

2019

Internal Affairs Report



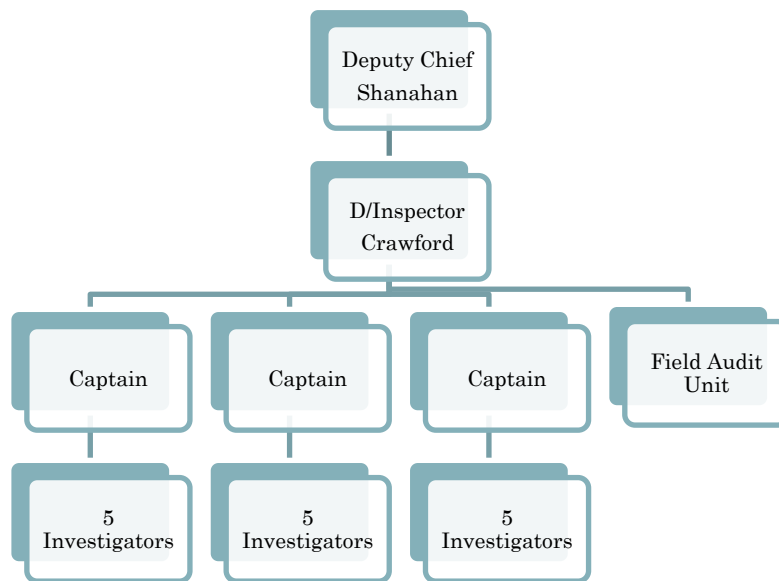
Suffolk County Police
Department

Table of Contents

The Internal Affairs Bureau	3
Complaint Procedures	3
2019 Complaints	4
Biased Policing	6
The Cases	7
Analysis	9
Conclusion	12

The Internal Affairs Bureau

The Suffolk County Police Department is committed to maintaining the highest level of professional responsibility among all its officers and civilian personnel. It strives to maintain the trust and confidence of the public, and to that end, investigates all complaints of misconduct. The Internal Affairs Bureau is responsible for overseeing these investigations in a timely, thorough and impartial manner pursuant to exacting policies and procedures.¹



Complaint Procedures

Complaints may be lodged in person at any Department facility or with any Department supervisor. Members of the public may also lodge a complaint via telephone, email or regular mail. Regardless of how it is lodged, every complaint will make its way to the Internal Affairs Bureau [IAB] within 48-72 hours. Most are received by IAB within 24 hours. Complaints are all entered into a dedicated, secure database which serves as a central clearing house and early warning system for all misconduct and disciplinary matters within the Department.

All complaints are accepted regardless of the complainant's personal involvement in the incident. Family members, witnesses, advocates, attorneys, members of the Department and even anonymous sources may lodge complaints. Every employee of the Department has a responsibility to accept complaints and route

¹ Rules and Procedures Chapter 5, §2 available online at <http://suffolkpd.org/InformationandPolicies.aspx>

them appropriately². Language assistance services are provided to all those in need and are available regardless of the means chosen to lodge the complaint, i.e., telephonic or face-to-face interpretation, email or document translation, etc.³

Once an investigation is opened, it is assigned to an investigator and contact with the complainant is made within 72 hours. All information and evidence obtained from the complainant is kept in strict confidence and is not released without a court order.⁴ Contact with the complainant is maintained on a regular basis throughout the investigation and written notification of the outcome is provided to all complainants in their native language.

All investigations culminate in one of four findings:

“Substantiated” – when sufficient evidence exists to establish both that the alleged act occurred and that it constituted misconduct.

“Unsubstantiated” – when the alleged act constitutes misconduct however insufficient evidence exists to establish that it occurred.

“Exonerated” – when sufficient evidence exists to establish both that the alleged act occurred and that it did not constitute misconduct.

“Unfounded” – when sufficient evidence exists to establish that the alleged act did not occur.

Once an investigation is complete and a finding is made, the case is reviewed by the investigator’s Captain. When the Captain determines all investigative steps have been exhausted and an appropriate finding was made, the case is reviewed by the Executive Officer and then the Commanding Officer. The final step in the process involves review by the First Deputy Police Commissioner who reviews the findings and determines what discipline, if any, is appropriate. Complainants are then notified by mail of the findings and the disposition of their complaint.

2019 Complaints

The Department received 218 complaints in 2019, containing an aggregate of 518 separate allegations of misconduct.⁵ (Chart 2019-1) According to policy, the Internal Affairs Bureau retained 113 cases for investigation, and delegated 105 to subordinate commands.⁶ Of the 113 cases investigated by Internal Affairs, 46 have been completed. Dispositions for the allegations contained in these cases are displayed in Chart 2019-2.

