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CITY OF ALBUQUERQUE

Richard J. Berry
Mayor

Robert J. Perry
Chief Administrative Officer



Independent Review Office of the Police Oversight Commission 2012 Annual Report

Linda Martinez
Chair

Bambi Folk
Vice Chair

Robin S. Hammer
Independent Review
Officer

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Mission Statement

The mission of the Police Oversight Commission (POC) is to provide a means for prompt, impartial, and fair investigation of all citizen complaints brought by individuals against the Albuquerque Police Department (APD), and to provide for community participation in setting and reviewing police department policies, practices, and procedures.

RESPONSIBILITIES OF THE POLICE OVERSIGHT COMMISSION

The Police Oversight Commission performs the following functions:

To promote a spirit of accountability and communication between the citizens and APD while improving community relations and enhancing public confidence;

To oversee the full investigation and/or mediation of all citizen complaints; audit and monitor all investigations and/or police shootings under investigation by APD's Internal Affairs (IA);

To continue the cooperation of APD and solicit public input by holding regularly scheduled public meetings;

To review all work of the Independent Review Office (IRO) with respect to quality, thoroughness, and impartiality of investigations;

To submit periodic reports to the Mayor and City Council;

To submit all findings to the Chief of Police;

To engage in a long-term planning process through which it identifies major problems and establishes a program of policy suggestions and studies each year.

POLICE OVERSIGHT COMMISSIONERS

DISTRICT ONE:

MATTHEW E. ARCHULETA

Appointed: 04/20/09

Term Ended: 02/01/12

Mr. Matthew Archuleta has been an active community volunteer for over twenty years. Mr. Archuleta has been a member of the Sandia Kiwanis, Maryann Binford Elementary PTA, Westgate Little League Coach, Westgate Neighborhood Association, and a basketball coach for the Boys and Girls Club. He was also a member of the Albuquerque Board of Education. He is currently a Program Specialist for the NMMFA and would replace Mr. Joe Gutierrez on the POC.

RICHARD SHINE

Appointed: 08/20/12

Term Ends: 02/01/15

Mr. Richard S. Shine received his BA and MA Degrees in International Politics from Columbia University. Mr. Shine went on to receive JD and LLM Degrees from the Georgetown Law Center. He has been an Assistant US Attorney in both Washington DC and Albuquerque. Mr. Shine has had an impressive career with the US Department of Justice as the Chief of the Multinational Fraud Branch, Trial Attorney for the Environmental Enforcement Section, Senior Legal Advisor for the General Litigation and Legal Advice Section and other posts. Mr. Shine was employed for six years as a Subject Matter Expert for the Science Applications International Corporation, helping to train more than 4,000 senior and middle management police officials from throughout the United States on the prevention and mitigation of suicide bombing attacks. Mr. Shine represents City Council District 1 on the commission. He replaces Mr. Matthew Archuleta, whose term expired and is ineligible for reappointment.

DISTRICT TWO:

JONATHAN SIEGEL

Appointed: 05/21/12

Term Ends: 02/01/15

Mr. Jonathan Siegel is a Principal Architect at Siegel Design Architects, LLC. Mr. Siegel has a Bachelor of Arts from the University of California at Santa Cruz, and a Professional Degree from SCI-Arc in Santa Monica, California. Mr. Siegel has been featured in the New York Times and in other publications. He is the recipient of awards at the national, state and local levels, and has lectured locally and abroad. He has been involved in neighborhood planning and community issues on an ongoing basis for over 25 years. He is currently a Mediator for Metro Court. Mr. Siegel is a resident of City Council District 2 and replaced Hank Cadena whose term expired on February 1, 2011.

DISTRICT THREE:

VALERIE S. ST. JOHN

Appointed: 01/18/12

Term Ends: 02/01/13

Ms. Valerie St. John is a Prosecution Assistant at the 13th Judicial District Attorney's Office. Ms. St. John has experience in impartial investigations and evaluations of evidence, witnesses, and victims who represent the broad spectrum of the greater Albuquerque area.

DISTRICT FOUR:

BAMBI FOLK

Appointed: 05/03/10

Term Ends: 02/01/13

Ms. Bambi Folk has been on the Board of Directors for the Bear Canyon Neighborhood Association for the past ten years. Ms. Folk also served on the Mayor's Task Force on Identity Theft, working on community awareness, education, and protection.

DISTRICT FIVE:

DAVID E. ADKINS

Appointed: 08/02/10

Term Ends: 02/01/13

Mr. David Adkins has served as a pastor in Albuquerque since 1996. He has been a minister to youth and college students at the University of New Mexico. Mr. Adkins served as a Chaplain with the Albuquerque Police Department for three years and is familiar with law enforcement issues and procedures. His extensive experience in the Albuquerque faith community makes him a valuable addition to this commission. Mr. Adkins is an Air Force veteran with eight years of military experience. He is also a small business owner who advises start-up ventures in Albuquerque. Mr. Adkins replaced Steve Smothermon.

DISTRICT SIX:

DAVID M. CAMERON

Appointed: 04/16/12

Term Ends: 02/01/14

Mr. David M. Cameron is a Pastor at the Immanuel Presbyterian Church. Mr. Cameron received his Bachelor of Arts in Zoology from the University of North Carolina (Chapel Hill), his Master of Divinity (Graduated with Distinction) from the Columbia Theological Seminary and his Master of Education in Counseling from East Tennessee State University. Mr. Cameron has also served as a Marriage and Family Therapist and has extensive knowledge on how to approach difficult issues with impartiality and sensitivity to emotional content. Currently Mr. Cameron serves on the Metropolitan Homeless Project as one of the Board of Directors.

DISTRICT SEVEN:
RICHARD G. SOBIEN
Appointed: 04/04/11
Term Ends: 02/01/14

Mr. Richard Sobien works in the Pharmaceutical Industry as a Quality Assurance Analyst. He assures that the product produced is compliant to regulatory agencies. When potential product impact issues arise he is responsible for making sure the appropriate investigations are performed. In his position, Mr. Sobien is required to make sure that the manufacturing process is in compliance with the FDA, EMEA regulations and participate in investigations when deviations occur. Mr. Sobien obtained a BS in Biology, with a Bio-Medical emphasis from New Mexico Institute of Mining and Technology. Mr. Sobien served on active duty in the US Army from 1993 to 1997.

DISTRICT EIGHT:
BOB FRANCIS
Appointed: 05/18/09
Term Ends: 02/01/15

Mr. Bob Francis is a native New Mexican who entered the military soon after graduating high school. He made the military his career and retired 33 years later. Mr. Francis is a rated pilot who was also the Commander of the Air Force Weapons Laboratory and the Space and Technology Center at Kirtland Air Force Base. He is a graduate of the US Naval Academy and Harvard Business School. He is currently on the Board of Directors for the Kirtland Federal Credit Union and Senior Arts Program.

DISTRICT NINE:
LINDA MARTINEZ
Appointed: 04/04/07
Term Ends: 02/01/13

Ms. Linda A. Martinez retired after 31 years of service with the Federal Government. Ms. Martinez spent the last years as a Taxpayer Advocate for the IRS of the State of New Mexico. In this capacity, she directed a program that assisted taxpayers when IRS systems have failed or when the taxpayer is suffering from financial hardship. Ms. Martinez works at the Coldwell Banker Legacy Realty as a licensed New Mexico real estate agent.

CHAIRMAN'S PERSPECTIVE

I am writing to express my gratitude and enthusiasm regarding the Police Oversight Commission and developments occurring in the Independent Review Office over the last year. The recent changes in addressing the commitment of Albuquerque Police Department to the community and the optimism in the IRO department's growth have led to important discussions for the police oversight function.

I thank William Deaton for his five-year service as an Independent Review Officer. The Commission appreciated Hon. Tommy Jewel's work as Interim Independent Review Officer while the Commission's IRO Search Committee worked to select candidates for a new IRO. I welcome the mayoral appointment of IRO, Robin Hammer, with her years of experience and dedication to the mission for which the Police Oversight Committee stands.

During 2012, the Police Oversight Commission became more transparent in the manner in which we reviewed and approved Citizen Police Complaints. Beginning in the Fall, at each monthly televised Commission meeting, the IRO reported on each case individually. The Commission discussed the IRO's Findings and then voted to accept, reject, or modify each Complaint. The Commission's Meeting Minutes also were improved to report the Facts and Findings from each Citizen Police Complaint. This increased public reporting of Citizen Police Complaints and provided the citizens of Albuquerque with a better understanding of the nature of the complaint against APD, as well as the results of the IRO's investigation and conclusion.

The Commission also changed the manner in which Officer-Involved Shooting cases were presented by the IRO to the Commission. The IRO now presents each Officer-Involved Shooting case at the Commission's monthly televised meeting. The IRO makes a presentation of demonstrative evidence to support her findings in Officer-Involved Shooting cases. The IRO also now provides the Commission with the criminal police report and other documents from the Multi-Jurisdictional Task Force for Officer-Involved Shooting cases for their review prior to their ruling. These changes provide more information for the Commission to make their decisions on Officer-Involved Shooting cases.

During 2012, the Commission worked diligently to improve the citizen oversight of APD police officers, practices, policies and procedures. The Commission looks forward to continued improvements in the Albuquerque Police Department's oversight system.

Linda Martinez
POC Chair 2012

POC MEETINGS

The regular meetings of the Police Oversight Commission (POC) for the City of Albuquerque are held in accordance with the New Mexico Open Meetings Act (NMSA 1978), Section 10-5-1 through 10-15-4. All POC members must abide by the POC Rules and Regulations of 2012. Meetings are normally held in the City Council/Commission Chambers, Albuquerque/Bernalillo County Government Center and are open to the public. The POC may close such meetings upon proper notice and recording to the public or as otherwise allowed by law.

POC TRAININGS

The members of the Police Oversight Commission are encouraged to attend yearly trainings offered to understand the work of the APD and to better serve the community:

In September 2012, Police Oversight Commissioners David Adkins, Bambi Folk, Valerie St. John, Jonathan Siegel, and Richard Shine, along with the Independent Review Officer, Robin Hammer, and IRO Staff Investigators Diane McDermott and Trey Flint attended the five- day National Association of Civilian Oversight (NACOLE) Conference in San Diego, CA.

On October 25, 2012, a yearly Firearms Training Simulator (FATS) training was hosted at the Albuquerque Police Academy. Attendance included the following commissioners: David Adkins; David Cameron; Bambi Folk; Bob Francis; Richard Shine; Jonathan Siegel; Richard Sobien; and Valerie St. John.

Police Oversight Commissioners completed Ride-a-longs during 2012 with APD officers:

David Cameron (05/30/12)	Bambi Folk (11/13/12)
Bob Francis (04/19/12)	Linda Martinez
Valerie St. John (02/25/12)	Richard Shine (12/08/12; 12/09/12)
Jonathan Siegel (06/21/12; 07/25/12; 11/27/12)	
Richard Sobien (11/03/12; 11/10/12; 12/08/12)	

POC LONG TERM PLANNING COMMITTEE

The 2012 Long Term Planning Committee (LTPC) of the POC consisted of three (3) Commissioners: Valerie St. John (Chair); Richard Sobien; and Bambi Folk. Meetings were typically held on the fourth Thursday of the month and were open to the public.

The LTPC reviewed all complaints where the IRO and the Chief disagreed before the complaints were heard by the full POC. The LTPC also reviewed trends and analysis to make policy recommendations to the full POC. The LTPC reviewed and made recommendations on the IRO/POC budget. The LTPC heard Officer-Involved Shooting cases until November. That duty was now given to the full Police Oversight Commission as a whole.

COMMUNITY OUTREACH

Independent Review Officer William Deaton performed outreach by speaking with foreign visitors who are involved in oversight in January 2012.

On April 3, 2012, IRO Investigator Diane McDermott provided a presentation made for the School on Wheels program (<http://www.aps.edu/schools/schools/school-on-wheels>) about the IRO office. The topics included APD Standard Operating Procedures and Constitutional Rights, and how citizens should behave during police contact.

On September 4, 2012, a presentation was made by IRO Investigators for the Criminal Justice class from Brookline College (<http://brooklinecollege.edu/college-programs/legal-studies/criminal-justice-bachelors/>). The students came to the IRO office for a presentation and learned valuable information about the office.

