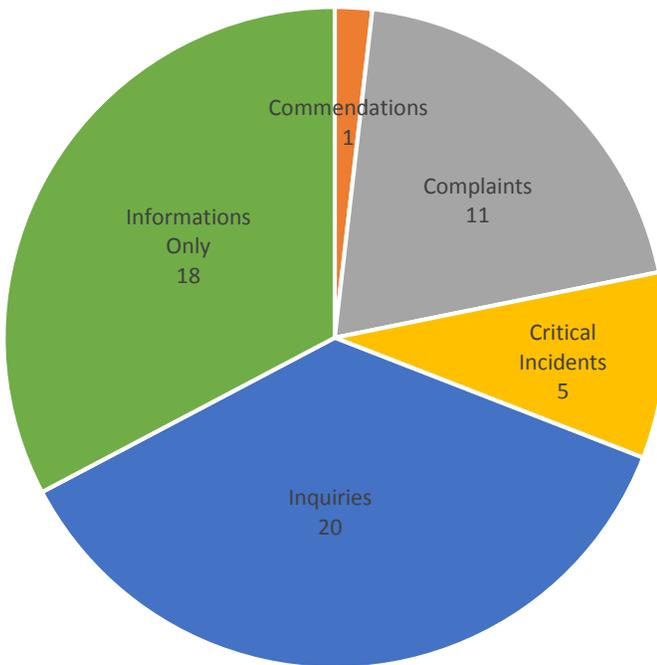


Numbers

2016 OPO CASES (January – December, 2016)

In 2016, the OPO opened a total of 55 cases. The following is a breakdown of those cases:

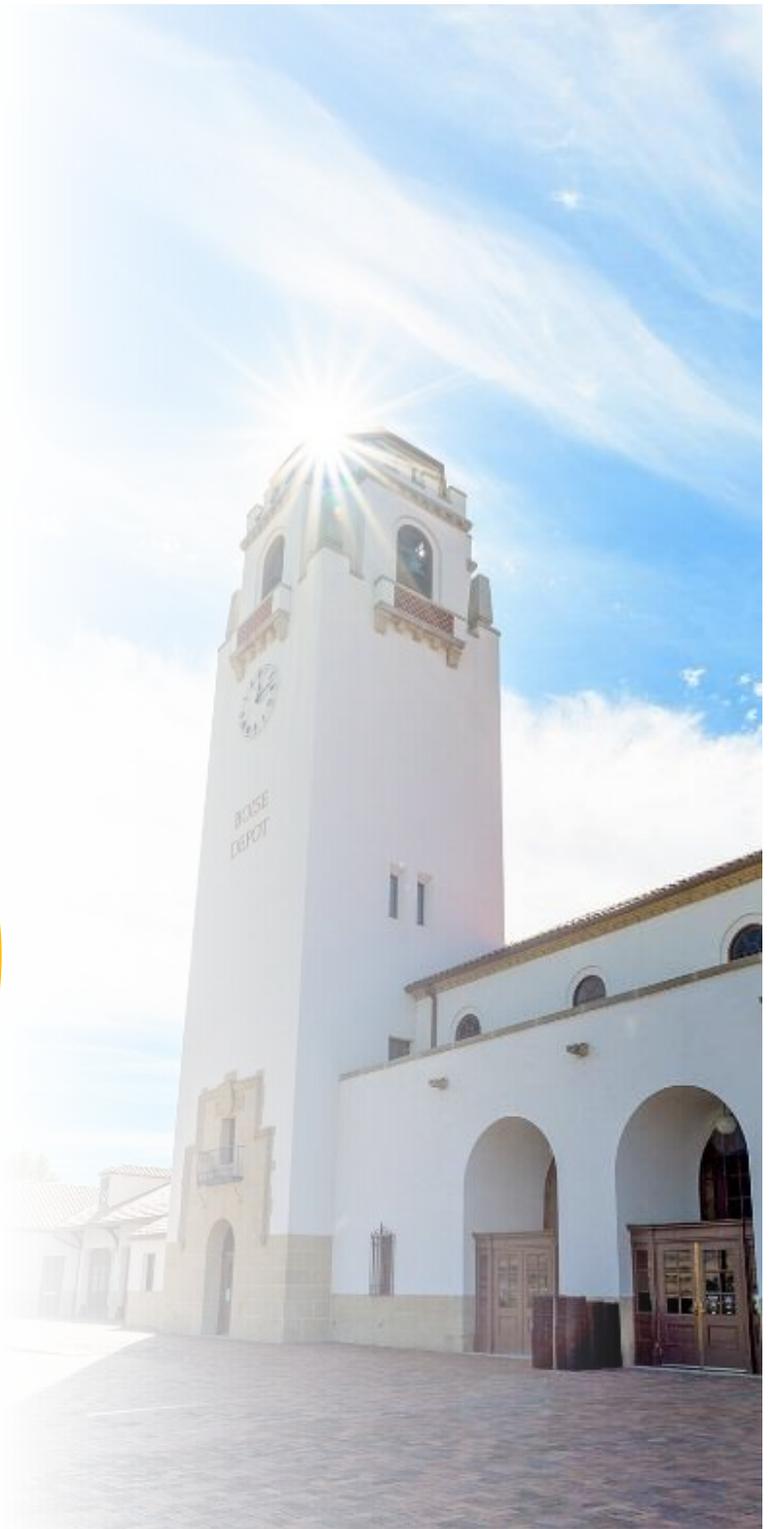
- 0 Appeals
- 1 Commendation
- 11 Complaints
- 5 Critical Incidents
- 20 Inquiries
- 18 Informations Only