² Rules and Procedures Chapter 5, §2 (V)B

³ Rules and Procedures Chapter 26, §5 (Dept. Gen. Order 16-59, 05/13/2016)

⁴ NEW YORK CIVIL RIGHTS LAW §50-a

⁵ These numbers do not include Administrative Investigations, i.e. those generated internally. In 2019 fifty-three Administrative Investigations were opened.

⁶ Rules and Procedures Chapter 5, §2 VI(C) (Dept. Gen. Order. 15-56, 12/04/2015)

Chart 2019-1

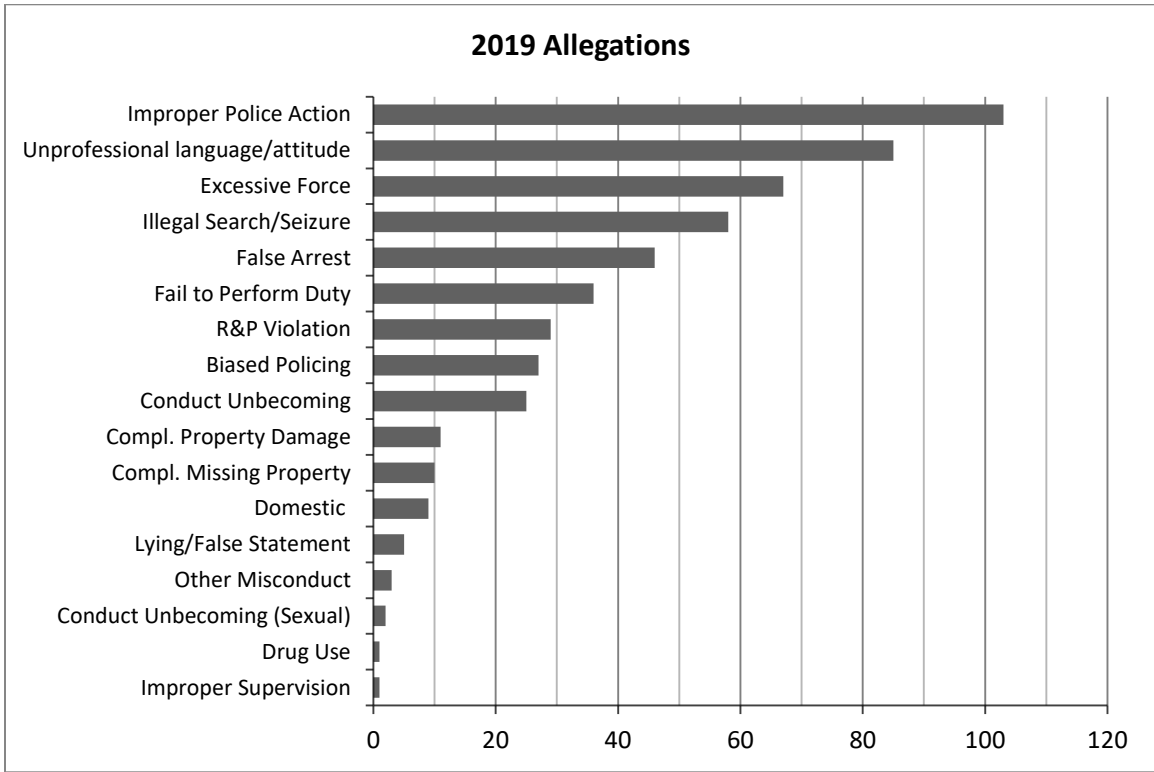
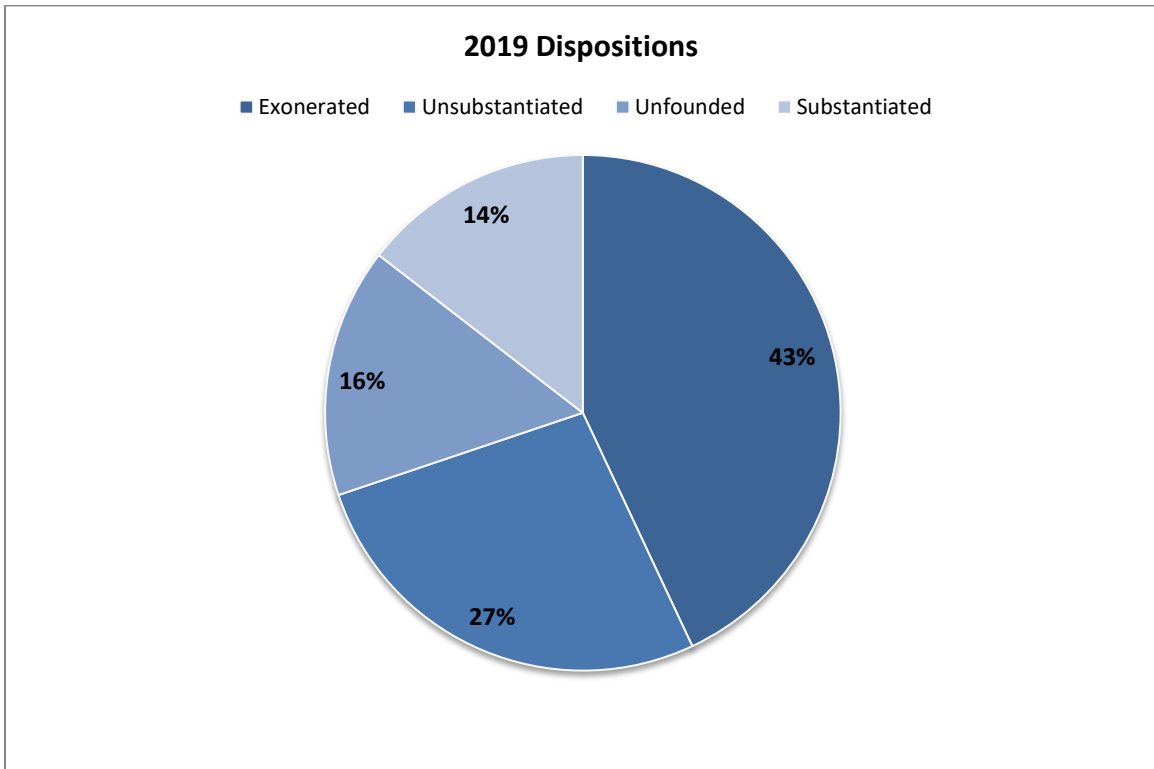


