



**KING COUNTY
SHERIFF'S OFFICE**

**INTERNAL INVESTIGATIONS
UNIT
2017 and 2018
Annual Report**

Report Prepared By

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KING COUNTY SHERIFF'S OFFICE

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Message from Sheriff Mitzi Johanknecht

It is an honor and pleasure to serve as your elected Sheriff. When I ran for Sheriff in 2017, I promised to focus on integrity, transparency and accountability. This Internal Investigations Unit (IIU) Annual Report is the first since I took office, and details our efforts to fulfill that promise.

We determined that, in the past, IIU Annual Reports were produced using inconsistent approaches to drawing and analyzing data on misconduct and complaints. It was clear we needed to establish a common practice that would result in consistent comparisons of IIU data from year to year.

To help us address these problems, and develop a common formula for future analysis, we engaged Police Strategies LLC to conduct an independent review of our IIU statistics, from 2014 through 2018.



In analyzing these five years of complaints, Police Strategies LLC used a consistent data set: examining cases closed in a calendar year and case status. All data came from IAPro, the complaint tracking system used by the Sheriff's Office and over eight-hundred other public safety organizations.

The following report from Police Strategies LLC shows the majority of Sheriff's Office employees who provide service to the community never draw a complaint. In 2018 the Sheriff's Office had 1,079 employees and 231 of those employees (21.4%) had a complaint investigation that was closed during the year. For further perspective, in 2018 the Sheriff's Office had over 560,293 calls for service and only 201 incidents (0.036% of all calls for service) where a complaint was received and closed during the year. In 2018 there were 37 incidents (0.007% of all calls for service) where a complaint was sustained and found to have violated policy.

This report also provides examples of IIU database analysis and reports. Interactive data dashboards will soon be available to you on the Sheriff's Office website. This will put the Sheriff's Office on the cutting edge and help us to become a model agency for integrity, transparency and accountability.

Sincerely,

A handwritten signature in black ink that reads "Mitzi Johanknecht".

Mitzi G. Johanknecht, Sheriff

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MISSION – Why are we here?

The King County Sheriff's Office is a trusted partner in fighting crime and improving the quality of life for our residents and guests.

VISION – Where are we going?

The King County Sheriff's Office is a highly effective and respected law enforcement agency and criminal justice partner, both trusted and supported, helping King County to be the safest county in America.

GOALS – How will we get there?

Through community engagement and collaboration we will:

- Develop and sustain public trust, value and support.
- Reduce crime and improve the community's sense of security.
- Improve traffic safety by reducing impaired and unsafe driving behaviors and traffic collisions.
- Recruit, hire, train and promote the best people, reflective of the community we serve, to provide high quality, professional and responsive service.
- Provide facilities, equipment, and technology that support achievement of our mission.
- Prepare to respond to and resolve critical incidents and disasters.

OUR VALUES – How do we do business?

LEADERSHIP

- We are honest, respectful, effective and humble.
- We have clear expectations.
- Our managers model expectations and we lead by example at all levels.

INTEGRITY

- We are open, transparent, and accountable to the public we serve.
- We acknowledge that public trusts matters – all the time.
- Good faith performance errors are addressed through training.
- Bad faith criminal behavior, abuse of authority, and repeated or egregious acts are not tolerated.

SERVICE

- We are timely in our response and seek every opportunity to have positive impact on the people we serve.
- We are good stewards of taxpayer dollars, engage and collaborate, and strive to innovate.
- We focus on hot spot locations, high impact and repeat offenders, and visible presence when needed.

TEAMWORK

- We recognize that relevant training and effective communications increase public and officer safety.

- We fight crime constitutionally.
- Our managers coach, mentor and develop a strong team culture.

Sheriff's Philosophy on Accountability

Sheriff Johanknecht knows from personal experience that the men and women of the Sheriff's Office who serve the residents of King County are often asked to do difficult, and sometimes dangerous, jobs. While residents come to us for ordinary services, like concealed weapons permits, fingerprinting for employment, and other similar services, the vast majority of our calls for service and on-view activity involves unresolved conflict, mental health crisis, addiction, motor vehicle accidents, and other stressful situations.

The Sheriff believes the Sheriff's Office is responsible and accountable for providing the direction, guidance and support necessary to all employees so they can be successful in their work. That direction comes in the form of law, policy from the General Orders Manual and leadership-supervision provided by their chain of command up to and including the Sheriff. Incorporated into the General Orders Manual is our Mission, Vision, Goals and Values. Interwoven throughout is the requirement to develop and sustain public trust and support.

The Sheriff also realizes that on occasion an employee's behavior or performance will not meet the standards of the Sheriff's Office or community. The Sheriff's philosophy is to deal with well-intentioned mistakes through training, coaching and measured, progressive discipline when required. Conversely, where employees know what should be done, but make bad faith decisions not to follow policy, law or direction, the Sheriff's philosophy is to deal with the misconduct swiftly and affirmatively. Bad faith conduct includes criminal acts, abuse of authority, and repeated or egregious behavior or performance. This conduct will not be tolerated.

INTERNAL INVESTIGATIONS UNIT POLICY STATEMENT

3.00.000 PERSONNEL CONDUCT

3.00.005 PURPOSE/POLICY STATEMENT: 03/18

A law enforcement agency must maintain a high level of personal and official conduct if it is to command and deserve the respect and confidence of the public it serves. Rules and regulations governing the conduct of members of the Sheriff's Office ensure that the high standards of the law enforcement profession are maintained. Issues of honesty and integrity are of paramount importance in the operation of the Sheriff's Office. The purpose of this section is to provide guidelines and instructions concerning employee conduct and responsibility for all members in all of their activities, whether official or personal. Members will be evaluated based on whether or not their actions assist the King County Sheriff's Office in fulfilling its

stated mission that the King County Sheriff's Office is a trusted partner in fighting crime and improving quality of life and reaching its goals of:

- Develop and sustain public trust, value and support.
- Reduce crime and improve the community's sense of security.
- Improve traffic safety by reducing impaired and unsafe driving behaviors and traffic collisions.
- Recruit, hire, train and promote the best people, reflective of the community we serve, to provide high quality, professional and responsive service.
- Provide facilities, equipment, and technology that support achievement of our mission.
- Prepare to respond to and resolve critical incidents and disasters.

Members must conduct themselves at all times in a manner that brings a level of conduct in their personal and official affairs consistent with the highest standards of the law enforcement profession. These standards are outlined in the Core Values adopted by the King County Sheriff's Office:

- Leadership.
- Integrity.
- Service.
- Teamwork.