The OPO issued findings and closed 20 of the 55 cases. 35 remain open.

Of the cases that were closed in 2016 the following findings and dispositions were issued:

- 1 Sustained
- 3 Unfounded
- 2 Exonerated
- 12 Resolved or Mediated



The Issues Reported in 2016 Cases

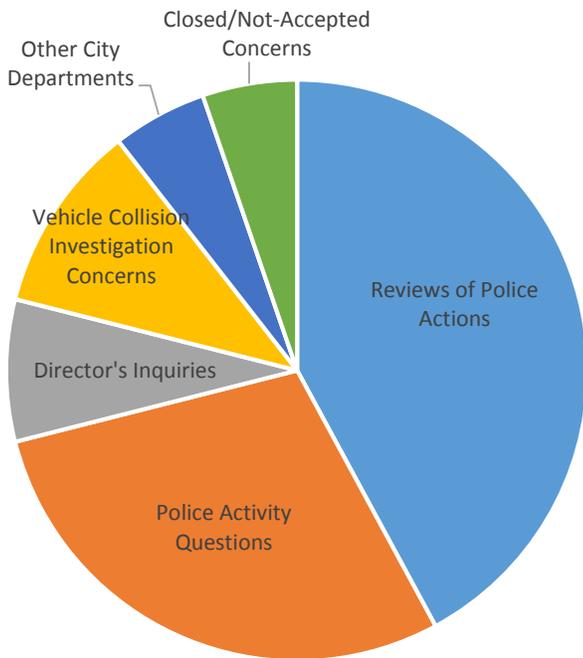
Complaints: (Alleged Violations of Policy)

- 1 Arrest Authority
- 3 Use of Force
- 1 Unbiased Policing
- 1 Traffic Stop Authority
- 2 Performance of Duty
- 3 Officer's Duty Requirements
- 4 Relationships With Others & Demeanor
- 1 Damage or Loss to Property
- 1 Failure to Report
- 1 Failure to Record
- 1 Supervision Authority & Responsibility
- 1 Property & Evidence



Inquiries & Information Only Cases:
(Types of Reviews)

- 16 Reviews of Police Actions
- 11 Police Activity Questions/Inquiries
- 3 Director's Inquiries
- 4 Vehicle Collision Investigations/Reports
- 2 Other City Department Deferments
- 2 Closed/Non Accepted Concerns