Chart 2019-2



Biased Policing Allegations

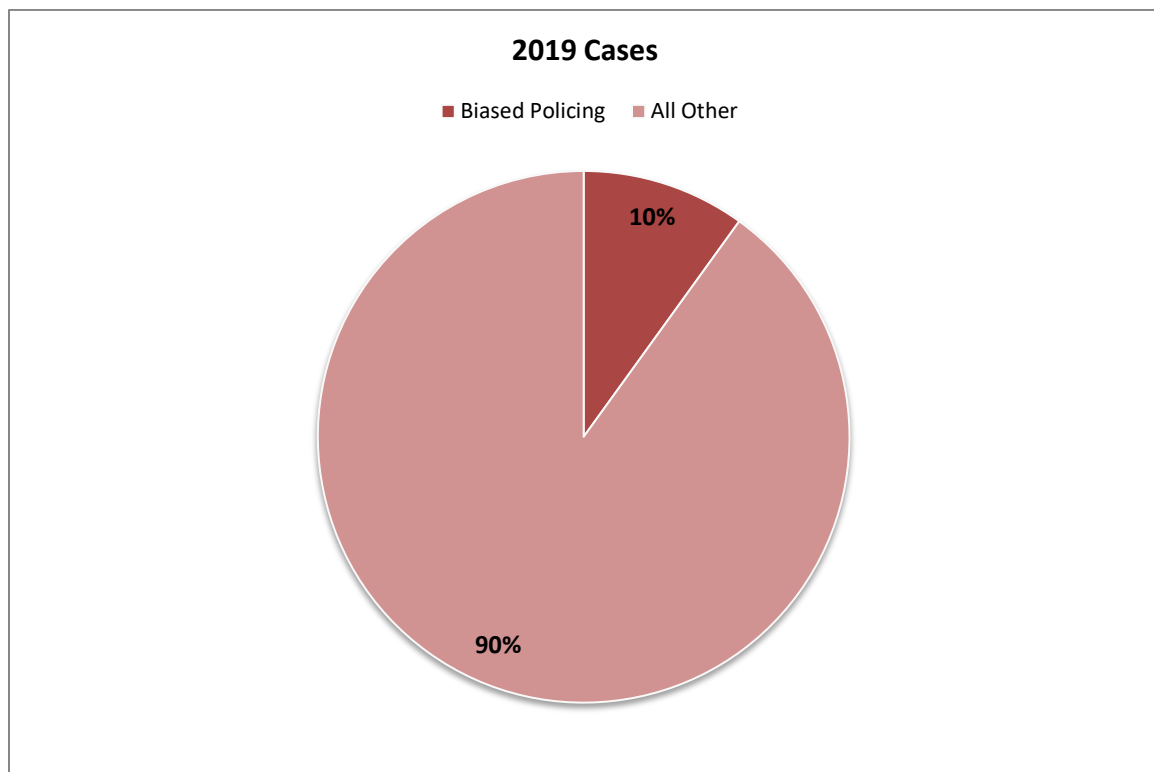
Biased Policing is defined as:

