

**COMMUNITY POLICE HEARING BOARD  
ANNUAL REPORT  
March 28, 2011**

The first annual report for the Community Police Hearing Board (CPHB) provides an overview of the history and purpose of the Board, including the relevant aspects of Mayor Sarno's Executive order which created the Board. The report also describes the community outreach activities of the CPHB members since its inception. Board members participated in a series of public hearings held by the City Council Special Committee on Police Oversight.

History and Purpose of Board

The CPHB was created by an Executive Order of Mayor Sarno in February 2010. The CPHB was an evolution from the earlier Citizen Complaint Review Board (CCRB) established by former Mayor Ryan in response to a study conducted by experts Professor Jack McDevitt of Northeastern University and his Associate, Dr. Amy Farrell, pursuant to the as a result of the complaint filed by the Pastor's Council with the MCAD and settlement which resulted in the study.

The current chair of the CPHB is Attorney Cynthia Tucker, who formerly served as MCAD Commissioner, and oversaw the investigation of the complaint filed by the Pastor's Council. Vice Chair of the CPHB is Reverend Amos Baily, who is a member of the Pastor's Council, the complainant at the MCAD process which was settled. Other members include: Robert C. Jackson, Terry A. Aberdale, Joanne Morales-Harrison, Albert P. Tranghese and Ronald Krupke. Over the past year, Edgar Alejandro was also a member of the Board.

The CPHB sits as an independent and non-police mayoral agency. It is empowered to receive, hear, make findings and recommend action on complaints against Springfield police officers which allege the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language. Investigations are conducted by the Springfield Police Department Internal Investigating Unit staff (IIU) under the direction of the Captain of Professional Responsibility. Complaints may be made by any person whether or not that person is a victim of, or witness to, an incident. Dispositions by the board on complaints are forwarded to the police commissioner. As determined by the CPHB, dispositions may be accompanied by recommendations regarding disciplinary measures.

Overview of Data Concerning Complaints Reviewed.

The report provides a comprehensive overview and analysis of Internal Investigating Unit (IIU) data for 2010. Charts and graphs reveal trends in regard to the number type and resolution of complaints against Springfield Police personnel. The data is broken down according to whether the complaint was initiated by a citizen or by a member of the Springfield Police Department.

The first chart indicates that over the past year (February 2010 through January 2011) there were one hundred thirty six (136) complaints filed against members of the Springfield Police Department. Of that total, ninety-nine (99) were filed by citizens and the other 37 were filed by Springfield Police personnel.

The second chart indicates that, as to the complaints filed by citizens, rudeness of police officers was the most common violation that citizens alleged in 2010, followed by allegations of violations of department rules, regulations and policies; improper physical use of hands; improper physical use of equipment; and allegations of criminal wrongdoing.

The third chart indicates that, as to complaints filed by internal police personnel, most involved an allegation of a rule or regulation violation.

The fourth chart and data indicates that during 2010, 12% of citizen complaints were sustained, whereas 9% of internal complaints were sustained.

The fifth chart represents data regarding the racial make-up of the complainants. The officers against whom complaints were made are set forth in the table of data supplied. The geographic locations of the complaints are also detailed in the data supplied.

The sixth chart sets forth the data provided in the tables comparing the actual outcomes/dispositions of complaints compared to the recommendations made by the CPHB. A more detailed review of each case that was heard can be located in Appendix A. The Board reviewed twelve (12) cases involving four (4) complaints in 2010. Of the twelve (12) disciplinary hearings heard, four (4) officers were exonerated.

Overall, the Police Commissioner followed the recommendation of the CPHB in all cases except one where the actual disposition exceeded the recommendation.