Newly Appointed Independent Review Officer Robin Hammer gave a presentation to the Albuquerque Police Department Quarterly Managers' Meeting on October 26, 2012. IRO Hammer made a PowerPoint presentation on the Police Oversight process and suggested methods officers could use to practice better policing and prevent complaints against APD.

The Police Oversight Commission formed a new Committee on Outreach Programs to assist IRO Hammer in developing new materials and plans for increased community outreach.

Independent Review Office Investigator Paul Skotchdopole presented a lecture and PowerPoint to a group of civil rights lawyers, law enforcement personnel and practitioners on December 7, 2012. Investigator Skotchdopole was invited to be a guest speaker held at the Holiday Inn discussing "Police Liability in New Mexico." The presentation provided an insight on the rules of conduct, the civilian oversight process, the complaint process, rights of an officer, and how will findings in an investigation affect civil liability.

THE INDEPENDENT REVIEW OFFICE

ROBIN S. HAMMER. Esq.
Independent Review Officer
Entered Office September 5, 2012

Ms. Hammer received her Juris Doctor, *cum laude*, from Indiana University and served as the Senior Investigative Trial Counsel for the Judicial Standards Commission where she investigated complaints against New Mexico judges. She served as the Deputy District Attorney for the Bernalillo, Santa Fe, and Farmington areas for over 17 years and has been a committee member for the Criminal Procedure Rules Committee. Ms. Hammer has also been awarded “Prosecutor with Most Legal Impact” in 1995.

DUTIES: The Independent Review Officer manages the Independent Review Office and its staff. The IRO is given autonomy and performs the following duties under the supervision of the POC:

The IRO receives all citizen complaints directed against APD and any of its officers. The IRO will review the citizen complaints and assign them to be investigated by the IRO independent investigators or Internal Affairs.

The IRO oversees, monitors, and reviews all of those investigations and make findings for each case.

The IRO makes recommendations and gives advice regarding APD policies and procedures to the POC, City Council, APD, and the Mayor.

The IRO may utilize an impartial system of mediation for certain complaints.

The IRO monitors all claims of excessive force and police shootings and is an ex-officio member of the Claims Review Board.

The IRO ensures that all investigations are thorough, objective, fair, impartial, and free from political influence.

The IRO maintains and compiles information sufficient to satisfy POC’s reporting requirements.

LETTER FROM INDEPENDENT REVIEW OFFICER

ROBIN S. HAMMER **Independent Review Officer**

During 2012, the Independent Review Office experienced many changes. In May 2012, retired Federal Magistrate Judge William Deaton retired from his position as Independent Review Officer after more than six years of valued service. Judge Deaton made findings on more than a thousand Citizen Police Complaint cases and dozens of Officer-Involved Shooting cases. He brought decades of legal professional experience to the Independent Review Officer position.

After Judge Deaton announced his retirement, the Police Oversight Commission formed a Search Committee to find a new Independent Review Officer. Mayor Richard Berry also entered into a contract with Honorable Tommy Jewell (retired) to work as Acting Independent Review Officer until a full-time replacement was hired. Judge Jewell led the Independent Review Office throughout the summer of 2012.

In July 2012, the Police Oversight Commission submitted three names of candidates for the Independent Review Officer position. The Mayor then appointed me to be approved by the City Council. After City Council confirmation, I began working as Independent Review Officer in late August 2012.

Immediately thereafter, I began to review the processes and procedures for receiving, processing and investigating Citizen Police Complaints at the Independent Review Office. I worked with the Police Oversight Commission in setting revised standards for Independent Review Office investigations and letters of my findings sent to Citizen Complainants. I made all Standard Operating Procedures (SOPs) available to the POC Commissioners and to the public. I also worked with the Chief of Police to begin a discussion regarding many suggestions for changes to policy for APD.

In October 2012, I, along with IRO Staff and several Commissioners, attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) annual conference in San Diego, CA. This conference provided many hours of instruction and ideas about how Citizen Oversight of police functions in other parts of the country. I became an active member of the NACOLE Professional Standards Committee, which seeks to develop the code of ethics, professional standards and training guidelines for those involved in oversight. After the conference, the NACOLE Professional Standards Committee tackled the task of collecting data about several different oversight agencies across the country to be placed on the NACOLE website for interested persons to review the enabling legislation and functions of law enforcement oversight across the country.

As Independent Review Officer, I worked with APD staff members to begin to make changes to the computer database in which the IRO collects data regarding Citizen Police Complaints and alleged misconduct. The IRO previously did share its database information with APD Internal

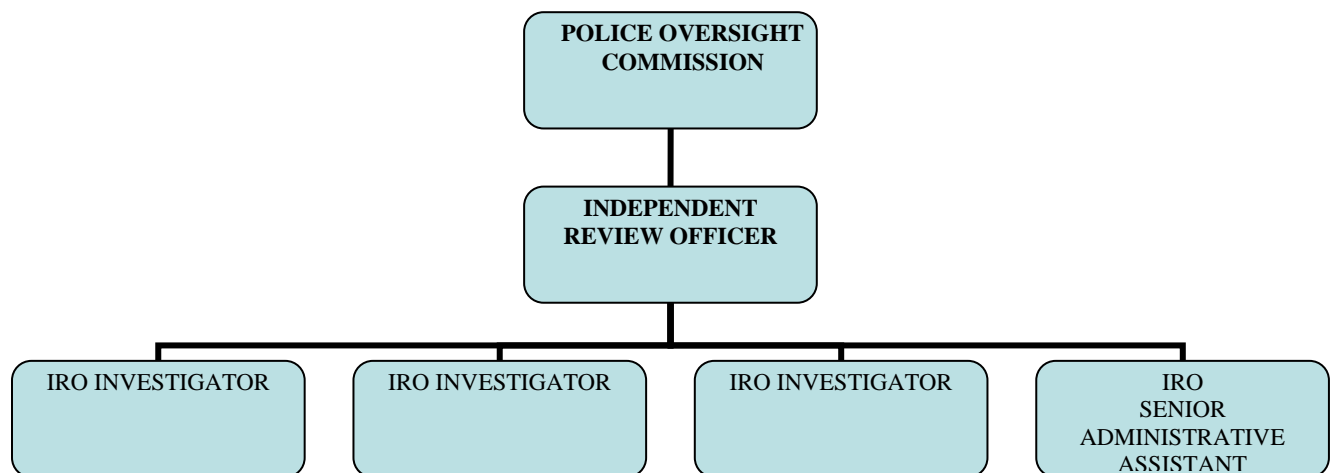
Affairs Division, but in 2013 there will be a system in place to permit APD to have the ability to use the IRO's data directly.

In November and December 2012, I made several modifications to the IRO's website. I made a major change to enable Citizen Police Complaints made through the web site to be signed electronically. The POC Ordinance requires all Complaints to be signed in order to be valid. Previously, if a Citizen filed a Complaint through the web, Citizens were required to either come to the office, fax or mail in a signed version of their Complaint prior to it being investigated. The changes I made to the web-based Complaint form permitted Citizens to complete the entire Complaint process through the web.

In December 2012, I resumed presentation of Officer-Involved Shooting cases to the Police Oversight Commission. The previous Independent Review Officer chose not to present any Officer-Involved Shooting cases to the Police Oversight Commission until the District Attorney had completed her criminal review, pending the District Court's decision on the matter. In 2012, the District Attorney halted her presentation of Officer-Involved Shooting cases to the Grand Jury. After reviewing the law, SOP and practices, I made the determination to present Officer-Involved Shooting cases to the Police Oversight Commission without waiting for the District Attorney and the District Court to resolve their positions regarding Officer-Involved Shooting cases. At the December 2012 POC meeting, I presented case I-23-11, which involved an officer who shot a driver of car about to run over the officer at a Wal-Mart parking lot. I began preparing to present all Officer-Involved Shooting cases to the POC for future meetings.

I, as Independent Review Officer, made many changes in 2012. I look forward to continued transparency and progress in the fair and efficient review of Citizen Police Complaints and Officer-Involved Shootings in 2013.

INDEPENDENT REVIEW OFFICE ORGANIZATIONAL CHART



CITIZEN POLICE COMPLAINTS

Any person may file a written complaint against APD or any of its officers. All complaints must be signed by the Complainant as required by the Albuquerque Police Officers Association Union contract.

Written Complaints may be submitted to:

- The IRO's website at www.cabq.gov/iro
- The IRO office at Room 813, Plaza del Sol, 600 2nd Street NW;
- Mail completed complaint forms to: PO Box 1293 Albuquerque, NM 87103; or
- Any APD substation or facility

FORMS: Complaint forms and the Ordinance establishing the POC and the IRO are available on the IRO website www.cabq.gov/iro. Complaint forms are also available at the IRO office, at the Mayor's office, at City libraries, police substations, the Internal Affairs Unit of APD, APD main office, and homeless shelters. The complaints may be filed with the city staff and will be forwarded to the IRO.

COMPLAINT PROCEDURE: When the IRO receives a complaint, the complaint is entered into the IRO's case management database and assigned a unique Citizen Police Complaint (CPC) number. The IRO reviews the complaint and assigns the case to the IRO investigators or Internal Affairs. Upon completion of the investigation, the IRO reviews the investigation for thoroughness, impartiality, and fairness. The IRO will consider and determine the recommendations by the investigators as to which APD Standard Operating Procedures (SOPs) the citizen alleged to be violated. The IRO will review and determine the appropriate findings and conclusions based on the evidence developed in the investigation.

DISPOSITION: Findings are based on a preponderance of evidence.

Sustained – It is determined that an APD member has committed the alleged violation.

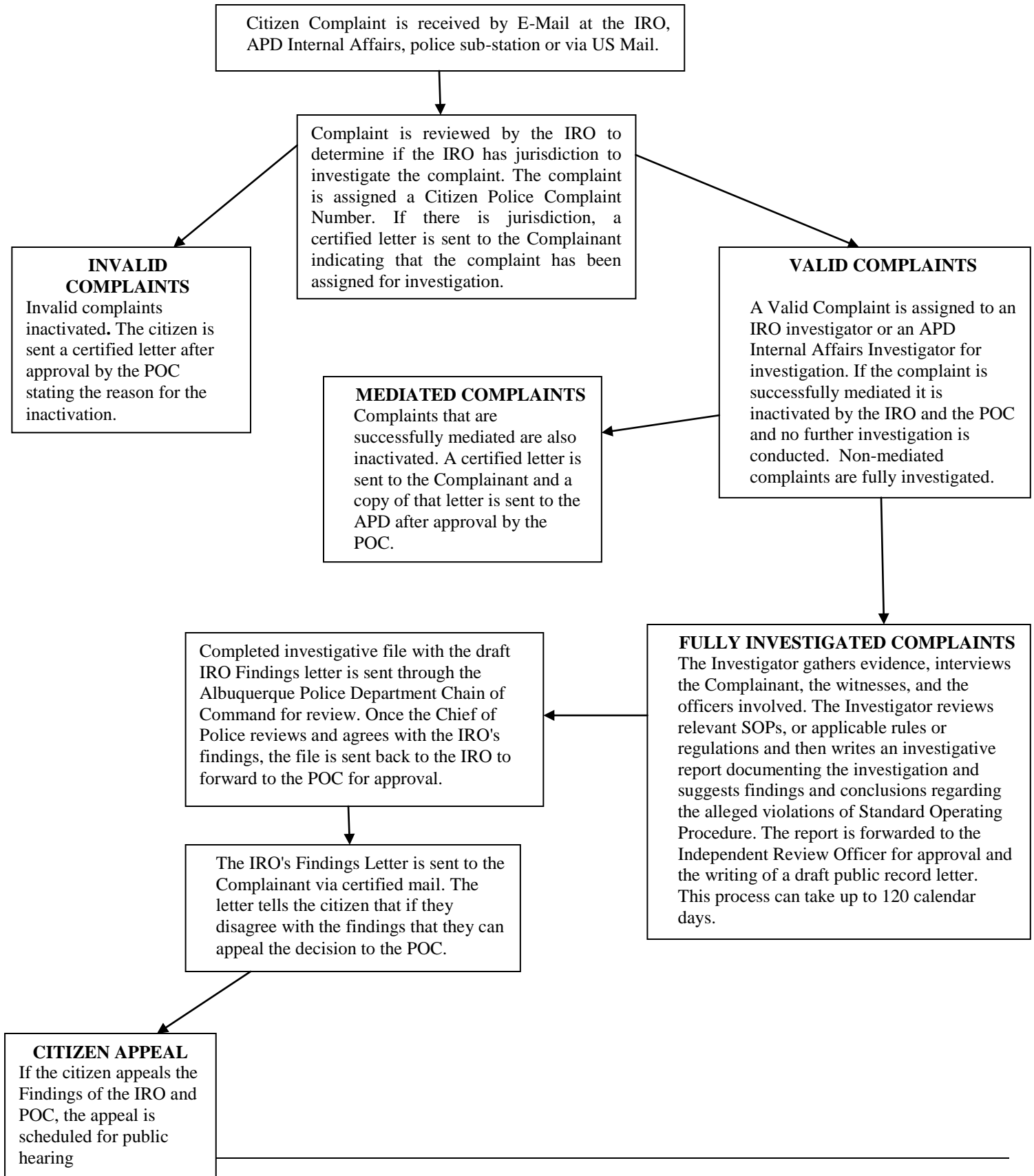
Not Sustained – It cannot be determined if an APD member has committed the alleged violation.

