

CONNECTICUT STATE POLICE



2015

Internal Affairs Annual Report

*Submitted by the Bureau of Professional Standards and Compliance
March 2016*



State of Connecticut
Department of Emergency Services and Public Protection
CONNECTICUT STATE POLICE
BUREAU OF PROFESSIONAL STANDARDS and COMPLIANCE



Since 1988

2015 Annual Report

Internal Affairs Unit Report

The Connecticut Department of Emergency Services and Public Protection (DESPP) is the state's primary Executive Branch arm for law enforcement and public safety. DESPP is comprised of one thousand eight hundred sixty-seven (1,867) employees, including one thousand one hundred twenty-four (1,124) sworn members, five hundred thirty-two (532) full-time civilian members, and two hundred eleven (211) part-time civilian members. It houses the state's largest law enforcement agency, The Division of State Police, as well as five other divisions.

- 1) Division of State Police (CSP)
- 2) Division of Scientific Services (State Forensic Laboratory)
- 3) Division of Emergency Management & Homeland Security (DEMHS)
- 4) Division of Police Officer Standards & Training Council (POST)
- 5) Division on Fire Prevention & Control/Connecticut Fire Academy
- 6) Division of the Office of Statewide Emergency Telecommunications (OSET)

Due to the unique and varied nature of this agency, the Internal Affairs Unit [within the Bureau of Professional Standards and Compliance] is tasked with tracking, handling, and investigating all complaints regarding employee misconduct within DESPP. As a matter of procedure, complaints specifically alleging non-criminal misconduct against civilian employees are designated for investigation by the agency's Labor Relations Unit. However, these cases still are tracked by Internal Affairs. The remainder, incorporating all complaints against sworn employees and all complaints alleging criminal misconduct against civilian employees, remain with Internal Affairs for investigation. With this vast amount of responsibility the Internal Affairs Unit is the standard flag bearer in protecting the integrity of the agency through transparent and honest investigations.

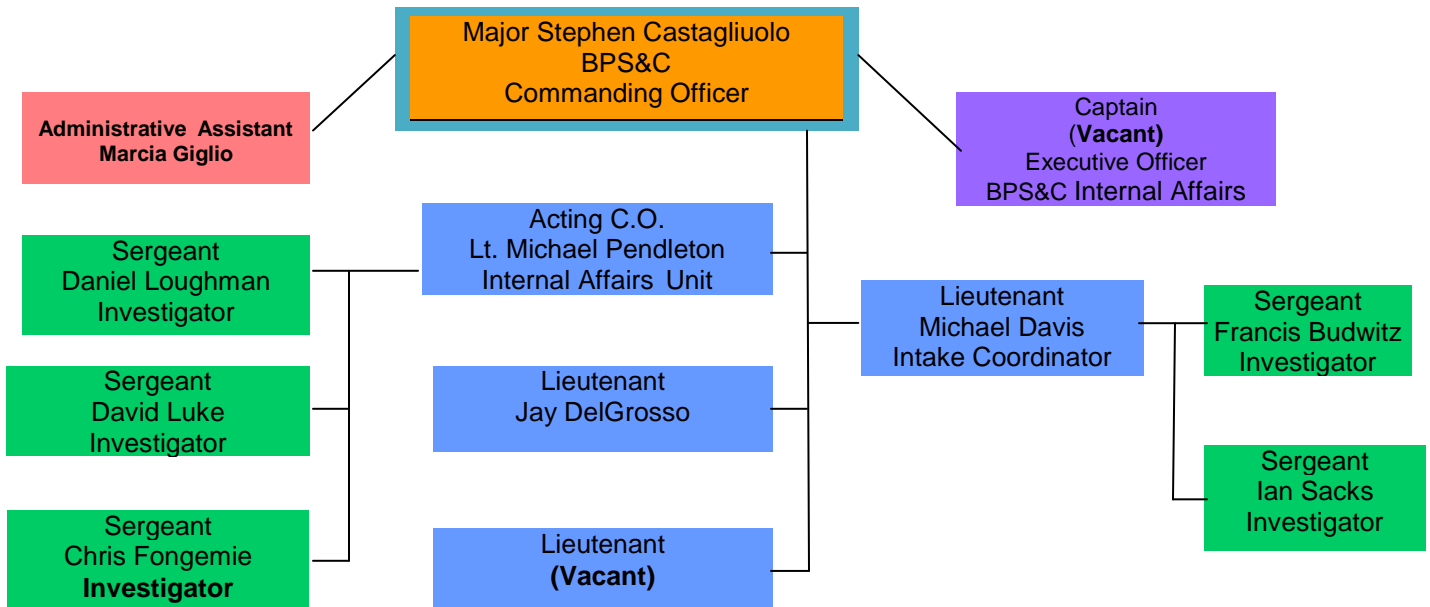
Major Stephen Castagliuolo is currently the Commanding Officer of the Bureau of Professional Standards & Compliance, and Lieutenant Michael Pendleton is currently the Acting Commanding Officer of the Internal Affairs Unit. The organizational chart is further outlined as follows:



