

NEW HAVEN POLICE DEPARTMENT ASSESSMENT

DRAFT REPORT

AUGUST 20, 2007

DRAFT

**PREPARED BY
THE POLICE EXECUTIVE RESEARCH FORUM**

INTRODUCTION

The Police Executive Research Forum is pleased to present this DRAFT Report of findings subsequent to its review of the New Haven Police Department. The purpose of this DRAFT Report is to provide the police department an opportunity to identify any misinterpretation of facts or details that were conveyed in the course of the study as well as other errors that may exist. Once such issues, if any, are resolved PERF will issue a FINAL Report.

The Police Executive Research Forum, now nearly 30 years old, exists to improve the delivery of police services and the effectiveness of crime control. PERF is a private, non-profit membership organization with our members and staff dedicated to exercising strong national leadership and public debate on police and criminal justice issues. We perform police research and policy development and provide vital management and leadership service to police agencies. Because of our long-standing progressive leadership in policing issues, PERF is the nation's foremost provider of police management services and technical assistance.

The PERF team of professionals brought to the New Haven Police Department project represents well over 100 years of combined knowledge of policing and experience with police agencies. Each member of our team has honed specific skills and amassed considerable knowledge as upper-level managers in progressive police departments. Our general experience includes completing over 150 studies and evaluations, during just the last 12 years, for state and local police departments, sheriff's offices, and federal law enforcement agencies, both within the United States and internationally.

In March of 2007, two members of the New Haven Police Department's Narcotic Squad were indicted by the Federal Bureau of Investigation and taken into custody for accepting bribes from local bail bondsmen and stealing money at crime scenes. Mayor DeStefano and Police Chief Ortiz acted quickly to restore public confidence in the police department by seeking the services of the Police Executive Research Forum. PERF was contracted to conduct an objective and comprehensive study of specific areas within the NHPD. Rather than report to the Mayor or Police Chief, PERF was tasked with reporting directly to the Independent Accountability Panel (IAP), a group of community members empowered by Mayor DeStefano to oversee the review of the Police Department.

PERF's review of the New Haven Police Department was directed at the following specific operations: organizational structure; narcotics enforcement; Internal Affairs;

Investigations; and portions of Human Resources having impact on the organizational culture of the NHPD. The methodology used in the study was the review of certain operations within the department along with the collection of information from both members of the department as well as representatives of the community.

Internally, the Police Department's executive staff and command officers were interviewed by members of the PERF team. All investigative supervisors and managers were individually interviewed along with groups of detectives in each investigative section. PERF met with the NHPD Association's Board and a process was established whereby all members of the department were provided the opportunity to anonymously meet with a member of the PERF team, offsite. A review of general orders, policies, procedures, investigative logs and reports, personnel practices and internal affairs records was conducted.

Externally, PERF met with representatives of state and federal prosecutors. Different mediums were established to meet with members of the community. Two separate community forums were advertised through the media and open to any members of the community wishing to express their view on the department in the areas of the study. One open forum was held at Hill Regional Career High School and the other at Wexler Grant School. Seven focus groups were established by members of the IAP that represented the community at large for more detailed discussions. The five groups identified by the IAP to meet with the PERF team were: neighborhood associations, faith based organizations, social service providers and business owners, defense attorneys, and a group of youths. Each group met with a two-person PERF team for approximately two hours probing into the views and experiences of the community with the department.

Through the described methodology, PERF was able to gain a keen understanding of the operations of the Police Department under the scope of the study. A review was made of the practices of the New Haven Police Department and compared against national best practices. Recommendations were developed and tailored for the NHPD to move forward, beyond the corruption charges against two members of the department.

PERF's findings are multi-fold. In every area examined, PERF found strengths and weaknesses. The police department is staffed by a great many talented and dedicated professionals working hard to meet the law enforcement needs of the public. At the same time, some departmental policies and directives, work processes and work products, quality controls, and staffing levels observed by the PERF team throughout the department did not represent best practices and could be improved.

Some of the problem areas encountered are long-standing and will necessitate changing the culture of the department. Bringing about such change challenges chief executives, managers, and supervisors at every level. It will be imperative for the New Haven Police Department to implement many of the changes presented in this report in order to regain the public trust that has been impaired. Without that trust it will be difficult for the department to succeed in preventing crime, violence and disorder.

DRAFT

NEW HAVEN POLICE DEPARTMENT ASSESSMENT REPORT

OVERALL

RECOMMENDATION: A new vision for the New Haven Police Department

The New Haven Police Department should articulate a vision about what it is striving to become – and a set of organizational values that act as a guide to behavior. The new vision should build on a partnership with the city’s many communities and an understanding that much more can be accomplished when the police and the community work together.

FINDINGS

A reoccurring theme by the many community members and a number of members of the department is NHPD has departed from its Community Oriented Policing principles and no longer enjoys the strong relationship it once had with its diverse communities. This was a topic of discussions with members of the community and several personnel assigned to various sections throughout the department. It was also brought to light during the PERF Focus Group meetings. The Independent Accountability Panel requested two of the six Focus Group meetings conducted be made up of representatives from neighborhoods due to the importance of this group. During the first focus group meetings, there was little participation and no one showed up the second night.

RECOMMENDATION: Develop a City Wide Crime Strategy

The New Haven Police Department should develop, in concert with the community, a city-wide annual crime reduction strategy. This strategy should have formal, quarterly updates and adjustments. The strategy should detail the role each NHPD unit – including a reconstituted anti-drug unit – will play in achieving the strategies goals.

FINDINGS

The current lack of a strategy on which all the department’s units and personnel can direct their efforts, has caused a disjointed approach to controlling crime. The personnel in each unit need to understand the role their actions play toward the

accomplishment of the department's overall crime reduction strategy and exactly what is expected of them toward that aim.

RECOMMENDATION: Establish an updated Written Directive System

The NHPD should create a new, contemporary system of written directives, policies and procedures to govern the actions of departmental employees. These should be consistent with the standards of the Commission on Accreditation for Law Enforcement Agencies. (CALEA)

FINDINGS

Departmental directives including General Orders, Training Bulletins and Rules and Regulations have not been updated for years. Some are over 20 years old. Some directives contain information that is no longer relevant or applicable to the department. Failure to update and publish policy exposes the department to unnecessary liability and is an internal visible sign of disorder. Outdated policies become irrelevant and send the message to employees that compliance to directives is not important or even expected. The department should immediately update all policies and procedures using CALEA standards as a guide. All directives should clearly include the date that it was reviewed and adopted. An annual review should be conducted of all directives. Those revised should clearly identify the revision date. Training on each new directive should accompany the revision. Each employee should be held accountable for receipt and reading each directive.

The lack of written, contemporary guidelines combined and a shortage of “permanent, official” trained mid managers and supervisors have led to development of inconsistent, informal processes and procedures.

For example, the International Association of Chiefs of Police offers a publication entitled “Best Practices Guide to Developing a Policy-Procedures Manual. There are also commercial products available to provide start-up assistance. Agencies that are CALEA accredited will have manuals suitable as models for NHPD. This task requires a dedicated staff of at least two persons and will occupy a minimum one year of concerted effort. In many areas the Department does not currently meet basic standards for written directives that govern how it polices New Haven. Presently, the department cannot consistently claim that its officers are guided by policies and procedures rooted in the best professional standards.

RECOMMENDATION: Improve Crime Data Quality

The department should create a data quality assurance function so that it has a system whereby statistics may be replicated on a routine basis in order for the data to be disseminated with confidence of accuracy.

The department should strengthen its process to report statistical data to the State and the FBI. Regardless of fiscal constraints, the department's management should be accountable for basic compliance. Failure to maintain reporting compliance with nationally established programs such as the FBI's National Incident Based Reporting System (NIBERS) is not an acceptable practice in law enforcement.

The department should increase staffing in the Records Division to a level that permits the accurate processing of crime data extracted from police crime reports and transmission of those statistics to NIBERS.

FINDINGS

PERF's effort to assess clearance rates reported by the department in order to compare them to best practices in other agencies fell short simply because the New Haven Police Department data was not available. The cause for the department's two year backlog in data extraction and reporting was reported to be largely due to understaffing in the Records Division. Previously allocated 38 employees, current staffing has been reduced to 14.

Records Division employees report that though some statistical data is reported to the State, the department has not fully complied with the requirements of the Incident Based Reporting System since 2000, and data relative to 2002 through 2004 was limited to a chart from a State of Connecticut report that detailed offense and arrest data in New Haven. More recent data, available only for homicides in 2004 -2006 reveals clearance rates of 86.6% in 2004), 93% in 2005, and 71% in 2006. Though these are all higher than the most recently documented (2005) national clearance average of 62.1%, homicides represent the smallest number of crimes that take place and they are most often solved through the application of considerable resources. As such, the homicide clearance rate, though very important, is not reflective of a police department's overall clearance success.

The PERF team unsuccessfully attempted to find access to clearance statistics within the investigative units of the department. Though clearance information was not available, PERF was given access to case files for inspection both from the Records Division and with investigations. Most of the reviewed case files were well organized and found to be thorough and complete. There were a few instances in which follow-up reports were not found in the files, and an open homicide case was not found to be logged into the Records Management System.

The department needs to report to the public not only the occurrence of reported crime but also measures of success in dealing with criminal cases. Because crime data has been subject to varying interpretations, it will be important that the department educate New Haven residents about the significance of measures of crime.

RECOMMENDATION: Establish a performance appraisal system

The department should implement a formal, written performance evaluation system to reward superior performance, address substandard performance and to hold personnel accountable for their past performance.

FINDINGS

The Department does not have an active annual performance appraisal system or any systematic approach to assessment of individual performance beyond the supervisor's day-to-day review of activity on the job. The Director of Labor Relations for the City of New Haven confirmed that the police department is no different from other departments. Performance appraisals are not protected documents under prevailing freedom of information legislation, leaving individuals and the city vulnerable to disclosure of personal information. This matter is reported to be a major concern to union membership and an issue in labor relations.

A system of annual performance appraisal is a best practice followed by all progressive police agencies. Performance appraisals are opportunities for both employees and supervisors to assess career progression over the past year, set new performance goals and document career interests, training needs and aspirations for the future. There is a case to be made for persevering with an annual appraisal process regardless of the possibility of disclosure.

If, however, local circumstances prevent reinstatement, the positive outcomes of an annual consultation between supervisor and employee may still be achieved. This can be done through the requirement for an annual oral consultation between supervisor and employee on performance, progressing through to documentation of goals for the forthcoming year and a plan for pursuing progressive career development including training objectives. Documentation of goals and training plans could be placed in the employee personnel file in a formatted report as a record of the meeting. This document then would serve as a guide for periodic assessments by the supervisor and as input the consultation in the following year. In either event, reinstatement or a modified process, NHPD should ensure that employees are not denied this annual opportunity for career development and motivation.

RECOMMENDATION: Establish a system of job rotation

A tenure or job rotation system should be adopted by the Department for all specialized posts, including narcotics, whereby incumbents reaching five years in post are earmarked for rotational transfer, with an optional two year extension available on application by the officer or the supervisor. A decision on extensions should be made by an executive officer. Rotation after a maximum of seven years should be compulsory. Job rotation avoids the development of cliques within the organization, guards against slippage in performance caused by over-familiarity or a lapse in integrity and ensures that officers do not become so excessively specialized that they lose contact with the core function of community policing. Job rotation is a best practice.

FINDINGS

There is no limited tenure rule or process of job rotation applying to any position in the Department. By past practice, newly appointed Detectives were assigned to the Narcotics Enforcement Unit. When bumped by new promotions, their next progressive step is to other Units in Investigative Services.

ORGANIZATIONAL STRUCTURE

RECOMMENDATION: Create senior management control of investigations

The department should add a third assistant chief equivalent position to oversee the Investigative Services Division including the reconstituted anti-drug unit. This position should report directly to the Chief of Police and be filled by someone from outside the agency. The position should be filled by someone with experience dealing with managing criminal investigations and anti-drug operations. Former federal and state prosecutors, former FBI or DEA managers, and former investigative commanders from well-regarded jurisdictions should be considered.

- In addition, this position should be supported by the creation of an additional new position to act as the investigative head's chief of staff.

FINDINGS

The responsibility for investigations by the New Haven Police Department currently falls under the command of the Assistant Chief for operations. This Assistant Chief is also responsible for Communications Services, all of patrol and the district managers, and the Family Services Division. Until recently, due to the shortage of command positions in the department, the Investigative Services Division was commanded by a police sergeant. A lieutenant now heads the Division. An Investigative Administrative Sergeant is second in command of the division and oversees its daily operation. The Family Services Division was managed by a lieutenant until August of 2006 and is now supervised by two sergeants. They also report to the Assistant Chief but are functionally supervised by the Investigative Services lieutenant and administrative sergeant. The investigations division also includes detectives assigned to federal and state multi-agency task forces.

An outside investigative chief will enable the Chief of Police to accelerate the changes needed to reform investigations and anti-drug operations. This new position would elevate the status of the Investigative Services Division and allow a more concentrated focus to be placed on investigative operations. A person from outside the agency would have the advantage of bringing new perspectives to these critical operations. The chief of staff position would expand the ability of the investigative head to monitor and assess the implementation of changes.

RECOMMENDATION: Create senior management control of professional standards

The department should add a fourth assistant chief equivalent position to oversee a new Professional Standards bureau. The duties of this position, reporting directly to the Chief of Police and open to outside candidates, should be to lead the operations of the Internal Affairs Unit (the renamed Internal Values and Ethics Unit), to provide oversight and leadership in the written directives development project, to create and manage a robust staff inspections and audit function and to direct the new management development program.

- Support should be given to this position through a new professional civilian position, the assignment of a sergeant with administrative skills and one officer.

FINDINGS

Later in this report the need for revisions in the operations of the Internal Affairs function is described. By creating the Professional Standards bureau at the level described above, the focus on reform can be maintained without compromising the ability of the unit to conduct needed investigations. Also described in this report is the need to completely revamp the department's written directive system. As with reforming internal affairs operations, this new position will serve to maintain a focus and consistency for the written directive project.

A formal staff inspections and audit function should be part of the Professional Standards bureau. The written directives project is more than a policy development exercise. It should include policy implementation. The inspections function will serve to guarantee that the new directives are being followed both in general throughout the department and specifically in the new anti-drug unit.

The final component of this new bureau is oversight of a management development project. The department will promote relatively large groups of lieutenants and sergeants over the next several years. A well planned effort must be made to provide them with the knowledge and skill they need to be successful in their new jobs. As with the other aspects of this new bureau, focus and attention must be directed toward this effort for it to succeed.

RECOMMENDATION: Create an internal inspections and audit system

The Department should review the best practices of progressive agencies and institute a comprehensive policy of inspections and audits. The standards of the Commission on Accreditation for Law Enforcement Agencies (CALEA) may serve as a model, but a comprehensive policy should include provision for regular line inspection of officers for a proper accounting for personal issue equipment and compliance with rules for personal appearance in uniform. A formal Staff inspections program should include unit inspections that check for compliance with standard operating procedures and other written directives and operational effectiveness. Other random and spot inspections will account for monies advanced for operational purposes and a variety of other compliance issues that come under the heading of “living within the rules.” Audits are more formal and include the regular and spot financial audits required by the City, audits of the type described for drug exhibits, and annual and spot audits of the Property and Evidence Unit. Staffing for this function should be by personnel assigned to the Professional Standards Bureau.

FINDINGS

There is no record of an audit and inspection system in the General Orders of NHPD. According to Departmental sources, the Narcotics Enforcement Unit was not subject to any special inspections or audits. NHPD is subject to standard financial audits of its accounts by City auditors.

RECOMMENDATION: Accelerate selection and promotion of supervisors and managers

The City and the department should fill vacant lieutenant and sergeant positions in order to ensure that the New Haven Police Department is adequately supervised and managed. Reliance on outside vendors should be continued for most phases of the process to provide for objective assessments of the candidates. The process should include an assessment center and be designed to give major weight to written and oral testing that shows candidates’ potential to work effectively in the promoted positions. The Police Chief should use a “rule of three” for final selection.

- The department should provide a closely monitored one year probationary and professional development process (overseen by professional standards) for each newly appointed sergeant/lieutenant.

FINDINGS

The department lacks an adequate management and supervisory structure due to City fiscal shortages. Until recently, no promotions to lieutenant or sergeant had been made for over five years. There have been no Captain promotions since 1998. The current union/management dispute over the lieutenant's promotional examination has prevented the proper allocation of ranking supervisors throughout the Department. As result of the distorting impact of this situation, the current distribution of ranks does not meet the standards of a well structured organization.

Vacant management and supervisory positions have been filled by personnel in an "acting" capacity. No formal process was used to make these appointments so "acting" supervisors and managers have not demonstrated whether they have the knowledge, skills, or ability to supervise or manage through a competitive promotional process. No training has been provided for those in acting positions. Because they may revert to their previous rank at any time they may be unwilling to make "hard" decisions and they may lack respect and formal authority. This process has all the elements of unpredictable management, contributing to insinuations of favoritism. In Central Communication Services, there is a lieutenant reporting to a sergeant. Some Districts are supervised by a lieutenant, others by a sergeant. This might be acceptable if measured by a system of job classification, but the department has no formal job classification system.

Because of the lack of formal promotions the normal chain of command has disrupted over time as vacancies increased incrementally. The absence of a written, contemporary directive system coupled with a lack of "permanent, official" trained mid-mangers and supervisors has led to the development of inconsistent, informal processes and procedures.

There is no provision for acting pay. For example, the lieutenant commanding Investigative Services, (nominally a captain's position), is not fairly compensated for his responsibilities. If acting pay were available, the anxiety caused by the promotional exam dispute would not be so severe.

RECOMMENDATION: Select and promote four captains

The City and department should fill four of the six vacant Captain positions. These captain positions should improve the management of the department and will provide enhanced communication within the agency.

FINDINGS

The NHPD has eight captain positions. Only two are filled and are allocated to the Patrol Division. Two additional captains should be allotted to patrol to provide around the clock command authority. One captain should be the executive officer to the Assistant Chief of Operations and one captain should be the executive officer to the Assistant Chief of Administration.

RECOMMENDATION: Provide civilian support in key positions

The City and the department should provide an adequate number of civilian support personnel, both clerical and professional, so that all sworn officers possible are in direct field positions.