Violations of these standards will result in corrective action or discipline up to and including dismissal from the Sheriff's Office. In general, members shall:

1. Be honest.
2. Conduct themselves in a manner that creates and maintains respect for themselves, the Sheriff's Office and the County.
3. Avoid any actions which might result in adversely affecting confidence of the public in the integrity of the county government or the Sheriff's Office.
4. Perform all duties in a professional, courteous, competent and efficient manner.
5. Comply with all Sheriff's Office rules, policies and procedures.
6. Obey federal, state, county and municipal laws and regulations; and
7. Promptly report to their immediate supervisors' knowledge or reasonable suspicion of criminal activity or violations of any provision of this chapter.
8. Promptly report to their Precinct/Section Commander that their driver's license has been suspended (for whatever reason) and/or if they are ordered to have an interlock device on their vehicles.

Members are responsible for learning and abiding by the rules and guidelines in this chapter. Action may be taken against an employee due to a failure of the employee to meet the requirements of this chapter or of his/her position. Such action may be either disciplinary or non-disciplinary in nature. Examples of inappropriate conduct set out in this chapter are illustrative, and not exclusive, as it is impossible to

anticipate every possible act of misconduct. Violations of this chapter will be considered misconduct.

IIU Complaint Tracking and Reporting – Increasing Accountability and Transparency

In an effort to increase accountability and transparency about the work of IIU, the Sheriff's Office asked Police Strategies LLC to analyze misconduct complaint data from 2014 through 2018 and to report on any trends observed. There was concern that earlier reports, with information compiled by different individuals over time and under changing commanders and different administrations, did not use a consistent approach in reviewing IIU complaint information. As a result, there could be problems in the reliability of some data reported. Police Strategies analyzed the 2014 – 2018 IIU complaint data using the same set of standards for all five years. While there are still concerns about data entry inconsistencies, particularly in earlier years, this analysis allows for a much closer “apples to apples” comparison between years.

The Sheriff's Office uses a software program called IPro/BlueTeam to record and track employee misconduct complaints.¹ CI Technologies created scripts for Police Strategies to extract data directly from the KCSO IPro system. Police Strategies was then able to analyze the 2014 – 2018 complaint data contained in IPro.² Police Strategies built a relational database using the IPro misconduct complaint information and presented it through a series of interactive dashboards. This powerful data visualization system makes it easier to comprehend complex information about misconduct allegations, findings, discipline, and other matters related to the work of the IIU. The Office of Law Enforcement Oversight (OLEO), policy makers, and community members will be given access to information in some of the IIU dashboards, though there will be no individual officer identification. This will allow everyone to better understand trends in misconduct complaint handling and the work of the Sheriff's Office.

It must be emphasized, however, that changes over time in Sheriff's Office administration, policy, IIU management, data entry, and other factors means that year-to-year comparisons are not necessarily the most reliable. For example, in the fall of 2017, the developer of IPro and industry experts suggested that the Sheriff's Office abandon the practice of using a separate numbering and tracking system for different categories of complaints. The practice left gaps in gathering and managing complaint data and caused confusion if a complaint was re-categorized following an

¹IPro is the records management software created by CI Technologies. IPro also is used for recording and tracking commendations, section level discipline, use of force, first level discipline, vehicle collisions and pursuits, and early intervention issues. GOM 14.00.015.

² Police Strategies appreciates the collaborative relationship it has with CI Technologies and the assistance provided on this project, which allowed Police Strategies to extract raw data from IPro's proprietary system.

investigation. In December of 2017, under the former administration, the Sheriff's Office adopted a consecutive numbering system to preclude confusion and provide better data tracking. It is unknown how the original numbering system or the change to the new system impacts the data analyzed in this report.

This report provides examples of the types of information available using the IIU dashboards, identifies some apparent trends in the data, and makes recommendations for ways that the Sheriff's Office can continue to improve accountability and transparency in misconduct complaint handling. Assumptions underlying the data now are being made explicit, with the goal that analysis moving forward should be more consistent.

Note that complaints tracked in IAPro can name a sworn member or a civilian/professional working for the Sheriff's Office. Unless otherwise noted, the data reported includes information on all members of the Sheriff's Office named in misconduct complaints that were closed for each year covered. However, because some in the community are particularly interested in how the Sheriff's Office is addressing issues of misconduct involving sworn members, some of the trends highlighted below will focus only on complaints involving this group. The IIU dashboards and report use the terms "members" and "employees" interchangeably.

Misconduct Complaint Intake and Investigation Complaint Categorization, Sources, and Types of Allegations

As Sheriff's Office supervisors or IIU become aware of misconduct or a complaint of misconduct, they enter information about the incident into the IAPro system through a program called BlueTeam. If the complainant has not already provided an interview, IIU takes an initial statement and conducts a preliminary investigation to determine if the complaint will be investigated in IIU or by a supervisor at the Precinct/Section level.³

The question of whether a misconduct complaint will be investigated by IIU or at the Precinct/Section level is based upon a determination as to whether the matter is categorized as a Major Complaint or Minor Complaint.

- Major Complaints are those that, if sustained, likely will result in suspension, demotion, termination, or the filing of criminal charges. Major complaints are called "Inquiries" in the IAPro database and are investigated by IIU.
- Minor Complaints involve allegations that may lead to discipline up to written reprimand if sustained, or may be handled outside of the disciplinary process (e.g., training, counseling). Minor Complaints are classified as non-investigative matters (NIMs) and supervisory action logs (SALs) in IAPro. Minor issues typically referred back to and investigated by a

³ GOM 3.03.030.

Precinct/Section supervisor include tardiness, uniform and equipment violations, personal appearance infractions, minor omissions in assigned duties, and minor matters involving efficiency or safety.⁴

Whether categorized as Major or Minor, a single complaint can involve multiple allegations and/or multiple Sheriff's Office members. However, it was not always clear in earlier IIU reports whether misconduct related statistics relied on individual complaints, considered the overall number of allegations involved, or took into account the number of Sheriff's Office members named in complaints.

In the IIU dashboards available on-line, the data highlighted in this report, and moving forward, the analysis uses the number of overall allegations, unless otherwise specified. Also, earlier reports included data on all complaints that were open or had been resolved in the year under consideration. Police Strategies only extracted and analyzed information concerning closed cases, avoiding the problems of potentially including a complaint during more than one reporting cycle or counting cases in one category that are re-categorized before the complaint is closed.

The IAPro data analyzed includes all Sheriff's Office misconduct complaints classified as Inquiries and SALs that were closed in 2014 - 2018.⁵ To determine the number of allegations in each of the Major/Minor categories, Employee-Incident Type in the IIU dashboards was limited to Inquiries to compute Major Complaints, and later limited to SALs to determine the number of allegations categorized as Minor Complaints.

⁴ GOM 3.03.030.2.

⁵ Though some Minor Complaints were classified as NIMs in earlier years, IIU recently has moved away from this classification.