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The Internal Affairs Unit prides itself on providing the best service possible. This is accomplished through detailed investigations incorporating and respecting the importance of Due Process as well as Constitutional and employee rights through Collective Bargaining. The public image and integrity of DESPP is dependent on this. The Internal Affairs Unit responds to all allegations of misconduct and conducts thorough, impartial, and fair investigations based on objective and quantifiable facts. In addition to the responsibility of verifying and documenting allegations when warranted, the Internal Affairs Unit also has a responsibility to protect employees from false allegations which is taken very seriously from all personnel within the unit. The Internal Affairs function is an important element for the maintenance of professional conduct in any law enforcement agency. The integrity of the DESPP also depends on the personal integrity, high ethical standards and self-discipline of each employee.

In addition to the investigation of allegations of employee misconduct made by the public, the Internal Affairs Unit conducts investigations, via requests from local authorities, and Constables/Police Officers under the supervision of our Resident State Trooper program. Feedback from the public is essential if we are to succeed in this goal and to be responsive to the needs of our community. In keeping up with the advanced technological world we live in the Internal Affairs Unit also uses a web based email system which provides the user with the ability to go on-line to communicate their



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complaints, compliments, and suggestions. The public can also inquire about Department operations, and express their sincere opinions of DESPP.

The intake coordinator and the Acting Commanding Officer of Internal Affairs also have direct access to emailed inquiries received at Internal Affairs, and can respond remotely at any time if an emergency arises or a situation requires immediate attention.

An established Professional Standards complaint hotline 1(877)746-1922 reinforces our commitment for citizens input on the actions and performance of our sworn and civilian personnel.

The Department of Emergency Services and Public Protection internal administrative investigations are divided into three possible formats: (1) *Complaint (C#)*; (2) *Administrative Inquiry (AI)*; or (3) *Internal Affairs Investigation (IA)*.

Additionally, two other types of administrative contacts are captured within the Internal Affairs Unit: (A) *Miscellaneous Inquiries – M#*, and (B) *Commendations/Praises – P#*.

(1) COMPLAINT (C#s)

The initial level of any internal investigation conducted by the Internal Affairs Unit is governed by the apparent circumstances of the complaint and may be categorized as a “C#”. It should be noted that complaints that do not rise to the level of an AI or IA may remain at the “C#” level at the discretion of the Commanding Officer of Internal Affairs.

(2) ADMINISTRATIVE INQUIRY (“AI”)

AI’s are defined as a complaint that, if sustained, would result in no more than the first level of discipline that may be imposed, which is a Letter of Reprimand.

(3) INTERNAL AFFAIRS INVESTIGATIONS (“IA”)

IA’s are defined as a complaint that, if sustained, would potentially involve discipline that is more serious, up to and including termination. These incidents can also involve complaints which, if proven, could result in the filing of a criminal charge(s). Also included, but not limited to, are any incidents involving the improper discharge of a firearm; bias allegations; sexual harassment claims; civil rights violations; and employee actions that result in death or serious physical injury.



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Separate and distinct from the aforementioned classifications, the Internal Affairs Unit maintains files on Miscellaneous Inquiries (M#) and Commendations/Praises (P#). More specifically:

(A) MISCELLANEOUS INQUIRIES (“M#”)

Miscellaneous Inquiries are traditionally any substantive contact with the Internal Affairs Unit which has been classified as not including any allegations of misconduct. These contacts are documented by an “M#”. Miscellaneous Inquiries comprise a wide and varied list of different subjects or topics, such as complaints unrelated to DESPP which are subsequently forwarded to an outside agency, or a non-complaint related inquiry which is subsequently forwarded to the appropriate unit within the agency.