FINDINGS

A shortage of support personnel has led to sworn officers performing functions that can be performed by civilians. Sworn personnel are without either the training or aptitude to perform well in these jobs. This has led to some problems with work quality and delays. For example, Central Communications should be staffed with all civilian personnel including supervisors and managers. Best practice across the United States is for public safety communications operations to be staffed with a cadre of trained, professional personnel. This results in additional personnel available for front line police services and career paths for communications personnel.

DRUG INVESTIGATIONS

RECOMMENDATION: Re-establish a departmental anti-drug unit

The department should re-create an anti drug unit. The problems of crime and disorder in New Haven are often connected to drug usage and trafficking. The department should create an effective, well run unit to address the City's drug problems. An anti-drug unit and a drug control plan should be a significant aspect of the department's overall crime strategy.

FINDINGS

When the Narcotics Enforcement Unit was disbanded, as an interim measure, the department reached a Memorandum of Understanding with the Statewide Crime Control Task Force to carry on drug investigations in New Haven for a period of one year. The various supervisory, management and executive sources interviewed for this report were queried about reconstitution. The unanimous response was that the unit should be reinstated following a period of review and re-organization. Command level sources described the past work of the Street Interdiction Unit and the now-defunct ID-NET task force (21 officers). Although nominally successful, these special squads drained resources from community policing and adversely affected front-line morale. Sources recommended that a reconstituted narcotics enforcement unit teamed with Community Management Teams was the best all-round configuration.

RECOMMENDATION; Establish strong policy and control for the Drug Unit

New directives governing all aspects of operation should be prepared adhering to the strictest standards of the Federal and State agencies with full consultation internally and with Federal and State partners. All policies and procedures directing and governing the reconstituted anti-drug unit should be in place before the unit commences operations. Included in the directive system should be policies applying to search and seizure and the utilization and disposition of seized property and assets. Training should be conducted for all drug unit members to ensure that the policy and procedures are well understood. The training team should include recognized experts well versed in effective drug unit policies as well as federal and state prosecutors.

FINDINGS

No strict policies and procedures have been routinely used in the department's narcotics enforcement. There was a systemic problem that allowed officers and

supervisors to create their own policies and practices as to informants, their use, and documentation of confidential funds. When there were good role models, senior officers or supervisors, those systems worked, but when there was an absence of adequate mentoring, which appears to be the more recent case in New Haven, the system broke down. The department must establish department policies on the use of informants, buy money protocol, seized drugs and property, etc. These policies should be disseminated to all members of the department along with adequate training. Each department member should acknowledge in writing receipt of these directives.

There are two relevant policies in the Policy Manual: 82.2 and 93.3. G.O. 93.3 is the current operating policy. There is no assurance that this policy was followed by the former Narcotics Enforcement Unit, but it sets out clear direction for recording seizures and provision of receipts to the person from whom the seizure was made. The policy provides for the marking of exhibits and verification of amounts. G.O. 93.3 is outdated in that it names specific officers and their responsibilities and these persons are no longer assigned to this role or have left the department. There is no provision for independent audits or inspections of seized narcotics or monies and none are carried out.

New policy should mandate development of a tactical plan for entry, site protection, search of persons and premises, the taking of photographs for evidence and designation of an exhibits officer to take possession of contraband. Seized property should be placed in evidence bags and sealed at the scene with a descriptive note identifying the exhibits officer and witness officer and conveyed directly to Police Headquarters by the exhibits officer for money re-counts and documentation of alleged narcotics conducted with the Front Desk Sergeant. Narcotics seizures should then be placed in the repository for Identification Unit, while monies should be deposited in the secure property receptacle and later subjected to re-count by Property and Evidence Unit prior to storage in the Unit safe.

RECOMMENDATION: Anti drug operations should be strategically focused as part of the overall City crime strategy

Priorities for the unit should be established by information-led policing methods fused with the community policing goals of the Department (e.g. responsive and adaptive to community needs, with more sharing of information by the Anti-Drug Unit). The unit

should be given a mandate to target low-to- mid-level drug dealers. A street interdiction unit should not be part of the new Anti-Drug Unit structure. Street level drug problems should be a patrol responsibility. There should be clear guidelines and written directives that are linked to the overall city crime strategy.

FINDINGS

Circumstances hampering inquiries on this issue relate to an inability to interview the former unit commander or to gain access to any documents from the former Narcotics Enforcement Unit seized by the F.B.I. However, those interviewed for this report indicated that priorities for the Unit were established by the commander acting alone as opportunities were presented. District Managers could request attention to street drug conditions or for problem buildings, but were dependent on the commander to follow through.

There is no evidence that Narcotics Unit targets were established through an orderly process of crime analysis or intelligence-led policing strategies, although intelligence information and requests were regularly provided to the unit and issues raised at TASCA meetings (the New Haven Police Department's implementation of NYPD CompStat process). Responsibility for directing operations and monitoring investigations was managed by the Narcotics Enforcement Unit commander. A protocol is said to require supervisory attendance for the execution of search warrants, a 48 hour target for report submission, maintenance of a case management log and quality assurance checks by the supervisor. Due to document seizure related to the outstanding charges against the former supervisor, this information was not verified. For similar reasons, there was no information on standards used for case closures.

When the new anti-drug unit is created, the department should approve a written strategy for the Unit including guidelines for establishing priorities that are clearly linked to the citywide crime strategy. Short term plans and priorities should be scrutinized at TASCA meetings, with weekly performance reports for the attention of the Division Commander, the Assistant Chief and the Chief. The Department should canvas various case management software available commercially (e.g. Drug Trak™2), a commercial product developed by the Institute of Police Technology and Management at the University of North Florida) with a view to installing a system readily available for managerial oversight. In a typical software application the main data processing screens include:

Persons	Seizures	Case Management
Businesses	Personnel	Overtime
Aircraft	Phone	Finance
Arrests & Bookings	numbers/Calls	Equipment
Sources	Locations	Court testimony
Vehicles	Watercraft Cases	
Gangs	Confiscations	

The interconnected databases allow numerous search parameters for both drug cases and local databases. This is only one of a variety of systems purpose-designed to assist the manager of a narcotics squad. The department contributes to a High Intensity Drug Trafficking (HIDA) deconfliction center with State and Federal agencies that ensures against conflicting investigations.

The practice of temporarily assigning front-line officers to the narcotics unit is a reasonable strategy provided resource allocation decisions are made on the basis of a needs assessment in context of departmental priorities. The disorder resulting from street drug markets should be primarily the responsibility of the District Managers, with the ability to call on the narcotics enforcement unit for targeting problem individuals and premises

RECOMMENDATION: Select a leader for the Anti-Drug Unit who exemplifies the highest professional standards

Fresh leadership of proven ability and strong personal and professional values should be appointed to head the unit.

FINDINGS

There are two General Orders in the department’s policy manual pertaining to narcotics investigations: G.O.’s 82-2 and 93-3. G.O. 93.3 supersedes 82-2. G.O. 76-3 Re: Case Incident Reports – Informants – Case Preparation also applies to narcotics cases.

G.O. 93-3 Policy for the Handling of Narcotics, Controlled Substances, and Dangerous Drugs by Members of the Department. This instruction establishes Narcotics Enforcement Unit as the clearing house for all drug cases opened by the

Department, directing that the Officer in charge of the Unit be notified in the event of any major seizure. A major seizure is defined as a quantity of drugs, monies or property that would indicate the arrestee is an upper level dealer or courier. The order also requires that, without exception, a field test for narcotics seized will be performed at the time of seizure for warrantless arrests or if a future arrest by warrant is likely.

The Order requires that seizures of narcotics, controlled substances or dangerous drugs be placed in an evidence envelope marked by the seizing officer. A supervisor or another officer will verify the count and insure the evidence is sealed. In practice, the supervisor is the Front Desk Sergeant at Police Headquarters. Narcotics evidence is entered into the narcotic evidence log at the Front Desk of Police Headquarters and placed in the safe in the Annex Property Room. Storage, security, laboratory testing and destruction then become the responsibility of Identification Unit.

Aside from the requirement that a supervisor verify the amount, there is no other reference to supervisory responsibility. Sources advise that when a find resulted from a search of premises it was the prevailing practice that the finding officers call for the exhibit officer who was designated in advance. The exhibit officer would bag the property, initial it and place a descriptive note inside the bag and convey it to Headquarters. Exhibit bags were not sealed until after the count at Headquarters. Good practice suggests that seized drugs and money be described and counted (or if impractical due to a large amount, evaluated) at the scene and placed in an evidence bag which is then sealed with evidence tape and conveyed by the exhibits officer to Police Headquarters, where it is opened, attested to, and re-sealed by the Desk Sergeant prior to being placed in the drop receptacle. (There is a type of zipper-weld envelope purpose-designed for this purpose.) This ensures against removal of drugs or money in-transit to Headquarters. Weighing drug evidence at the scene is an impractical alternative to ensuring the security of seized drugs. Variances in the calibration of scales between the search site and the property room could raise reasonable doubts of the true weights when the case is heard in the courts. In all cases receipts should be provided to the exhibits officer by the desk sergeant or the property control officer. The taking of photographs of searched premises before and after the search and photographing any finds in place is a recommended best practice.

G.O. 76-3 (Reissued February 1983). Case Incident Reports – Informants – Case Preparation Funds. This order requires that all case incident reports are properly

reviewed and signed by the author and shall accurately reflect the information concerning the episode and the actions taken by each involved officer. The report shall include the name of a complainant or the source of information and the prior known reliability of an informant. The G.O. makes no mention of supervisory review, but directs that the officer delivering the case incident report to the court clerk shall ensure the proper transmittal list is signed by the clerk. The receipted transmittal list will then be delivered by the officer to the Records Unit supervisor.

The G.O. also directs that sworn members who rely on an informant's information to make an arrest must register the informant with the Major of Operations Division immediately subsequent to having made an arrest or search. The Order goes on to direct the maintenance of secure internal records with a code number for each informant whose information is relied upon. A code number for each informant is entered at the time of preparation of the Case Incident Report. The Major (sic) is charged with maintaining internal records on informants including a file consisting of all Case Incident Reports which reflect the code number of any applicable confidential informant. The Major of Operations shall maintain secure records reflecting the disbursement of case preparation funds including payments to confidential informants and these records shall be kept for not less than 10 years.

Interviews suggest that this outdated policy was not respected by the former unit head and that in general, written policy was not used as the guiding principle in everyday work. The usual practice was for the unit commander to select targets of opportunity as they presented themselves, seemingly on an impromptu basis. The Unit functioned on a team approach, with some regular partnerships. Management of funds was lax. The informant registry and all other records, including case file reports, were seized by the F.B.I. and not available for inspection.

The policies and practices of the new anti-drug units should be modeled after the most restrictive practices of federal investigative agencies as described above and include informant management, the taking of statements, maintaining a chain of custody and controlling seized evidence. On major cases, the direct involvement of prosecutors in case development at an early stage is assurance against faulty procedure and an integrity check on investigators. It is clear that standards of unit supervision must be established to the highest standard, ensured through the careful selection of an experienced supervisor, and monitored through regular reporting and oversight.

RECOMMENDATION: Establish highest standards for drug personnel and systems of accountability

Selection of supervisory and detective personnel for the new Anti-Drug Unit should be a careful undertaking to appoint the best people available for this sensitive assignment. The selection process should include outside criminal justice personnel with expertise in selecting drug unit personnel.

- Each candidate for the new Anti-Drug Unit should be required to submit a financial disclosure statement
- Regular financial reviews/credit history checks should be performed for each assigned officer.
- A mandatory four year rotation policy should be instilled for all personnel assigned to this section. This will to allow proper training and not impede the investigation of the section.
- Drug testing should be required as part of the unit selection process and an on-going two-fold drug testing process (random testing and anytime a problem is suspected) should be implemented through the creation of a protocol which requires at least semi-annual testing for each unit member.
- All unit members should be assessed at least annually on their performance.

FINDINGS

The measures described in the recommendation above are needed to ensure the integrity of those involved in anti-drug operations. They are needed to help gain the trust of both the criminal justice community and New Haven residents.

All sworn officers of department are subject to random drug testing consistent with Article 28 – Substance Abuse Policy, of the collective agreement. Drug testing is an integral part of any regular physical exam required by the department and is a condition of entry/application to any promotion to higher rank. Refusal to submit to drug testing constitutes insubordination and is subject to disciplinary action. Officers voluntarily disclosing substance abuse may be referred to the Employee Assistance Program for assistance. Employees performing safety-sensitive functions will be tested for controlled substances at a minimum annual rate of 50% of the average number of positions. Tests are conducted a minimum of four selections annually. Each employee receiving notification must proceed immediately to the designated

testing site. Members assigned to narcotics enforcement are subject to the agreement, with no added conditions applying. There were no other integrity checks of narcotics personnel carried out by the Department.

In most departments there is a standard performance appraisal form and process applying to all sworn personnel. However, it is common practice for functional supervisors and managers of narcotics enforcement units to maintain a record of activity to monitor officer performance. As example, using the case management system as source, individual activity indicators of performance can be maintained on the following criteria:

- Number of arrests
- Number of open cases
- Number of closed cases
- Number of drug buys completed
- Number of paid, confidential informants
- Number of consent searches completed
- Number of search warrants executed
- Amount (quantity) seized

Other indicators reflecting on the quality of performance are expressed as:

- Initiating cases by following through and going “up the ladder” of drug distribution networks
- Ability to gather historic defendant and/or location data in preparing initial cases and drafting warrants
- Applying for drug search warrants and completing cases
- Developing informants who can lead to successful cases
- Emphasizing officer safety in conducting cases and completing surveillance assignments
- Preparing complete and thorough case files
- Responding quickly to initial citizen complaint documents and prioritizing work based on potential for substantial cases
- Success in forfeitures

Applying all or a portion of these indicators affords a supervisor key information for assessing productivity, working with the officer for improvement, establishing

coaching and training needs and making decisions relating to job rotation. Specialization in narcotics enforcement requires skills and interests not broadly shared in the policing community. A six month probationary period can work to the advantage of both the officer and management. During this period the probationer can be coached and tasked with progressively more testing goals, in much the same manner as a field training program for recruits.

RECOMMENDATION: Select a new title for the Anti-Drug unit

The new anti-drug unit should be given a different title to distance itself from the disgrace brought on by the former leadership.

FINDINGS

A new title for the unit will help to signal a clean break from the past problems.

RECOMMENDATION: Make the entire department aware of drug unit openings

The posting of vacancies in narcotics enforcement unit should be subject of open competition before a representative selection panel.

FINDINGS

Not every successful candidate for promotion is suitable for narcotics investigations, with its ethical challenges, daily contact with the street drug culture and requirement to develop informants. The selection process for permanent postings should be opened to applications from throughout the department through the posting of job vacancies including a role description. In many agencies, candidates are interviewed by a small selection panel including a peer from the unit, a middle manager from Investigative Services and chaired by an executive level officer. A reference check with previous supervisors and an updated name check to include financial records is an essential step in selection. Additional criteria are listed in the selection section recommendations above.

RECOMMENDATION: Create a rotation system for drug unit personnel

A specific job rotation and limited tenure policy should be instituted for the drug unit.

FINDINGS

Each officer and supervisory position in the new unit should be allocated a specific rotation date. The rotation date should be based on a composite understanding of (1) how long it takes to learn all aspects of the position, (2) the period of time in which an officer becomes truly effective in the assigned work and (3) the ultimate likelihood of the officer reaching a point of ineffectiveness due to continuing high workload demands. The normal maximum service in the drug unit should not be more than five years.

At a minimum of 60 days prior to the rotation date, the incumbent officer's or supervisor's performance should be evaluated by upper level managers, in alignment with unit objectives and previously identified standards. The incumbent's ability to maintain the appropriate level of performance for an additional, defined period of time should be assessed. Short-term extensions of up to one year may be appropriate in a limited number of cases. Care should be taken to ensure that there is a smooth transition of cases from those rotating out of the unit so that maximum knowledge is maintained. Since all unit members initially selected will have the same start date, a rotational schedule should begin after three years with one fourth of staff being rotated each year.

In the event an extension is considered, the managers of the Anti-Drug Unit should also establish an added dimension of work performance for the incumbent to achieve within the next identified time period. For example, if an officer or supervisor wished to remain in the unit beyond the normal rotation date, the managers could review the potential of having the officer work more sophisticated cases or provide leadership for new officers that would be assigned to the unit.

By past practice, detectives newly appointed in the rank were posted to the Narcotics Enforcement Unit. This was a deliberate strategy calculated to introduce officers with front line uniform experience to advanced skills of observation, recruitment of informants, obtaining search warrants, conducting searches and case preparation for the courts. The next progressive career step would be to general investigations or other plain clothes special units. There is no evidence that background checks or financial reviews were conducted prior to assignment. Other than the random drug test provision found at Article 28 of the collective agreement, the department does not have a policy on integrity testing or quality assurance tests. Article 28 mandates that employees performing safety-sensitive functions will be tested for controlled

substances at a minimum annual rate of 50% of the average number of positions. There is no policy governing job rotation or tenure in position.

A limit on tenure in position for the drug unit should be established at four years (one year shorter than for other specialized jobs in the department to account for the added stress of anti-drug operations) Provision should be made for an appeal for an extension available to the incumbent or the supervisor. Appeals are subject to decision by an executive officer. Extensions should be limited to one year, following which the incumbent must be rotated to another unit. The past practice of the temporarily posting officers from uniformed units to the Narcotics Enforcement Unit for up to 180 days may be a useful method of bolstering the strength of narcotics depending on priorities. Job rotation policies are a best practice and the new policy should be extended to all specialized units in the Department.

RECOMMENDATION: Implement internal and external inspections and audits

The department should initiate a policy requiring unannounced spot audits and a requirement of a complete audit annually of the new anti-drug unit. This should be a function of the proposed Staff Inspections component of the Professional Standards Bureau.

FINDINGS

A desirable best practice involves spot audits conducted irregularly but within time limits (e.g. one spot audit based on cases selected at random must be conducted within each quarter (four annually) by two persons from the Professional Standards Bureau. At least twice a year they should be accompanied by someone outside the department from the state or federal prosecutors' office. A complete inventory of the drug repository should be conducted annually, again by the Professional Standards Bureau with outside assistance.

RECOMMENDATION: Inventory all equipment

The Department should conduct a current inventory of investigative equipment and develop a needs assessment consistent with the scope of local law enforcement.