Table 1 - Major and Minor Complaint Allegations

	Year Investigation Completed					5 Year Total
	2014	2015	2016	2017	2018	
Major Complaints	351	569	394	299	454	
Minor Complaints	386	296	132	75	13	
Total Allegations	737	865	526	374	467	2,969

There has been a steady decline in the number and relative percentage of complaint allegations classified as Minor, with a significant decrease by 2018.

- One explanation for the decline in allegations treated as Minor and referred for supervisor action could be that external complainants involving more serious allegations of misconduct, such as misuse of force, have increased. For example, looking at Table 4, there has been an increase in certain types of allegations that would be treated as Major Complaints.
- Another explanation could be tied to the source of the complaint. As seen in Table 2, the percentage of complaints from a source inside the Sheriff's Office has decreased over time, from 58% in 2014 to 34% in 2018. It's possible that supervisors are handling more low-level performance issues without referral to IIU, though this would imply that such matters are not being tracked, either.
- The current IIU Captain noted that most Minor complaints involving issues of punctuality, absence, and leave come out of the Communications Center and that it's possible they have tightened requirements, resulting in a change of behavior and the decrease in these complaints.

Table 2 – Internal and External Sources of Complaints by Percentage

	Year Investigation Completed					5 Year Average
	2014	2015	2016	2017	2018	
External	42%	43%	51%	33%	46%	43%
Internal	58%	56%	49%	39%	34%	50%
Unknown	----	1%	1%	28%	20%	7%

Anyone external or internal to the Sheriff’s Office can file a complaint for alleged misconduct against a member, including “any person whether paid, unpaid, temporary, permanent, intern, probationary, volunteer, appointed, non-appointed, commissioned, or non-commissioned, who is employed or supervised by the King County Sheriff’s Office.”⁶

- IAPro classifies cases coming from internal sources as “Departmental” and additional classifications are: Citizen, Inmate, OLEO, Ombudsman, and Other.
- IIU did not have an explanation as to why the percentage of cases where the source is unknown significantly increased in 2017 and 2018. Determining whether there was a problem of inattention to recording this information, either within the unit or elsewhere in the Sheriff’s Office, or whether there is another explanation would require significant resources. While it’s possible it might review closed data if there is available staff, moving forward, IIU is developing a quality control plan for IAPro data entries.
- While the percentage of complaints filed by members of the Department is high relative to the overall numbers of complaints processed, the percentage has steadily dropped since 2014. This could be due to several factors: less misconduct and more good work being done by employees, less stress being placed on the importance of reporting misconduct, supervisors are doing the job of supervision by addressing behavioral issues before they rise to the level of misconduct, or there could be an entirely different explanation. IIU noted that it is difficult to identify any one specific reason.
- Though not indicated in the chart above, if Major Complaints/Inquires for all 5 years are isolated in the IAPro data, the average number of internal complaints is 40% (with 54% external and 6% unknown).

⁶ GOM 3.03.010.

Table 3 – Employee-Incidents and Allegations by Year

	Year Investigation Completed				
	2014	2015	2016	2017	2018
Employees Receiving at Least One Complaint	356	383	290	190	231
Incidents Involving at Least One Employee-Complaint	494	559	338	227	253
Total Employee-Complaints	557	696	444	281	335
Total Allegations	737	865	526	374	467

In the IIU IAPro data dashboards, an “Incident” is an event where at least one employee received a misconduct complaint. One Incident can involve multiple KCSO members who received a complaint. “Employee-Complaint” is a misconduct complaint filed against a member of the Sheriff’s Office involving one incident. Thus, one Incident that involves three members alleged to have engaged in misconduct amounts to three Employee-Complaints.

An “Allegation” references a specific section of the General Orders Manual (GOM) that is alleged to have been violated. Each Employee-Complaint can contain one or more allegations of misconduct.

While the Employee-Complaint totals for each year incorporate the number of complaints closed within that year, allegations are reported separately to account for the fact that each Employee-Complaint might entail multiple allegations. Each allegation is tied to a specific GOM policy section, as discussed further below.

- The number of Employee-Complaints and Allegations have each risen and fallen the past 5 years, though there has been an overall decrease since 2015. This likely reflects, at least in part, inconsistent approaches to data entry and tracking over the years.

Types of Misconduct Allegations

In extracting and analyzing 2014 – 2018 IIU data, Police Strategies found that approximately 100 sections of the GOM were cited. There is overlap in some policies and it is not clear whether those responsible for identifying the policy implicated by a specific allegation consistently used the same GOM section.

For example, the subject of supervisory expectations is addressed in GOM 3.00.020(4), a subsection of Chapter 3.00.000 - Personnel Conduct. However, roles and responsibilities for supervisors is also addressed elsewhere in the Manual, e.g., GOM 03.03.025, which outlines duties when a supervisor receives a complaint, and GOM 03.03.055, which covers a supervisor’s duties when a use of force complaint is received. One complaint potentially could result in all of these policy sections being cited, or only one or two of them.

Another example of overlap in Sheriff's Office policies is found with allegations of biased or discriminatory policing. GOM 3.00.015(g) defines serious misconduct to include "Discrimination, Harassment, Incivility, and Bigotry," GOM 3.00.015(h) refers to GOM 3.01.000 for further definition of "Discrimination, [Harassment/hostile work environment, qui pro quo], and section 3.00.030 specifically addresses "Biased Based Policing," which refers back to GOM 3.00.015. Both 3.00.015 and 3.00.030 list specific protected classes, though 3.00.015 also includes "Gender Identity or Expression."

IIU confirmed it has internal guidance dating back to 2014 to assure that distinctions between the policy sections are clear, though acknowledged there may be quality control issues to be addressed.

It would be costly and time consuming to study all complaints filed in the past 5 years to understand which policies were cited when different types of allegations of misconduct were investigated but similar facts were involved. However, it would be advisable to sample more recent complaints to compare the GOM policies cited for certain types of allegations to measure consistency across all those who are identifying the GOM sections at issue for complaints.

Table 4 – Misconduct Allegation Types by Year with GOM Reference

Year Investigation Completed					
	2014	2015	2016	2017	2018
Performance Standards 03.00.020(1)	267	289	111	69	87
Courtesy 03.00.015(2)(i)	93	120	64	46	42
Serious Misconduct 03.00.015(i)	55	100	63	45	96
Excessive or Unnecessary Force 03.00.015(d)	15	51	88	60	68
Misconduct 03.00.015(2)	48	70	53	42	52
Conduct Unbecoming 03.00.015(2)(k)	38	39	17	30	43
Punctuality, Absence & Leave 02.00	35	50	38	24	17
Use of Authority 03.00.020(3)	24	29	57	20	21
Obedience to Laws and Orders 03.00.020(2)	40	48	27	8	15
Investigation of Misconduct/Supervisor UOF Duties 03.03.055	42	36	2	7	6
Training 02.17.005 & 3.00.020(6)	43	8	2	1	2
Other Violations	22	4	0	17	12
Supervision 03.00.020(4)	7	15	3	2	3
Ethics and Conflicts 03.00.025	8	6	1	3	3

Allegations involving Performance Standards and Punctuality, Absence & Leave have decreased.