The following are some of the observations of the Board:

- There are many complaints which involve complaints of “rudeness” by officers. Such incidents have the potential to escalate into a potentially volatile situation. In addition, such complaints tend to discourage participation in the citizen complaint process and erode the community trust of the police department.
- There are a large number of complaints which are unfounded or where police officers are exonerated. By and large, the majority of those cases which are not sustained result from the non-cooperation of witnesses. While the board can only speculate as to the reasons for non-cooperation, there is a general concern by the CPHB that complainants and witnesses may fear retribution or have a sense that “nothing will be done” as a result of their complaints. The data indicates that, where the CPHB held

hearings and did have cooperation of witnesses, findings against officers were sustained and discipline was appropriate, without any retribution against the witnesses.

- There is a need for more outreach and public education as to the role and duties of the CPHB to dispel any perceptions about coming forward and voicing complaints and participating in the citizen complaint process. Attendance at public meetings has been sparse and a greater understanding and increased public participation would increase public confidence in the Springfield Police Department.
- The Citizen's Police Academy provides a useful bridge to help understand the workings of the police department and has helpful education materials.
- The IIU has been very professional in their dealings with the Board and very accommodating in their schedule to provide information to the Board. The Labor Relations Director and City Solicitor were also noted to be very helpful in their provision of legal services for Board activities.

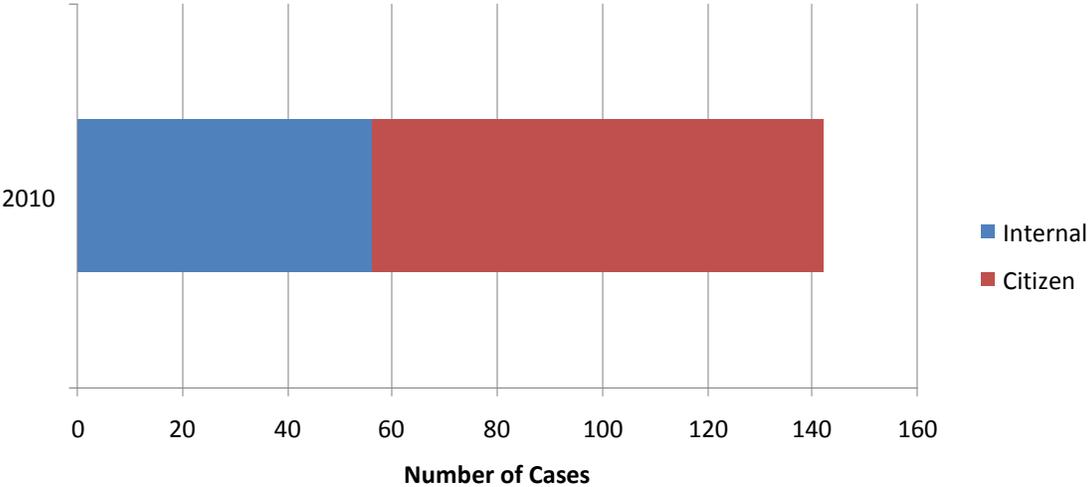
The following are some of the recommendations of the board in regard to the policies and practices of the IIU as well as police conduct and training, and the structure of the CPHB:

- Board members believe that the City should consider the feasibility of additional training to prevent incidents where there are complaints of "rudeness" from escalating to potentially violent situations or which tend to discourage participation in the citizen complaint process and erode the community trust of the police department. Not every push or shove, even if it may later seem unnecessary in the peace of a judge's chambers, violates the Fourth Amendment. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain, and rapidly evolving -- about the amount of force that is necessary in a particular situation. This issue is clearly a "two way street," and the City should consider the availability or avenues to provide its police officers with additional tools to deal with its interactions with persons in crisis. It is hard to imagine any violent incident (other than a random act of violence) that did not begin with some form of harsh words either immediately before or sometime in the past. As such, the CPHB recommends that the Springfield Police Department consider the feasibility of additional training in this area.
- Topics of study could include: recognition of persons in crisis and crisis de-escalation skills. The Houston Police Department has instituted such a Crisis Intervention Team (CIT) program. Officers receive training as outlined, then return to patrol. When a call is coded as a CIT call, it is dispatched to a CIT officer. CIT officers respond to routine calls when not