Additionally, an M# is used for instances where a complaint does not fall into one of the three (3) established classifications. M# classifications may also be used for instances where certain minor policy violations are discovered during an IA/AI/C# investigation. These minor policy violations that result in an M# classification are to be communicated by the Internal Affairs Unit to the employee’s Commanding Officer for appropriate corrective action to include, coaching, verbal or written counseling (POR), or a request for further investigation based upon the decision of the employee’s Commanding Officer. In any event, the employee’s Commanding Officer shall communicate to the Intake Coordinator at Internal Affairs, in writing or by email, what corrective action has been taken and such information shall be documented within the M# at Internal Affairs. It is the policy of Internal Affairs to ensure that any employee of an M# complaint is made aware unless attendant circumstances dictate otherwise.

(B) COMMENDATION/PRAISE (P#)

Commendations or Praise predominantly represent contacts with the Internal Affairs Unit pertaining to commendation for a trooper or department non-sworn employee.

ANALYSIS

During the 2015 calendar year, one hundred ninety-three (193) complaints were received involving DESPP personnel. Eighty-five (85) were identified as serious allegations of misconduct and thereby classified as either Internal Affairs Investigations or Administrative Inquiries. This figure reflects investigations of sworn and civilian employees of the Department of Emergency Services and Public Protection as well as Constables/Police Officers under the supervision of the Resident State Trooper program.



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Of the eighty-five (85) Department of Emergency Services and Public Protection internal investigations, sixty-six (66) were classified as “Internal Affairs” (IA) cases and nineteen (19) were classified as “Administrative Inquiries” (AI). The number of DESPP internal investigations was down 13 percent from 2014, in which there were one ninety-eight (98) DESPP internal investigations.

Dispositions: Of the (85) IA/AI (Serious) investigations in 2015, (50) cases had disciplinary charges that were “Sustained”; (20) cases were “Not Sustained”; and (15) cases are still open and under investigation at this time.

Of particular note in these statistics is the number of complaints involving “Rules and Regulations” has gone up by one (2) in 2015. Due to the broad swath of types of policies and rules of conduct covered under the umbrella of “Rules and Regulations”, a thorough critique or analysis of the data is difficult. (See Page 5 and Page 6). However, it is worthy to note that the alleged violations covered under “Rules and Regulations” are generally minor in nature, such as demeanor, report writing, unintentional Taser discharges, and/or lost or missing Department property.

Conversely, it should be noted that the number of “Excessive Force” complaints have decreased from fifteen (15) in 2014 to seven (6) in 2015. Each incident has its own fact pattern that is unique to the incident being investigated. More importantly, however, out of the six (6) complaints only one (1) was “Sustained”, while two (2) were “Exonerated”, and three (3) were “Not Sustained”. These types of complaints involve differing and multiple control methods, i.e., hand strikes, Taser deployments, take-downs, baton strikes, and deadly force amongst others. They are multi-faceted which precludes one from identifying an overriding common denominator [as to why that particular control method was applied and how it was applied]. Additionally, it is noteworthy to point out that a national narrative has been playing out across the country regarding the Use of Force by Law Enforcement which may have attributed to the increased reporting in 2014, but decreased in 2015. As an Agency, we believe transparency is ultimately beneficial in that it holds all parties accountable for their actions. We do not shy away from this as training, education and experience ensures that our personnel are best equipped to handle these types of incidents in the field.

With this being said the Internal Affairs Unit takes every opportunity to be aggressive in educating agency personnel through annual in-service training, newly promoted Sergeant training, as well as new recruit training. Additionally, the Internal Affairs Unit also promotes policies that are transparent, clear, and unambiguous. In those rare