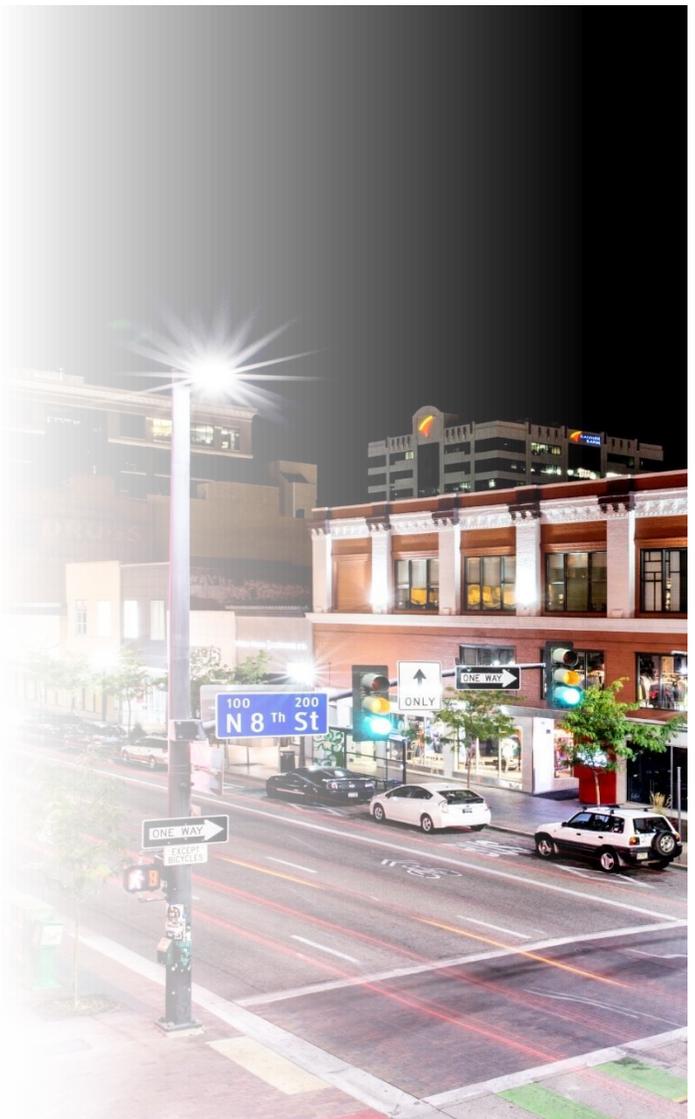


A note on Inquiries and Information Only cases: In order to capture the work being done in the OPO, the OPO opens cases as Information Only and then conducts a preliminary investigation into the reported concern to determine if there are sufficient facts, if found to be true, to determine if a violation of BPD policy and/or procedure has taken place. Therefore, some cases may be opened as an Information Only and then elevated to the category of Complaint or Inquiry. If preliminary investigation determines that the matter should not proceed with a full investigation, the file remains categorized as an Information Only file.

Critical Incidents are defined as situations involving BPD officers or employees where;

- 1) Deadly Force is used,
- 2) Deadly Force is used causing minor injuries,
- 3) Use of Force or other action that results in the death or serious bodily injury requiring hospitalization of one or more persons,
- 4) Vehicle pursuits, roadblocks, or intercepts resulting in the death of one or more persons, or serious bodily injury requiring hospital admission,
- 5) Vehicular collisions resulting in the death of one or more persons, or serious bodily injury requiring hospital admission that occurred while a police officer or police employee was operating a city vehicle (either on-duty or off-duty) or a private vehicle while on-duty.

Boise experienced 5 total Critical Incidents in 2016. 2 Critical Incident Task Force (CITF) investigations have been completed and handed over to BPD OIA and the OPO. 3 remain within the CITF investigation stage.



Historical Analysis

The total number of cases handled by the OPO in 2016 was 55. This is just one case shy of last year's amount. The Inquiry/Information Only case type is by far the most prevalent type of case opened by the OPO and former OMB (Ombudsman.)

Total OMB & OPO Cases by Year							
	2010	2011	2012	2013	2014	2015	2016
Complaints	11	16	13	8	6	4	11
Inquiries	99	78	72	50	35	23	20
Appeals	1	2	2	2	6	2	0
Commendations	3	8	1	2	2	2	1
Critical Incidents	1	1	4	2	0	4	5
Info Only/Other	N/A	N/A	N/A	N/A	N/A	21	18
Total Cases	115	105	92	64	49	56	55

Trends

Of note is that in 2015 & 2016 there were 9 total critical incidents. That is more than the previous 5 years, combined.