Exonerated – The APD member was justified in taking the course of action alleged and/or was operating within the guidelines of the law or SOPs.

Unfounded – The APD member did not commit the alleged violation.

Inactivated – The complaint was determined to not merit further investigation. Reasons for Inactivation may also include: failure to allege a violation of SOPs; submitting a complaint over 90 days after the incident; complaint is not against APD members; APD member cannot be identified; or the case was successful mediated.

CITIZEN POLICE COMPLAINT PROCESS



CITIZEN POLICE COMPLAINTS

YEARLY STATISTICS	2010	2011	2012
Total Complaints Received	273	255	260
Inactivated Complaints	142	145	133
Complaints with Full Investigations And Findings	124	102	62
Appealed Cases	7	4	7

Figure 1: Case Summary and Status of 2012 as of July 24, 2013.

The number of complaints received by the Independent Review Office in 2012 reflects a 2% increase in complaints on APD and its officers compared to 2011; comparatively small number of complaints received in 2010. Currently, the IRO is working on 81 pending complaints in 2012. Pending cases include cases that have been fully investigated and are awaiting review of the IRO, APD Chain of Command, or Police Oversight Commission.

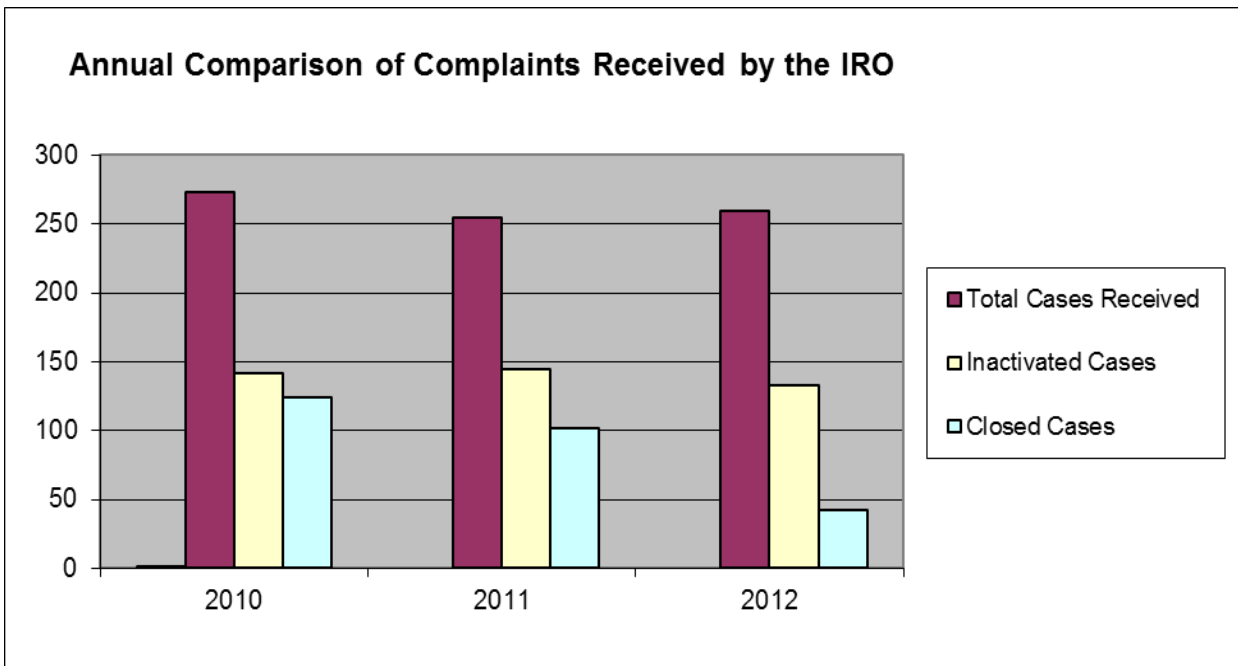


Figure 2: IRO office received 273 complaints in 2010; 254 complaints in 2011; and 260 complaints in 2012.

COMPLAINTS RECEIVED AND REVIEWED 2012

In 2012, the three Independent Review Office Investigators were equally assigned 70 complaints to investigate in 2012. Fifty-two (52) complaints were referred to Internal Affairs. The IRO received an average of twenty-two (22) complaints per month. In 2012, the Independent Review Office received 260 complaints.

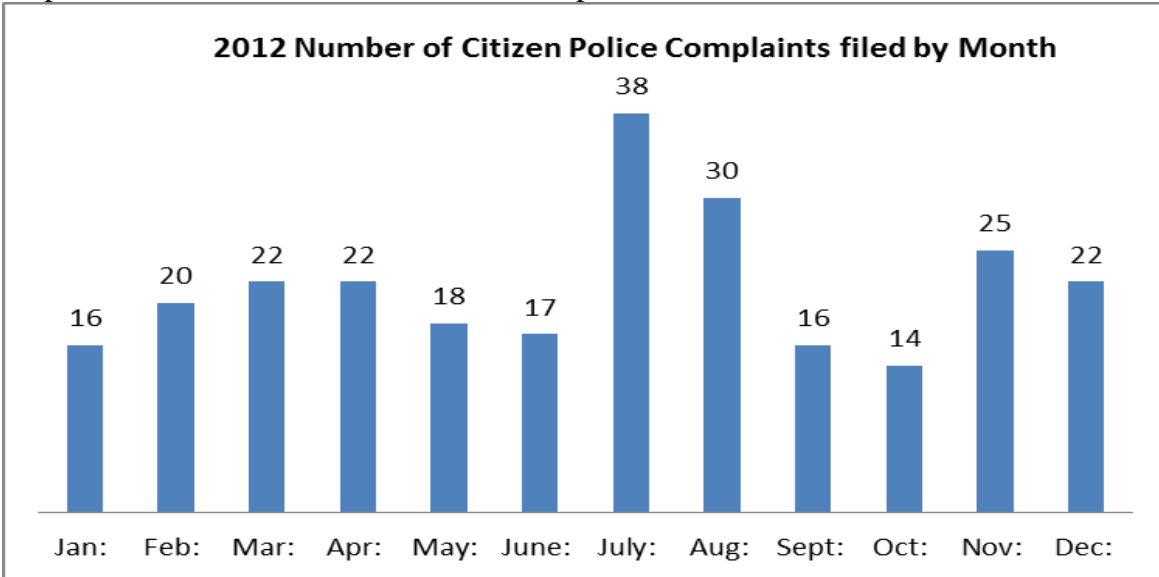


Figure 3: Overview of number of complaints received per month by the Independent Review Office.

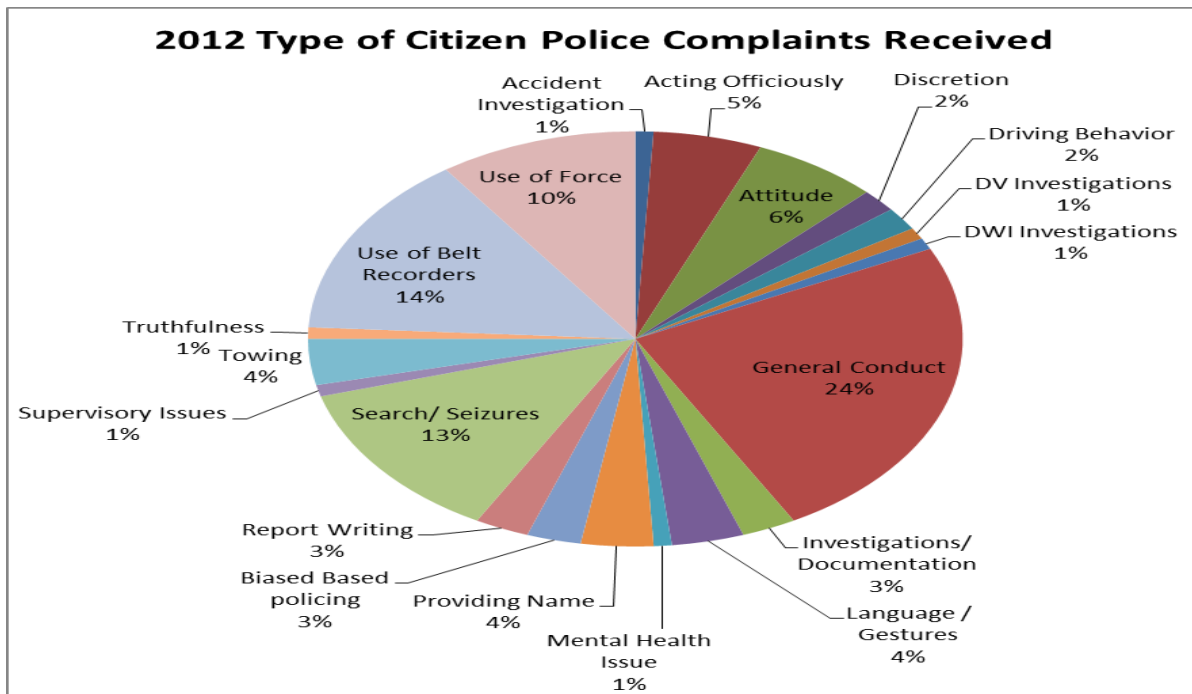


Figure 4: Overview of the type of complaints received by the Independent Review Office in 2012.

COMPLAINANT DEMOGRAPHICS

The Independent Review Office collects the demographic information of Complainants during the initial complaint intake, as well as through voluntary surveys. We obtained information on ethnicity, gender, and age for individual Complainants. Some demographic information of Complainants was not captured because some declined to disclose this information. Please note that a few Complainants also reported more than one complaint for 2012. In addition, some complaints contain multiple Complainants.