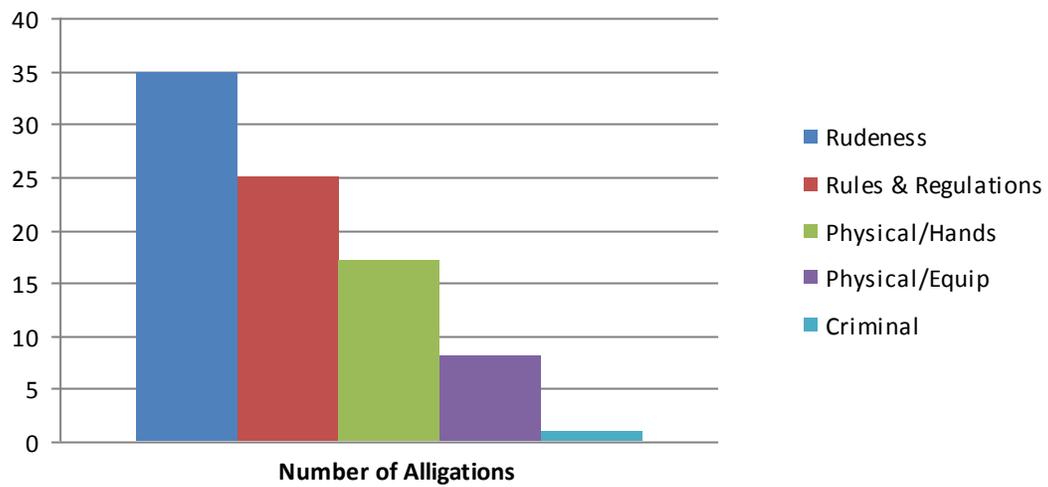
responding to CIT calls. An important aspect of the training is the involvement of community partner agencies. These agencies include mental health professionals from area mental health facilities who are involved in the training. The training in Houston includes aspects of the inclusion of role-plays whereby officers put the theory of the classroom into practice. The CPHB acknowledges the financial limits and time constraints placed on training programs, and also recommends that the Springfield Police Department investigate the potential for grant funding from the U.S. Department of Justice, as well as the co-operation of state criminal justice training authorities for this type of program.

- The Springfield Police Department and CPHB should schedule more public meetings in each area of the City, coupled with increased circulation to inform the general public of the time and place of the meetings. In addition to posting of meetings pursuant to the Open Meeting Law, the meetings should be publicized through dissemination to local media outlets.
- Meetings of the CPHB should be held in conjunction with neighborhood and community groups to work together in increased outreach and education activities. Social media such as “facebook” may be useful in education and outreach activities. Another suggestion is to assign members of the CPHB to be responsible for contacting various community groups. For example, the Sheriff’s Department has regular contact with a wide cross section of Springfield Community Organizations, the Pastor’s Council has regular meetings, and each Pastor could be asked to notify his or her members.
- The Citizen’s Police Academy should be more widely publicized and its materials more widely distributed. While the ten week commitment to complete the program can be daunting, the Citizen Police Academy should consider the presentation of some shorter programs to be held in conjunction with CPHB outreach efforts.
- The CPHB Board members should all attend one of the Police Academy classes to be introduced to new recruits and explain their role.
- The above observations and recommendations will be shared with the Lieutenant of the IIU as well as the Police Commissioner discussion, potential revision and feasibility of implementations. In addition, the Board is planning a public hearing to review the data and observations and seek public input.