The predominant issues in *Complaints* made to the OPO were:

- Use of force issues.
- Officer's handling of incidents.
- Quality, content and handling of vehicle collision investigations.
- Officer demeanor and professionalism.



Audits Completed

The OPO audited all of the Citizen Complaints investigated by the Office of Internal Affairs and 10% of all other cases in 2016, including those initiated from within the department itself.

The BPD OIA opened 578* cases in 2016. 54 of which were Citizen Complaints.

2016 Audits of BPD OIA Cases		
	Complaints	Other
BPD Opened	54	524
OPO Audited	54	52
Completed	100%	10%

**OPO may not complete an audit on those cases which may be currently open by OIA and are being investigated.*

Predominant issues discovered in the audits were:

- Timeliness of the investigations.
- Missing procedural documents.
- Incorrect items within the files.

Historical Data

Historical comparison of the audits that the OPO conducted in 2016 to that of years past is somewhat affected by the transitional nature of the office. The OPO operated on limited staff from 2013 through 2016. Currently, the OPO audits just 10% of all other cases. As the office continues to evaluate its processes, assess staffing needs and re-organize, the goal will be to complete an additional 20% of all other cases generated by the BPD OIA.

Total Audits of BPD OIA Cases by Year

	2010	2011	2012	2013	2014	2015	2016
Complaints	81	215	232	185	104	66	54
Other Types	15	161	170	197	106	28	52
Total Audits	96	376	402	382	210	94	106



Operations

Staffing

The OPO continued to see changes in staffing in 2016. A long-time Investigator retired after many years of service to the OPO. The OPO continued to operate with two on-call part-time investigators. In July, the office hired a full-time temporary employee to assist with reorganization process, drafting reports, update policies, update file management and providing technical assistance to the Director and investigators.

The organization shared an administrative analyst with Human Resources. The number of hours shared varied based upon the needs of the OPO and Human Resources. At the end of January, the job sharing nature of the analyst position was eliminated and a recommendation was made to replace the position with a part-time OPO position. Efforts are underway to fill the third on-call investigator vacancy.

Recommendations for additional staffing have been provided by the OPO, as well as, requests for changes in the office facilities to accommodate staff needs.

Substantive Work

The OPO has been working to relieve the backlog of cases that occurred during our transitional years.

The OPO continues to work with the City Attorney's office with public records requests and litigation discovery. The Director has spent a considerable amount of time interacting with BPD on selection and design for bias training, strategic thinking about recruitment and retention of officers in general and to increase diversity within the department. The Director also has provided consultations with BPD on leadership development.

Restructuring

As the OPO transitions from the Office of the Community Ombudsman, we continue to be challenged to evaluate effective measures to streamline processes. Significantly, the way cases are handled and investigated are being developed. The office was structured under the system that the previous Ombudsman developed and honed over a decade of operations. Many of the processes are, today, outdated. As such, the OPO is striving to create a system of operations that allows for the maximum of efficiency and utilizing skill sets effectively, while accomplishing all of the required tasks.

The Director has spent time assessing job duties, practices within the department to reorganize work flow and redistribute work duties, identify strengths and weaknesses in skill sets, identify and develop ongoing training needs, evaluate internal and external communication systems including website development and outreach strategies. The mission statement and vision have been reviewed and are in the process of revision. Goals have been set and reports have been provided to the Mayor for updating purposes.

Training and Education

The Director has held internal training with staff regarding operations and investigations. These internal trainings will be built in throughout the year. The Director attended the National Association of Citizen Oversight of Law Enforcement (NACOLE) annual conference for the purpose of education, obtaining tools to assist with investigations, data collection to gauge the effectiveness of oversight, community relationship building and understanding the future of the evolving profession. The Director continues to increase her knowledge of BPD practices by attending BPD trainings and participating in one on one discussions with members of Command and staff on operations, investigations, policies, procedures, training and OPO communications with BPD. This will continue and expand.