FINDINGS

There are no policies applying to investigative equipment. No central inventory of technical equipment was available. Investigative Services recently obtained digital recording equipment for taking statements but there is no video recording of statements. The basic computer workstations are adequate. The pawn shop software needs upgrading. There is no specialized case management system. The division head uses a spreadsheet to record cases and log status.

The Department should prepare a current inventory of investigative equipment, conduct a needs assessment, and develop a list of equipment requirements and a budget proposal for consideration in the annual budget process. The list should be limited to equipment needs within the scope of local law enforcement requirements.

RECOMMENDATION: Provide extensive training for all anti-drug unit personnel

The department should take advantage of opportunities for narcotics enforcement training offered by the State Academy or specialized courses offered by other agencies. Internal in-service training on narcotics investigation should use a problem solving methodology.

FINDINGS

The New Haven Police Academy is an accredited satellite training facility for the Police Officer Standards and Training Council, Meriden, CT. The P.O.S.T. recruit training curriculum provides for 15 hours of instruction on Identification and Handling of Drugs, including an adjunct on narcotic field testing. Informants and Intelligence training is a further 2 hours. The academy could be charged to expand its current training in this area specifically as an initial program for the members of the newly reformed unit. A problem solving methodology should be included in all in-service training on narcotics enforcement. P.O.S.T. also offers in-service training in narcotics investigation, though the current offering is a one day presentation on Drug Trends. Other training opportunities from outside the local area will be necessary to meet the start-up needs of a completely new unit. Prosecutors' reports that errors in reports and deficiencies in statement taking were not uncommon in the past, are the kinds of training issues best dealt with at supervisory level within the unit, subject to oversight by the division head.

RECOMMENDATION: Consult with prosecutors to create and maintain cases of the highest possible quality

The drug unit's commander should consult with the offices of the State's Attorney and the U.S. Attorney to concisely identify problems in case preparation and the provision of evidence in court. Focus should include investigation standards, the quality of reports and affidavits to secure search and arrest warrants. Additionally the procedure to monitor court appearances should be modified to require a copy of the subpoena be attached to the Court Time payment slip prior to submission to Finance. Supervisors should make a practice of selectively attending court when a member of their unit is presenting evidence.

FINDINGS

Narcotics Enforcement Unit officers were seldom called to give testimony, the reason being that the majority of cases involving relatively small amounts of contraband are not contested, or the accused and their cases were diverted to the Drug Court or to one of the many diversion programs available in New Haven. Of some 25,000 to 30,000 cases managed by the local state court annually, there are on average only 15 full trials and perhaps half will involve drugs. However, according to sources in the States Attorneys office, investigation reports from the department are of poor quality, lacking in essential detail and with many errors, suggesting that officers lack training in interview techniques and statement taking. The former head of Narcotics had not provided court testimony in recent years to the recollection of State's attorneys. Federal prosecutors were reluctant to have the former commander named in affidavits requesting warrants.

The system for monitoring court attendance of officers relies upon a subpoena system. Officers appearing for trial must check in with the Court Liaison Sergeant working in the prosecutors' office and apply for a Court Time – Request for Payment Form verifying the appearance, identifying the case and recording time in and out. Slips are signed by the prosecutor or the court liaison sergeant. This slip is submitted to department for payment. Most appearances are for interviews with a prosecutor. This system is basically sound, but integrity could be improved if a copy of the subpoena was attached to the verification slip prior to submission for payment. Failure to attend is not a reported problem.

The deficiency in case preparation reported by prosecutors requires the concerted attention of the department. An executive officer of the department should engage

with the office of the State's Attorney and U.S. Attorney to focus on specific problems and their solutions, and apply remedial action. The key element is improvement of supervisory standards over investigative practices and reports. It is a best practice that supervisors selectively attend at court when a member under their supervision is presenting evidence, as a factor of performance assessment. This should be included as a responsibility in the role descriptions of supervisors.

Officers must complete a crime report and an affidavit applying for a search warrant, presenting documents for the review of the supervisor. If approved, the affidavit is presented to the office of the State's Attorney for process. Search warrants, when authorized by a judge, are returned to the officer for execution. It was reported that reports and affidavits from the Narcotics Enforcement Unit were often poorly composed and missing essential elements. The key element in performance improvement is to engage prosecutorial advice in problem solving to improve supervisory standards over investigative practices and reports.

RECOMMENDATION: Procure and install case management software

The Department should evaluate case management software available commercially and install a system to facilitate managerial control.

FINDINGS

The Narcotics Enforcement Unit apparently did not maintain any systematic recordkeeping or case tracking system. Circumstances hampering inquiries on this issue relate to an inability to interview the former commander or to gain access to any documents from the former seized by the F.B.I. Responsibility for directing operations and monitoring investigations was managed by the former commander. A protocol is said to require supervisory attendance for the execution of search warrants, a 48 hour target for report submission, maintenance of a case management log and quality assurance checks by the supervisor. Due to document seizure related to the outstanding charges against the former supervisor, this information was not verified. For similar reasons, there was no information on standards used for case closures. Given the tactical approach to narcotics enforcement, it is more than likely that cases were not opened unless there was a reasonable chance of success and that cases opened on the basis of opportunity were usually productive.

Unit and department management should have a system to readily determine the number of cases received, the number of cases being worked, why cases received were not worked, time cases have been open, and case outcomes. This will help to establish both unit and individual accountability and productivity measurement.

RECOMMENDATION: Utilize the field intelligence system more effectively

The Field Intelligence card system should be revitalized and made operational.

FINDINGS

The Department makes field intelligence (F.I.) cards available to uniformed officers to encourage them to report persons of interest or street contacts with known felons. This best practice is designed to encourage input for intelligence-led policing strategies. The system for recording, analyzing and disseminating this information by the department has fallen into disuse due to the inadequacy of information management. A properly implemented field intelligence system can provide useful leads to improve case solution. Any such system should include feedback to officers so that they know their efforts are useful.

RECOMMENDATION: Actively consult with prosecutors in the early stages of major investigations

Prosecutorial advice should be enlisted at an early stage on major cases. This should improve both the quality of investigations and the preparation of cases for court.

FINDINGS

Case reports were prepared by the initiating officer, reviewed by the commander of the Narcotics Enforcement Unit and conveyed to the prosecutor's office where cases are assigned to prosecutors by the Assistant State's Attorney or Assistant U.S. Attorney. According to sources at the Office of the State's Attorney, case preparation standards were poor, requiring return for correction or extensive questioning of investigators by prosecutors. Cases originating in New Haven presented to the U.S. Attorney's Office were customarily prepared by multi-agency Task Force personnel, meaning that they met standards established by the DEA or FBI. New Haven Police Department personnel selected for Federal task forces were consistently professional and respected for their skills and integrity. Federal prosecutors noted that informant managing standards of the department, outside the Task Forces, were not up to

federal standards. Where once the department exceeded standards and was receptive to advances in case development, was innovative and community oriented, in latter years they had lost their edge. Despite these shortcomings, prior to the investigation into the activities of those unit members criminally charged, there were no complaints of ethical defaults known to Federal prosecutors.

Federal prosecutors suggested that if and when an Anti-Drug Unit was re-established within the department that practices should be modeled after the most restrictive practices of federal investigative agencies, including informant management, the taking of statements, maintaining a chain of custody and controlling seized evidence. The direct involvement of prosecutors in case development at an early stage is assurance against faulty procedure, and an integrity check on investigators.

DRAFT

INTERNAL AFFAIRS

RECOMMENDATION: Establish written directives for the complaint and disciplinary process

A written directive needs to be established that describes the complete complaint investigation and disciplinary process. The directive should standardize receipt and tracking of all complaints, both internal and external, and include investigative responsibilities and time frames. Notifications should be routinely provided to all complainants – both internal and external – on both the progress and outcome of the complaint.

FINDINGS

Citizen complaints are submitted most often on a standard complaint form which is available on-line, at police facilities, libraries, the Mayor's office and from the Civilian Review Board. Complaints are reviewed by the Internal Values and Ethics lieutenant who conducts a criminal/background check on all complainants and reviews subject officers' histories. Anonymous complaints are accepted and investigated if they are deemed to have merit. In serious matters retained by the unit for investigation, taped formal statements are taken from complainants, witnesses and officers. All this is part of the fact finding phase of the investigation. Completed investigations are directed to the Chief of Police for case closure determinations and disciplinary recommendations. Closed cases are reviewed, quarterly, by the Civilian Review Board.

Complainants are notified when a case is accepted and assigned a case number. They are again notified in the event of lengthy delays and upon conclusion of the investigation. But often notifications are informal calls rather than documented letters. Generally, there is an expectation that cases should be completed in 90 days, but enforcement of the standard is inconsistent. When a case is assigned to an investigator who goes off on extended leave, the case can remain dormant while waiting for the investigator to return rather than being reassigned to another investigator.

Complaints are categorized as either from the public (C Complaints) or initiated by the Chief of Police (I Complaints). In 2006 there were 114 "C" complaints against 115 officers that were assigned numbers by Internal Values and Ethics.

Eleven more “I” Complaints (six of them were police shooting incidents) were filed and investigated in 2006. However, there were more than 114 complaints made about the actions of police officers or police service. Some unknown number of presumably minor citizen complaints are never assigned case numbers but are referred to field supervisors for handling. Other such complaints are assigned numbers and directed to Internal Values and Ethics investigators. Some are investigated by those investigators and some are forwarded to field sergeants for investigation. There is no tracking or accounting of any case without an assigned number.

Reportedly, complaints that (if sustained) would constitute an officer’s first offense are handled in the field. Second offenses are retained for investigation by the Internal Values and Ethics Unit. Complaints taken by officers and supervisors at various police facilities can be handled informally without Internal Values and Ethics even being notified. There is the potential that complaints taken at locations other than the Internal Values and Ethics Unit may not be forwarded for action.

Cases sent to the field for investigation are covered with a memo from Internal Values and Ethics. Many of these memos reviewed by the study team convey the expectation that the investigating sergeant is to mediate the situation as opposed to determine if improper behavior took place. In a great many of the cases reviewed that contained this memo, there was little or no documentation of the field sergeant’s follow-up included in the case file.

RECOMMENDATION: Identify standards and responsibilities for internal affairs personnel.

Job requirements and the selection process for internal affairs personnel should be included in directive describing complaint and disciplinary procedures. Selection criteria should generally include standards as stringent as for the new anti-drug unit.

FINDINGS

There is no current policy that describes the duties, functions, and expectations of internal affairs personnel. No formal process is used to select the members of the unit.

RECOMMENDATION: Create a standard format and protocol to govern all internal investigations

A template that describes the elements of a thorough internal investigation should be required for all cases. Prior to review by the chain of command, all investigations should be reviewed for thoroughness, completeness, and appropriateness of closure type by the unit manager and the Professional Standards Bureau Chief. Complaint investigators should not be encouraged to “mediate” complaints in lieu of a proper investigation. Closure types should be consistent with those used throughout the profession.

FINDINGS

Generally, it was observed that case format was inconsistent, reports of investigation varied widely, some were undated, others had unnumbered pages, typos were not uncommon, and case closures were not always identified by closure type. The following is a list of closure types utilized by law enforcement agencies throughout the nation:¹

- **Unfounded:** The alleged act did not occur, or the subject officer was not involved in the act; therefore the officer is innocent.
- **Exonerated:** The alleged act did occur, but the officer engaged in no misconduct because the act was lawful, justified, and proper (sometimes called "proper conduct").
- **Not sustained:** The evidence fails to prove or disprove that the alleged act(s) occurred.
- **Sustained:** The alleged act occurred and was not justified (e.g., it violated department policy).

Some oversight bodies and police departments come to findings that conclude the subject officer committed an act that was inappropriate but that hold the department responsible for the officer's misconduct:

- **Policy failure:** Department policy or procedures require or prohibit the act (e.g., an officer may not use a cruiser to drive someone to a bus stop whose car was towed).
- **Supervision failure:** Inadequate supervision--the officer's sergeant or lieutenant should have informed the officer not to engage in the act or to discontinue it (e.g., a sergeant asks a supervisor, "Here's what I've got. Is that

¹ Though minor variations or interchangeable terms are sometimes found from department to department (for example, insufficient facts rather than non-sustained) these are the internal investigation closure types adopted by the U.S. Department of Justice and accepted throughout the profession.

probable cause to arrest the guy?" and the supervisor gives the officer bad advice).

- Training failure: The officer receives inappropriate or no training in how to perform the act properly (e.g., distinguishing an intoxicated person from someone going into diabetic shock).

Rather than using this professionally recognized group of terms to describe internal investigation closure types, the department uses the following dispositions:

- Sent to Chief,
- Mediated,
- Non-Pursued, or Non-Complaint.

In actuality, many of the cases reviewed by PERF were closed "Non-Pursuit by Complainant," or simply "Closed." These closure types do not convey the appropriate range of outcomes for thoroughly investigated complaints.

According to the department's 2006 Annual report, (numbered and recorded) complaints were lodged against 106 officers, four sergeants, four detectives, and one civilian employee (115 total).

Of the 114 "C" complaints lodged,² the nature of complaints were:

Excessive Force – 35
Arrest Situations – 18
Verbal Abuse – 24
Other – 22
Hate or Bias – 15
Search Related – 15

"I" complaints included:

Police Related Shootings – 6

(The State Police investigated two of these and the department's shooting unit (with Internal Values and Ethics review) handled the other four.)

Workplace Violence – 2

Missing/Lost/Stolen Handguns – 2

Theft -1

² Though 114 "C" complaints were filed, some included more than one allegation of wrongdoing. As depicted in this list, a total of 129 allegations were reported in 114 complaints.

Of the 114 “C” cases, 69 had been closed by the time of the 2006 Annual Report in January and 45 were still open. Those that were closed were recorded as follows:

Sent to Chief – 14

Mediated – 21

Non-Pursued – 28

Non-Complaint 6

PERF conducted a review of cases from 2006 and 2007 that were housed in Internal Values and Ethics case files. The following is an overview of the cases reviewed. This is not a compilation of problem cases, but a short description of all the cases that were randomly pulled by PERF for review. Each had specific shortcomings:

Sample Case 1:

Case closed due to non-pursuit by complainant. Investigating detective placed a letter in file to the Internal Values and Ethics Lieutenant but indicated no reason for the complainant changing his mind. The complaint alleged that the officer wrote an inaccurate police report, but there was no indication in file that any follow up on the allegation took place.

Sample Case 2:

This is a complaint stating an officer struck and pepper-sprayed the complainant. The case file includes no report of investigation into the matter – or even that an interview of the officer took place. The matter was closed due to “non-pursuit by the complainant” because the complainant missed two appointments with the Internal Values and Ethics investigator.

Sample Case 3:

This case was closed with a detailed narrative explaining that no violation took place, but rather than a being closed as an “Exonerated Case” the file just indicates “Closed.”

Sample Case 4:

This is a complaint that one of several officers responding to a “man with a gun call” at the complainant’s place of business mistreated him at gunpoint. The only

outcome to date is that one officer was charged with writing an inaccurate police report, but the matter has been drawn out for well over a year – presumably because the complainant retained an attorney – and the case has been under review for disposition since April 2007.

Sample Case 5:

A jailed complainant reported he was entrapped. This is clearly a “Not-Sustained” case, but it was closed “mediated.”

Sample Case 6:

This case was sent to a field sergeant for “mediation.” After eleven months, no further documentation or closure details were found in the file.

Sample Case 7:

The complainant reported being treated disrespectfully. The complaint was not addressed, but closed for “Non-Complaint.” An investigation might have resulted in a “Not-Sustained Case” but there was no rationale to close the case in the way it was.

Sample Case 8:

In this case, the investigator wrote a report of investigation but repeatedly referred to “taped statements” for further details. Unless the reader/reviewer chose to listen to the taped statements and seek out the relative details, the report of investigation did not offer the depth needed to determine if the case was properly closed.

Sample Case 9:

This complaint involved an officer making inappropriate contact with a female. The report of investigation was well done, orderly presented and sent to the chief for disposition. However, the initial direction to the investigator from the chief was “Looks like no PC (probable cause) to pursue, please review and advise.” Though the chief’s initial reaction to the complaint may have been correct, the message to the investigator can be construed to suggest an outcome.

Sample Case 10:

This was a Police Shooting incident. The report of investigation was not dated and consisted of 1 ½ pages of introduction (describing the event) and 13 lines of text under the heading “Finding of Facts.” The report was poorly written and clearly did not detail a proper investigation for a police shooting case. The final outcome did not include a finding or closure other than “No further investigation by Internal Values and Ethics.”

Sample Case 11:

This case folder contained two documents: the complaint and the memo to the field sergeant to “mediate” the complaint. The allegation was that the complainant (a pedestrian) was talked to rudely by an officer directing traffic. When the complainant asked for the officer’s badge number, the officer – who had already sent the pedestrian on his way – brought him back and issued him two citations. This was not a significant complaint, but it was not a case that should have been mediated. It should have been investigated and properly closed. No closure or other evidence of any action taken was included in the file.

Sample Case 12:

This was a complaint that a detective wrongfully revoked the complainant’s concealed carry permit. The investigation revealed the complainant had been arrested and revocation was proper. The case should have been closed “Unfounded,” but was closed “No Misconduct Occurred.”

Sample Case 13:

This was not a valid Internal Values and Ethics complaint because it alleged criminal behavior – perjury. The complainant reported that an officer lied at his trial. The matter was rightfully referred to the Prosecutor’s Office, but not until two months passed from the receipt of the complaint.

Sample Case 14:

The complainant reported the officer used excessive force when arresting him. The charge was for “interfering” (not leaving an area where the police were making other arrests). The use of force may have been appropriate, but the case revealed no investigation, just a letter to the file indicating the complainant no longer wanted to pursue the matter.

Sample Case 15:

This is a well documented complaint that an officer was verbally abusive to a mother and ten year old child. The Internal Values and Ethics detective's report indicates the mother was told to take the "terrified" child to Yale Child Study to address her concerns and that the matter of the officer would be addressed by a supervisor. The report indicated this satisfied the mother. There was no documentation that the officer was talked to or that any field action was taken.

Sample Case 16:

The complainant, a food vendor, reported rude officer behavior. The field sergeant reacting to the "mediate this" memo explained why the complainant caused the problem but never addressed the issue of officer rudeness.

In summary, it is not uncommon for police departments to direct minor rudeness complaints to field supervisors for handling. However, in New Haven the suggestion to "mediate" such complaints seems to have evolved into the practice of conferring with complainants to indicate that the matter will be handled by having a supervisor "talk" to the subject officer. The presumption is that the "talk" will be to admonish the officer. The lack of details in the cases reviewed leaves it unclear what action, if any, happened to the officer involved.