- As noted in the discussion of Major/Minor Complaints above, IIU believes this decrease resulted from a tightening of requirements in the Communications Center, where most of these sorts of allegations arise.

While Courtesy allegations increased between 2014 and 2015, they have sharply decreased more recently.

- IIU is not sure how to explain these changes, though noted that cases investigated in IIU involve allegations of Criminal violations, Abuse of Authority, or Repeated or Egregious policy infractions (CARE). As discussed

above, supervisors might be more consistently addressing courtesy related issues before they develop into misconduct.

Though excessive or unnecessary use of force allegations have increased since 2014, with a peak in 2016, they have been relatively stable the last two years.

Allegations related to Investigation of Misconduct/Supervisory Use of Force Duties have decreased significantly since 2014, perhaps indicating stronger review and enforcement of responsibilities when use of force is involved.

Allegations implicating the Ethics and Conflicts policy are relatively low and have decreased since 2014. This might reflect a culture at the Sheriff's Office that values and enforces high integrity or indicate that allegations involving issues of ethics or conflicts are investigated under other sections of the GOM that also are relevant to the facts underlying the complaint.

IAPro/BlueTeam does not record a criminal investigation as a separate specific allegation, though GOM 3.02.000 addresses incidents of domestic violence involving Sheriff's Office members and GOM 3.03.020 addresses notice and investigative responsibilities when there is information or reason to suspect a member has committed a crime. Conduct of a criminal nature is included under serious misconduct in GOM 3.00.015(1), also. Moving forward, IIU is advised to begin tracking criminal investigations, if any, in IAPro, allowing for such information to be included in annual reports and available in IIU dashboards on the Sheriff's Office website.

Investigation Findings, Discipline, and Other Outcomes

When an investigation is complete, Sheriff's Office policy sets out the steps to be taken to ensure that no further investigation is necessary, including review by the IIU Commander, Precinct/Section Commander, Division Commander, and others, depending on the nature of the allegations involved.⁷ Ultimately, the case is sent to the Undersheriff for review and to recommend discipline when appropriate. The Sheriff then receives the investigation, findings, and recommended discipline and, if required, conducts a due process hearing (*Loudermill* hearing) for the name employee. The Sheriff can change the discipline recommendation made by the Undersheriff.⁸

There are five potential finding classifications following a complaint investigation:

1. Unfounded: The allegation is not factual and/or the incident did not occur as described.
2. Exonerated: The alleged incident occurred, but was lawful and proper.
3. Non-Sustained: There is insufficient factual evidence either to prove or disprove the allegation.
4. Sustained: The allegation is supported by sufficient factual evidence and was a violation of policy.
5. Undetermined: The completed investigation does not meet the criteria of classifications 1 through 4. This may involve the following: The complainant withdraws the complaint; the complainant cannot be located; the complainant is uncooperative; the accused member separates from the Sheriff's Office before the conclusion of the investigation and the investigator cannot reach another classification.⁹

⁷ GOM 3.03.190.

⁸ GOM 3.03.195.

⁹ GOM 3.03.185. The policy notes that, notwithstanding the criteria that might make a finding of Undetermined appropriate, "if enough information has been collected to close the investigation with a classification of 1 through 4, an undetermined classification will not be used."

Table 5 - Findings and Other Determinations

Year Investigation Completed					
	2014	2015	2016	2017	2018
Unfounded	87	164	131	48	69
Exonerated	55	80	81	67	149
Non-Sustained	57	84	40	39	47
Sustained	59	123	71	71	73
Undetermined	8	6	10	4	2
No Finding	2	4	2	2	17
Information Only	320	289	135	69	9

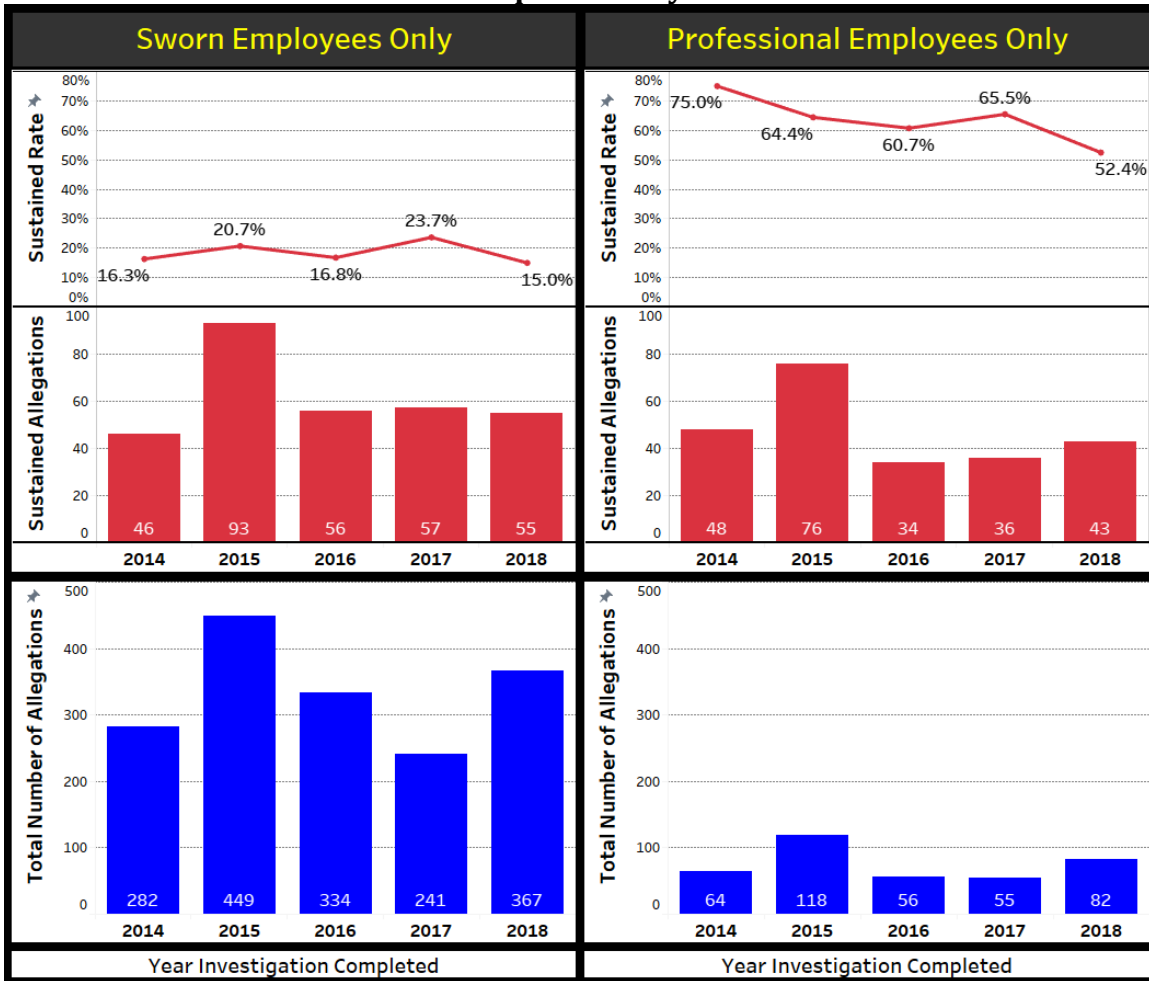
The determination “Information Only” refers to cases that had been classified as non-investigative matters (NIMs) or supervisory action logs (SALs), classifications that are being used infrequently or phased out.