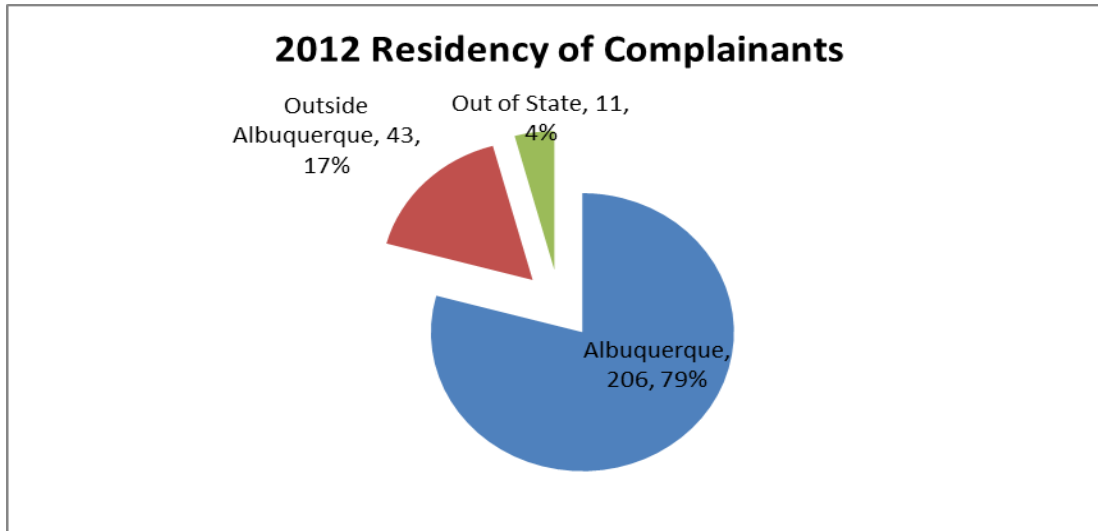


Figure 5: For 260 complaints received in 2012, 206 complaints are from residents of Albuquerque, 43 complaints are from residents outside City of Albuquerque (Belen-3; Clovis-1; Corrales-1; Edgewood-2; Espanola-1; Farmington-1; Las Cruces-1; Los Lunas-5; Los Ranchos-3; Placitas-2; Rio Rancho-18; Santa Fe-2; Santo Domingo-1; Tijeras-1; Wagon Mound-1); 11 complaints are from residents who live outside New Mexico (California-4; Maryland-1; Michigan-1; Massachusetts-1; Texas-1; Utah-1; Washington-1; Wyoming-1)

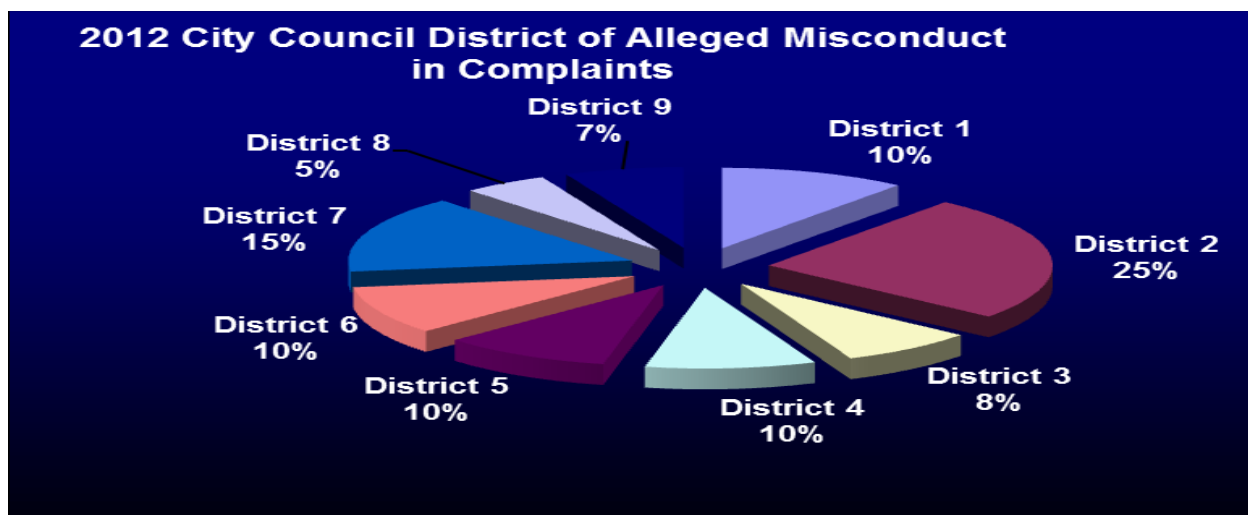


Figure 6: Total of 103 complaints received in 2012 identified their assigned districts. There are 21 complaints with unidentified districts, which exclude outlying areas in the City of Albuquerque.

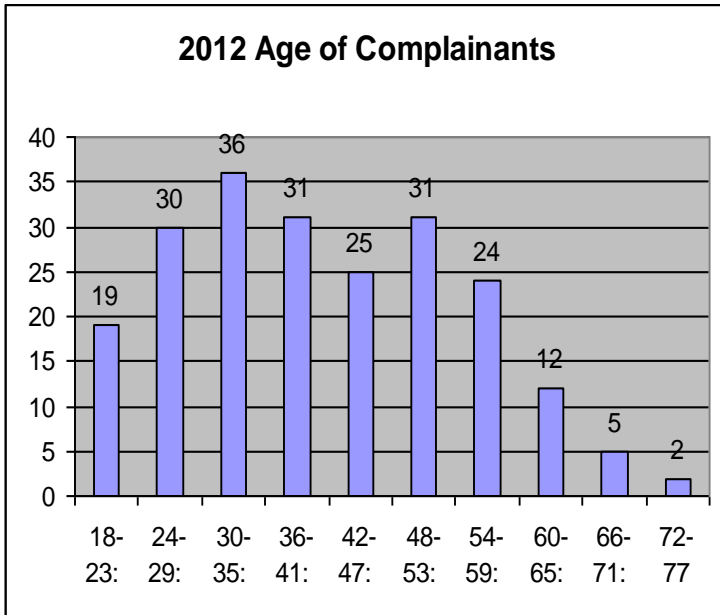


Figure 7: In 2012, 215 Complainants reported their age. The highest number of complaints filed was from Complainants in the age group of 30-35.

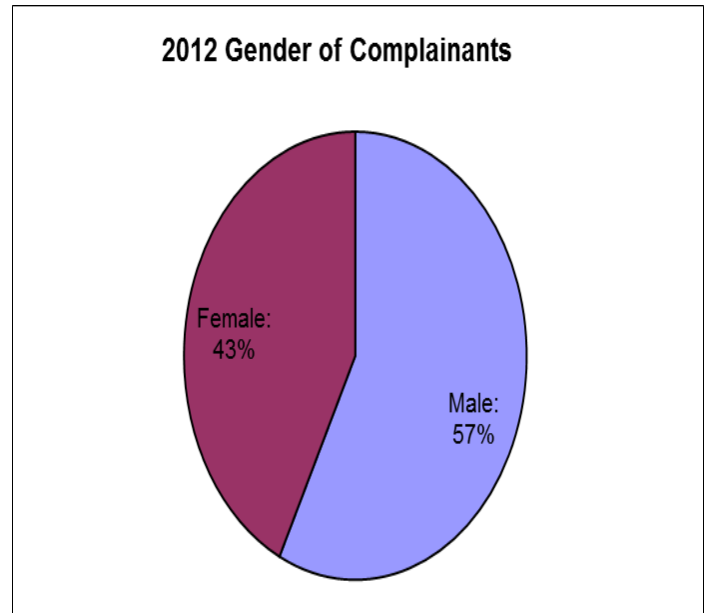


Figure 8: Out of 260 complaints received, 111 were female Complainants and 149 were male Complainants.

	# of Complainants
Asian:	2
Hispanic:	34
African-American:	4
Native-American:	6
White:	35
Other:	2

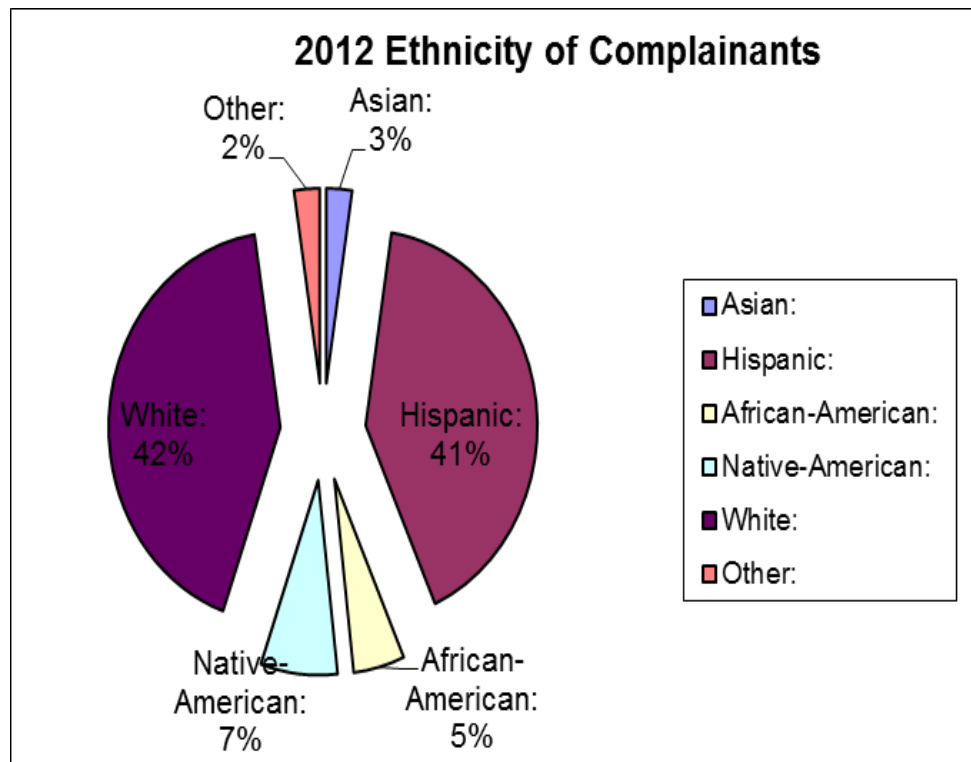


Figure 9: 177 Complainants did not declare their ethnicity in the complaint. Only 83 Complainants reported their ethnicities: Asians-2; African-American-4; Native American-6; Hispanic-34; White-35; Other Races-2.

ALLEGED MISCONDUCT IN COMPLAINTS

The IRO received complaints with the highest number of alleged misconduct in the month of July; the least number of alleged misconduct filed for complaints was received in the month of December. There are 17 complaints received by the IRO in 2012 for alleged misconduct that occurred in previous years.

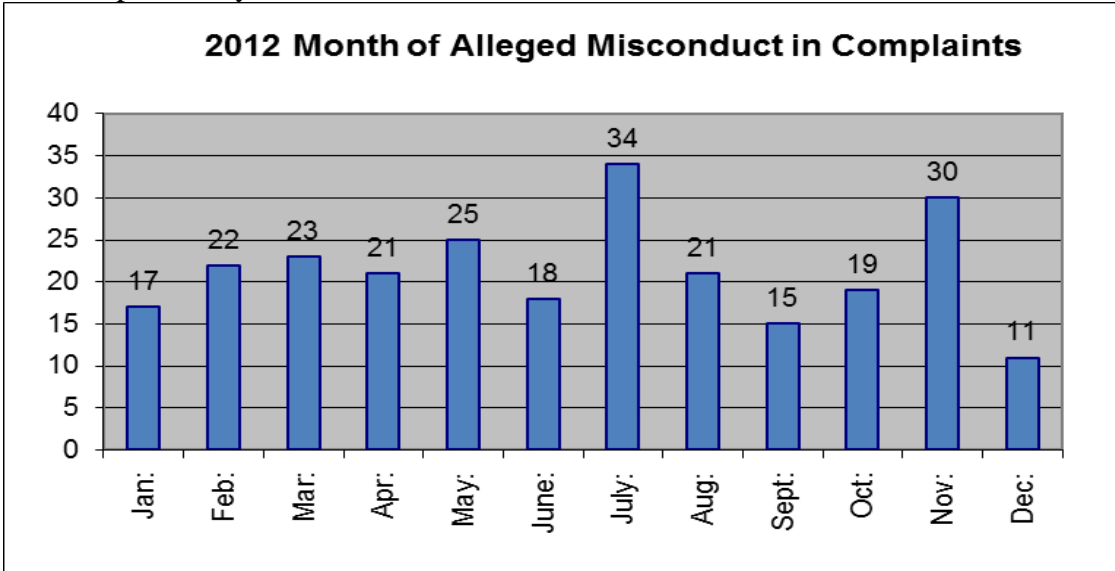


Figure 10: In 2012, IRO received 260 complaints; 17 complaints received in 2012 are alleged misconduct which occurred in previous years: 2008 (1), 2010 (1), and 2011 (15).

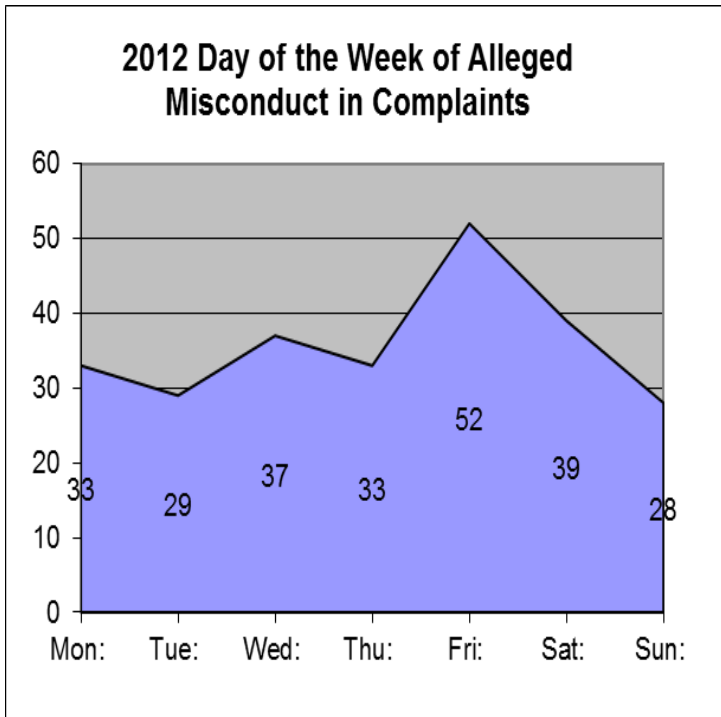


Figure 11: Incidents on Fridays are the highest number of complaints received by the IRO in 2012.