The selective enforcement or non-enforcement of the law, including the selecting or rejecting of particular policing tactics or strategies, based upon an individual's race, ethnicity, national origin, age, gender, religion, disability, English language proficiency, income, sexual orientation, or gender identity.⁷

Of the 218 cases opened in 2019, 19 contained a total of 27 allegations of Biased Policing. (Chart 2019-3) Nine of those cases, which contained 12 allegations of Biased Policing, have dispositions.⁸

The Department analyzes Biased Policing allegations by reviewing the facts of each complaint, the demographics of the involved parties, and the geographic location of the underlying incident. These analyses have been conducted annually since Biased Policing was adopted as an allegation in 2014. Although five years of data has been compiled thus far, biased policing remains a very small subset of complaints overall.

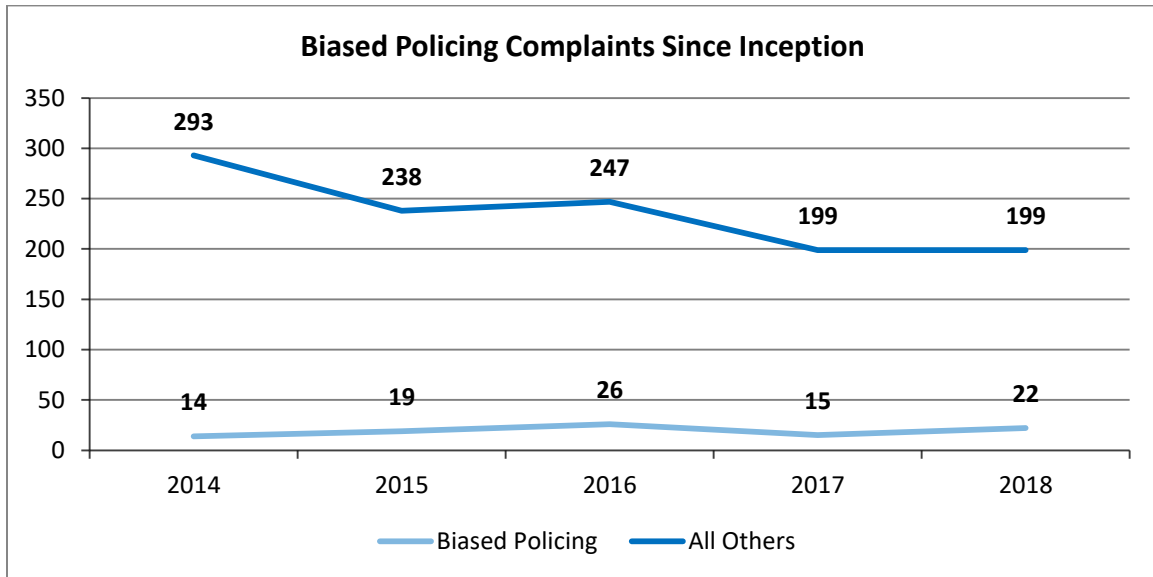
Chart 2019-3



⁷ Rules and Procedures Chapter 1, §11

⁸ Six were Unsubstantiated and six were Unfounded.

This has held true since reporting began in 2014, and the average number of Biased Policing complaints received per year has hovered closely around 20.



The Cases

Case #1

Complainant African-American female
 Officer(s) Caucasian males
 Command 2nd Precinct
 Allegations Biased Policing
 False Arrest
 Illegal Search/Seizure

Case #2

Complainant African-American female
 Officer(s) Caucasian male
 Command 6th Precinct
 Allegations: Biased Policing
 Unprofessional Lang./Attitude

Case #3

Complainant Black Latino female
 Officer(s) Caucasian male
 Command 1st Precinct
 Allegations: Biased Policing
 Excessive Force
 False Arrest

Case #4

Complainant Disabled male
 Officer(s) Caucasian male
 Command 2nd Precinct
 Allegations: Biased Policing
 Improper Police Action

Case #5

Complainant African-American male
 Officer(s) Latino male, Caucasian male
 Command 1st Precinct
 Allegations: Biased Policing
 Illegal Search/Seizure