The “No Finding” determination refers to an instance where the requirement that investigations be completed within 180 days was not met and there was no extension of the deadline by agreement, because alleged criminal conduct was under review, or there were other extenuating circumstances.¹⁰ The number of cases in which the 180-day deadline was missed is relatively low except for in 2018. Beginning in 2018, if it became clear that the Sheriff’s Office investigation of alleged misconduct exceeded 180 days (which is set by policy and CBAs), investigations would be closed with a “No Finding” classification and notation of what the finding would have been had the investigation been finished on time.

Sustained findings have been relatively stable the past three years, while the Exonerated determination more than doubled between 2017 and 2018.

¹⁰ GOM 3.03.150.

**Diagram 1 – Sustained Allegations by Year
Sworn and Professional Employees¹¹
Inquiries Only**



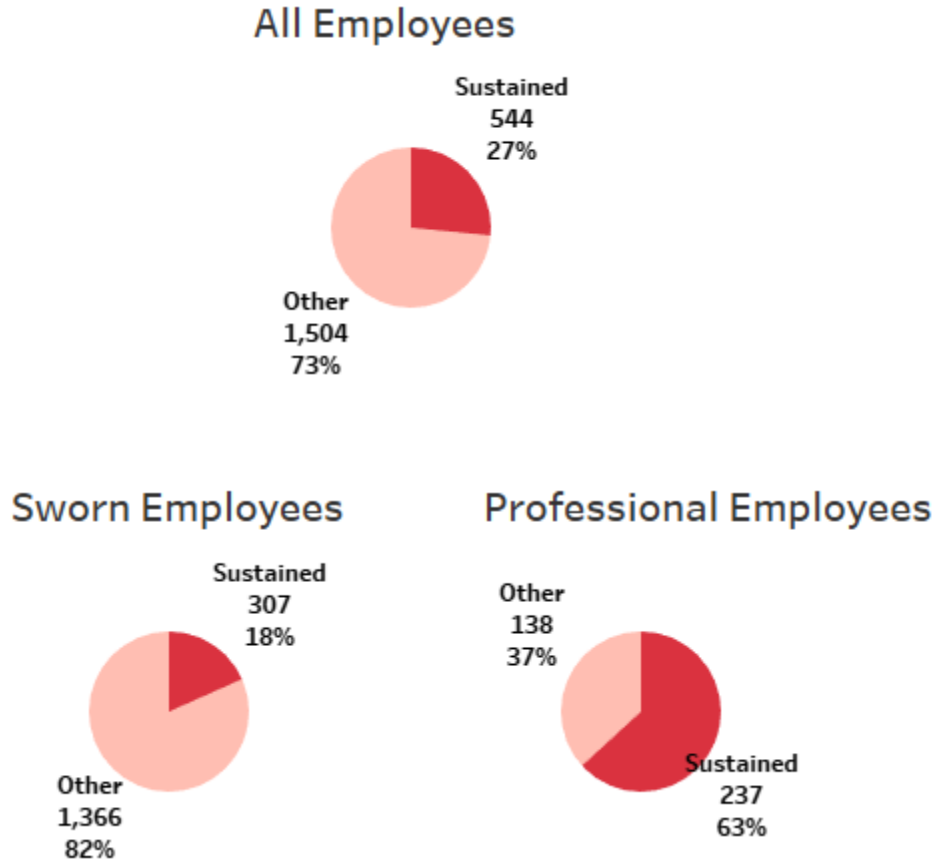
Because categorizing a case as an Inquiry denotes a more serious complaint is involved, it is useful to look at findings through the Inquiry filter. Considering completed cases 2014 - 2018, the Sustained rate for allegations made against all employees is 27%. For sworn employees alone, there was an 18% Sustained rate over 5 years, while the Sustained rate for professional employees averaged 63%.

The 18% Sustained rate for sworn members holds for Inquiries and SALs together or focusing only on Inquiries, likely indicating that a Sustained finding for a SAL is relatively rare. This would make sense as complaints referred back to the Precinct/Section supervisor are those considered to be Minor and often are handled

¹¹ Note that there is a small discrepancy in the total number of Sustained findings reported in Diagram 1 as compared to Table 5 because, where there was data missing as to whether an employee was sworn or professional, the Sustained finding in that case was not counted in Diagram 1.

outside of the discipline system (e.g., training, counseling), though can result in discipline up to a written reprimand.