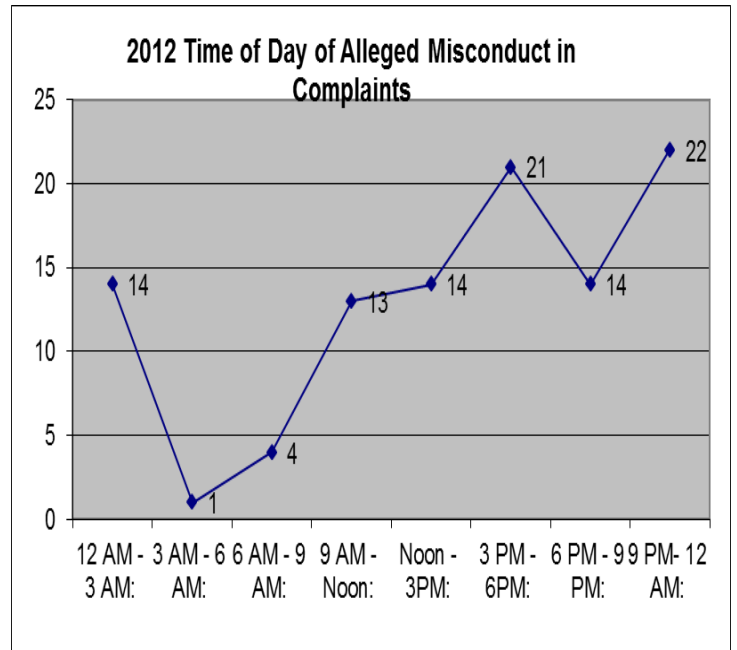


Figure 12: Incidents in the afternoon (from 3pm to 6pm) and nights (from 9pm to midnight) are the highest number of complaints received by the IRO in 2012.

Alleged Misconduct based on complaints received in 2012 was also identified per Albuquerque Police Department’s area command and officer shift assignments.

Foothills Area Command (Montgomery, Tramway, Juan Tabo, Menaul, Lomas, Central, Southern District)

Northeast (NE) Area Command (Paseo del Norte, Montgomery, Wyoming, Eubank, San Mateo, Menaul, Candelaria)

Southeast (SE) Area Command (Lomas, Central, San Mateo, Lead, Coal, Zuni, Gibson, Sunport)

Valley (VA) Area Command (Rio Grande, Broadway, I-40, Central, parts of Osuna, Montano)

Northwest (NW) Area Command (McMahon, Ellison, Paseo del Norte, Coors, Unser, Rio Grande)

Southwest (SW) Area Command (Central, Coors, Rio Grande, Unser, Dennis Chavez, Gun Club area)

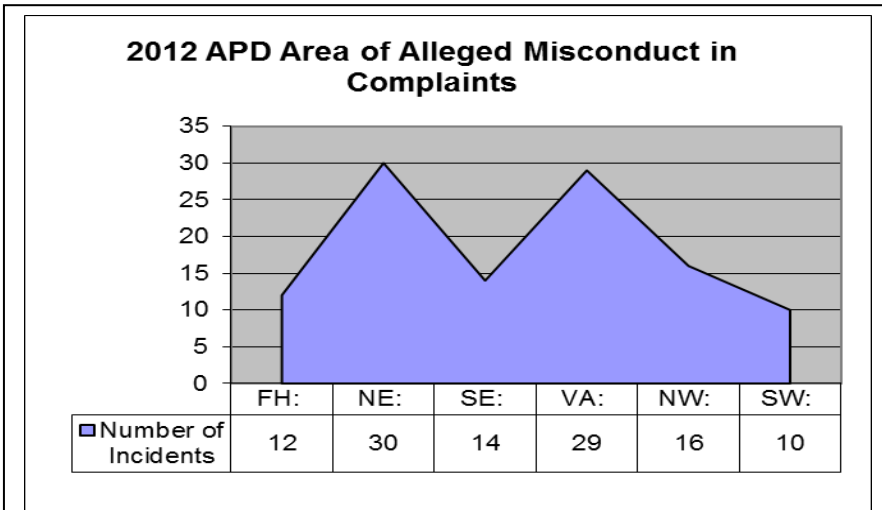
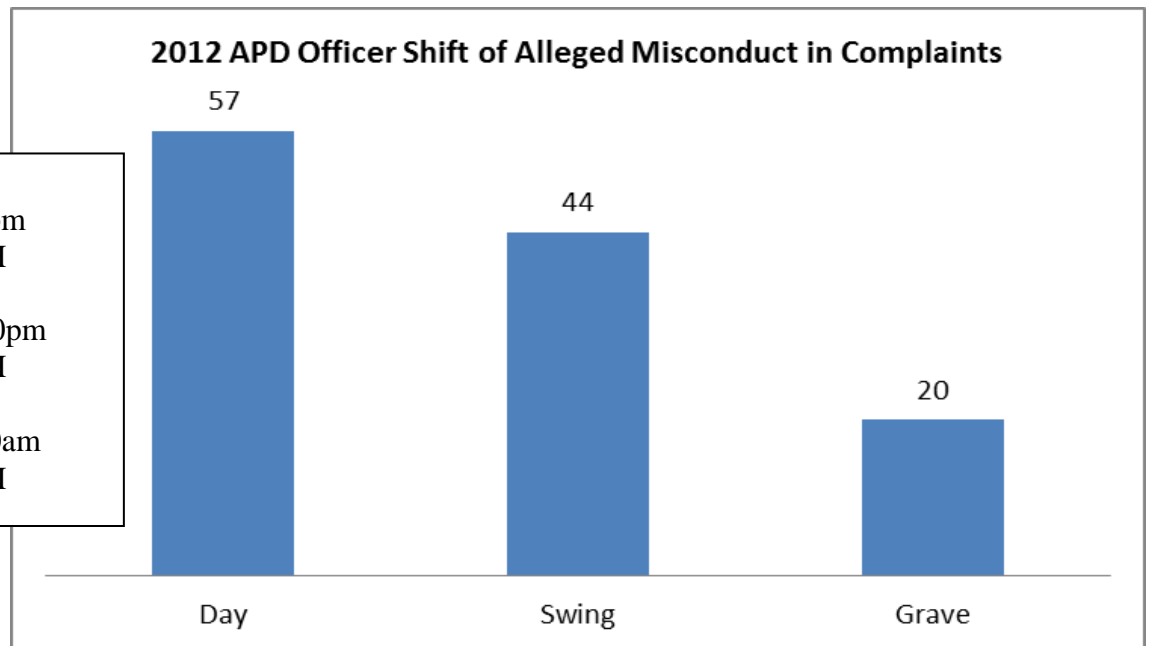


Figure 13: Only 92 APD areas were identified based on the complaints, the South West Area command received the least number of complaints while North East Area command received the highest number of complaints in 2012.



Shift Definitions:
Day: 7:00am to 3:00pm
 0700H to 1500H
Swing: 3:00pm to 10:00pm
 1500H to 2300H
Grave: 10:00pm to 7:00am
 2300H to 0700H

Figure 14: IRO received 260 complaints; this graph captured 121 APD officers. There can be multiple officers involved in an incident.

ALBUQUERQUE POLICE DEPARTMENT DEMOGRAPHICS

The Independent Review Office attempts to identify the demographic information of officers during the investigation process.



Figure 15: Of 170 complaints with officer information, 146 Male officers and 24 Female officers.

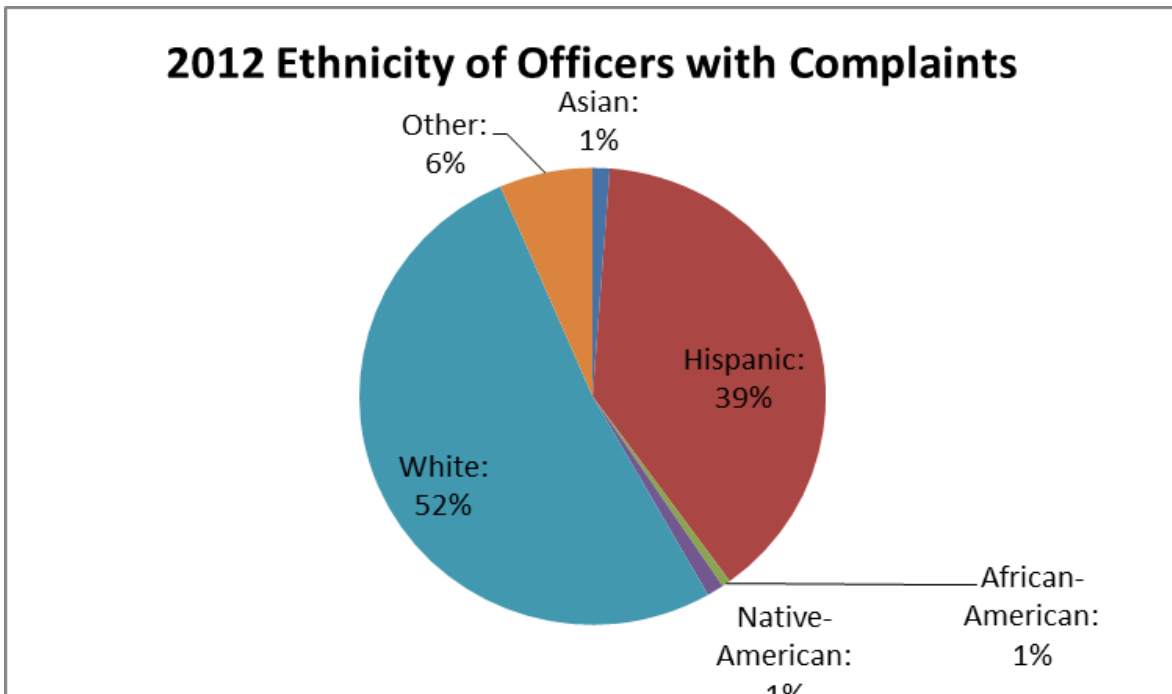


Figure 16: IRO received 170 complaints with officer information, 2 African-American officers, 2 Asian officers, 66 Hispanic officers, 2 Native American officers, 88 White officers, and 11 Officers with Other Ethnicity (two or more ethnicities or did not declare their ethnicity).

IRO FINDINGS & CASE DISPOSITION

The Independent Review Office has resolved 63% of the complaints, either through inactivation or case closure. While the IRO receives an average of twenty-two (22) complaints per month, the Police Oversight Commission reviews an average of 16 cases per monthly public hearing.