Case #6

Complainant Latino male
 Officer(s) Caucasian male
 Command 5th Precinct
 Allegations: Biased Policing
 Illegal Search/Seizure

Case #7

Complainant Latino female
 Officer(s) Caucasian male
 Command Highway Patrol
 Allegations: Biased Policing
 Unprofessional Lang./Attitude

Case #9

Complainant African-American male
 Officer(s) Caucasian males
 Command 2nd Precinct
 Allegations: Biased Policing
 Unprofessional Lang./Attitude

Case #11

Complainant Black male
 Officer(s) Caucasian male
 Command 3rd Precinct
 Allegations Biased Policing
 Improper Police Action

Case #13

Complainant African-American male
 Officer(s) Caucasian male
 Command 3rd Precinct
 Allegations: Biased Policing
 Improper Police Action

Case #15

Complainant African-American male
 Officer(s) Caucasian males
 Command 3rd Precinct
 Allegations: Biased Policing
 Illegal Search/Seizure
 Excessive Force

Case #17

Complainant Caucasian male
 Officer(s) Caucasian males
 Command 1st Precinct
 Allegations: Biased Policing
 False Arrest
 Improper Police Action

Case #19

Complainant Jewish female
 Officer(s) Caucasian male
 Command Highway Patrol
 Allegations: Biased Policing
 Unprofessional Lang./Attitude

Case #8

Complainant Mixed race
 Officer(s) Asian male, Caucasian males
 Command 1st Precinct
 Allegations: Biased Policing
 Improper Police Action

Case #10

Complainant Latino male
 Officer(s) Caucasian males
 Command 3rd Precinct
 Allegations: Biased policing
 Excessive Force
 False Arrest

Case #12

Complainant African-American male
 Officer(s) Caucasian males
 Command 1st Precinct
 Allegations: Biased Policing
 Illegal Search/Seizure

Case #14

Complainant African-American male
 Officer(s) Caucasian males
 Command 3rd Precinct
 Allegations: Biased Policing
 Improper Police Action

Case #16

Complainant African-American male
 Officer(s) Caucasian male, Latino male
 Command 5th Precinct
 Allegations: Biased Policing
 Unprofessional Lang./Attitude
 Illegal Search/Seizure

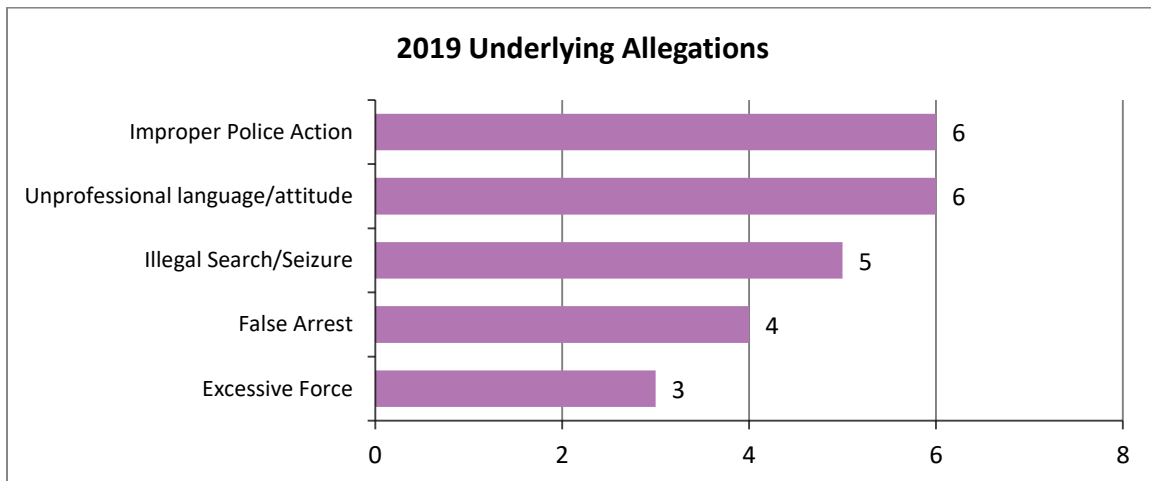
Case #18

Complainant Muslim male
 Officer(s) Caucasian male
 Command 6th Precinct
 Allegations: Biased Policing
 Unprofessional Lang./Attitude