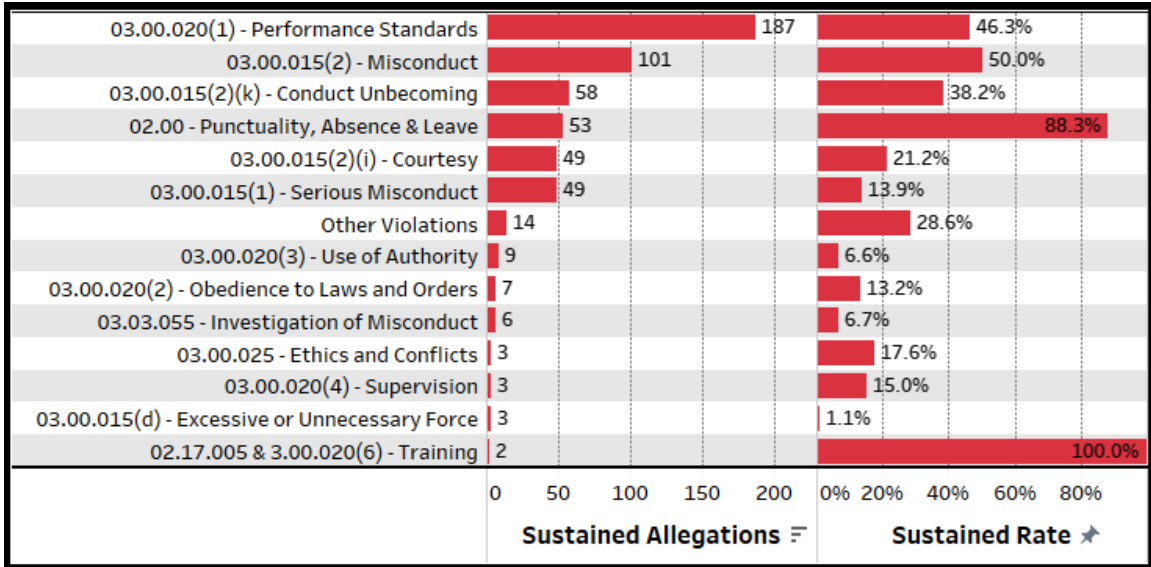
**Diagram 2 – Sustained Allegations 2014-2018
Inquiries Only**



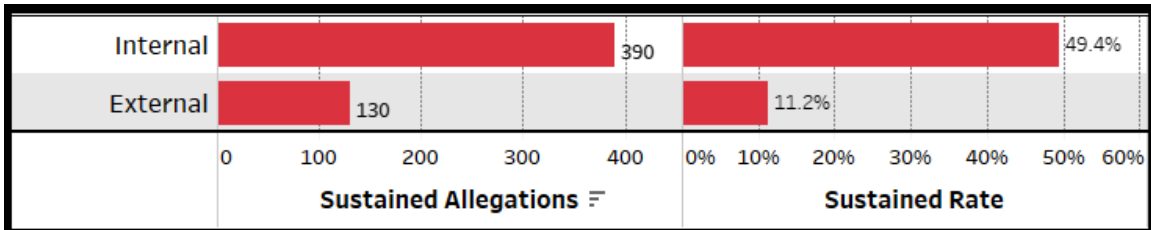
The diagrams above present Sustained finding data for all allegations combined over the five years reviewed. The trend of there being a relatively higher rate of Sustained allegation findings with Professional employees, as compared to sworn employees, is seen whether looking at individual years or across the full data set.

The IAPro dashboard data on Sustained rates can be broken down in a number of other ways. For example, see the two diagrams below.

**Diagram 3 - Sustained Rates for Inquiries
2014-2018**



**Diagram 4 - Sustained Rates by Source of Complaint
2014 - 2018**



**Table 6 – Discipline by Year
Based on Employee-Complaints**

	Year Investigation Completed					Total
	2014	2015	2016	2017	2018	
No Discipline	498	569	361	221	264	1,911
Written Reprimand	28	30	22	26	24	126
Suspension	7	35	21	22	22	111
Corrective Counseling	14	52	26	8	14	114
Training/Other	3	----	4	3	8	16
Resignation/Termination	6	10	9	1	3	30
Demotion/Transfer	1	----	1	----	----	2
Total Disciplined	68	127	83	60	71	

There were increases in Training and Corrective Counseling outcomes in 2018, though the overall numbers are still low.

- IIU suggested that where Corrective Counseling is noted, it was probably a lesser-included outcome and not considered discipline; e.g. an Inquiry founded as Exonerated but where a minor training issue was identified and a Corrective Counseling Memo documents the follow-up action. A Corrective Counseling Memo is not needed where a matter is classified as a SAL, as the SAL documents any counseling/training that takes place.

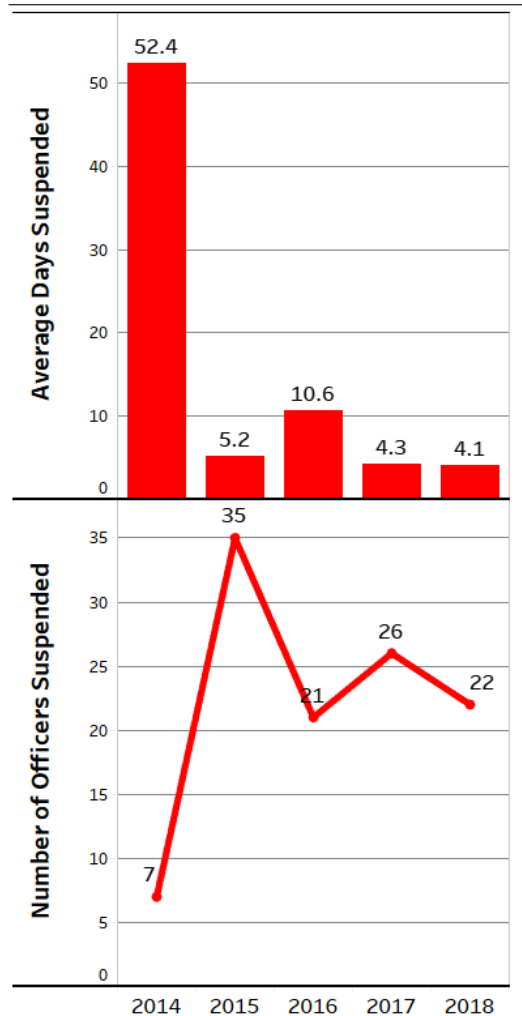
There was a decrease in the number of Resignations/Terminations in 2017 and 2018, though IIU did not have an explanation.

Demotion/Transfer as a discipline outcome is seldom used. While there was no clear explanation, the IIU Captain recalled at least one case where a deputy was aware he likely would be moved from his assignment as a result of a complaint and he chose to transfer prior to the conclusion of the IIU case.

Other than the peak in 2015, there has only been a relatively slight variation in the number of discipline cases each year.

While the Sheriff's Office tracks information on individuals who receive training as a complaint outcome, broader training or policy changes resulting from misconduct investigations are not recorded in the IAPro system. It is recommended that the Sheriff's Office devise a means to record training and policy changes growing out of investigations where they impact members beyond the originally involved employee. This will allow for such information to be included in annual reports and available in IIU dashboards on the Sheriff's Office website.

Diagram 5 - Number of Officers Suspended and Average Number of Days Suspended by Year



For the past three years, the Sheriff's Office has relatively consistently used Suspensions as a form of discipline for Sustained complaints. Written Reprimands are also commonly used and with consistent frequency.

While in 2014 and 2016, the average number of days an employee was suspended for misconduct peaked relative to 2015, 2017, and 2018, for these years the average time off was relatively consistent.