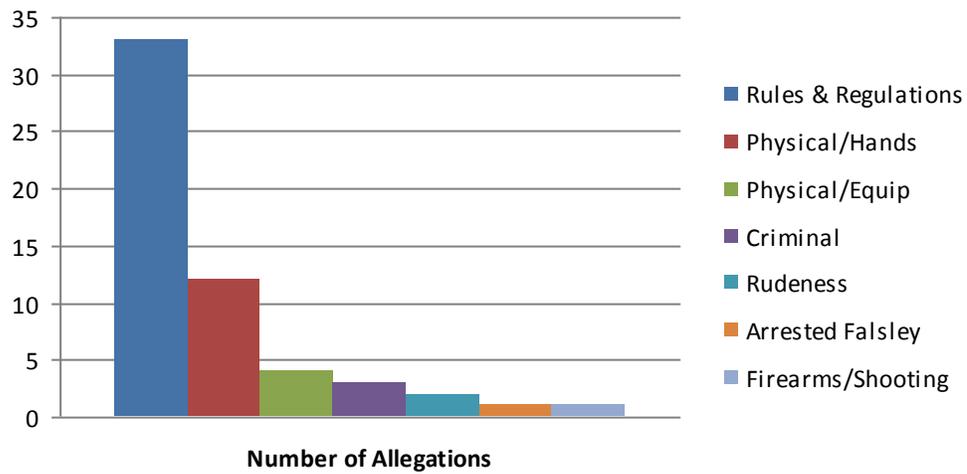
# CPHB Complaints by Type



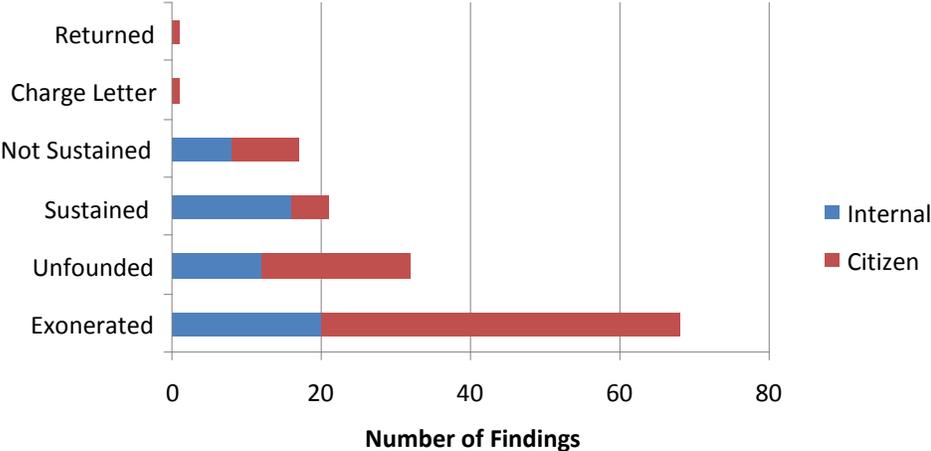
## Top Allegations Filed by Citizens in 2010



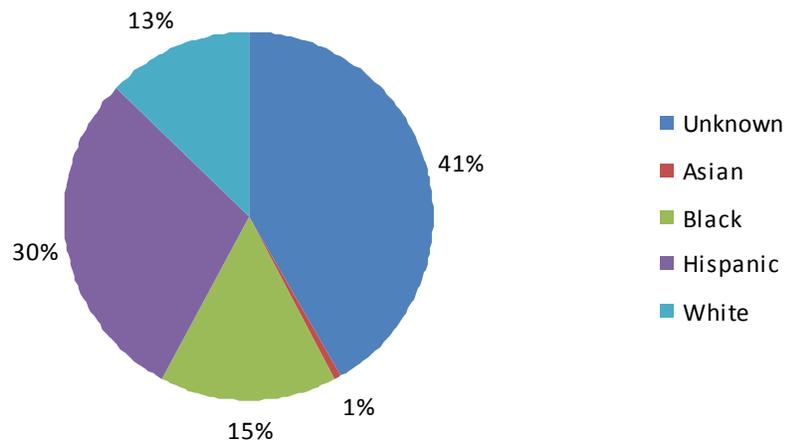
## Top Allegations Filed by SPD Personnel in 2010



# CPHB Findings by Type



## Complainant Race



### Final Disposition Compared to CPRB Recommendation