Analysis

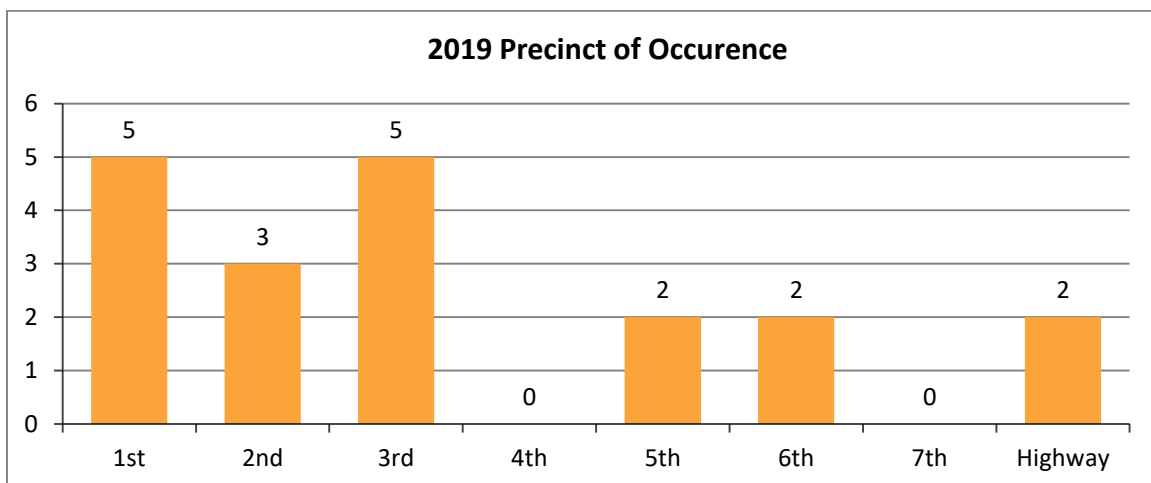
The two underlying allegations most prevalent in Biased Policing cases for 2019 were “Improper Police Action”, and “Unprofessional Language/Attitude”. These were also the top two allegations in the aggregate. (Chart 2019-1, page 5). The allegation of “Improper Police Action” covers a broad spectrum of alleged misconduct. When a complainant alleges facts which do not fit a more specifically defined allegation, the complaint is carried as “Improper Police Action” until or if the investigation determines that a more specific allegation is appropriate. For example, the allegation that an officer took the side of one party over another because of race when reporting a domestic dispute would be an allegation of “Improper Police Action” and “Biased Policing”. Whereas, an allegation that an officer stopped and searched an individual because of their race would be characterized as “Biased Policing” and “Illegal Search/Seizure”.

Chart 2019-4



Of the 19 cases opened in 2019, the First and Third Precincts had the most at 5 each. Both the Fourth and Seventh Precincts had none.

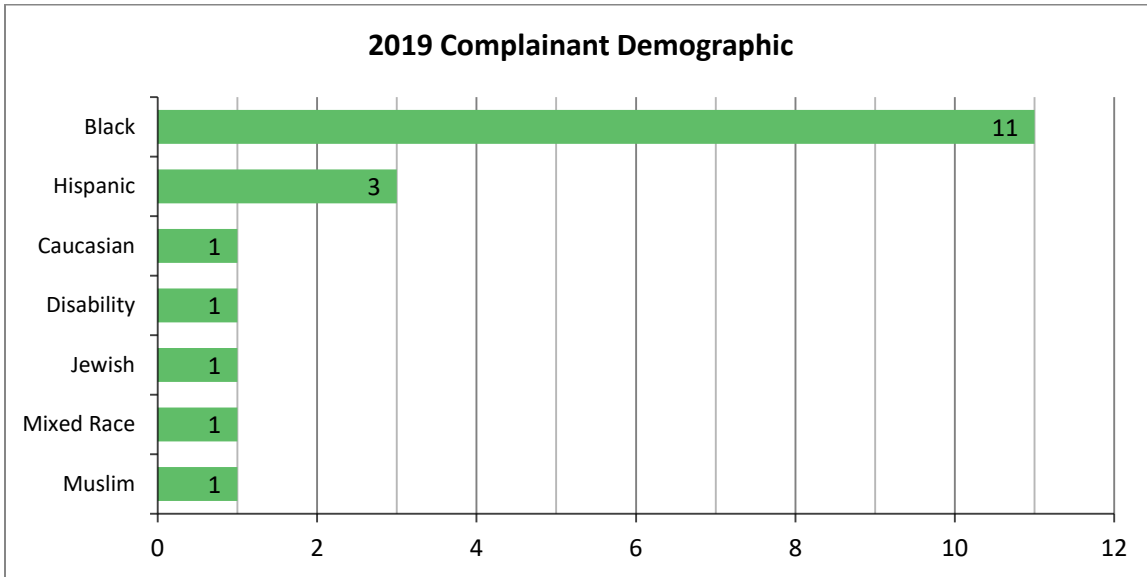
Chart 2019-5



Seven separate demographics were represented in the 19 reported cases. Demographic classification is based upon the complainant’s perception of the officer’s bias. For example, an allegation from a Latino female who claimed she was treated unfairly because she is a woman will be classified as a Gender bias.