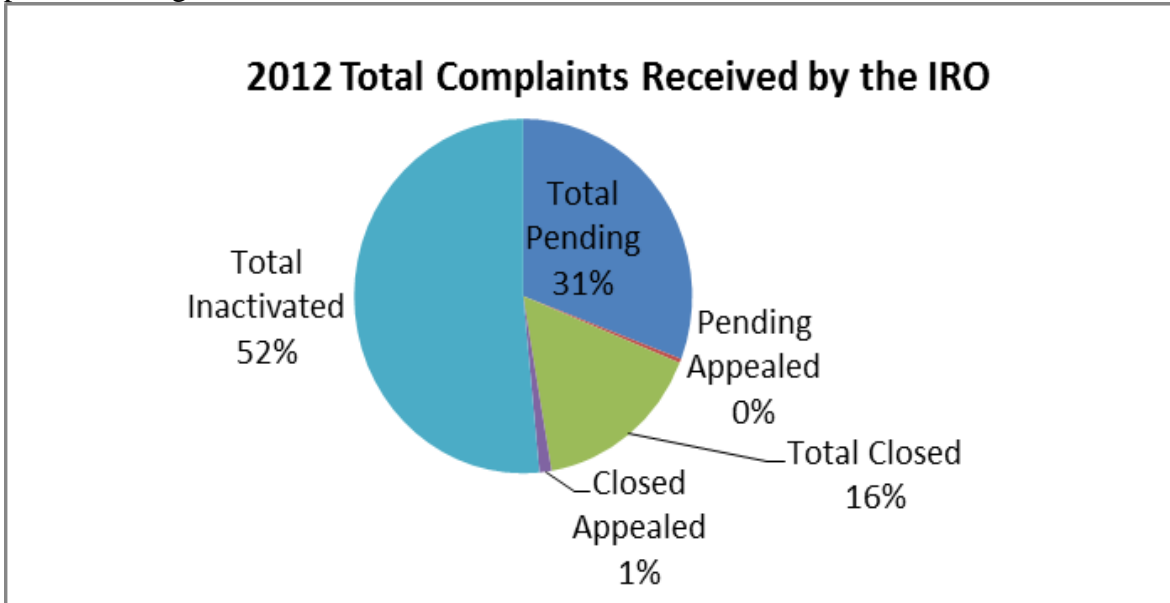


Figure 17: Status of 2012 complaints received by the Independent Review Office as of year to date; Total of 260 complaints received.

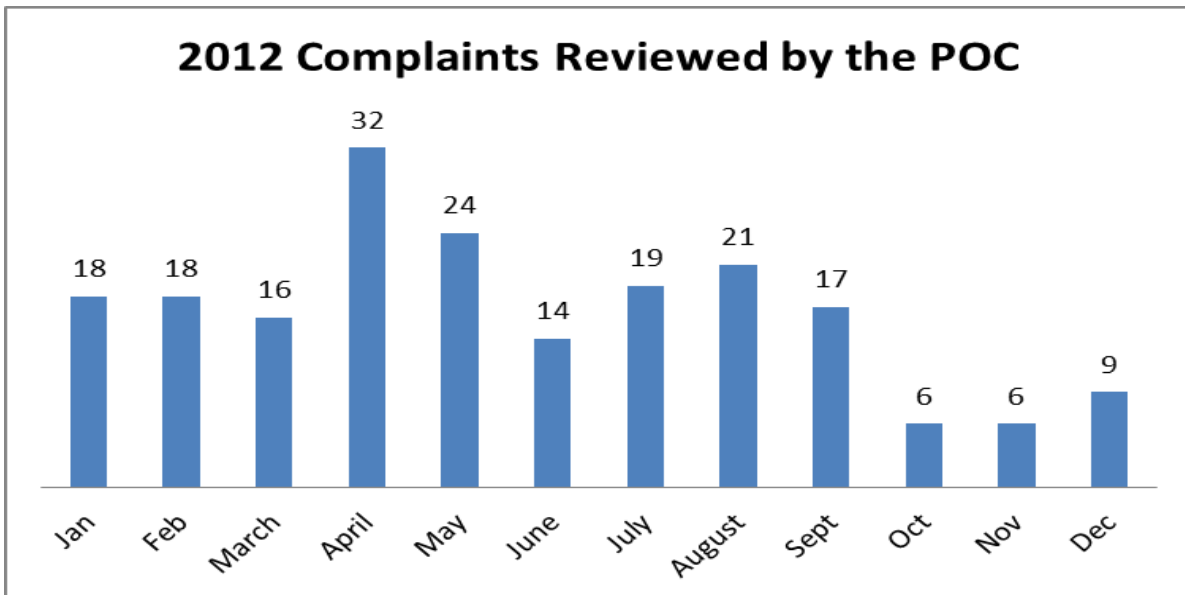


Figure 18: Number of 2012 complaints received by the Independent Review Office (IRO) and reviewed by the Police Oversight Commission (POC). There were 200 Citizen Police Complaint (CPCs) heard by the POC in 2012. The month of April had the most number of CPCs heard by the POC, while October and November had the least number of CPCs.

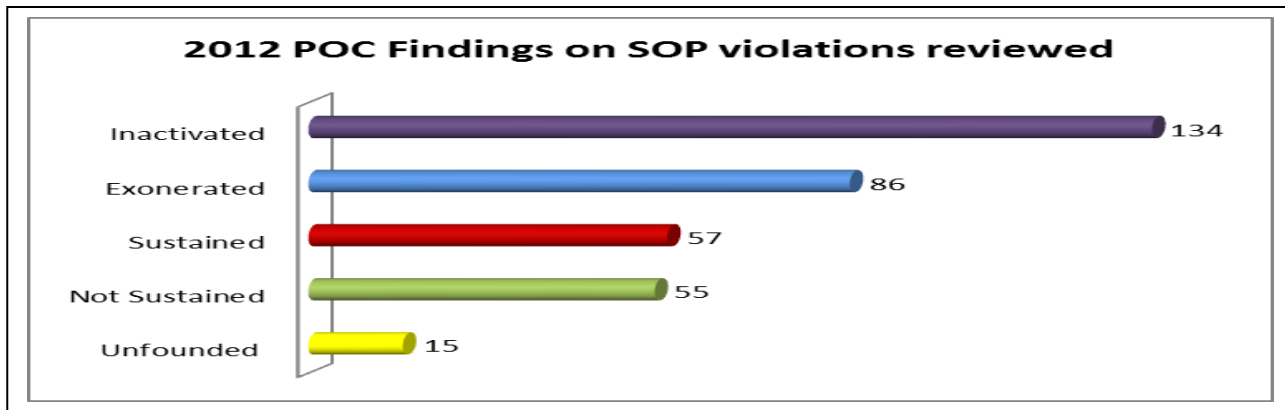


Figure 19: Findings on 2012 complaints received by the Independent Review Office and reviewed by Police Oversight Commission. There are 134 complaints that were inactivated, and findings on 226 SOP violations were heard and approved. Note: There can be multiple SOP violations in a complaint.

SOP violation	TOTAL	Pending	Exonerated	Sustained	Not Sustained	Unfounded
TOTAL			86	57	55	15
Accident Investigation	1	1				
Acting Officially	67		22	6	32	7
Arrests	23		11	9	3	
Attitude	5		3	1	1	
Discretion	1			1		
Driving Behavior	2			1	1	
DV Investigations	1		1			
DWI Investigations	1		1			
General Conduct	8		5	2	1	
Handling Of Juveniles	3		2	1		
Investigations/ Documentation	4	2	2			
Language / Gestures	7			3	3	1
Mental Health Issue	1	1				
Providing Name	7		2	3	1	1
Racial Profiling	2					2
Report Writing	7		2	3	2	
Restraints/Transports	2			1	1	
Search/ Seizures	14	8	2	3	1	
Supervisory Issues	1		1			
Traffic Investigations	2			2		
Towing	6		5		1	
Truthfulness	1	1				
Use of Belt Recorders	21		2	16	3	
Use of Force	39		25	5	5	4

There are 42 closed complaints with final dispositions and findings on specific Standard Operating Procedure violations. 226 SOP violations were investigated and reviewed. In one complaint, there can be multiple SOPs and findings on each SOP.

The table and chart illustrates 2012 complaints received with final findings:

This includes 57 SOP allegations that were **Sustained** allegations, where an APD member was found to have committed the alleged violation; 55 SOP allegations that were found **Not Sustained**, where it cannot be determined if an APD member has committed the alleged violation; 15 SOP allegations had **Unfounded** findings, where the allegation against the APD member was false or not based on valid facts; and 86 SOP allegations were found **Exonerated**, where the APD member was justified in taking the course of action alleged and/or was operating within the guidelines of the law or SOP.

The complaint and findings are made part of the Officer's permanent record and a disciplinary action is imposed by the Chief of Police when the allegations of an SOP violation is Sustained.

In 2012, the IRO inactivated 134 complaints. There are various reasons for inactivation. Reasons may include:

- Mediation (supervisor solution) (34), where the complaint against the officer had been satisfactorily resolved in an informal manner with the help of the officer’s supervisor;
- Complaints filed over 90 days (25), where the IRO did not have legal authority to investigate into a complaint filed more than 90 days after the date of the incident;
- Complaints without signature (13), any complaints received must be signed in order to be considered “valid.” Without the signature, the IRO office cannot proceed with the investigation.
- No SOP Allegation (31), where the complaint did not allege any unprofessional behavior on the part of the officer(s).
- Complaints withdrawal (14), where the citizen did not wish to proceed with any further investigations
- Preliminary Investigation did not find any SOP violation (6), where after IRO reviews the officers' actions and evidence indicated that the officers followed APD Standard Operating Procedures;
- Complaints of unidentified officer (3), because the IRO cannot determine if the complaint mentioned any officers or identifiers to further investigate the case or cannot determine if the officers complained about are employed by the Albuquerque Police Department;
- Complaints filed without IRO jurisdiction to investigate (3), because the IRO does not have legal authority to investigate into the complaint.
- Complaint referring to another agency (2), where the IRO determined Albuquerque Police Department did not employ an officer with the name provided in the complaint;
- Frivolous complaint (1), where the allegations was neither a violation of SOP nor a criminal act, but a complaint was frivolous or filed for purposes of harassment.
- Incomprehensible complaints (1), where the IRO received generalized complaints about police, did not have a specific complaint of an officer(s), and what specific allegation complained about.
- Criminal referral to Internal Affairs of APD (1), where the IRO received a complaint to conduct investigations into complaints of criminal actions by officers. These complaints were forwarded to the Albuquerque Police Department’s Internal Affairs Unit for further investigation and possible referral to the Criminal Investigations Division for criminal investigation.



Figure 20: Inactivated complaints received by the Independent Review Office in 2012.

APPEALED CASES

Any Complainant has the right to appeal the decision of the IRO and POC. Section 9-4-1-9(A) of the Police Oversight Ordinance allows any person who has filed a citizen complaint and who is dissatisfied with the findings of the IRO or the Chief of Police to appeal that decision to the POC within ten business days of receipt of the public record letter. In 2012, four (4) complaints were heard by the full Police Oversight Commission in a public hearing.

1) **CPC 005-12**, where Complainant alleged the police treated him as a suspect and did not render him aid.

The Standard Operating Procedure reviewed was:

Albuquerque Police Department General Order 1-04-4(P), which states:

Personnel shall not use coarse, violent, profane, or insolent language or gestures.

The IRO interviewed officers, and other witnesses, the homeowners where the Complainant resided. Based on further investigation, the Complainant was using profanity, was uncooperative, and claiming no one was helping him while the officers were trying to assess the situation. The officer and the homeowner were applying first aid in the form of pressure to his injuries. The IRO recommended the findings on the SOP allegation 1-04-4(P) **Exonerated**, which means that the incident that was complained of was lawful or proper. The complaint was heard on July 12, 2012. POC accepted the recommendation and findings by the IRO.

The case was later appealed and heard on September 13, 2012. A commissioner moved to strike a statement in the letter and the finding was amended as **Unfounded**.

2) **CPC 009-12**, where the Complainant alleges that after being arrested by one officer another officer applies excessive pressure to citizen's handcuffed wrists for no reason other than to inflict pain. He alleged that he was not seat-belted in the patrol vehicle.

Two (2) Standard Operating Procedures were reviewed:

Albuquerque Police Department Procedural Order, 2-19-5, which states:

in all cases seat belts will be utilized by each prisoner and the driver.

Albuquerque Police Department Procedural Order, 2-52-2(A), which states:

where force is warranted, officers should assess the incident in order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

The IRO interviewed the Complainant, the officers, CADS and a lapel video recording. The IRO recommended the findings on the SOP allegations as follows: 2-19-5, **Not Sustained**, where it cannot be determined if the APD officer has committed the alleged violation, and 2-52-2(A), **Exonerated**, which means that the incident that was complained of was lawful or proper. The complaint was originally heard on April 12, 2012. POC accepted the recommendation and findings by the IRO. The case was appealed and heard on May 16, 2012, and the appeal was moved to be denied and affirm the IRO findings.

3) **CPC 020-12**, where the Complainant alleges the officer was unprofessional and pulled a *taser* on him for no reason during a traffic stop. Complainant informed the Commission that he would like the tow truck driver subpoenaed.