Table 7 – Employees Suspended & Average Length of Suspension

Employees Suspended & Average Length of Suspension		
	Average Days Suspended	Number of Employees Suspended
Other Violations	71.7	2
03.00.020(2) - Obedience to Laws and Orders	71.7	2
03.00.020(3) - Use of Authority	25.0	1
03.00.025 - Ethics and Conflicts	15.0	1
03.00.015(1) - Serious Misconduct	13.8	25
03.00.015(2)(k) - Conduct Unbecoming	8.5	19
03.00.015(2) - Misconduct	8.3	27
03.00.020(1) - Performance Standards	4.3	36
03.00.015(2)(i) - Courtesy	2.6	11
03.03.055 - Investigation of Misconduct	2.0	1
02.17.005 & 3.00.020(6) - Training	2.0	1
03.00.015(d) - Excessive or Unnecessary Force	1.6	2
02.00 - Punctuality, Absence & Leave	1.2	18

Common types of allegations resulting in a suspension after a Sustained finding involved violations of policies concerning Performance Standards, Conduct Unbecoming, and Punctuality, Absence & Leave.

Because the GOM sections on Misconduct and Serious Misconduct refer to other more specific conduct expectations, it is difficult to draw conclusions regarding these two categories without review of the underlying cases.

The number of employees suspended for violations of policies relating to Courtesy is also relatively high.

- Though a review of each individual case was not conducted, IIU suggested that it is likely a suspension resulted due to a courtesy issue being connected to another serious violation involving criminal misconduct, abuse of authority, or repeated or egregious behavior.

While there were very few Sustained findings for violations related to policies on Obedience to Laws and Orders, Use of Authority, and Ethics and Conflicts, when such policies were violated employees received (on average) the most time off.

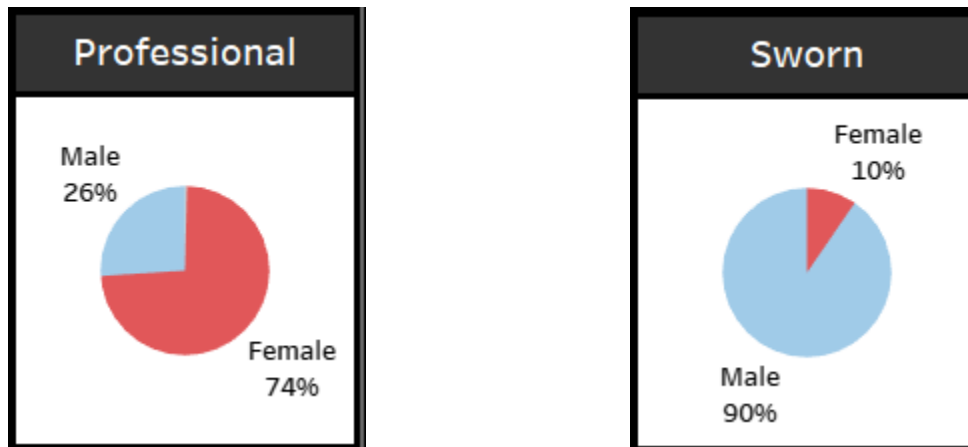
Sample Characteristics of Sworn Employees Named in Complaints

Table 8 – Sworn vs. Professional Employees Named in Complaints

	Year Investigation Completed					5 Year Average
	2014	2015	2016	2017	2018	
Sworn	73%	73%	78%	79%	81%	76%
Professional	27%	26%	20%	20%	17%	23%

While sworn employees have consistently been named in misconduct complaints more often than professional employees, the percentage for sworn employees has been steadily increasing to 81% in 2018.

**Diagram 6 - Complaints Filed Against KCSO Members 2014-2018
Employee Gender**



Considering allegations filed against all members, sworn and professional, approximately 75% involve male employees and 24% female (1% are unknown gender).

However, these percentages regarding the gender of employees involved in misconduct complaints masks significant differences if only sworn or only professional employees are considered: 74% of complaints against professionals involve female employees, while females only constitute 10% of complaints against sworn members, likely reflecting the lower percentage of sworn employees who are female.

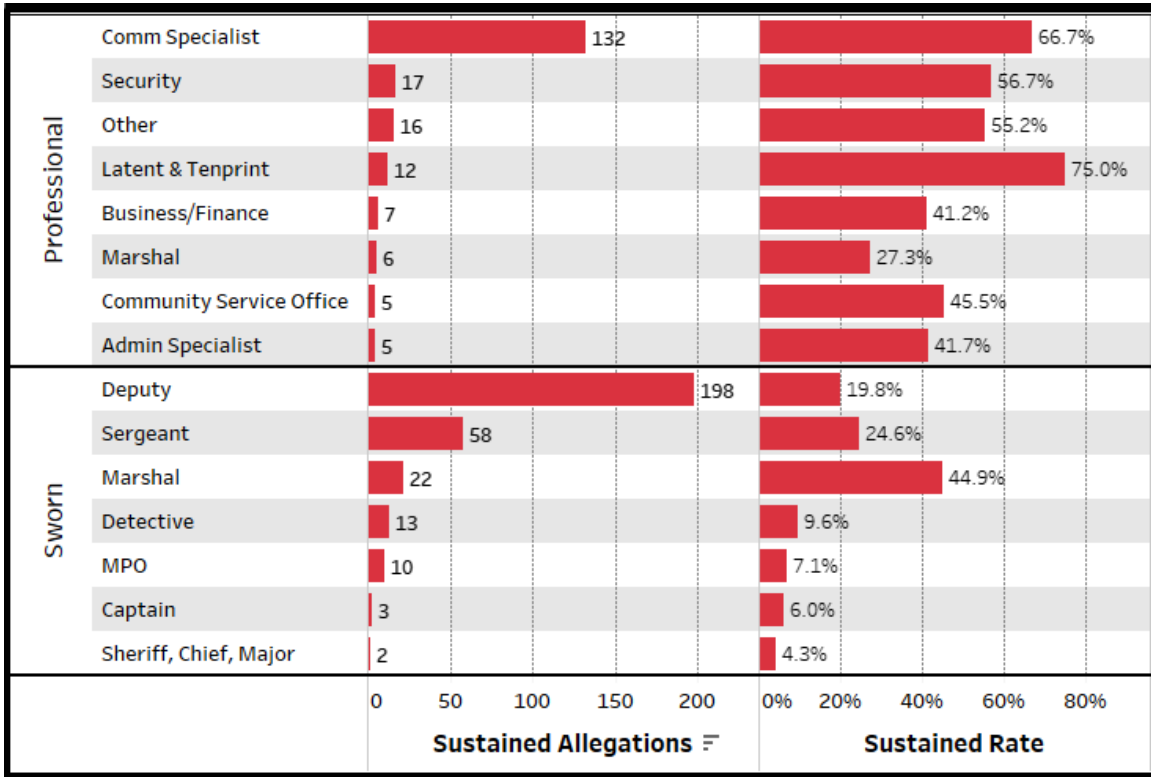
Race and ethnicity information was missing for a considerable number of cases in the IAPro IIU database and identifying and adding such information would be time and resource consuming. It is advisable that KCSO/IIU stress the importance of completing all fields of information when entering complaint related data to allow for more complete data tracking moving forward.