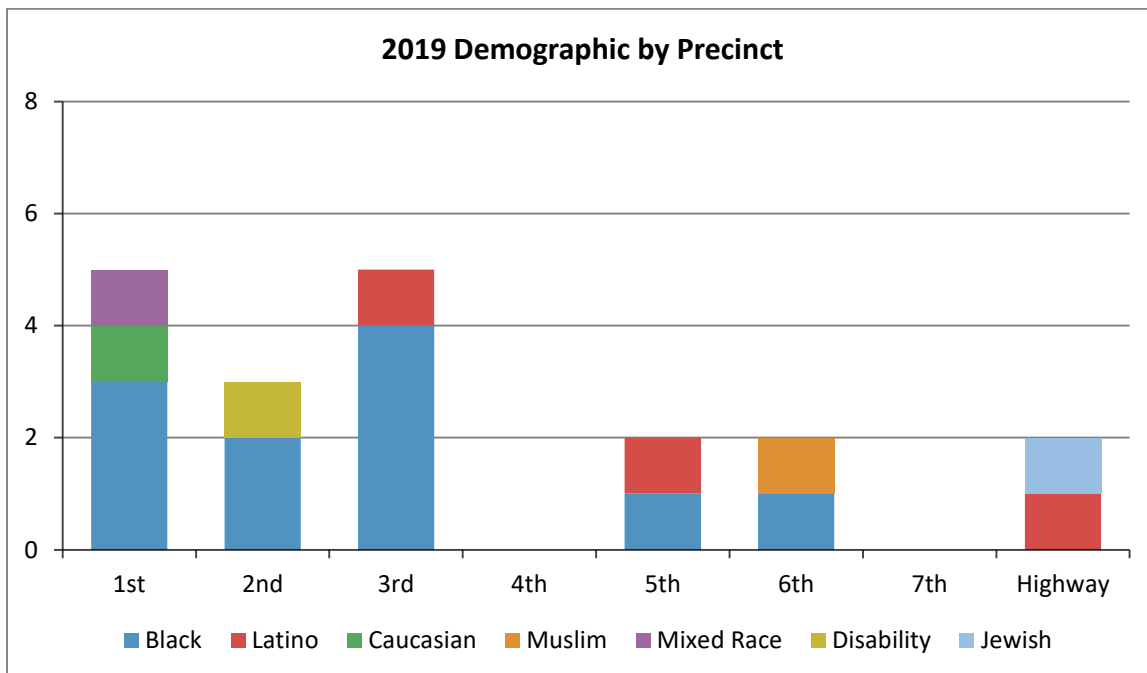
Complaints from Black individuals far outpaced any other demographic, in 2019.

Chart 2019-6



Black complaints were highest in the western-most Precincts, comprising nearly all of the complaints in the Third Precinct in 2019.

Chart 2019-7



The Third Precinct received the highest number of complaints from Black individuals in 2019, but overall, the First Precinct has received the greatest number in total since reporting began. While remaining in single digits each year, the number of Latino complaints has consistently trailed Black complaints, and has been concentrated in the Third and Fifth Precincts.