Though there is no way to determine the validity of complaints that are not pursued, instances were noted in which complaints alleging misconduct including excessive force were dismissed because complainants missed appointments with investigators or they expressed a desire to pursue the matter civilly. Certainly, disinterested complainants give credence to the notion that the complaint was not fully legitimate, but serious allegations of misconduct should not be so easily dismissed. Even with uncooperative complainants and witnesses, they should be worked to the point of a supportable conclusion.

RECOMMENDATION: Investigators should record the outcome of the internal investigation

All completed internal investigations should include a judgment by the investigator as to whether the case is unfounded, exonerated, sustained, not sustained, or departmental failures.

FINDINGS

Currently case investigators do not reach closure decisions. They conduct the investigation but leave the closure finding to the chief of police. The findings of a properly investigated case should leave little doubt about whether the case is sustained or should be closed in another manner. The person doing the actual investigation is in the best position to make this initial decision. Criminal investigators determine case closure – often they make arrests based on their determinations. It is true that supervisors, magistrates, prosecutors and others must review and approve investigators’ work before criminal cases are taken to trial. This should also be the case in internal investigations, but after the original determination is made by the case investigator. The role of the chain of command and the chief should be to review and concur or non-concur with well-supported and impartial findings (or to send cases back for additional work if needed), not to make initial determinations.

RECOMMENDATION: Establish a disciplinary matrix

The department and city should implement a disciplinary matrix which groups offenses and matches ranges of sanctions to confirmed violations.

FINDINGS

Only an informal process is used to match penalties to violations. The outcomes of old cases are reviewed to determine approximate matches of violations to sanctions but no formal process is used and perceptions of inequity exist. A matrix that categorizes violations into groups by how serious the violations are, and then prescribes penalties for each category, provides certainty and equity. Categories might include “minor”, “serious”, and “major”. The range of sanctions might include, for “minor” violations, “documented counseling” to one day without pay. A “serious” violation could incur penalties from two days without pay up to suspension for 14 days without pay. “Major” violations would range from 15 days suspension to termination and would be reviewed by the Police Commission.

To provide progressive discipline, multiple violations in one category within a certain time frame would be treated as a violation in the next category. For example a third confirmed “minor” violation in an 18 month period would be treated as a “serious” violation. A second “serious” violation within three years would be treated as a “major” violation.

Such a system would still provide a range of penalties within each category for management to take into account the specifics of violation yet ensure consistency and equity so that the same violation by different employees are treated similarly.

RECOMMENDATION: Observe required contract procedures

Internal affairs investigations should be conducted according to the provisions in the current union contracts but should be limited to such procedures.

FINDINGS

The current practice of sending the officers' association a copy of all incoming complaints is not required by the current M.O.U. Complainants should have confidence that a complaint will receive a fair and complete investigation with out any perceptions of undue influence during the investigatory process. The officers' association clearly has an interest in internal investigation outcomes which confirms allegations against one of its members and with representation of an accused officer. Whether it should have any formal role with regard to incoming complaints is much less clear.

RECOMMENDATION: Develop proactive strategies for prevention of misconduct and establish an early intervention system.

The mandate and practices of the Internal Affairs Unit should include pro-active and preventive strategies including the development on an Early Intervention System.

FINDINGS

The department should consider adopting a variety of approaches to integrity testing and quality assurance checks. The mandate and practices of the Internal Affairs and Ethics Unit should be revised to include pro-active and preventive methods. Good practice suggests that all such operations be based on reasonable suspicions, and that all integrity testing initiatives be approved in advance by the Chief of Police. The Corporation Counsel or a legal advisor and the Director of Labor Relations should be consulted in advance of changes to policies and procedures.

The Internal Values and Ethics Unit does not employ a formal Early Intervention System (EIS) to identify officers at risk. Such a system is the repository information

about all complaints (sustained or otherwise) and other data that can be indicative of conditions when officers could benefit from non-disciplinary intervention before a serious problem evolves. An effective EIS also included triggers (a specific number of designated events over a specified time period) that when met activate managerial awareness. In this department, all complaint data is entered into an Excel spreadsheet and by periodically manipulating the columns, the Internal Values and Ethics lieutenant can identify officers with multiple complaints. Patterns and identified problems are reportedly taken to the Chief of Police and such information is included the unit's annual report. In 2006, four officers were identified to have been the subject of three or four complaints. No early interaction or employee assistance referrals were reported. Appendix 2 contains an expanded discussion of early intervention systems.

RECOMMENDATION: Rename the unit to “Internal Affairs”

The internal affairs function of the New Haven Police Department, currently titled the Internal Values and Ethics Unit should be renamed “Internal Affairs” and be part of the proposed Professional Standards Bureau.

FINDINGS

Unit staffing is currently one lieutenant who answers directly to the Chief of Police, three sergeants and one detective. All are case investigators. They are selected by the Chief. Presently there is no rotation policy, but none of the current investigators have been in the unit for more than three years. The staff work Monday – Friday day-work but will adjust their schedules as needed to meet workload objectives.

Although named Internal Ethics and Values, the department apparently has no written statement of ethics or organizational values that are guidelines for behavior or to anchor employee actions. This report recommends a number of revisions in how the unit operates and proposes that it become part of the Professional Standards Bureau. The more straightforward title of Internal Affairs better describes the function of the unit.

INVESTIGATIONS

RECOMMENDATION: Re-organize investigations

As is described earlier, the Investigative Services Division should be elevated in status and commanded by a newly created position equivalent to Assistant Chief aided by a second new position of Chief of Staff. One lieutenant, assisted by two sergeants, should command the reconstituted Anti-Drug Unit and oversee the department's personnel assigned to the Statewide Narcotics Task Force. A second lieutenant should command General Investigations, the Arson Squad, the Robbery and Burglary Unit, and the Fraud Unit. Each of these units should have a sergeant as a supervisor. A third lieutenant should have responsibility for the Bureau of identification, the Firearms Unit/Gun Permits, and the Street Interdiction Detail. The third lieutenant should also have the responsibility for management and liaison of the department's participation in the Auto Theft Task Force, ROCCY, the Joint Terrorism Task Force, and the Connecticut Intelligence Center.

The Family Services Division should remain as part of Operations but should be headed by a lieutenant reporting to the Operations Assistant Chief.

FINDINGS

Due to the shortage of management positions in the department, until recently the Investigative Services Division was headed by an administrative sergeant. The complete and thorough investigation of crimes reported to the police is a critical component of effective law enforcement. Improved supervision and management for criminal investigations will enhance the department's ability to solve cases, arrest more criminals and present sound cases for prosecution.

RECOMMENDATION: Review and update investigations policies and procedures

Policies and Procedures relating to the investigative function should be carefully reviewed and updated. Dissemination and training of these materials should be conducted with all investigative personnel.

- The New Haven Police Department should improve their General Orders by revising the manual to reflect the standards and directives required of Criminal Investigations Units by CALEA and modernize those policies outlining equipment. Required standards are:

- 24-hour service capabilities (42.2.1)
 - A case screening system (42.1.2)
 - Systems of case file management (42.1.3)
 - Accountability for conducting preliminary and follow up criminal investigations (42.1.4)
 - Procedures to identify habitual / serious offenders (42.1.5)
 - Collection of intelligence information (42.1.6)
 - Steps to followed to conduct preliminary investigations (42.2.1)
 - Steps to be followed in follow up investigations (42.2.2)
 - Checklists to aid in criminal investigations (New Haven has a Homicide Checklist) (42.2.3)
 - Attendance of investigators at shift briefings (42.2.4)
 - Directives outlining participation in long term multi-jurisdictional task forces (42.2.5)
 - Use of detection of deception devices (42.2.6)
 - Procedures for use of confidential informants (42.2.7)
 - Identity theft crime investigations (42.2.8)
 - Cold Case files investigations (42.2.9)
 - Use of dedicated interview rooms (42.2.10)
- Training bulletins are given the authority of policy by their inclusion in the general order manual. Each should be reviewed and updated as necessary. The target audience for each Training Bulletin should be clearly identified. There should be a cross reference between the Training Bulletins and the General Order that they support.
 - Rules and Regulations should be updated to reflect the current rank structure and duties of investigators.
 - General Orders and Training Bulletins should cite references to Rules and Regulations whenever applicable.
 - A subject index should be compiled so that departmental employees can easily find directives containing important guidance.
 - The Homicide Procedures document should be incorporated into a larger directive. It is an excellent training aid and should be the model for additional checklists pertaining to other critical incidents and crimes.

FINDINGS

A copy of the New Haven Police Department current policy manual was reviewed for those directives that pertain specifically to the Investigations function. The goal of the analysis was to validate that the manual had no obvious omissions when

compared to the standards adopted by other agencies. The policies that were studied include the operations of criminal investigations, juvenile units, vice/narcotics units, and property/evidence storage.

The NHPD manual consisted of 4 sections: “General Orders;” “Training Bulletins;” “Rules and Regulations;” and, “Homicide Procedures.”

General Orders

The General Orders consist of 84 separate orders regulating officers’ behavior. The oldest order dates back to 1974, with the newest being published in August 2006. The last total review and reprinting occurred in 1988. While all orders are applicable to all officers, five General Orders have direct application for regulating the conduct of investigators. Those policies are listed followed by year published in parenthesis:

- 74-39 Juvenile Crime Investigations (1974)
- 76-3 Case Incident Reports – Informants – Case Preparation Funds (1983)
- 85-1 Uniforms Equipment and Grooming (1988)
- 88-4 Attorney Client relationship (1988)
- 93-3 Handling Narcotics, Controlled Substances, Dangerous Drugs (1993)

The standards established by the Commission for Accreditation for Law Enforcement Agencies (CALEA, 5th edition 2006) were used for recommend changes to the investigative policies and procedures of the New Haven Police Department.

74-39 Juvenile Crime Investigations (1974)

The juvenile policy written in 1974 and reprinted in 1988 outlines the duties of the Youth Services unit. The purpose of the policy is to centralize the decision making responsibility. It describes circumstances for referring a youth into the court system or releasing the youth into a guardian’s custody. Some limitations of the policy are that it does not address custody or interrogation, nor does it encourage officers to choose the least coercive option.

Section 44 of the CALEA Standards Manual outlines requirements for Juvenile Operations. It recommends directives that:

- Describe the agency's juvenile operations function
- Require that officers use the least coercive of reasonable options
- Outlines procedures for taking a juvenile into custody
- Procedures for custodial interrogation.

76-3 Case Incident Reports – Informants – Case Preparation Funds (1983)

This order was revised in 1983 and reprinted in 1988 and requires officers to complete the case incident report and provides guidance for the registration and payment of informants. The policy is silent concerning information to be included in the informant file, methods for maintaining the security of the information, or the criteria used to pay informants.

CALEA Standard 42.2.7 states that the department should have a written directive that specifies the procedures to be followed when using confidential informants to include: inclusion of informants in a master file, informant file to include background info, security system for file, other method to protect informant ID, criteria for paying informant, and precautions to be taken with informants.

85-1 Uniforms Equipment and Grooming (1988)

This order outlines equipment and clothing standards for all units of the department.

Although CALEA does not have a standard regarding equipment and grooming, the New Haven policy still refers to the .38 caliber Smith and Wesson Model 64 revolver along with 6 extra rounds, a blackjack, night stick, and mace. This is the stated issued weapon for patrol and investigations. Though not significant regarding operations, it is an example of an outdated policy which undermines faith in other aspects of the document.

88-4 Attorney Client relationship (1988)

Order 88-4 addresses issues raised by the Supreme Court decision regarding the case State v Stoddard. It mandates that arrestees be provided access to their attorney when calls are received or someone appears at the department.

This would be one portion of a larger CALEA standard (42.2.2) that describes requirements for policies pertaining to conducting follow up investigations. These directives should include at minimum guidance for investigators as they: review previous reports, conduct interviews and interrogations, seek additional information, collect evidence, identify suspects, determine all crimes that the suspect is involved, check the suspect's criminal history, and prepare cases for court.

93-3 Handling Narcotics, Controlled Substances, Dangerous Drugs (1993)

The policy pertaining to controlled substances is quite thorough. It outlines storage, packaging, and field testing items seized. It provides guidance for the seizure of money associated with drug investigations, mandating that the unit supervisor be notified. It gives specific directives for the security of the property room. The policy is limited in that it is narrowly focused on drug investigations.

Under CALEA, property and evidence control is outlined in section 84 and requires that directives be created to:

- Establish procedures for receiving all in custody and evidentiary property including extra security measures for handling exceptional, valuable, or sensitive items of property.
- Establish procedures to ensure security and accountability for controlled substances, weapons, or explosives.
- Ensure there are records that reflect the status of all property

Training Bulletins

The Training Bulletin section has 38 separate items. The first eight listed in the manual give basic guidance for investigations. It details steps to complete a preliminary investigation report. The training bulletins are not specific for investigators beyond general knowledge. The Investigative bulletins are: Burglary Investigation, Robbery Investigation, Assault Investigation, Larceny Investigation, Canine Investigation, Fatal Accident Investigation, and Credit Card

Investigation. Some more general training bulletins have some applicability to investigations such as Juvenile Procedures, Family with Service Needs, Receipt for Seized Property, Photographs, or Family Violence reports. These are also general knowledge documents and not specific for detectives.

Rules & Regulations

The NHPD Rules and Regulations are established in this section that contains rules that detail the job duties of the various assignments. The following positions are listed under the control of the Chief Inspector of the Plainclothes Section:

Chief Inspector of Plainclothes Section
Commander of Detectives
Captain of detectives
Lieutenant of detectives
Detective sergeant
Detective
Property Clerk
Director of the Youth Division
Supervisor of Narcotics and Gaming Division
Detective of Narcotics and Gaming Division

The remainder of the rules and regulation section contains general orders on conduct, none of which are specific for investigations. The most comprehensive is Rule 15 that lists 43 regulations that could result in disciplinary action against officers.

Homicide Procedures

The final Section is a checklist of Homicide Procedures. This is a comprehensive checklist that details every step that should be part of an investigation. It is a thorough and useful document.

RECOMMENDATION: Assign additional civilians to support investigations

Additional civilian support personnel should be assigned to the Investigations Bureau. Currently sworn detectives are required to staff the bureau's reception position.

Moreover, case files are not being organized adequately. Retrieval of case files and the information there-in is jeopardized by this lack of organization. These and other functions may better be performed by a civilian employee and it may improve the efficiency of detectives in their primary role.

FINDINGS

Two stenographers transcribe all interviews for all of investigations. There are no other civilian employees assigned to investigations. Sworn personnel are required to perform all support functions including staffing the reception desk, answering incoming telephone calls, filing etc. which takes them away from their primary duties of conducting follow-up investigations and apprehending offenders.

RECOMMENDATION: Create a training program for newly assigned detectives

A formal Detective Training Program (DTP) should be developed for all newly assigned sworn personnel. The training curriculum should include specific guidelines for each investigative section as well as generic information such as completion of forms and logs, case management, search and arrest warrants, interview and interrogation techniques, case closure criteria, and other relative topics. The DTP should incorporate a cadre of experienced detectives to serve as training detectives. The program should also utilize a standardized training manual that documents each new detective's training and become part of his/her training record. New detectives should be able to demonstrate competency in newly acquired skills unique to the detective role. New detectives should be evaluated during the training period using a standardized format and should be exposed to and evaluated by at least two training detectives. Retention in the assignment should be contingent upon successfully demonstrating competence and successfully passing a probationary period.

FINDINGS

The position of detective is a separate job classification, tested and compensated as prescribed in the current Memorandum of Understanding. To supplement staffing, the department has utilized a strategy of temporarily assigning officers to the division for up to 180 days; current contractual agreements prevent officers from working beyond this six month period. To compensate for a lack of management personnel, lieutenants and sergeants have been assigned responsibility for managing divisions and units throughout Investigations. Presently, no formal training is required of newly assigned detectives.

RECOMMENDATION: Acquire and implement case management software and ensure that supervisors fully document case status

Case management must be improved. A unified automated Case Management System should be employed by all members of the investigations Bureau to fully and consistently log, update and closing cases in a timely manner. Case logs utilized should be fully and consistently completed by supervisors. Cases should be logged, updated and closed in a timely manner.

The system should document that detective sergeants have reviewed and assigned cases to detectives. Detectives should not be self-selecting and assigning cases. A comparison of the number of crime reports to the log books identifying cases assigned to detectives showed that a relatively small number of reported crimes are assigned for active investigation. Cases that are not assigned should be followed up with a telephone inquiry to determine if new leads have surfaces and to ensure the complainant that department takes their report seriously despite its unlikely solution at the present time.

FINDINGS

Investigative Services lacks a case management system that tracks case assignments through closure. Managers must rely on manual logs to try to understand workload, productivity and closure rates. The lack of analytical capacity interferes with the ability to take prompt action corrective action when necessary.

Case logs reveal that supervisors do not always make log entries recording with every case status event. Logs may lack such items as initial assignment, when supplementary information is reported, and when cases are closed. The type of closure, whether and arrest was made or the investigation was suspended because all leads were exhausted, etc., is frequently missing. When tracking of cases is incomplete, managers and supervisors are unable to assess individual and unit productivity, closure rates, and whether cases are open too long without ongoing activity.

Because of the seriousness of the cases, such an automated case management system is especially needed in General Investigations. General Investigation (GI) detectives are responsible for the investigation of homicides, aggravated assaults, suspicious deaths and other sensitive cases as assigned. Personnel assigned to GI are usually the

more experienced detectives. Those newly assigned to the unit are provided on the job training by other members of the detail. As reflected in an investigative personnel roster dated May 28, 2007, three sergeants are assigned to General Investigations, one on the A-Shift and two on the B-Shift. The night supervisors also have the ancillary responsibility of supervising all B-Shift members of Investigations present during their shift, including the Bureau of Identification personnel and oversee the investigation of major crimes occurring on their watch. Due to the complexity and high profile of assigned cases, all members of this investigative function are detectives.

According to General Investigations sergeants, homicide cases are assigned to on-duty detectives on a rotational basis. In order to provide response coverage in the event of a murder occurring after regular duty hours, the B-Shift detectives are on call from midnight to 3:00 a.m. and the A-Shift from 3:00 a.m. until day detectives start their shift. When a homicide occurs, it is the responsibility of the GI supervisor to determine the number of detectives needed as well as actively oversee the investigation and crime scene. The supervisors are also required to conduct a weekly review of all open cases; assure proper statements are taken from all involved parties; and ensure cases are legally and procedurally sound prior to submitting to the State's Attorney Office. If they do this, why is logging an issue?