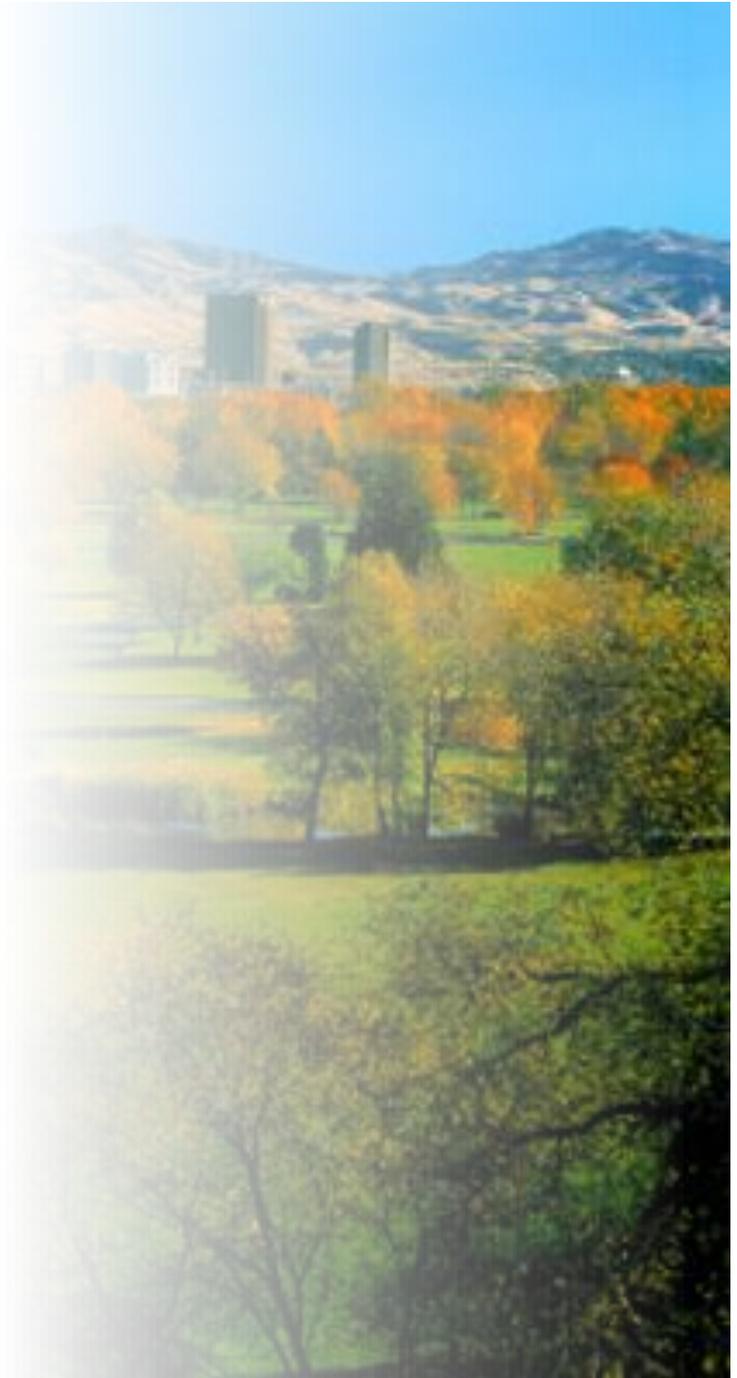


Community Outreach

With national attention being heavily placed on policing in the United States, the OPO has reached out to communities of color, as well as, other community organizations to speak about the oversight work that is being done here in the City of Boise. We have sent invitations to over 170 different personal contacts and organizations to host speaking engagements where members of the community can engage us in a dialog and ask questions. The goal is to increase awareness of the OPO and our efforts in citizen police oversight of the BPD.

Over the past year, we have been invited to speak with neighborhood organizations, civic groups and philanthropic organizations, as well as, participating in academic lectures, forums and panels. Our goal is to arrange speaking engagements for each month of the year.

The OPO has written an article on police oversight and appeared on a public television program to discuss body worn cameras. The Director has responded to inquiries from the media and participated in interviews as well. The Director has also participated in a research survey on police oversight nationwide commissioned by NACOLE and has consulted with other police oversight agencies beginning or re-organizing a citizen oversight system in other jurisdictions. The Director and/or staff have attended meetings with other federal and state law enforcement agencies and community members to discuss transparency, building trust, community policing, bias in policing and diversity.



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