Chart 2019-9

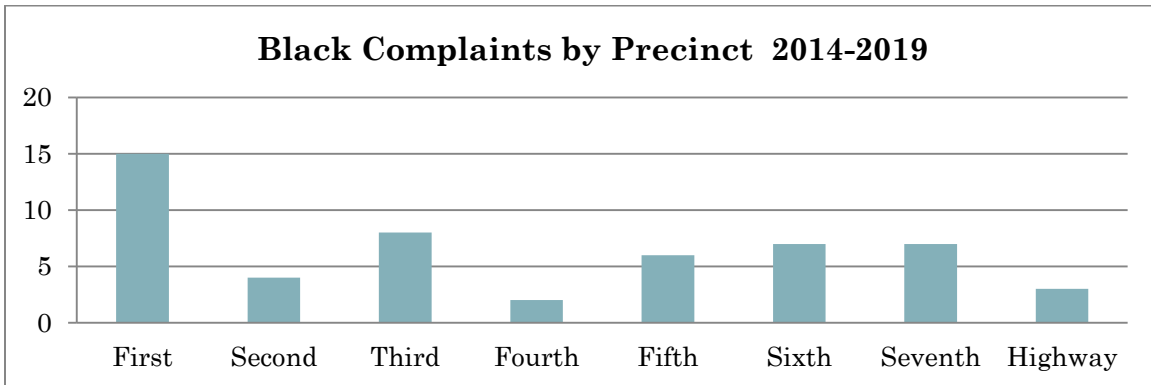


Chart 2019-10

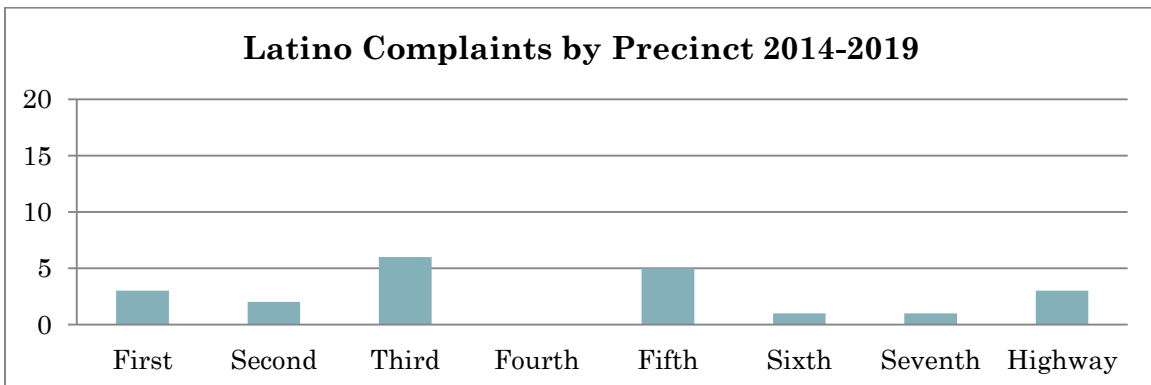
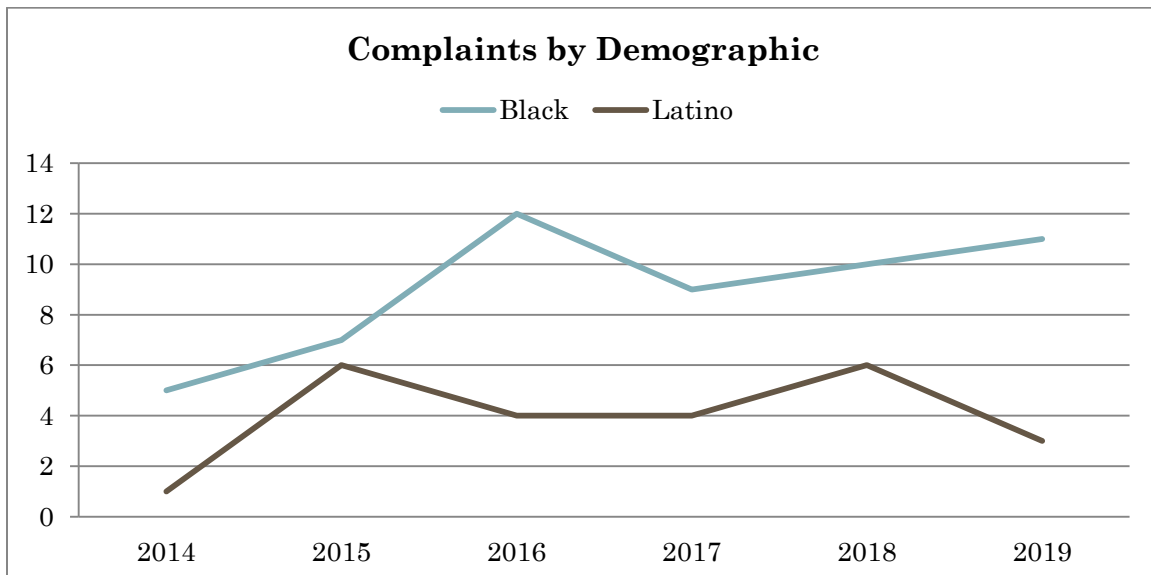


Chart 2019-11



Conclusion

The Department remains vigilant in tracking and analyzing Biased Policing complaints in order to gain insights on how its officers perform their duties and how their actions are perceived by the public. As the results of this year's analysis shows, very few trends have developed over the years other than the prevalence of Black complaints and their concentration in the First Precinct.