The section sergeants are tasked with reviewing the completed and approved aggravated assault reports from field officers on a daily basis. All aggravated assaults are assigned to detectives for follow-up investigations. Efforts are made to evenly assign cases based upon the number and complexity of open investigations assigned to the detectives.

The supervisors and detectives of General Investigations indicated that while all aggravated assault cases are assigned for follow-up, a number of factors determine the level of investigation for each case. The presence, or absence, of workable leads is the largest criteria determining the scope of investigation of these offenses. The victim's willingness to cooperate in the investigation is also a key factor. If the victim does not desire prosecution, the case is categorized as inactive but may be reactivated in the future should the victim wish to cooperate.

All assigned cases are supposed to be logged into the case management book by a supervisor which is kept in the Investigations Conference Room. As the case

progresses, the log is to be updated. A sergeant's approval is required to close a case out, signified by the supervisor's initials in the log book. A review of the General Investigations log from 2006 and year to date 2007 revealed not all cases are consistently logged and updated by the investigative sergeants.

The number of homicides in 2006 significantly increased, by 60%, over the previous two years. There were 15 homicides in both 2004 and 2005 and 24 in 2006. The increase in offenses also took a toll the number of cases solved. Although still above the national average clearances decreased from 93% in 2005 to 71% in 2006. During the early part of 2007, homicides had decreased.

In addition to case management software, detectives should have better access to analysis products. For example, the department conducted an analysis of non-fatal shooting incidents, identifying the weapons used in the commission of the crime as well as the motive or relationship between the suspect and victim. However, when questioned, detectives were unaware of this data. It appears this analysis was used for statistical purposes rather than identifying trends and as an investigative aid for detectives.

RECOMMENDATION: Determine the need to fill vacant investigations positions

According to a Sworn Personnel Budgeted Strength Report dated May 11, 2007, Investigations has 18 vacant detective positions. Some of these are temporarily filled by officers on 180 day rotations. Only after new case management software is installed to improve case tracking and monitoring, and patrol vacancies are filled, should the department determine what portion of these vacancies should be filled with detectives. Current staffing seems to be appropriate for the reported caseload.

FINDINGS

As part of the Investigative Services Division review, PERF analyzed case logs for the Family Services Division (FSD), the Burglary/Robbery and General Investigations Units. Using a roster from May 28, 2007 and case management logs for each section/unit, PERF conducted the analyses described below. Data for the Family Services Division is described later in this report. It should be noted, some of the personnel listed in the case management logs were not listed on the May 28th roster due to reassignment from the Investigations Division.

In these charts, the first column indicates the classification for each member of the division. The second is the number of months an employee's name was captured in the case log during the study period. The third column is the total number of cases assigned to each employee during the time of the study followed by the total number of investigations closed. The fifth column is the average number of **new** cases assigned to the member of the division per month, based upon the number of months the employee's name was found in the case log. The next column is the monthly average of open investigations each employee had, followed by the average number of cases closed each month. The final column is the number of open investigations carried over at the beginning of the month and prior to any new cases being assigned. Employees are ranked based upon the number of open cases at the beginning of each month, highest to lowest, by the number of month's assigned cases. If the case log indicated the investigation was closed but the closure date in the case log was not completed, the assigned employee was credited with the clearance the same month it was assigned.

Burglary and Robbery Unit

The Robbery/Burglary Unit is responsible for investigating commercial, residential and person robberies as well as commercial and residential burglaries. Interview of detectives as well as managers and supervisors indicated that the vast majority of work performed is on robberies and not burglaries and other property crimes. This is validated in the case logs; statistically, robberies account for three-fourths of the work performed by detectives in the first five months of 2007. According to the investigative personnel roster dated May 28, 2007, one sergeant, seven full-time detectives and two 180 day officers are assigned to the unit. The sergeant and six members of the unit are assigned to the A-Watch while the remaining three members work the B-Shift, under the functional supervision of the General Investigations B-Shift sergeant. Typically there is a constant turnover of detectives from this unit as the experienced detectives are often selected to fill vacancies from General Investigations.

When new personnel are assigned to the unit, the sergeant discusses with the detective job performance expectations along with policies, forms and filing systems. The new detective is assigned to an experienced member of the unit for a few days of "on the job" training after which they are instructed to consult with another detective should they have any questions. The detail supervisor indicated many of the newer assigned personnel, especially those with primarily narcotic experience, do not have

basic investigative skills such as evidence, search warrant preparation, interview techniques and custodial interrogation protocols.

Two significant changes were made to the unit last year. In June of 2006, the unit initiated a program to assign geographic responsibility for the investigation of robbery and burglary cases. Each member of the unit was partnered up with another detective and designated accountability for all the robbery and burglary investigations in up to three districts. Detectives are required to maintain contact with the appropriate district manager and be available to attend community meetings in their assigned area. The geographic responsibility also included the detectives' involvement at the monthly TASCAs and intelligence meetings. The second modification made to the unit was the initiation of a B-Squad team of investigators to work from 4:00 p.m. to midnight. This enhancement allowed both for a detective presence in the evening and nighttime to respond to the field as necessary and for the ability to regularly contact victim and suspects beyond normal business hours without the use of overtime.

At the beginning of each shift, the Robbery/Burglary sergeant goes through the stack of completed and approved crime reports submitted by patrol officers. The sergeant distributes the robbery and burglary reports to members of the unit who are expected to review the reports and open a file on those cases with leads to pursue. Each file is assigned a number by year, month and ascending case number that is logged into the Robbery/Burglary Case Management Log. Reviews of the log for the first five months of 2007 revealed not all cases were consistently logged and updated.

As reported by members of the unit, the majority of the cases investigated are robberies due to an absence of workable leads in most of the burglary cases. Robbery/burglary detectives are also called upon to assist in homicide and other high profile cases occurring during their shift. The statistics from the Robbery/Burglary case log verify this. It should be noted the current case assignment system does not result in the assignment of all cases. The system is open to members of the unit self-selecting those cases they will follow up.

Supervisors will direct detectives to respond to the scene of major crimes, including robberies that occur on their watch. Detectives contact the crime victim whenever possible and consult with field personnel on the case to determine the presence or absence of investigative leads. They complete either a supplemental report

documenting their action or in the case of robberies, a “Robbery Report” indicating action taken by the detective that is not necessary or wanted to be included in the supplemental report submitted to Records. All actions by detectives should be incorporated into supplemental reports and become a permanent record of the investigation to maintain the integrity of the department and individual investigations.

Members participate in monthly meeting with other law enforcement representatives to share information and compare crime trends. This collaboration has lead to successful joint robbery and burglary investigations between agencies.

Using the Burglary and Robbery case management log, a study was conducted for all personnel whose name appeared in the log indicating investigative responsibility for the case. It should be noted that employees often work in two-person team and in some instances cases were logged to two members of the unit. It was reported that the first name on the log indicates the lead investigator who has primary responsibility for the case and that employee was used to calculate the workload of the unit. A total of 10 names were found in the case log and four investigations were assigned to the “unit”. The below chart depicts the workload of those 10 employees responsible for an investigation assigned to the Burglary and Robbery Unit from January to May 2007.

Burglary and Robbery Caseload Study

Personnel	Number Months Cases Assigned	Total New Cases Assigned	Total Closed	Average Number of New Cases Per Month	Average Open Cases Per Month	Average Closed Cases Per Month	Average Cases Carried Over Per Month
Officer 1	5	20	7	4.0	8.2	1.4	6.8
Officer 2	4	7	3	1.8	4.5	0.8	3.8
Detective 1	4	11	4	2.8	3.5	0.5	3.0
Detective 2	4	8	3	2.0	3.0	0.8	2.3
Detective 3	4	6	3	1.5	3.0	0.8	2.3
Detective 4	4	10	4	2.5	3.3	1.0	2.3
Detective 5	3	11	3	3.7	6.0	1.0	5.0
Detective 6	3	6	1	2.0	3.0	0.3	2.7
Unit	2	4	3	2.0	2.0	0.0	2.0
Detective 7	1	3	2	3.0	3.0	1.0	2.0
Detective 8	1	1	0	1.0	1.0	0.0	1.0

The two officers assigned to the Burglary and Robbery Unit account for 31% of the cases assigned for investigation. They are also ranked at the top for case closures. The logs do not indicate why a case was closed. A case may be closed because an

arrest is made or because the investigator exhausted all leads and no further action of the case is warranted. A likely explanation for this higher rate of closures is that officers are less experienced investigators and are assigned the easier cases in order for detectives to have the time available to investigate more difficult and complex cases. Only four of the ten personnel (Officer 1 and Detectives 4,5 and 7) average more than one case closed per month during the five month period studied. Based upon the cases logged in the unit, none of the personnel have an abundance of cases to investigate and no one has a high number of unsolved cases carried over from month to month.

There were a total of 87 cases entered in the log for the dates examined. The table below lists the breakdown of cases by type. Attempted robberies and burglaries account for a total of 94.2 % of unit workload.

Case type	Total number	% of total
Robbery and Attempted Robbery	65	74.7%
Burglary	17	19.5%
Assault	1	1.1%
Sudden Death	1	1.1%
Weapons	1	1.1%
Theft	1	1.1%
Pawn	1	1.1%
TOTAL	87	100%

General Investigations

Using the General Investigations case management log, a study was conducted for all personnel whose name appeared in the log indicating investigative responsibility for a case. Due to the nature of investigations only detectives are assigned to the unit. A total of 18 detectives were found in the case log. The below chart depicts the workload of those 18 employees responsible for an investigation assigned to General Investigations from January 2006 thru May 2007.

General Investigations Caseload Study

Personnel	Number of Months Cases Assigned	Total New Cases Assigned	Total Closed	Average Number of New Cases Per Month	Average Open Cases Per Month	Average Closed Cases Per Month	Average Cases Carried Over Per Month
Detective 1	17	38	20	2.2	10.1	1.2	8.9
Detective 2	17	44	36	2.6	6.6	2.1	4.5
Detective 3	15	37	28	2.5	6.3	1.9	4.5
Detective 4	12	21	5	1.8	8.3	0.4	7.9
Detective 5	12	28	16	2.3	7.8	1.3	6.5
Detective 6	10	20	9	2.0	9.2	0.4	8.8
Detective 7	10	13	3	1.3	6.6	0.3	6.3
Detective 8	10	18	8	1.8	5.5	0.8	4.7
Detective 9	10	20	15	2.0	5.4	1.4	4.0
Detective 10	9	11	7	1.2	2.8	0.6	2.2
Detective 11	8	14	10	1.8	4.8	0.9	3.9
Detective 12	7	14	11	2.0	3.0	1.6	1.4
Detective 13	6	14	3	2.3	6.8	0.5	6.3
Detective 14	4	7	2	1.8	3.3	0.5	2.8
Detective 15	3	3	2	1.0	1.7	0.7	1.0
Detective 16	2	2	1	1.0	1.5	0.5	1.0
Detective 17	1	1	0	1.0	1.0	0.0	1.0
Detective 18	1	1	1	1.0	1.0	1.0	0.0

In general, new cases are evenly distributed among detectives in General Investigations. All detectives are assigned less than three new cases per month and Detective 1 has the greatest number of cases held over each month, It should be noted that this detective has been assigned to GI the entire 17 month of the study period and only one detective has been assigned more cases. There seems to be a disparity between detectives in the number of cases closed. Detective 2 has the greatest number of cases closed while also the most assigned. While this is an impressive statistic, supervisors must assure all cases are being investigated to their fullest and not ceased while further leads may be available. Five detectives (Detectives 1,2,3,5 and 9) are responsible for 115 or 37% of the unit's closed cases. Based upon the complexity of cases investigated, some detectives are nearing the maximum number of cases carried over from month to month to be able to adequately investigate new offenses.

There were a total of 306 cases entered in the log for the dates examined. The table below lists the breakdown of cases by type. Shootings and assaults accounted for just over 75 % of all general investigation cases.

Case type	Total number	% of total
Shooting	176	57.5%
Assaults	56	18.3%
Homicide	24	7.8%
Sudden Death	18	5.9%
Gunshots	12	3.9%
Robbery	6	2.0%
Weapons	3	1.0%
Other	3	1.0%
Assault/Gunshot	2	0.7%
Other	6	2.0%
TOTAL	306	100%

Other than for a few detectives assigned to General Investigations, caseloads are well within generally accepted limits of case per investigator.

RECOMMENDATION: Increase staffing for financial crimes investigations

The financial crimes unit has one of the highest caseloads in investigations. It is not realistic to expect full-time investigator and one 180-day rotational officer to keep up with the workload. One additional full-time detective should be added to the unit along with the rotational six-month officer.

- The type of cases investigated by the Fraud Unit now reflects the wide range of criminal enterprises policing agencies must investigate. In order to modernize the unit and more accurately identify it by function, the name of the unit should be changed to “Financial Crimes Unit.”

FINDINGS

Check Fraud/Identity Theft Unit

A single detective is responsible for all check crimes and fraud cases including embezzlements and identity thefts. A 180 day rotational officer has just recently been assigned to the unit to assist in the significant caseload increase that has become overwhelming for one person. Although this additional resource has provided some relief, the specialization required of these investigations are not conducive to a temporary, rotational assignment.

According to the New Haven Department of Police Service 2006 Annual Crime Report, a comparison of the number of cases investigated by the unit shows a dramatic increase of 620% from 2005 to 2006.

Case Type	2005	2006
Identity Theft	48	90
Check Fraud	2	29
Fraudulent Credit Card	5	80
Forgery	12	154
Fraud	0	170
Embezzlement	0	3
Internet Crimes	6	0
TOTAL	73	526

Identity theft, forgery and fraud cases make up 79% of the unit's workload. Identity theft offenses, by state statute, mandates the town of residence has jurisdiction for the criminal investigation. The City of New Haven was identified by the Federal Trade Commission as having the second highest number (122) of identity theft victims in Connecticut. These investigations, more than any other case type, take up the majority of the detective's time.

Due to the complexity of embezzlement investigations, the department requires that victims provide all documentation, including accounts, bookkeeping and audits, for review to determine if the incident is a criminal offense or civil matter. The detective may solicit counsel from the State's Attorney's Office for assistance as necessary. The executive staff of the department has supported Investigations in those cases deemed to be civil rather than criminal and therefore no further investigative action is warranted.

Check fraud cases involve both counterfeit and stolen checks. Examples of fraud investigations recently handled by the unit include Non-Sufficient Funds accounts and insurance deceptions, including those committed by tow companies. Counterfeit currency cases are referred to the appropriate Federal agency for investigative action.

Based upon the current caseload combined with a lack of personnel and expertise, cyber crimes other than identify theft are not actively investigated. Computer crimes such as e-mail “phishing” messages are presently not followed up upon.

RECOMMENDATION: Replace sworn personnel in the Bureau of Identification with well-trained civilians

The position of crime scene investigator should be performed by well trained, professional civilian employees. Currently the operation of the Bureau of Identification is staffed by sworn detectives. The New Haven Police Department should civilianize crime scene duties including the processing of scenes, identifying, collecting and booking of evidence. The supervision of the unit may continue under the direction of sworn personnel until such time as personnel may be identified and trained to civilianize this function also. As in other progressive police departments throughout the nation, civilianization will provide services by trained experts in a more cost effective manner while freeing detective positions to be deployed where their sworn status is needed.

FINDINGS

As represented on the Sworn Personnel Budgeted Strength Report dated May 11, 2007, seven detectives and one sworn officer are assigned to the Bureau of Investigations under the supervision of the unit’s sergeant. There are currently two detective vacancies within the bureau. Detectives provide seven day per week coverage from 7:00 a.m. to midnight and members of the unit are called in for major crimes during outside scheduled duty. The bureau’s sergeant personally responds to all homicides and other major or sensitive crime scenes. Three detectives work the A-Shift and four detectives and the one assigned officer work on the B-Shift.

Responsibilities of personnel assigned to the Identification Unit include responding to the scene of criminal offenses and identifying and documenting the presence or absence of items of evidentiary value. ID detectives are tasked with collecting, processing and preserving all evidence in accordance with department policy and legal requirements. Crime scenes are documented through the use of note taking, sketches, photography and videography. Detectives are also responsible for establishing and maintaining the chain-of-custody of all physical evidence collected.

The number of cases handled by the Bureau of Identification increased from 2005 to 2006 by 21%. Nearly three-fourths of the investigations handled by the Identification

Bureau in 2006 were narcotic related cases. According to departmental statistics, the unit conducted an investigation on all homicides occurring during 2006; 229 of 1,363 burglary cases (16.8%); 77 of 809 robbery cases (9.5%); and 60 of 997 reported aggravated assaults (6%) during the year.

Case Type	2005	2006
Narcotic	1,851	2,270
Burglary	133	229
Handguns	131	136
Shootings	115	136
Robbery	76	77
Aggravated Assault	50	60
Gunshots	63	52
Motor Vehicle Accidents	42	47
Sudden Death	32	30
Sexual Assault	35	24
Homicide	15	24
Bomb Threat	3	0
TOTAL	2,546	3,085

Firearms and biological evidence collected by the Identification detectives and other members of the department are processed at the Connecticut State Police Crime Lab.

RECOMMENDATION: Supervision should be added to the Family Services Division

A lieutenant should command the unit. One additional sergeant should be added to the two sergeants currently assigned. The recommended distribution of work is: one sergeant supervising the Domestic Violence Unit; a second, the Missing Persons and Sexual Assault and Bias Units; and the third School Resource Officers (SRO) and the Police Athletic League (PAL).

FINDINGS

The investigations of the Domestic Violence, Missing Persons and Sexual Assault and Bias Units are sensitive in nature and must be completed in a timely manner to hold offenders accountable for their criminal behavior as well as maintain the confidence of the community. This is a difficult task for one supervisor. The number

of SRO's (12) assigned to the Family Services Division justify a single supervisor overseeing its operation and personnel. The ancillary duty of PAL should not negatively impact the span of control of this sergeant.

Domestic violence cases should be reviewed and acted upon quickly to assure criminal charges are filed against offenders so that victims and family members are not further endangered or victimized. Sexual assault cases are complex and time consuming investigations. The same lengthy investigation must be completed whether as offense occurred or is falsely reported. Missing persons, especially those high risk categories of children and elderly, must be given appropriate attention and resources by the police. While there are a sufficient number of detectives and officers assigned to these units to keep up with the caseload, supervision is understaffed.