Two (2) Standard Operating Procedures were reviewed:

Albuquerque Police Department General Order 1-04-1(F), which states:

Personnel shall conduct themselves both on and off-duty in such a manner as to reflect most favorably on the department.

Albuquerque Police Department General Order 1-39-1(A)(5), which states:

Personnel will use issued tape/digital recorders to document the incidents listed below. It will be the responsibility of the primary officer to ensure that the incident will be recorded in its entirety. If at any time the primary and secondary officer(s) should become separated, it will be the responsibility of the secondary officer(s) to record all their contact and/or actions during that incident.....

5. Those contacts where there is reason to believe a complaint could result

The IRO interviewed the Complainant, and the officer. The IRO recommended the findings on the SOP allegations as follows: 1-04-1(F), **Not Sustained**, where it cannot be determined if the APD officer has committed the alleged violation, and 1-39-1A5, **Sustained**, which means that the officer was found to have committed the alleged violation. The complaint was originally heard on August 9, 2012. POC accepted the recommendation and findings by the IRO.

The case was appealed and heard on December 13, 2012. The case was continued on January 10, 2013, so that the tow truck driver can be subpoenaed. Tow truck driver later testified and appeared by telephone. The appeal was moved to be denied and affirm the IRO findings.

4) **CPC 075-12**, where Complainant alleged that APD officers were removing motorcycles and a trailer from his property and one of the officers threatened to arrest him.

Two (2) Standard Operating Procedures were reviewed:

Albuquerque Police Department General Order 1-02-3, which states:

Officers shall cordially furnish their name and employee number to any person requesting such information when they are on duty or while acting in an official capacity except:

- 1) When the withholding of such information is necessary for the performance of police duties;
- 2) When it is authorized by proper authority.

Albuquerque Police Department General Order 1-04-1(F), which states:

Personnel shall conduct themselves both on and off-duty in such a manner as to reflect most favorably on the department

The IRO interviewed officers, reviewed police reports from the incident, three belt tape recordings from the scene, and a recording of Complainant's phone call to APD Dispatch. The IRO recommended the findings on the SOP allegations as follows: 1-02-3, **Unfounded**, which means the allegation is false or not based on valid facts, and 1-04-1(F) **Exonerated**, which means that the incident that was complained of was lawful or proper. The complaint was originally heard on October 11, 2013. POC accepted the recommendation and findings by the IRO.

The case was appealed and continued on numerous occasions. POC heard the appeal on February 21, 2013, APD Sergeant informed the Commission that Chief Schultz and IRO Hammer concur in the original findings. The appeal was moved to be denied and affirm the IRO findings.

In addition, the Police Oversight Commission also heard cases opened in 2011. The CPCs are as follows:

5) **CPC 148-11**, where Complainant reported that he requested 911 dispatch to send an ambulance to the home of his friend, who was high on methamphetamine and was extremely disorderly. Complainant indicated that his friend was tased, was taken to the UNMH ER Meth Unit for treatment, and was later booked into MDC.

The Standard Operating Procedure reviewed was:

Albuquerque Police Department Procedural Order 2-52-2(A) which states:

Where force is warranted, officers should assess the incident in order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

The IRO interviewed the Complainant, the officers, and other witnesses, CAD report, and taser download report. Based on the information that the officers had before arriving, there was a 35-year-old-male who was high on methamphetamine in the early morning, causing a disturbance in an apartment complex. By all accounts, he was not cooperative and he was displaying violent behavior. The caller did not know if this was a suicide attempt or not. This is a very dangerous situation for police officers to respond to. The IRO recommended the findings on the SOP allegation 2-52-2(A) **Exonerated**, which means that the incident that was complained of was lawful or proper. The complaint was heard on January 12, 2012. POC accepted the recommendation and findings by the IRO.

The case was later appealed and heard on April 12, 2012. Complainant briefed on the synopsis of the incident. The POC discussed the concern about statements and the fact that there were no belt tapes from the officers. The appeal was moved to be denied and affirm the IRO findings.

6) **CPC 167-11**, where Complainant reported he was getting supplies out of his car at his home and two police officers and one sergeant laid him on the ground and pointed a gun at his head and they were about to shoot him. Complainant did not speak English and only speaks Swahili. APD officers then asked him if he had a gun. He alleged that the officers were looking for another African American guy that had a gun at the Singing Arrow Community Center. He reported he asked for a Sergeant to call him so that they could explain what happened to him and the Sergeant never called back. Complainant felt the officers' actions were disrespectful and racist.

The Standard Operating Procedure reviewed was:

Albuquerque Police Department Procedural Order 2-52-2(A) which states:

Where force is warranted, officers should assess the incident in order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

The IRO interviewed officers, the Complainant's written statement with interpreter, and CAD report. The investigation revealed that on the date and time this incident took place, the police had been sent to a nearby address in reference to a large violent fight involving 20 to 30 people and some of the people were armed with knives and guns. The IRO recommended the findings on the SOP allegation 2-52-2(A) **Exonerated**, which means that the incident that was complained of was lawful or proper. The complaint was heard on February 9, 2012. POC accepted the recommendation and findings by the IRO.

The case was later appealed and heard on April 12, 2012. The appeal was moved to be denied and affirm the IRO findings.

NON-CONCURRENCE CASES

In 2012, the IRO office reviewed and reported only two (2) non-concurrences, where in both cases the APD chain of command and IRO did not agree on the findings of Standard Operating Procedures.

In January, POC reviewed **CPC 170-11**, where the Complainant alleges that the APD officer conducted an illegal search of their home. The Complainant reported the officers knew who was involved in the incident and they were talking to him and his wife in the kitchen. The officers did not have any reason to "search" or "look around" the house. The officer stated he was doing it for his protection to make sure no one else was there. The Complainant did not believe the officer's statement that it was for security, since the Complainant believed this (statement) has been knocked down by courts many times when the officers do not articulate a specific reason for their concern for officer safety.

The Standard Operating Procedure reviewed was:

Albuquerque Police Department General Order 1-02-2(B)(2), which states:

Make only those arrests, searches, and seizures which they know or should know are legal and in accordance with departmental procedures.

The IRO interviewed officers, the Complainants, and CAD report. The record shows the exigent circumstances standard requires more than not knowing if an individual will cause harm or present a threat to officer safety. Rather, "an objective standard governs the reasonableness of law enforcement officials' belief that exigent circumstances have arisen." The IRO recommended the findings on the SOP allegation 1-02-2(B)(2), **Sustained**, which the officer was found to have committed the alleged violation. The POC accepted the IRO findings. The complaint was heard on January 12, 2012.

In March, POC reviewed **CPC 195-11**, where the Complainant alleges in her written complaint the officers arrived in her home during an argument with her teenage son. She claims the officer did not listen to her and did not care what she had to say and ignored the court-ordered custody arrangement that said she had her son.

There were two (2) Standard Operating Procedures reviewed:

Albuquerque Police Department General Order 1-04-4(A), which states:

Personnel shall constantly direct their best efforts to accomplish the functions of the department intelligently and efficiently.

Albuquerque Police Department General Order 1-04-4(P), which states:

Personnel shall not use coarse, violent, profane or insolent language or gestures.

The IRO interviewed the Complainant, the officer, belt tape recording, and CAD report. The investigation revealed that on the date and time this incident took place the police had been called by a neighbor regarding a disturbance of a fight between the mother and teenage son. Officer who responded determined domestic violence had not occurred, but believed that parties had to be separated to deescalate the situation. The actions of the boy and the frequency of criminal behavior had not risen to the level of a Child in Need of Supervision as defined by SOP 2-34-2(C). Complainant explained that she was having trouble with her son being disrespectful and denied any physical harm by the son. There were portions of the interaction between Complainant and the officer that were not captured on belt tape, it is the latter portion of the contact that the Complainant took offense with, which was captured on belt tape. The claim that officer was rude was depicted in a comment made by the officer and the IRO found it was unnecessary and served only to inflame an already agitated subject. The IRO recommended the findings on the SOP allegation 1-04-4(A) **Exonerated**, which means that the incident that was complained of was lawful or proper, and 1-04-4(P) **Sustained**, which the officer was found to have committed the alleged violation. The complaint was heard on March 8, 2012. POC accepted the recommendation and findings by the IRO.

OFFICER-INVOLVED SHOOTINGS

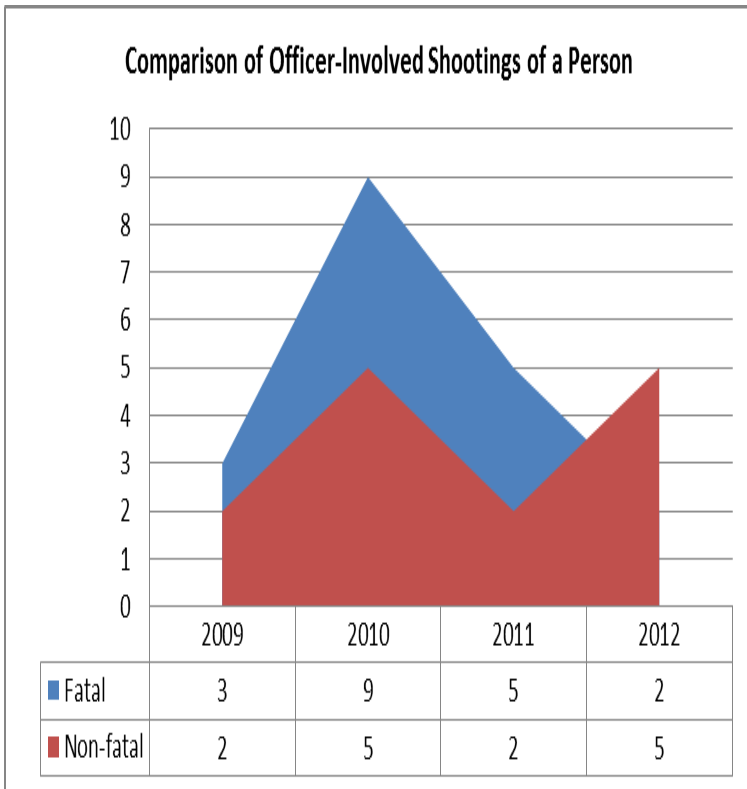


Figure 21: Overview of Officer-Involved shooting incidents of people in 2012.

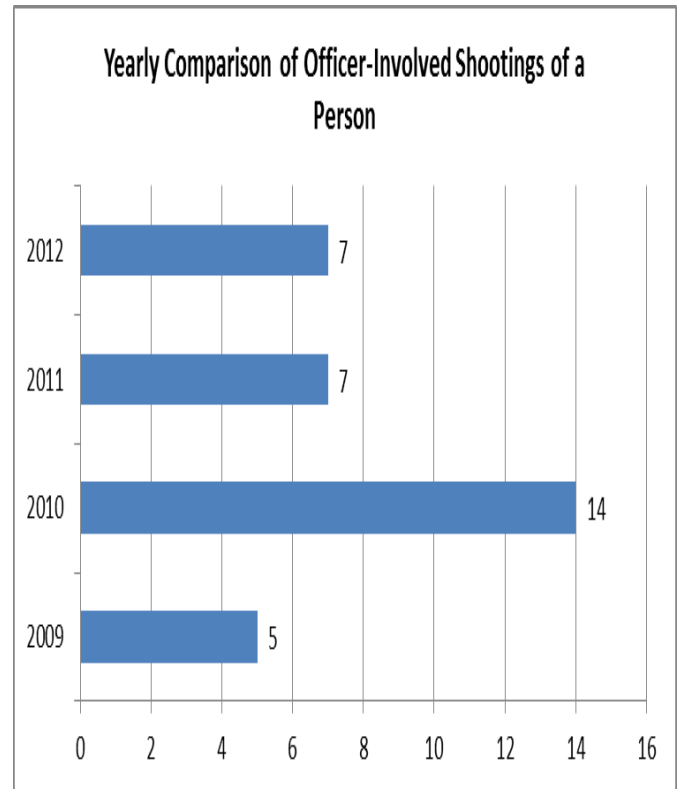


Figure 22: Yearly comparison of Officer-Involved shootings of people for 2009, 2010, 2011, 2012.