**Table 9 – Rank of Sworn Employees Named in Misconduct Allegations
Both Inquiries and SALs
2014 – 2018**

Rank	
Deputy	1,008
Sergeant	264
MPO	158
Detective	151
Marshal	61
Captain	55
Sheriff, Chief, Major	45
Reserve Deputy	10
Records Specialist	2
Other	2

Clearly, the majority of Sheriff’s Office sworn members named in complaints are deputies, though there have been misconduct allegations against sergeants and commanders, also. As seen below, some of these complaints against sergeants and commanders have resulted in Sustained findings, though at a lower rate relative to Sustained findings against deputies.

Diagram 7 – Sustained Allegations and Rates for Employee Category & Job Category Inquiries Only



Trends and Recommendations

Changes over time in Sheriff's Office administration, policy, IIU management, data entry quality control, and other factors means that the 2014 – 2018 data discussed in this report is not the most reliable. As a result, it is difficult to identify trends with data that is not necessarily dependable and where explanations about outcomes could vary year to year. Thus, this report makes explicit the assumptions used to analyze the IIU IAPro data and recommendations primarily focus on ways to increase reliability moving forward.

Trends and recommendations noted below are divided by the corresponding report sections, though are consecutively numbered for ease in reference.

Misconduct Complaint Intake and Investigation

1. There has been a steady decline in the number and relative percentage of complaint allegations classified as "Minor," as compared to those classified as "Major," with a significant decrease by 2018.
2. The percentage of cases where the source of the complaint was "Unknown" significantly increased in 2017 and 2018, though the lack of information seemed to be a bigger issue with cases classified as Minor/SALs, rather than Major/Inquiries. IIU is developing a quality control plan to address problems with IAPro data entry.
3. While the percentage of internal complaints is high relative to the overall number of complaints, the percentage has steadily dropped since 2014. There was no clear explanation for the drop in internal complaints.
4. The number of Employee-Complaints and Allegations have each risen and fallen over the 2014 – 2018 time period that was examined, though there has been an overall decrease since 2015. This likely reflects, at least in part, inconsistent approaches to data entry and tracking over the years. The IAPro data entry quality control plan under development should help address such problems.
5. There are approximately 100 sections from the General Operations Manual that have been used to classify the allegations used in the IAPro data, with significant overlap in some policies. While IIU has used internal guidance dating back to 2014 to assure that distinctions between policy sections are clear, it acknowledged there might be quality control issues to address. It would be advisable to sample more recent complaints to compare the GOM policies cited for certain types of allegations to measure consistency across all those who are identifying the GOM sections at issue, to better understand the complex conduct classification system involved, and to identify ways to ensure reliable data entry.

6. Allegations involving Performance Standards & Punctuality and Absence & Leave have decreased, which is attributed to a tightening of requirements in the Communications Center, where most of these sorts of allegations arise.
7. Courtesy allegations have sharply decreased since 2015, which might be explained by supervisors more consistently addressing courtesy related issues before they develop into misconduct.
8. Allegations involving excessive or unnecessary use of force have been relatively stable since 2016. Allegations related to Investigation of Misconduct/Supervisory Use of Force Duties have decreased significantly, perhaps indicating stronger review and enforcement of use of force responsibilities.
9. Allegations implicating the Ethics and Conflicts policy are relatively low and have decreased since 2014.
10. Allegations involving criminal investigations are not separately tracked in IAPro. It is recommended that IIU implement a means to identify and track allegations of criminal misconduct, as the current analytic and reporting approach relies on directly extracting data from the IAPro system.

Investigation Findings, Discipline and Other Outcomes

11. Sustained findings have been relatively stable the past three years, while the Exonerated determination more than doubled between 2017 and 2018.
12. Looking at the rate of Sustained outcomes over the five year analyzed, 18% of allegations against Sworn employees were Sustained, as compared to 63% of misconduct allegations against Professional employees. The trend of there being a relatively higher rate of Sustained allegation findings with Professional employees, as compared to Sworn employees, is seen whether looking at individual years or across the full data set.
13. Other than a peak in 2015, there has been a relatively slight variation in the number of cases resulting in discipline each of the five years analyzed.
14. For the past three years, the Sheriff's Office has used Suspensions as a form of discipline relatively consistently, along with Written Reprimands.
15. While there were very few Sustained findings for violations related to policies on Obedience to Laws and Orders, Use of Authority, and Ethics and Conflicts, when such policies were violated employees received (on average) the most time off.
16. When an investigation results in training or policy changes impacting employees beyond the individual named in the complaint, such outcomes are not

separately tracked in IAPro. It is recommended that IIU implement a means to identify and track in IAPro any such broad training and policy outcomes.

Sample Characteristics of Sworn Employees Named in Complaints

17. While sworn employees have consistently been named in misconduct complaints more often than professional employees, the percentage for sworn employees has been steadily increasing to 81% in 2018.

18. Female employees are involved in 74% of complaints against Professionals, while females only constitute 10% of complaints against Sworn members, likely reflecting the lower percentage of Sworn employees who are female.

19. Race and ethnicity information was missing for a considerable number of cases in the IAPro IIU database. It is recommended that IIU stress the importance of completing all fields of information when entering complaint related data to allow for more complete data tracking moving forward.

20. The majority of Sheriff's Office Sworn members named in complaints are deputies. However, misconduct allegations also have been lodged against sergeants and commanders, and some of these complaints have resulted in Sustained findings, though at a lower rate relative to Sustained findings against deputies.

Conclusion

Because the Sheriff's Office was concerned that different administrations and commanders did not use a consistent approach in tracking, reviewing, and reporting on misconduct complaint data, Police Strategies, LLC was asked to use a new methodology to analyze the information. Using the same set of standards for all five years, 2014 – 2018, data was extracted directly from the Sheriff's Office IAPro system. These same standards will be used moving forward, allowing for increased reliability as data is reported. While there are still concerns about data entry inconsistencies with the 2014 - 2018 misconduct complaint information, moving forward the analysis should allow for more reliable results within a given year and year-to-year comparisons. Final development and implementation of the IIU quality control plan is vital to ensuring reliable data analysis.

The Sheriff's Office will make some aggregated IIU data directly available to stakeholders through on-line dashboards. Anyone interested can better understand complaint handling by using the dashboards to analyze and simplify what can be complex information, allowing for increased accountability and transparency with misconduct investigations.