Currently, one sergeant supervises all three groups of investigators. Due to the nature and potential for high volatility in these cases, strong supervision and oversight is essential for keeping these sections from becoming a liability for the department. In addition, networking with task forces along with other organizations and agencies is also essential to investigate these crimes and incorporate a myriad of services for the victims. Based upon current supervisory workload, the single sergeant does not have the time required to oversee the operations and give adequate attention to the details required of each unit. Likewise, there is not sufficient time to neither meet with peers and organizational partners nor participate in worthy task forces. In order to maintain the integrity of these units and ensure the department is able to provide essential investigative services, one additional sergeant should be added to the section to better redistribute supervisory duties.

The Family Services Division consists of the following five investigative units: Domestic Violence, Sexual Assault and Bias, Missing Persons, School Resource Officers and the Police Athletic League. The division formally managed by a lieutenant is now supervised by two sergeants that report to the Assistant Chief who must approve all overtime. The most desirable management structure should be composed of a lieutenant in command of the division support by three sergeants.

The two supervisors currently work together on the A-Shift, functionally one sergeant oversees the Domestic Violence, Sexual Assault and Bias, and Missing Persons Units and the other sergeant supervises the School Resource Officers and Police Athletic

League. Personnel working during nighttime hours refer to the General Investigations B-Shift sergeant for immediate supervisory needs.

The sergeant supervising the Domestic Violence, Sexual Assault and Bias and Missing Persons cases maintains two case logs; one for all cases assigned and a second that exclusively logs sex crimes. Members of the Family Services Division are also used to supplement a truancy program. Four days per week, three B-Shift detectives team up with school district Truant Officers to conduct home visits for about four hours per shift. New detectives assigned to the division are provided on the job training by an experienced detective. The Connecticut State Police Lab processes evidence in cases handled by the Family Crimes Division and cases are re-opened as appropriate with the advancement of DNA evidence.

A combination of seven detectives and temporarily assigned officers are assigned to the Domestic Violence Unit. Three detectives and one officer are assigned to the A-Shift and three officers work the B-Shift. One of the detectives has the ancillary responsibility for assuring compliance all domestic violence firearms regulations to lessen domestic violence offenders' access to weapons. In 2006, 3,702 Protection Orders were issued by the Connecticut Superior Court resulting in 79 firearms and gun permits seizures. The unit supervisor reviews all domestic violence cases submitted by patrol officers which average over 150 a month. In 2006, the unit reviewed 1,938 incidents of domestic violence. A comparison of these reports is not made with the report log to confirm all reports have been completed, due to a lack of available time.

Unit supervisors report the majority of cases require no additional investigation and are monitored after a week to ensure the reporting patrol officer has submitted proper reports and an arrest warrant is obtained for the suspect. Those cases that need additional work are assigned to a member of the unit based upon threat to the victim and logged into the case management log and an investigative file is initiated. Time permitting, all felony cases are assigned to an investigator to get additional statements from the victim and any available witnesses. Patrol officers assist in the prevention of incidents of family violence by partnering with advocates of the Yale Child Study Center to conduct home visits of domestic violence victims and their families.

The department participates in a Domestic Violence Task Force of Greater New Haven. DVGNH is a collaboration bringing together all agencies working with

victims of domestic violence to coordinate services, assess needs and develop a collaborative approach to the issue of family violence. In addition to police departments, members of the task force include social service providers and representatives of the courts. Weekly meetings are also conducted at Family Court between representatives of the court, police, and victim advocacy groups to review the domestic violence docket and identify systemic issues. Attendance at these meetings is based upon the availability of supervisor's time.

According to the sergeant of the Domestic Violence Unit, if more supervisory time were available it would be consumed with more involvement with the court and the groups described above, additional follow-up on reports not investigated by the investigations, greater supervision of the gun compliance function and a more timely review and closeout of cases submitted by detectives.

Sexual Assault and Bias

All sex and hate crimes are investigated by the seven members of the Sexual Assault and Bias Unit. Five detectives and one temporarily assigned officer work the A-Shift and one detective is assigned to the B-Shift. Detectives may be called in during off duty hours at the discretion of the unit's sergeants at the request from a field supervisor.

The unit sergeant reads the sexual assault and bias reports and all are assigned to detectives for additional investigation. Criteria used to assign cases include matching individual's strength with the challenges of the case, equally distributing workload and at times, "whoever is available". In 2006, a total 352 reports were received by the unit. During the first five months of 2007, 134 sexual assault cases were handled, a decrease of 8.5% from the same period in 2006. Nine incidents of hate were investigated in 2006 and there had been no reported incidents early in 2007.

Members of the Sexual Assault and Bias Unit work in partnership with a myriad of agencies to provide service to the community. Initiated by the Department of Children and Families, the New Haven Multi-Disciplinary Team is a collaborative approach to address and decrease the abuse of children and victims of sexual offenses. Other organizations represented in this association include members of the State's Attorney Office, Yale Child Abuse Clinic, Women in Crisis, Community Coordinated Child Care and St. Raphael Hospital. Attendance at these meeting is

based on workload and availability of personnel. Cases involving child victims use the resources of the Yale Sexual Abuse Clinic where a forensic interview of the victim is conducted along with a physical exam. Counseling services are also provided for victims by the Clifford Beard Clinic.

Based upon the expertise necessary to work these case types, it is difficult to assign officers to the unit for 180 days. By the time officers gain the skills necessary to independently investigate a case, they are rotated back to patrol. Full-time members of the unit could benefit from additional training in case specific investigation.

There are 374 registered sex offenders in the City of New Haven. The Sexual Assault and Bias Unit is responsible for monitoring the registry and enforcing non-compliance. When an offender is found to be out of compliance, an arrest warrant is obtained by detectives. In 2006, 19%, or 70 registrants were found to be in violation and 17 active warrants were attained although none were served.

Missing Persons

The one detective assigned to Missing Persons works the A-Shift and is charged with investigating both missing juvenile and missing adult cases. In 2006, there were 805 missing person cases reported to the New Haven Police Department. All but 35 were located, for a solvability rate of 96%. The unit detective also participates in the State of Connecticut Interagency Task Force on Trafficking in Persons.

Using the Family Services Division's case management log, a study was conducted for all personnel whose name appeared in the log indicating investigative responsibility for the case. A total of 22 names, including the two section sergeants, were logged. Because most employees come to the FSD with little investigative case work experience, only those employees whose name was captured in the log in for a minimum of two of the study's five months were included in the study to allow for the training of new detectives or officers to the division. The below chart depicts the workload of those 16 employees responsible for an investigation assigned to the Family Services Division for a minimum of two months from January to May of 2007.

Family Services Division Caseload Study

Personnel	Number Months Cases Assigned	Total New Cases Assigned	Total Cases Closed	Average Number of New Cases Per Month	Average Open Cases Per Month	Average Closed Cases Per Month	Average Cases Carried Over Per Month
Detective 1	5	42	27	8.4	23.4	5.4	18.0
Officer 1	5	25	9	5.0	16.4	1.8	14.6
Detective 2	5	30	21	6.0	17.0	4.2	12.8
Detective 3	5	28	21	5.6	16.4	4.2	12.2
Officer 2	5	29	19	5.8	15.0	3.8	11.2
Detective 4	5	16	9	3.2	9.6	1.8	7.8
Detective 5	5	13	4	2.6	7.0	0.8	6.2
Detective 6	5	13	5	2.6	7.2	1.0	6.2
Detective 7	5	8	1	1.6	5.4	0.2	5.2
Detective 8	5	11	4	2.2	5.2	0.8	4.4
Detective 9	4	13	2	3.3	11.5	0.5	11.0
Officer 3	4	24	13	6.0	13.0	3.3	9.8
Officer 4	4	15	8	3.8	8.8	2.0	6.8
Detective 10	3	9	0	3.0	8.0	0.0	8.0
Detective 11	3	8	0	2.7	5.0	0.0	5.0
Detective 12	2	7	5	3.5	10.5	2.5	8.0

The highest number of case assigned to anyone in the division was Detective 1 with 42 or an average of 8.4 new cases per month. Detective 1 also had the greatest number of closed cases with 27. Detective 7 had the fewest number of cases assigned, averaging 1.6 cases per month. Based upon this data, the dissemination of cases does not appear to be evenly spread among personnel assigned to the division. The numbers do indicate, however, that all investigators should be able to keep up with their investigative caseload.

There were 313 cases entered into the FSD log from January 1, 2007 through May 30, 2007. The breakdown, by case type, is reflected in the table below. Sexual assaults and assaults account for almost 75 % of FSD cases.

Case type	Total number	% of total
Sexual Assault	134	42.8%
Assault	98	31.3%
Domestic	30	9.6%
Risk	21	6.7%
Threatening	14	4.5%
Sudden Death	4	1.3%
Missing Person	3	1.0%
Attempted Robbery	2	0.6%
Other	7	2.2%
TOTAL	313	100.0%

School Resource Officers

This unit is composed of 12 School Resource Officers assigned to New Haven high schools, alternative and magnet high schools as well as middle schools. All positions are funded through the police department’s budget. SRO’s are required to attend the state SRO training and are some of the highest trained members among investigations staff. Many of the officers also serve as Field Training Officers.

Responsibilities of the SRO’s include acting as the department’s liaison on the assigned school campus, mentoring students as appropriate, informing school administrators and staff on law enforcement issues, and gathering and disseminating intelligence information as necessary. The officers also conduct training seminars for parents and students emphasizing anti-guns, gangs and bullying. The SRO’s take all reports on their assigned campus and feeder schools as well as in the adjacent neighborhoods, one block surrounding each campus.

Police Athletic League

One officer is assigned to the New Haven Police Department’s Police Athletic League. The officer is tasked with fundraising activities, sponsoring an annual golf tournament, hosting a benefit dinner and organizing recreational and educational summer programs. An additional duty includes administration of the department’s Drug Education for Youth Program. DEFY is a drug demand reduction program that seeks to, “provide 9-12 year olds with character, leadership, and confidence so they are equipped to engage in positive, healthy lifestyles as drug-free citizens and have the necessary skills to be successful in their lives through coordinated community participation, commitment, and leadership.”

The sergeant supervising the SRO and PAL programs is also responsible to act as the department's liaison with the Juvenile Court, Board of Education, and writes and administers grants for the division. The sergeant also represents the department on the Juvenile Review Board. The board meets once a week and monitors all juvenile arrests with the exception of weapon violations and major felonies to look for alternative to Juvenile Hall for youth offenders. Oversight of the newly formed Board of Young Adult Police Commissioners is also an ancillary duty.

RECOMMENDATION: Improve booking and detention operations

Staffing for the booking and detention function should be established and maintained at a level that provides an adequate measure of safety for staff and prisoners, without routine delays in prisoner processing. Current shortages are dramatic. As staffing is increased, the department should abide by a chain of command structure that does not have lieutenants answering to sergeants. The function should be headed by the ranking official assigned.

Conditions and mechanical systems must be regularly monitored and problems, such as temperature, should be addressed promptly. These issues impact both arrestees and staff. Since staff members are there every day it is a "working condition" concern.

An adequate juvenile processing area – with sight and sound separation from adult areas – should be identified and properly outfitted with necessary equipment.

Weapon lock boxes should be placed, and their use mandated, outside all access to any prisoner processing area.

FINDINGS

The booking and detention process is heavily used and is complicated by the fact that the detention function is under the control of the State Judicial Marshals, even though the facility is in the New Haven Police Department's building. Interviews and a tour of the facility revealed an antiquated facility that is understaffed. Reportedly, there have been numerous committees appointed to analyze and make recommendations to improve existing conditions, however, no significant changes have resulted.

There is no typical chain of command. In fact the officer in charge is a sergeant and a lieutenant reports to him. It is said to be an assignment where, for example, lieutenants who had been returned to full duty more than a year earlier after being out

sick or injured, remain without orders being issued that delineate their duties and responsibilities. The booking process is often delayed because the process tends to operate like a funnel when numerous arrests enter the system simultaneously. There is a civilian clerk assigned to detention to take photos and conduct interviews, but there is no specified system in place for detectives to interview or debrief arrestees unless they take the prisoners to the Investigative Service Bureau.

There are 48 cells in less than ideal condition. Reportedly it is difficult to maintain a comfortable temperature in the facility. This is a common complaint among both staff and prisoners. The space allotted for handling of juveniles is inadequate. Currently a makeshift system is in place in a small room in the administrative offices located behind the front desk. This is an inadequate space, poorly furnished with little in the way of processing equipment and lacking security, particularly because there are no lockboxes for weapons. Juveniles who are detained must be transported to Juvenile Detention at the State Department of Corrections. This is accomplished by officers in patrol cars.

Female prisoners are housed at police department facility where they are detained separately from male prisoners.

RECOMMENDATION: Establish a system to improve patrol officers' crime reports.

A formal process should be initiated to provide positive and negative feedback for patrol officers' reports. Superior reports should be recognized and those that are inadequate or missing pertinent information as well as when cases are refused a criminal filing.

FINDINGS

Currently, patrol officers rarely receive feedback about the quality of their crime reports. Departments that focus on developing high quality initial reports realize the benefit of improved investigations. When detectives have confidence that the reports received from patrol officers are thorough and complete they have a "head start" compared to agencies where detectives feel they have to redo the initial investigation. Routine feedback and constructive criticism from investigative supervisor to patrol supervisors can result in better reports and improved investigator productivity.

RECOMMENDATION: Continue New Haven Police Department participation in multi-jurisdictional task forces

The department should continue its active participation in multi-jurisdictional task forces. These task forces provide substantial value and help to discover and apprehend those suspected of involvement in complex criminal enterprises,

FINDINGS

Firearms Unit

In March of 2007, the State Urban Cooperative Violence Crime Control Task Force was initiated to join the forces of the New Haven Police Department and the Connecticut State Police. The mission of the Firearms Unit is to investigate gun crimes. The unit seeks to accomplish this by using, “a broad range of investigatory options...while investigating gun crime.” Activities include follow up of shots fired complaints, enhancing gun arrests, cultivating and working informants and conducting proactive on-view street arrests. According to the MOU, the primary objective of the task force is to “... conduct and coordinate investigations in connection with crimes of violence and other criminal activity in the City of New Haven.”

The adoption of the Firearms Unit in its current configuration coincided with the elimination of the NHPD Narcotics Enforcement Unit. Although the primary focus is firearms, the unit is also conducting some drug enforcement and warrant service activities to address serious crime problems in New Haven. Terms of the contract provide for termination of the task force by mutual agreement or upon 30 days written notice of intent to withdraw by one party to the other participating agency.

The Firearms Unit is staffed with one detective along with one sergeant and six officers from the New Haven Police Department’s patrol division. The State Police representatives on the task force are a sergeant and five troopers. All members work in plainclothes and each agency is responsible for the personnel costs and equipment of its members.

Because the primary operational strategy of task force is to work in an undercover capacity and to cultivate informants, strong supervision and observance of strict policies and procedures are integral components to safeguard the integrity of the unit. Task Force members use the State Police or ATF guidelines for registering informants. The unit’s procedures for payments to confidential informants and for

buy money rely on the policies and procedures from federal and state agencies. The disbursement of confidential funds is closely monitored.

During 2006, the Firearms Unit arrested 202 suspects in firearms related cases and seized 244 illegal weapons. The unit also processed 124 applications for handgun permits. Information on the activities of the newly configured unit for 2007 was still being compiled.

In further efforts to remove guns from the community, the New Haven Police Department initiated a "Gun Buyback" program from December 12-23, 2006. Using private funds provided by local businesses, a \$100 gift card was provided for each weapon turned into the police. Eight-eight guns were turned in including 48 revolvers; 27 semi-automatic handguns; five rifles; three shotguns two sawed-off shotguns; two sawed-off rifles and one assault weapon.

Multi-Agency Task Forces

Members of the New Haven Police Department assign 11 sworn personnel to participate in various federal and state task forces:

- Auto Theft Task Force – Three officers are assigned to the Auto Theft Task Force which was credited with 59 arrests, 181 investigations and recover of 166 stolen vehicles in 2006.
- Joint Terrorist Task Force – One officer is assigned to the Federal Joint Terrorist Task Force. The JTTF combines federal, state, and local law enforcement resources to deter, counter, and respond to acts of terrorism.
- Connecticut Intelligence Center – One detective is assigned to the Connecticut Intelligence Center, a regional intelligence center staffed by federal, state and local personnel who share expertise, resources, and intelligence information in an effort to more effectively deal with criminal and terrorist threats and activities.
- Drug Gang Task Force – One officer is deployed to the Federal Drug Gang Task Force which combines New Haven and State police, DEA (Drug Enforcement Administration), ATF (Alcohol, Tobacco and Firearms), FBI (Federal Bureau of Investigation), U.S. Marshal Service, U.S. Attorney's Office, and New Haven State's Attorney Office to focus efforts on drug gangs and associated violence in the City of New Haven.

- Connecticut Violent Crimes Fugitive Task Force – Two members of the NHPD are assigned to the Fugitive Task Force that identifies the state’s most violent offenders and aggressively seeks to arrest them using investigative strategies, rewards and public information.
- Connecticut Statewide Narcotic Task Force – Three officers are assigned to this state task force which seeks to investigate and apprehend major drug dealers operating in Connecticut.

DRAFT

HUMAN RESOURCES

RECOMMENDATION: Develop a formal business plan for recruitment

The city and the department should create a formal recruitment plan for entry level police officer positions. This “business” plan should include: a strategy; a funded budget; identified intermediate and longer-range goals; assigned responsibility for the overall process and for key tasks; and timeframes for task completion.

FINDINGS

The city’s Human Resources Department and the police department work very well together in an effort to maximize recruitment opportunities. A multi-discipline Recruitment Committee is working toward meeting the upcoming year’s needs. The committee consists of the City H.R. Director, the PIO, the MIS Director, Assistant Chief Reading, the Police H.R. Director, and a representative from the police academy. But, with no comprehensive plan supported by a dedicated budget (reportedly funding is never available until July), there is no strategy tying individual activities together toward the accomplishment of stated goals. Other than planning to send collateral duty recruiters to upcoming events, there is no specific departmental recruitment plan (business plan) directed at meeting hiring goals. Recent past experience is a good measure of the size – and make up – of the applicant pool that will be needed to meet the department’s projected hiring needs. Sufficient recruitment efforts – more than sending part-time recruiters to events – should be undertaken to attract the needed applicant pool and responsibility should be affixed for completion of the associated tasks and activities.