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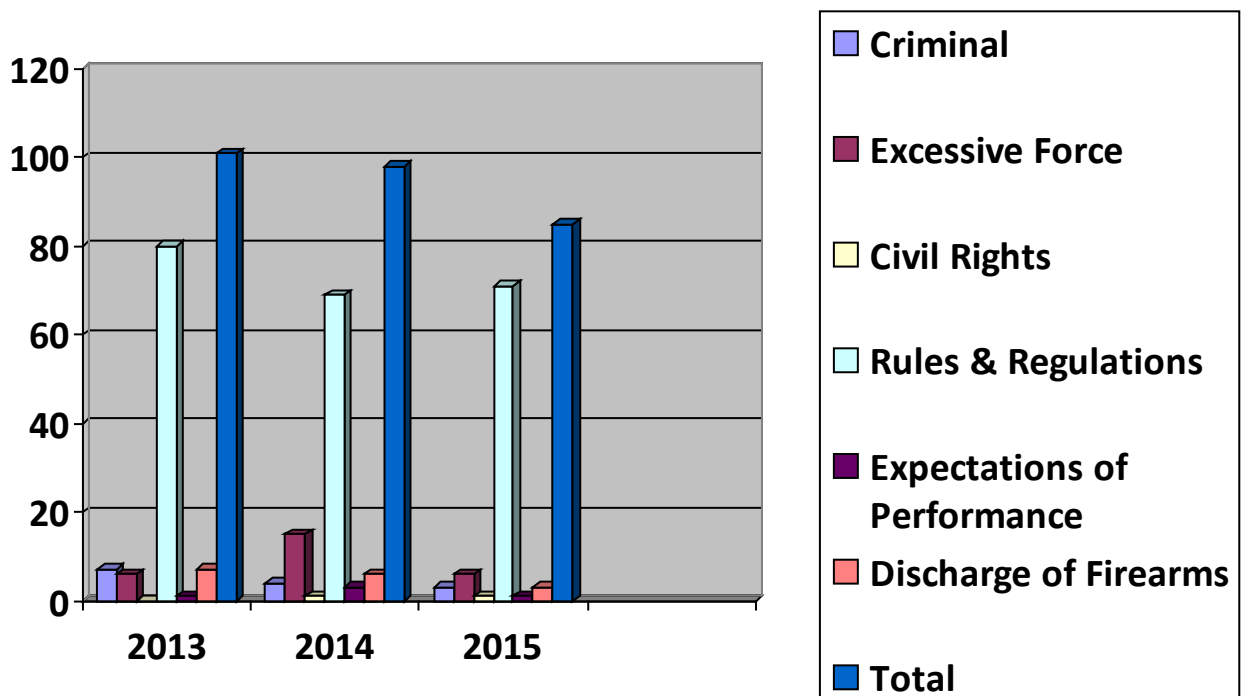


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instances that come to light which show that certain rules of conduct may be unclear or ambiguous, the Internal Affairs Unit provides recommendations through the chain of command to remedy this by offering language for the agency's Administrative & Operations manual that is plain and simple [consistent with industry best practices] and, therefore, easy to understand.

The nature of the Internal Affairs Unit investigations is as follows:

| | 2013 | 2014 | 2015 |
|-----------------------------|------------|-----------|-----------|
| Criminal | 7 | 4 | 3 |
| Excessive Force | 6 | 15 | 6 |
| Civil Rights | 0 | 1 | 1 |
| Rules & Regulations | 80 | 69 | 71 |
| Expectations of Performance | 1 | 3 | 1 |
| Discharge of Firearms | 7 | 6 | 3 |
| Total | 101 | 98 | 85 |





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Summary

In total for 2015, the Internal Affairs Unit received and processed seven hundred forty-eight (748) complaints, miscellaneous inquiries, and commendations from the public. The breakdown by category is as follows:

| | <u>2015</u> | | <u>2014</u> |
|-----|--------------------------|-----|--------------------------|
| 193 | Complaint investigations | 283 | Complaint investigations |
| 150 | Commendations | 86 | Commendations |
| 405 | Miscellaneous Inquiries | 320 | Miscellaneous Inquiries |

Of the (193) complaints received, eighty-five (85) were classified as “IA/AIs” due to the seriousness of the allegations. Of those (85) investigations, (50) cases had disciplinary charges that were “Sustained”; (20) cases were “Not Sustained”; and (15) cases are still open and under investigation at this time.

One hundred and eight (108) of the Complaint investigations were generally less seriousness in nature and generally did not rise to the level of a full Internal Affairs (IA) investigation or Administrative Inquiry (AI). These types of incidents are usually investigated by the Commanding Officer of the employee involved. This allows a Commanding Officer to implement remedial measures and/or training or coaching more immediately if and when appropriate.

In summary, there was a significant decrease noted in the two years above; and there has been a decrease in the more serious IA/AI investigations. Also noteworthy is the forty-three percent increase in “Commendations” in 2015 compared to 2014, which is a testament to the excellent work our agency personnel do on a daily basis. In addition, it appears that our efforts to communicate our message are being heard by the public, who are responding and making a point to communicate their thoughts to the Internal Affairs Unit.

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