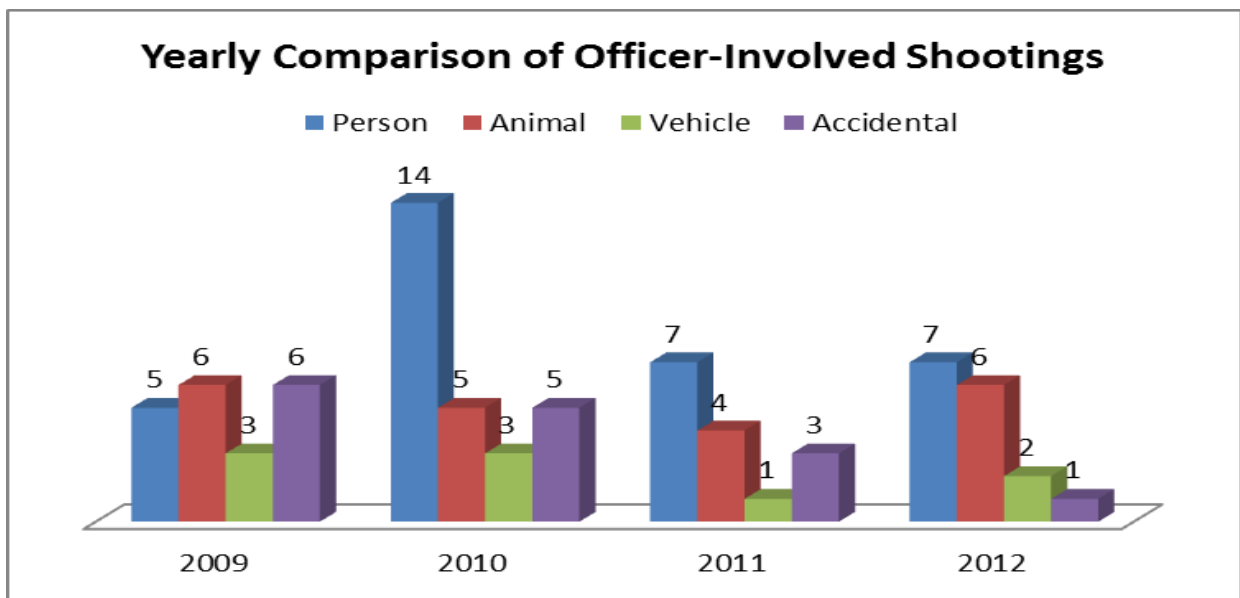


Figure 23: Overview of the number of officers involved in shootings, which includes accidental discharges, people, animal, and vehicle shootings.

In 2012, the IRO office reviewed and reported on eight (8) Officer-Involved shootings. One (1) case occurred in 2012 and seven (7) occurred in 2011. Beginning December 2012, the IRO resumed presentation of Officer-Involved Shootings during the monthly public hearing to the Police Oversight Commission. The cases were first heard in the POC's Long Term Planning Committee (LTPC) before presented to the full commission.

I 23-11: A synopsis of a fatal shooting case was presented, where the victim was involved in a robbery and had a gun. The officer involved was **Exonerated** for the use of the firearm. The POC voted unanimously to accept the findings of the IRO.

I 27-11: A synopsis of a fatal shooting case was presented, where the officer responded to a dispatch to address a domestic dispute. The victim lunged at the officer with a knife. The officer involved was **Exonerated** for the use of the firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

I 169-11: A synopsis of a non-fatal shooting case was presented, where the victim was suicidal and threatened to use a knife. The officers involved were **Exonerated** for the use of the firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

I 204-11: A synopsis of a non-fatal shooting case was presented, where a detective was dispatched to a home of an auto theft suspect, a *Pitbull* attacked and firearm was discharged. The detective was **Exonerated** for the use of firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

I 190-11: A synopsis of a non-fatal shooting case was presented, where the victim had a gun during an auto burglary. The officers involved were **Exonerated** for the use of the firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

I 195-11: A synopsis of a non-fatal shooting case was presented, where the officer responded to a dispatch to address a domestic dispute. The victim had a knife. The officers involved were **Exonerated** for the use of the firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

I 37-11: A synopsis of a fatal shooting case was presented, where the officer responded to a dispatch to a home and the victim was intoxicated. The officer involved was **Exonerated** for the use of the firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

I-56-12: A synopsis of a fatal shooting case was presented, where an officer was dispatched to address a domestic dispute. The victim had a weapon, and a *Staffordshire Bull Terrier* attacked the officer. The officer was **Exonerated** for the use of firearm. The LTPC recommended to the full POC to accept the findings of the IRO. The POC voted unanimously to accept the findings of the IRO.

ALBUQUERQUE POLICE DEPARTMENT & THE IRO

In 2012, the IRO office forwarded 51 Citizen Police Complaints (CPCs) to APD Internal Affairs for investigations.

The Chief of Police imposed disciplinary actions on 31 officers found with Sustained SOP allegations on complaints investigated by both the IRO and the APD Internal Affairs. The Chief of Police has sole disciplinary authority over police department personnel.

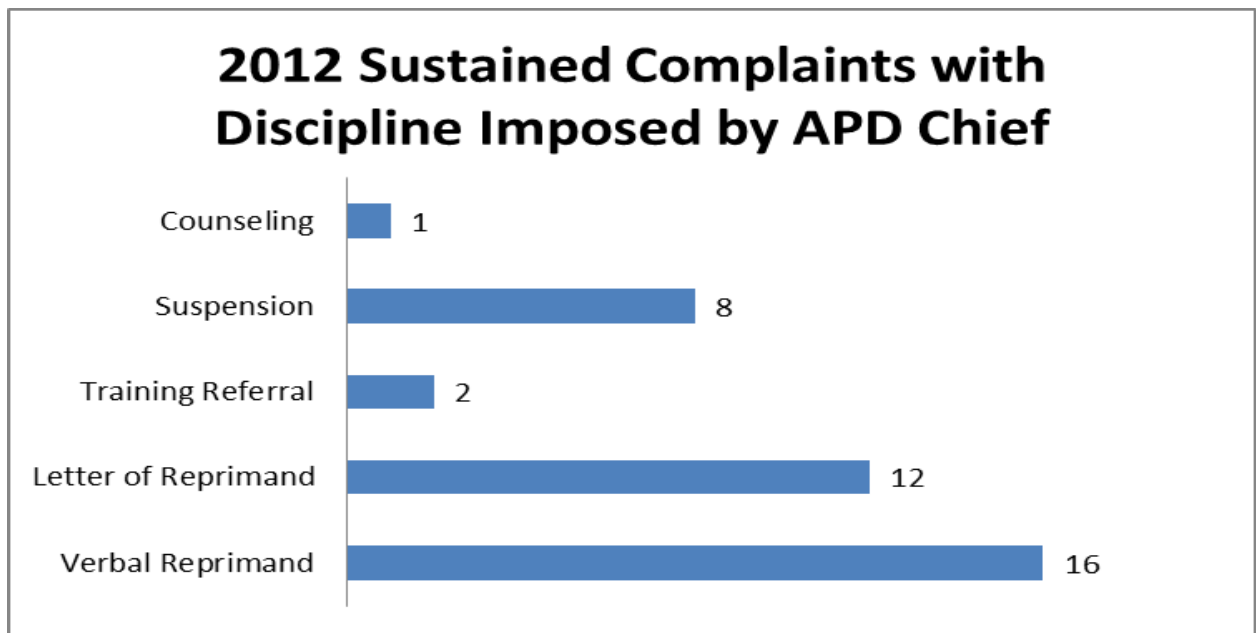
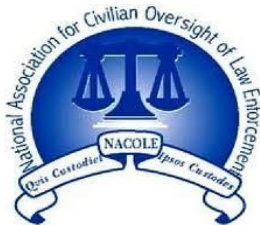


Figure 24: IRO received 260 Citizen Police Complaints. Out of 260 complaints, 31 officers have 57 Standard Operating Procedures Sustained in 2012. There are 39 SOP violations, with reported disciplinary actions imposed. One officer may be found with one or more SOP violations.

According to the Albuquerque Police Department, there were a total of 2484 suspension hours imposed.

RECOGNITIONS

NEWS



*National
Association for Civilian Oversight
of Law Enforcement (NACOLE)*

“Oversight Developments from Around the U.S.” The article highlighted the Police Oversight Commission’s recommendation and continued efforts in policy changes and implementation of tools to better serve the community:

Albuquerque, New Mexico

Population: 545,852 (2010 Census)

Police Force: 1,097 (2011 APD Annual Report)

Albuquerque Police Department (APD) officers are now required to wear small cameras in order to record all interactions with the public. The requirement, instituted in early May 2012, was recommended by the city’s Police Oversight Commission (POC). In addition to issuing policy recommendations, the POC has the authority to investigate citizen complaints, audit and monitor APD Internal Affairs investigations, and submit findings to the chief of police for disciplinary action. Under prior procedures, officers were instructed to wear and activate the lapel-mounted cameras only while performing searches and disorderly conduct arrests.

The Independent Review Office’s participation and membership in NACOLE is a great tool for members of the Police Oversight Commission and IRO staff for resources and opportunities to better improve service to the City of Albuquerque community.

SUMMER 2012 / Review

The City of Albuquerque has been a member of the National Association for Civilian Oversight of Law Enforcement (NACOLE) since 2012. In Summer 2012, a newsletter was distributed by the NACOLE review and featured the City of Albuquerque’s Police Oversight Commission along with six other states in an article written by author Dan Reed entitled,

DATA LIMITATIONS

The data in this report shows information collected and entered in the IRO MRIAD (Multi Relational Internal Affairs Database). The database was developed around March 2011. Most of the data were entered and captured for 2009 and 2010. The IRO office uses this database currently and has relied on this for case management and tracking complaints submitted to the department.

During initial intake and interviews, Complainants are asked about their contacts with police and the type of complaints based on the SOP violation. The report documents some demographic information of the Complainants and officers depending on the status of the complaint. Pending complaints were not available in the report. Waiting for approval from the APD chain of command and POC, data regarding officers are not officially entered until case is resolved. Officer's information is deleted on inactivated cases.

Due to limited method of data collection and sample size, analysis could not be done to compare and assess the likelihood of specific trends. The report documents the percentage of Complainants who reported their gender and ethnic background, and the percentage of city district they belong to. In some of the complaints, increased number of complaints and incidents can be collected by month and week. Disparities documented in this report cannot provide conclusions to support any assumptions. The likelihood of reason for the SOP violation and gender, race, and age differences cannot be analyzed.

SUMMARY FOR 2012

The Independent Review Office received 260 cases in 2012.

- The IRO received the highest number of Citizen Police Complaints (CPC) in July (38), and the least number of Citizen Police Complaints in October (14).
 - The number of complaints received by the Independent Review Office in 2012 reflects a 2% increase in complaints against APD and its officers compared to 2011.
 - The IRO received an average of twenty-two (22) complaints per month. IRO Investigators each had 70 complaints to investigate in 2012. Fifty-two (52) complaints were referred to Internal Affairs.
 - Complainants were most likely to complain about officer's conduct (1-04-4(N), "Personnel will not act officiously or permit personal feelings, animosities, or friendship to influence their decision").
 - Most inactivated cases are resolved through Mediation (34), where the complaint against the officer has been satisfactorily resolved in an informal manner with the help of the officer's supervisor.
 - The highest reported alleged misconduct by APD officers occurred in the month of July (34), on Fridays (52), and from 9:00 pm to midnight (22).
 - The highest number of complaints filed was from Male White Complainants in the age group of 30-35.
-

- Complaints were most likely filed on Male White officers.
 - Day shift officers received the highest number of complaints.
 - Southwest Area command received the least number of complaints while North East Area command received the highest number of complaints in 2012.
 - Police Oversight Commission reviewed and heard 200 Citizen Police Complaints (CPC) in 2012. The month of April (32) had the most number of CPCs heard by the POC, while October (6) and November (6) had the least number of CPCs.
 - During 2012, the officers were most likely to be Exonerated (86), where the APD member was justified in taking the course of action alleged and/or was operating within the guidelines of the law or SOP, in a majority of the SOP allegations.
 - The APD chief most likely concurs with the IRO's findings and imposes discipline on the officer with a Sustained SOP allegation. In 2012, the most common form of discipline imposed is a written or verbal reprimand.
 - Total of six (6) Citizen Police Complaints were appealed and heard by the Police Oversight Commission.
 - The IRO office reviewed and reported on eight (8) Officer-Involved shootings. One (1) case occurred in 2012 and seven (7) occurred in 2011.
-