RECOMMENDATION: Recruit and select the best applicants, year-round

The city and the department should strengthen their commitment to recruiting the best possible applicants for the position of police officer. Recruitment should not be a part-time venture that is only initiated to coincide with the city’s open application period. Recruitment and selection should be an ongoing process. When exceptional applicants surface, the department should make a serious effort to hire them before they take another offer.

FINDINGS

There are no full-time recruiters. All are collateral duty – many are training staff. Many departments find that when trainers are involved in recruitment they are less objective about the success, in recruit training, of recruits they may have developed. It is a better practice to keep recruiting and training activities separated.

Recruiters are said to be generally aware of the department's objectives in recruitment, but no materials have been developed to aid recruiters in seeking out desirable characteristics. Rather, their job is to explain what the job is all about to potential applicants. Though the testing vendor conducted a job task analysis for the job of police officer, this information is not used in the recruitment or selection process.

Recruiters do attend college campus events, military base events, local job fairs, and police department hosted open houses. Some recruitment efforts are linked to those of the fire department. The recruitment theme has been "Careers for Life." The department has developed "palm cards" that recruiters hand out when they "bombard" commuters in hopes of snagging persons who might be thinking about a change in career. Posters are also reportedly aimed at that audience. This is in line with the thought that prior work experience makes better rounded officers. Other advertising has been found to be of little value, so much of it has been discontinued. With a 20 mile radius residency requirement, a strong emphasis is placed on local community recruitment. Reportedly, the mix of applicants that come from within the local area provides a good range of diversity. The department works with its internal "affinity" groups to recruit others from their group. Yet there is no recruitment incentive offered to members who recruit successful applicants.

The city establishes the open period during which applications are accepted. There is not year-around open application. This represents missed opportunities. Hiring is an ongoing process – there are openings year-around. By limiting the application and selection processes to certain weeks a year, vacancies linger and a significant number of high-quality applicants are missed. People apply for employment when they need it. Some may have the luxury of waiting for application periods. Others – often those graduating college, separating from the military, and those abruptly laid off – need employment (or at least the comfort of knowing they are in a process) immediately. The best qualified applicants are often in demand and have other employment options. They may not wait. Astute departments not only seek out those good

applicants and do whatever it takes to hold on to them even if it means creating temporary employment for them until they are able to be hired for an academy start.

Applications must be submitted to the city in hard copy form. City Human Resources reviews all applications and determines if minimum qualifications are met. Those applicants who do meet minimum qualifications are scheduled for the written exam. In the last hiring cycle, 800 applications were requested, and 483 were actually submitted. Of those, 130 were processed all but 36 failed the selection process. There is an expectation that 450 applicants will be needed to meet the hiring needs of the next cycle.

Stemming from a desire to take the city and the police department out of the preliminary selection process, a contracted vendor is responsible for the development and administration of the written exam and oral interview, and administration of the physical agility test. The vendor even selects and trains external oral board members. Boards (panels) for sworn positions include a sworn Connecticut officer from a non-local department, a member of the New Haven Police Union, and representative from the City Human Resources Department. Last time, 15 panels were seated and they were all trained in questioning and rating. The city and the police department are asked to supply personnel for administration of some portions of the process.

The agility test is mandated by the State POST. It is a two part test administered consecutively. First is a Cooper's (age- and gender-normed) exercise test, followed by a practical exam calling for the applicant to push a cruiser, drag a dummy, and perform similar job-related exercises. Failure to perform the agility test at a 40% level of the requirements needed to complete the academy results in disqualification. The agility test is not required to be given at this point by POST. This is done to pre-screen those who are unlikely to pass the agility test at 100% prior to the academy. There is on-going discussion about possibly of reducing the 40% requirement to 35% in hopes of retaining otherwise good applicants at this early point in the selection process.

Applicants are rank ordered according to their scores on the written, oral and agility phases. Points for military service are awarded to veteran applicants. City Human Resources submits to the police department a Civil Service List of certified applicants for the position of police officer. From this list, the police department makes conditional offers of employment. From the last certified list, the department made

60 conditional offers of employment. This is unusual because it precedes the background stage. It was reported that this was done, in part, so that interviews and polygraph exams could include ADA protected drug use questions that are typical in the background stage. Other police departments have structured their pre-conditional offer drug questions around the illegality of drug use and sales – rather than medical/addiction oriented questions – thereby avoiding the ADA issues.

The background investigation conducted by the department consists of a “long-form” application that includes questions about drug use, employment and military histories, financial history, and former residences. This serves as the basis for the background investigation conducted by detectives assigned to the Internal Values and Ethics Unit. Polygraph exams are contracted out to a private vendor. Polygraph exam results are, in themselves, not disqualifiers but rather leads from which further investigation can be initiated.

Applicants that are not disqualified in the background stage are scheduled for medical and psychological exams, also conducted by contractual vendors. Within 30 days of the start of the academy, successful applicants must pass the complete physical agility test. Final selection includes the “Rule of Three,” which gives the chief the opportunity to exercise limited personal judgment in picking new hires.

When asked how New Haven compares to other local employment competitors, it was stressed that the more important issue was who – among the larger departments – could hire first. It was suggested that smaller departments draw applicants with different interests and there was not too much overlap between those interested in small department policing and those who wanted to work in bigger cities.

If the department hopes to hire the best qualified applicants, it must be prepared to move quickly when such applicants surface. The department is correct in its recognition that good applicants get hired by department that makes the first good offer. For that reason alone, application acceptance should be year-round, and tied to an on-going selection process so the best applicants can be quickly identified, and a commitment can be made to hire them. This may require modifying current regulations and city-wide practices, but the future of the police departments rests in the hands of the officers it hires now.

RECOMMENDATION: Make the department’s website a more effective recruitment tool

The department should revise its website to be more easily navigated by potential applicants. Police departments around the United States have found the internet to be a most useful recruitment tool with today’s youth.

FINDINGS

The department indicates it relies heavily on it’s website for applicants. A check of the site finds it posts an informative recruitment slide show with a link back to the city page for those who wish to apply. However, the link is not clear and even when one searches for an employment application, it does not help. Bringing up posted positions does not include police officer – presumably because the position was not open at the time.

RECOMMENDATION: Create an objective system to fill specialty positions

The process used by the department to fill positions in specialty units should be more objective. Selections should be based on formal application to the position and a review of the knowledge, skills, abilities the candidate can bring to the job. Experience and capabilities can often be substantiated during interviews for the position but documentation of training and other career development qualifications should be formally considered and compared against other candidates in an objective system. Moreover, vacant positions should be filled with personnel of the rank for which the position is classified. That is, if a vacant position at the lieutenant’s level, it should be filled with a lieutenant except for the most temporary acting period until the position can be properly filled.

FINDINGS

Training staff indicate there are training opportunities through the academy to help officers hone the knowledge, skills and abilities needed for some specialty unit positions. Officers can also apply to specialty schools and if funding is available and supervisory approval is granted, they can attend the school. But, there is no formal career development program that provides long term grooming of employees for key positions.

There are some 180 specialty positions within the department, however, there is no transfer policy and no uniform way that jobs are filled. All specialty positions and

transfers are at the discretion of the Chief of Police. Sometimes announcements are issued about openings, and the chief may consult with unit managers, but the decision is his, alone.

RECOMMENDATION: Positions should be filled at the proper ranks level

When promotional lists are certified and funding is available, promotions should be made and vacant supervisory positions – including positions currently filled below the authorized rank – should be filled.

FINDINGS:

Though the city and department, by ordinance for budget 2007-2008 purposes, established the authorized staffing level for the department which includes supervisory and managerial positions. Promotional processes have been in place for three ranks: sergeant, lieutenant, and captain. The process for sergeant was held in 2000 and again in 2006. There is still an active promotional list for sergeants. The last lieutenant promotional process was also in 2000, with the last promotion made in 2002. The last captain promoted was in 1998.

The promotional processes for captain, detective, and lieutenant are currently under development through a contract vendor. The department hopes to open the processes and make promotions in that order. Because middle management promotions have not been made for some time, as an alternative to promotion, the department has come to rely on filling supervisory and managerial positions with hand-picked personnel, regardless of rank. As a result, there is a sergeant in a command position with a subordinate lieutenant. In other situations, sergeants and lieutenants are filling comparable positions. In other words, rank may not mean more than a pay step, while random appointment designates who is in charge.

The impending promotional processes are a combination of a Job-Knowledge Written Exam and a weighted Oral Interview. The job knowledge is derived from a Job-Task Analysis conducted by the contract vendor, which entailed interview with incumbents, supervisors, managers, and training personnel. However, an obstacle was raised by the bargaining unit over the weighting of the oral interview. The city and department had hoped to move away from a high value being placed on written exams that often call for little more than memorization of study material and offer management no insight into a candidate's supervisory, managerial or leadership ability. The hope was that the upcoming processes would rely more heavily on an

assessment center type of testing. But the bargaining unit would not agree to less than 50% weighting for the written exam. Presently, the city/department and union are working toward a compromise that would allow the promotional process for lieutenant to proceed.

The city Human Relations department has released a Request for Proposals (RFP) for the entry level test and anticipates an October/November testing schedule. The captain's process is scheduled to begin with an assessment center will be offered in December 2007. An RFP for the detective process will be released in November with hopes for a process to be administered after the first of the year, and if agreement is reached with the union, the lieutenant's process will then follow. The sergeant's certified list is valid for another 16 months.

TRAINING

RECOMMENDATION: Recruit performance should be monitored to ensure that their training is effective

The department's patrol managers should constantly monitor the competency and demeanor of their recruit officers and offer feedback to trainers. Patterns of noticeably good – or poor – job knowledge, display of skills and communications/interaction abilities with the public and other officers are all vital feedback for academy managers and trainers. The department's commitment to training should be ongoing and it starts with recruits. Problems need to be identified and corrected promptly.

FINDINGS

The Training Academy's overall theme for the recruit academy is reported to be "Community Oriented." Though the department had previously – back to 1991 – integrated community policing topics in the recruit curriculum, specific courses are now dictated by Connecticut Police Officer Standards and training (POST). From its beginnings in community orientation when a former Chief brought George Kelling and Robert Trojanowicz, nationally recognized experts in community policing, into the department to develop grass roots support for police/community partnerships. Relationship building between officers and the public has been stressed at the academy.

Over time, the academy has focused on high-and-low-stress styles. The academy's current reliance on a medium-stress style of recruit training is rooted in a number of expectations. Since September 11, there has been a greater expectation for police officers to be at the ready and more physically fit. Reportedly, this is still considered to be a staff priority. Also cited was that there is value in having the recruits understand how it feels to be talked down to. All this coupled with the reality that today's youth (who make up the bulk of recruits) are not accustomed to stringent rules and taking orders, has led training staff to feel a necessity to rely on a medium stress style with certain reliance on physical fitness to better bond the recruits. Among the tools used by the staff to evaluate students is an anonymous Peer Review process in which all students evaluate others on traits, characteristics, and behaviors such as: honesty/ethics, intelligence, maturity, articulation, following rules, work ethic, emotional stability, assertiveness, judgment, and more. These responses are useful when the staff makes FTO selections.

The total academy period is 29 weeks plus a Saturday a month at which practical skills and ride-alongs are scheduled. This is much more comprehensive than the 17 week program adopted by POST in 1998. A review of the curriculum applicable to the recruit class (XIII-07) currently in the academy finds it to be thorough and offer instruction in the various topics typically found in a full-length academy as well as sufficient time on the range and to address other practical skills.

RECOMMENDATION: FTO training should reinforce academy lessons

The department should reinvigorate its commitment to the Field Training Officer (FTO) Program. Recruit Academy instruction places a high importance on preparing new officers to do their jobs in accordance with written directives and the values held high by the department. However, when new officers are assigned to patrol they are faced with a departmental culture that struggles with multiple priorities. The Field Training Officer (FTO) period is the final component of recruit training and serves as the "gateway" to the realities of policing the streets. It is especially important that FTOs subscribe to the department's values – and FTOs must instill them in their recruits. The department should strengthen oversight of the FTO phase of training and ensure that departmental values and the departmental culture are in accord.

FINDINGS:

Some in the department fear that too little supervisory review exists in the area of recruit officer communications once they are assigned to patrol. When new officers embark on the FTO phase of their training, they are for the first time subjected to the department's actual culture and the impact of seasoned veterans who often times espouse tactics that differ from those taught at the academy. This is where new officers often first observe everyday communications with the community and public interaction that differs from what they were taught. Reportedly, the department's culture demands that new officers "fit the norm." This can be exacerbated when new officers are partnered with others when their assigned FTOs are off on leave.

At the conclusion of the FTO period, new officers are returned to the academy, and among other tasks, they evaluate their FTOs on communications skills, community interaction, and more. It is understood that the FTOs are but one part of the patrol culture and peer pressure the recruits are exposed to in the field. These issues are again addressed at in-service training, and the Chief of Police can call for remedial training in the event an officer is found to be in need of work in this area.

PERF's review of recent citizen complaint investigations found that the majority of rudeness and language complaints were resolved through "mediation" and in many instances there was no indication that the respondent officer was reprimanded for inappropriate or communications-related behavior. With this being the norm, the department cannot expect new officers to recognize the importance of proper communications with the public or to fear reprisal for misconduct in this area. In fact, the message sent is that this is what fellow officers and supervisors expect, and management does not object.

However, even with a strong emphasis on effective communications, there is recognition that appropriate police action sometimes evolves into necessary physical contact. It was reported that at times in the past, academy instruction relied heavily on the notion that anytime physical actions were taken, the officer failed. Today, recruits are taught to do all they can to diffuse situations without physical intervention but to be ready to take appropriate and necessary action when needed to protect themselves or others. As one trainer stated "Some public contacts are a fight before you get out of the car." As such, they want officers to be prepared for what they cannot change. They want the recruits to be able to take effective action rather than to simply call for more officers.

FTOs, other officers, and patrol supervisors all play a role in views and values that are adopted by recruit officers. Failure on the part of any of them to reinforce the wrong lesson can have a decades-long impact. Supervisors and managers have an obligation to the future of the department to constantly and closely monitor this phase of training to ensure the recruits take away the right messages.

RECOMMENDATION: Training topics should be linked to identified needs

The department needs to strengthen the link between complaints of rule infractions or poor performance and training opportunities.

FINDINGS:

Recognizing that the majority of citizen complaints taken at Internal Values and Ethics stem from “officer language and rudeness,” training personnel focus on the issue of proper communications. On the second day of the recruit academy, officers are exposed to a block of instruction dealing with “How to talk to the public” and the effects of police peer pressure. This is then reinforced throughout the curriculum in the form of various role play exercises where students are faced with community interaction and peer pressure scenarios.

When infractions are reported the department can initiate an internal investigation and take disciplinary action against officers found to have committed infractions. But the opportunity to capture information about repeated reports of infractions and link it to remedial and reinforcement training is being missed. The department should better monitor recurring complaints for potential training topics and examples of problems to be avoided by officers.

RECOMMENDATION: Training should be a priority from the top down

The department should be more attune to accommodating scheduled training. It is not uncommon for officers – at all levels – to miss in-service training. Most certainly, there are critical and demanding situations that can intervene with the best intentions of ranking officials to attend scheduled training. But this helps set the tone for all that in-service training is not considered important. Any missed training, by any member, should require a strongly justifiable excuse and unexcused absences should be treated as a disciplinary matter.

FINDINGS

In-service is taught by a mix of internal and external instructors. Some 40 certified, on-board members are included in the 200 instructors that the department can call upon to provide training. Legal training is largely performed by contract attorneys with the requisite experience. POST requires that officers receive 60 hours of in-service training every three years. Among those hours there are required topics (28 hours): firearms, rape crisis, domestic violence, human relations, handling juveniles, gang violence, police and the law, patrol procedures, bigotry or violence crimes, and a choice of electives including: the criminal justice system, police and the law, practical skills, human relations, criminal investigations, patrol procedures, supervision, management, or executive training.

One of the major problems with in-service training is the number of officers who fail to appear for scheduled training. This is particularly the case for command staff members. The Chief of Police is informed when training is missed, but no action is taken for missing training, other than to reschedule it.

RECOMMENDATION: Officers must be trained and prepared for advancement

The department should stress the overall importance of career development training. The opportunity to send members of the department to training in specialty functions builds competency in many aspects of policing and while it can advance careers. It should be viewed as an essential aspect of succession planning. Too often these opportunities are not acted upon because staffing levels are low and supervisors are reluctant to permit another absence. If career development were integral to the department's performance evaluation system, supervisors would be more inclined to facilitate such training. However, staffing within units must be maintained at a level that permits officers to attend training.

FINDINGS

As information about classes and training opportunities comes to the training academy from POST and other sources, it is redirected to unit supervisors. Essentially, it is their job to decide who, if anyone, ought to be nominated. If training staff think it is a good opportunity and too little response is generated, they may call supervisors to remind them. Most often when response is minimal it is because the

supervisors cannot spare their subordinates for any length of time. Other times, the chief may determine there are not sufficient funds to permit attendance.

When members of the department are sent to distant training, the academy staff makes the necessary tuition and travel arrangements and tracks the member's attendance. By written directive, officers are to return copies of all handouts and course materials to the academy for retention in their files. Although written directives also call for all outside training to be coordinated through training, it does not always happen. Some supervisors learn of no-cost training opportunities and send staff without proper notification. Some POST courses and a small number of others can be registered for on-line and occasionally officers – with supervisor approval – register this way.

Recently, the chief has expressed an interest in having newly promoted members attend managerial training at Roger Williams University in Providence, but the \$1,000 tuition is proving to be an obstacle. Some attend first-line supervisory training offered by POST, which is not required training.

DRAFT

Appendix 1: The Community

COMMUNITY MEETINGS AND FOCUS GROUPS

As part of PERF's review of the New Haven Police Department, a series of open-forum and focus groups community meetings were held. The open-forum meetings were advertised in newspapers, on TV and through neighborhood flyers. They were held on May 22nd at Career Magnet High School and the 23rd at Wexler Grant Community School. The sessions began at 6:00 p.m. and were open to all citizens of New Haven. The first night, an estimated 20 members of the community were present at the meeting and approximately 50 attended the second session.

Members of the PERF team and the Chairs of the Independent Accountability Panel (IAP), Jeffery Meyer and Shirley Wayne Washington, facilitated the meetings. PERF Executive Director Chuck Wexler also attended the first open-forum session. Representatives of the New Haven Police Department were also present. Concerns expressed by participants at the community open-forum meetings have been consolidated as follows:

Police – Community Relations

- Patrol officers need to establish relationships and become involved with the community.
- Officers seem to have little respect for citizens based on how community members report they are treated and spoken to, especially the youth in the community.
- There is a lack of communication between the police and the community. Community members feel this needs to be improved.

Complaint Processes

- There should be mechanisms in place for citizens to file complaints against officers without fear of retaliation.
- Complaints seem to go nowhere. Citizens need to be informed of the complaint process.
- The department seems to discourage complaints.

The Department

- The department's credibility and accountability need to be restored. A suggestion to accomplish this is keeping citizens informed during investigations.
- There is not enough oversight as a result of too many supervisor vacancies.
- The community feels a general lack of responsiveness from the department. Phone calls are not returned and response times seem exceedingly long.
- The department's website is not getting information out.

There were a total of five focus groups which were held on May 29th, 30th and 31st from 7:00 p.m. to 9:00 p.m. at a local school, with the exception of the group of defense attorneys which was held at City Hall in the afternoon. Unlike the community meetings, focus group participants represented specific entities within the New Haven community, as recommended by the Independent Accountability Panel (IAP). The groups selected by the IAP to be interviewed by PERF were:

- Members of the religious community – eight participants attended.
- Defense attorneys – thirteen participants attended.
- Social service providers and local business owners – ten participants attended.
- Youths – ten participants attended. Ages ranged from nine to seventeen.
- Neighborhood associations – eight participants attended.

Two separate focus groups were dedicated to neighborhood associations; however, on the second scheduled meeting date, no representatives attended the session. Some focus groups were monitored by representatives of the IAP.

The following are the concerns expressed by each focus group, as well as recommendations for change suggested by participants.

Religious Community

- The department doesn't fully understand or appreciate New Haven's diverse communities. They don't identify with the communities they serve.
- The police need to engage in collaborative problem-solving.
- Complaints are made but often ignored.
- When calls are made to the department you "hope" they will be answered.

- There is a racial divide within the department and this internal division is reflected in an external division between the department and the community.

Group Recommendations for change

- Work collectively to move the department forward. The community must play a role.
- Put a collaborative problem-solving mechanism in place for both the department and the community to be trained on.
- Officers need to treat community members with respect; they need to understand the communities they serve.
- Officers should have cultural education/training.

Defense Attorneys

- There is no departmental/institutional reliability. It varies with each individual officer.
- The culture of the department does not foster accountability.
- The police don't videotape entire interrogations; this general lack of transparency does not promote trust.
- A lack of trust for the police permeates within the community.

Group Recommendations for change

- Have an impartial citizen review of the internal affairs unit.
- Install a review mechanism that would ensure discipline and accountability.
- Put a system in place that allows for transparent and impartial review of the department.
- Raise the level of professionalism within the department. Train officers how to deal with and respect the community they serve.

Social Service Providers and Local Business Owners

- The police have fundamentally moved away from community-oriented policing and what it means. They have lost their connection to the community.
- Officers are insensitive and lack compassion and empathy for social service clients.
- The department does not fully understand/appreciate the role social service providers play in the community.

- At times, the department’s response to calls involving social service recipients only makes matters worse.

Group Recommendations for change

- Offer additional training for officers to deal with special populations.
- Collaborative problem-solving mechanisms need to be put in place.
- The community needs to get involved in the process because the police can’t do it alone.

Youths

- Participants described officers in the following ways: helpful at times; slow; disrespectful; jump to conclusions; too physical; threatening; racist.
- Whoever calls the police seems to always get the better result.
- Most participants said they would talk to police if they saw a crime committed; however, one said it would depend on the officer.
- Participants described interactions with an SRO as good: sits with them at lunch; talks to the kids; solves problems before they get worse; listens; understands the kids.
- Most officers in the community can’t relate to the kids in the community.

Group Recommendations for change

- If people don’t want kids hanging out on corners, there needs to be some place for them to go, with something there for them to do.
- Participants described good qualities they would like to see in an officer: respectful; listens to both sides of the story; talks to them; doesn’t assume kids are bad because of the way they dress; makes jokes; show kids respect and kids will give it back.

Neighborhood Associations

- The department needs to get back to community policing. Officers need to communicate better with citizens.
- Patrol seems to be understaffed.
- There is no accountability in the department. Oftentimes there is no response and no one calls back.
- Selection process seems to be more of “who you know” than who is the best candidate.

- Officers should not be left in Narcotics and Vice for more than a few years; they are constantly surrounded by temptation.

Group Recommendations for change

- Increase the department budget to hire more officers.
- Get back to community policing.
- Examine the department's reporting structures; the way people deal with each other in a management sense.
- Officers need sensitivity and ethics training.
- The department needs to increase the level of trust between officers and the community. Officers should be assigned to areas for longer periods of time to build relationships with citizens, especially kids.

DRAFT

APPENDIX 2

EARLY INTERVENTION SYSTEMS

Early Intervention Systems (EIS)

Across the profession of police work, agencies have found that early intervention systems are an effective mechanism to improve officer performance and enhance accountability. This section provides a general description of the variety of Early Intervention Systems being used in the profession, and specific recommendations will be offered to the New Haven Police Department for implementing a system that emulates best practices.

Overview

An Early Intervention System (also known as an Early Warning System³) is a data oriented management tool designed to track indicators of officer performance. The database is used for short term assessment of employees. If the indicators give cause for concern, the agency then provides an intervention; if indicators demonstrate exemplary service, those activities can be identified, rewarded and emulated. The goal is to change behavior, not to identify and target problem officers. Furthermore, effective systems serve as a means of improving the accountability of supervisors; first line supervisors serve as the lynchpin of EIS. They are the first to observe potentially problematic behavior and commonly are involved in the intervention process.

Early Intervention Systems should be part of an agency's larger effort to support and improve performance. These systems should be considered officially separate from the official disciplinary process. It is designed to be proactive as an intervention – not coercive or punitive. It does not create a record that is part of the officer's official personnel file, but serves as a short term retrospective review of current performance levels to provide a basis for counseling, warning, or other intervention.

Several organizations have recognized EI systems as a best practice in police accountability. The US Department of Justice, in its report *Principles for Promoting Police Integrity*, (2001) includes these systems as a recommended practice. The Commission on Accreditation for Law Enforcement Agencies (CALEA, 2006) adopted

³ This report uses the term *early intervention*. It does not use the more widely used term *early warning*. *Early warning* has a negative connotation, suggesting that the system is primarily oriented toward discipline. EI systems are evolving in the direction of more comprehensive personnel assessment systems, for the purpose of examining a broad range of performance issues. For this reason, the more positive *early intervention* term is used.

Standard 35.1.9 that mandates EI systems for large agencies. The International Association of Chiefs of Police (1989) recommends EI systems as a means of controlling corruption and building integrity in police departments. The U.S. Civil Rights Commission recommended EI systems in its 1981 report *Who is Guarding the Guardians?* PERF recently published *Supervision and Intervention within Early Intervention Systems*. The acceptance of these systems by such a wide variety of sources demonstrates the validity of this approach.

Implementation of EI systems can have a broad impact on the performance of individual officers, supervisors and managers, as well as the department as a whole. The DOJ study (2001) found that EI systems reduced citizen complaints and officer use of force. Furthermore some systems, such as the Pittsburgh Police Department system, identify “top performers” rather than exclusively focusing on “problem officers.” Supervisory practices are improved when EI systems hold them accountable to their role in employee development. Department wide transitions have been attributed to changes in policies and employee expectations after the adoption of an EI system. Agencies report a shift in their organizational culture and new standards of accountability.

EI Systems Described

An Early Intervention System consists of four coordinated components: performance indicators, identification and selection processes, interventions, and post intervention monitoring. There are two basic types of EI systems - a comprehensive personnel assessment model and a focused performance model. Each system has different goals and approaches, and is maintained at different costs.

Numerous software systems have been developed for Internal Affairs units that vary in complexity and capacity for analysis but may be applied to an EIS environment. Some agencies have purchased commercial software systems while others have written their own programs or utilize spreadsheets. Each department must make decisions on the system that best meets the needs of the organization.

The comprehensive personnel assessment model requires the collection of a wide range of data. The program conducts a complex data analysis that identifies top performing officers, underperforming officers, and performance problems. These systems require a sophisticated technological infrastructure and a large administrative commitment. The focused performance model restricts its scope to a smaller range of data looking strictly

for performance problems. The focused systems are less expensive and require fewer administrative resources.

Performance Indicators

Performance indicators are those measures of activity that are entered into the EI system database. While a broad range of indicators should be used, there is not a consensus regarding the specific number recommended. Some departments use as few as eight; others as many as twenty-four. However, it is agreed upon that an effective system should not be restricted to only one or two indicators.

An agency should consider the specific needs of the department and its capacity to support a large system versus a small system when planning the type and number of indicators most appropriate. Problems endemic to a specific agency may dictate the type of information captured. Examples in other departments include excessive sick time, numerous motor vehicle accidents, civil litigation, and complaints about traffic enforcement.

The following is a composite list of indicators being used in Comprehensive Personnel Assessment Models:

1. All non-lethal uses of force
 - a. Citizen injuries requiring medical attention
 - b. Disciplinary outcomes
2. All officer-involved shooting incidents
 - a. On-duty/off-duty discharges, citizen injuries, citizen fatalities
 - b. Disciplinary outcomes
3. All officer-involved vehicular pursuits
 - a. Accidents
 - b. Injuries
 - c. Fatalities
 - d. Disciplinary outcomes
4. All citizen-initiated complaints
 - a. Use of force
 - b. Racial bias
 - c. Investigative outcomes
5. All citizen-initiated commendations
6. All departmental commendations and awards

7. Criminal arrests and investigations of subject officer
8. Civil suits or an administrative claim in which subject officer is named
 - a. Nature of claims
 - b. Case outcomes
9. All arrest reports, crime reports, and citations made by officers
10. All motor vehicle stops and pedestrian stops made by subject officer
 - a. Race, ethnicity, gender, age of drivers stopped
11. Performance evaluations for each officer
12. Training history
 - a. Any failure of an officer to meet weapons qualification requirements
13. All management and supervisory actions, including non-disciplinary actions, related to each officer (i.e. tardiness, appearance of uniforms, etc.)
14. Sick leave or family leave record
15. Canine unit deployment involving subject officer
 - a. Deployments
 - b. Bites
 - c. Citizen injuries
 - d. Complaints or civil suits arising from deployments
16. Failure to appear in court

Agencies that use Focused Performance Models track fewer performance indicators. An example of such a model includes the following indicators captured:

1. All officer-involved use-of-force incidents
2. All officer-involved shooting incidents
3. All citizen-initiated complaints
4. All officer-involved civil suits or administrative claims
5. All departmental disciplinary actions
6. All citizen-initiated or department-initiated commendations or awards.

Identification and Selection Process

Entering the performance indicators into a computer system creates a database.

Agencies must employ a strategy to identify candidates for intervention. This is done through the creation of thresholds to assess the database. There is no recognized standard for thresholds limits – it is a department specific decision.

The issue of thresholds can be described as:

- How many use-of-force incidents over what time period should qualify an officer for intervention?
- What combination of use-of-force reports, citizen complaints, and other indicators over what period of time should qualify an officer for intervention?

Three different threshold formulas have been employed by different systems: department-level thresholds, peer officer thresholds, and ratio based formulas.

1. With a department level threshold, the same standard is applied to all officers regardless of duty assignment. The benefit of this strategy is that it is the easiest standard to implement.
2. In a peer officer threshold, officers are compared to other officers with similar assignments (e.g., night shift, high-crime area, traffic enforcement, etc.) Officers in some assignments are more likely to generate use-of-force reports and citizen complaints because of the nature of the work environment. It is unfair to expect them to meet the same numerical standard as officers working low crime areas. Ratio based formulas analyzes data as ratios between different performance indicators. The advantage of this method is that it allows commanders to identify high performing officers, who might meet minimum thresholds due to more public contacts, and not subject them to unnecessary interventions.

Intervention

For the EIS to be effective, supervisors must have access to a range of programs and services. Performance issues can be manifest in a variety of ways and caused by a variety of sources. The following is a list of several intervention programs used by other agencies.

- Counseling by immediate supervisor - These are either formal or informal meetings that serve as a “wake up” call to the employee.
- Training - Training opportunities are either individualized or group sessions that focus on specific issues or trends identified.
- Professional Counseling on Personal or Family Problems - Access to an employee assistance program is a standard option. It is important that officers trust their system.

- Peer Officer Support Program - Peer support programs allow officers to talk frankly about personal or professional problems with individuals who might have had similar experiences.
- Crisis Intervention Teams - Crisis intervention teams (CIT) respond to critical incidents such as officer-involved shootings or excessive use-of-force incidents. Some teams are from other departments in the area. Their role is to provide support for the affected officer.
- Reassignment and Relief from Duty - Supervisors have the authority to relieve an officer from duty and send home an officer who is clearly under stress and not fit for duty that day. In most cases, the officer in question was having some serious but temporary personal crisis.

In many systems, the supervisors utilize a problem oriented policing approach in developing and customizing an intervention strategy. Key to the effectiveness of the EIS is services offered through EIS must exist independent of the system so that supervisors may proactively recommend an employee that has not reached minimum thresholds. Supervisors must be adequately oriented and trained in each of the interventions so that the system may be administrated consistently and effectively.

Post Intervention Monitoring

Following the official intervention, the officer's performance must be monitored. In many departments, the monitoring is informal and conducted by immediate supervisors. Some departments keep officers on a list for a specified time period following intervention and continue to monitor their performance. In other departments, the monitoring involves an elaborate system of observation, evaluation, and reporting. No standard or recommendation has been established beyond acknowledging that some type of post intervention monitoring is required.

The New Haven Police Plan

With the variety of issues facing the New Haven Police Department, a comprehensive strategy for improving officer performance and supervisor accountability is warranted. The Early Intervention System would be one component of this larger initiative. Due to the variety of concerns expressed by officers and community members, it would be more effective to utilize the Comprehensive Personnel Assessment Model that assesses a wider range of factors instead of the restricting the effort to a focused system. Any system

implemented by the NHPD should meet the minimum requirements described by CALEA standard 36.1.9. A sample of EIS planning steps from PERF's *Early Interventions Systems for Law Enforcement Agencies* should be considered.

Based upon a review of the organization, it is suggested that the New Haven Police Department's Early Intervention System consider incorporating and tracking the following factors:

- all officer-involved shootings and firearms discharges, both on-duty and off-duty
- all other potentially lethal uses of force
- all other injuries and deaths associated with an officer's performance of duty (or otherwise are the subject of an administrative investigation)
- all non-lethal uses of force
- all instances in which a police canine bites a member of the public
- all vehicle pursuits and traffic collisions
- all complaint investigations
- all criminal arrests and investigations of, and all charges against department employees
- the results of adjudication of all investigations of officers (whether criminal or administrative) including discipline imposed or non-disciplinary action taken
- all written compliments received about officer performance
- all commendations and awards
- all civil or administrative claims filed with and all lawsuits served upon the City or its officers, or agents, in each case resulting from police operations, and all lawsuits served on an officer resulting from police operations
- dispatch data concerning all arrest reports, crime reports, and citations made by officers, and all motor vehicle and pedestrian stops
- training history and any failure of an officer to meet weapons qualification requirements
- all management and supervisory actions, including non-disciplinary actions
- regular review of credit reports for specific sensitive assignments

Careful planning is an essential component in creating an effective Early Intervention System. The department must determine the size, capacity, and purpose of the system at the onset. It is critical that the must be accepted and supported by the rank and file and middle management if it is to be effective.

Numerous publications have been created detailing the steps to follow in an Early Intervention System planning process. One of the initial steps recommended for New Haven to implement an EIS is the establishment of a committee responsible for planning and implementation. The committee should consist of the various stakeholders who have an interest in the system including officers, supervisors, IT staff, Internal Affairs personnel, union representatives and community members. Some key questions must be answered at the onset of the process:

- What should the NHPD do with the system data?
- Who will have access to the data?
- How will the NHPD interpret it?
- How will the NHPD intervene with officers whose records suggest problems that need correcting?
- How will the NHPD make sure that the system is operating the way it should?
- Does the NHPD have the necessary technological infrastructure to allow an early intervention system to work?
- Does the NHPD have the budgetary resources to provide the necessary computer hardware, software, and training programs?

The NHPD would be best served by developing thresholds that focused on peer comparisons rather than a department wide or ratio based comparison. The exact number should be established by the development committee. Early in the process budget resources must be identified to support training, interventions, administrative support, and software systems that will meet the goals of the New Haven system.

Conclusion

An Early Intervention System is not a solution to all performance and accountability issues within a police department. However, it can serve as an important tool to improve police performance and answerability. Its implementation can serve as a mechanism for introducing a culture of integrity and quality service. When properly implemented and

accepted by all levels of the organization, it can become an effective data based standard for general personnel assessment and improvement.

References

Commission on Accreditation for Law Enforcement Agencies. *Standards for Law Enforcement Agencies*. 5th ed. Fairfax, VA: CALEA, 2006.

International Association of Chiefs of Police. 1989. *Building Integrity and Reducing Drug Corruption in Police Departments*. Washington, D.C.: Government Printing Office

U.S. Commission on Civil Rights. 1981. *Who Is Guarding the Guardians?* Washington, D.C.: U.S. Commission on Civil Rights.

U.S. Department of Justice. 2001. *Principles for Promoting Police Integrity*. Washington, D.C.: U.S. Justice Department. NCJ 186189. Available at www.ncjrs.gov.

Walker, Samuel. 2003. *Early Intervention Systems for Law Enforcement Agencies: A Planning and Management Guide*. Washington, D.C.: Office of Community Oriented Policing Services.

Walker, Samuel. 2006. *Supervision and Intervention within Early Intervention Systems: A Guide for Front Line Supervisors*. Washington, D.C.: Police executive Research Forum

Walker, Samuel. 2005. *Supervision and Intervention within Early Intervention Systems: A Guide for Law Enforcement Chief Executives*. Washington, D.C.: Police executive Research Forum

Police Executive Research Forum *Early Intervention Systems for Law Enforcement Agencies*