

LAFAYETTE POLICE DEPARTMENT INTERNAL AFFAIRS SECTION 2012 ANNUAL REPORT



CALEA Standard: 52.1.5-Annual Statistical Summary

MISSION:

It is the policy of the Lafayette Police Department to investigate all allegations of employee misconduct received from any source, outside or inside the Department. The public has the right to expect efficient, fair, and impartial law enforcement. Therefore, any misconduct by department personnel must be detected, thoroughly investigated and properly adjudicated to insure the maintenance of these qualities. The department is generally evaluated and judged by the conduct of its individual members. It is imperative that the entire organization not be subjected to public censure because of misconduct by a few of its personnel. Similarly, the employee must be protected against false accusations of misconduct. This can only be accomplished through a consistently thorough investigative process. Personnel who engage in serious acts of misconduct, or who have demonstrated they are unfit for law enforcement work, must be removed for the protection of the public, the Department, and Departmental employees. The Department is constantly seeing to improve its efficiency and the efficiency of its personnel. Occasionally, personnel investigation discloses faulty procedures that would otherwise have gone undetected. These procedures can be improved or corrected. The proper

application of these objectives should accomplish the intent of improving the quality of police service to the Lafayette community.

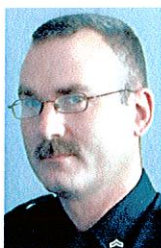
SECTION PERSONNEL:



Lieutenant Dwayne Prejean
Section Supervisor



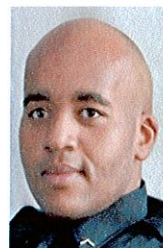
Sergeant Chastity Arwood
Supervisor



Detective
Joey Prevost



Detective
Shawn Terro



Detective
Patrick Pattum



D.R.C.
Niecee Noel

SECTION DUTIES:

- Investigation of major complaints against members of the Police Department

- Investigation of civil suits brought against members of the Lafayette Police Department
- Administer Polygraph and C.V.S.A. examinations for the Department and requesting law enforcement agencies
- Conduct special administrative and internal affairs investigations for other sections of the Lafayette Parish Consolidated Government
- Receive drug test notifications from the Drug Prevention unit and make notification to Police Department personnel
- Receive Departmental Accident Review notices and make notification to Police Department personnel
- Review and log all Divisional Level investigations
- Attend predetermination hearings and prepare investigative and or disciplinary history
- Serve as the Department's liaison for Lafayette City Parish Consolidated Government's Risk Management and Legal Department
- Provide In-service training for Departmental personnel as needed
- Facilitate the monitoring and tracking of employee misconduct and complaints via I.A. Pro database

STATISTICAL CATEGORIES:

INTERNAL AFFAIRS ADMINISTRATIVE INVESTIGATIONS/CITIZEN COMPLAINT INVESTIGATIONS:

Includes all external public complaints filed against the Department and/or its personnel, as well as internal complaints from within the Department that were investigated by the Internal Affairs Section. Generally, investigations handled by the Internal Affairs Section involve more serious misconduct than those investigated at the division level (Shift-level), or are complicated, may involve future litigation or involve use of force by police officers in the performance of their duty.

SHIFT LEVEL ADMINISTRATIVE INVESTIGATIONS:

Includes all administrative investigations assigned to divisions other than the Internal Affairs Section. Although the Internal Affairs Section was not charged with these investigations, the section is still responsible for disseminating, tracking, reviewing and maintaining these investigations within the Internal Affairs Section.

LAW SUITS:

This category consists of all lawsuits filed against the Lafayette Police Department and/or its personnel.

CIVIL LITIGATION INVESTIGATIONS:

This category includes case preparation on civil lawsuits brought against the Department and its personnel as well as logging and processing Subpoena Duces Tecums, court orders and Public Records Production Request.

POLYGRAPH EXAMINATIONS:

The Internal Affairs Section houses and maintains all polygraph instruments and operations for the Police Department. This category includes all polygraph examinations that were conducted within the Internal Affairs Section. These examinations were conducted for pre-employment screenings and investigations both administrative and criminal in nature. Examinations were also performed for surrounding Law Enforcement Agencies, as a service from the Lafayette Police Department.

I.A. PRO DATA:

This category provides data on Use of Force incidents/Reports submitted to the I.A. Pro system.

2012 Internal Affairs Annual Report

Administrative Investigations

CONDUCT TYPE	(2010)	(2011)	(2012)
▪ Excessive Force	3	0	0
▪ Officer Involved Shooting	1	3	4
▪ Failure to perform Duty	0	2	1
▪ Rude/Unprofessional	2	1	1
▪ CUBO	5	12	2
▪ Illegal Search	0	1	0
▪ False Arrest	0	1	0
▪ Supervisor Judgment	0	2	1
▪ Insubordination	0	1	3
▪ Evidence/Report handling	2	2	2
▪ Misuse of LPD Computer	0	2	0
▪ Fit for Duty (Non-shooting)	0	1	1
▪ Harassment	1	0	0
▪ Fail to Act	1	0	0
▪ Special Investigations	1	0	1
▪ Sexual Misconduct	0	0	2
▪ Falsified Report	0	0	1
▪ Confidential information Breach	0	0	2
▪ Illegal Investigation	0	0	2
▪ ODS Violation	0	0	2

▪ Perjury	0	0	1
▪ In Custody Death	0	0	1
▪ Sick Leave Violation	0	0	1
	17	26	28

Disposition/Discipline	(2010)	(2011)	(2012)
Unfounded	3	4	2
Sustained	11	12	12
Not Sustained	1	1	4
Exonerated	1	3	5
Complaint withdrawn	0	1	0
Pending	0	3	2
Letter of Caution	0	1	0
Counseling Form	1	0	3
Referred to Training	0	0	0
Reprimand	2	1	1
Suspension	7	3	1
Terminated	1	2	2
Resigned	3	3	5

Division/Precinct	(2010)	(2011)	(2012)
Pct. 1	4	2	1
Pct. 2	1	0	2
Pct. 3	0	6	4
Pct. 4	2	6	9
Patrol Support	1	6	1
CID	4	4	3
Services	4	2	3
Administration	0	0	2
Other LCG Department	0	0	3

Rank of Focus Officer	(2010)	(2011)	(2012)
Chief	0	0	1
Major	3	0	0
Captain	0	2	0
Lieutenant	0	1	2
Sergeant	0	2	5
Corporal	5	7	7
Officer	7	17	9
Civilian	2	0	0
LCG Non Police Department Employee	0	0	2
Unknown Employee	0	0	2

2012 Internal Affairs Annual Report

Citizens Complaint Investigations

CONDUCT TYPE	(2010)	(2011)	(2012)
▪ Excessive Force	2	7	6
▪ CUBO	1	2	1
▪ Firearm Discharge	0	1	0
▪ Rude/Unprofessional	0	2	1
▪ False Arrest	0	1	1
▪ Engaging in Political Activity	0	1	0
▪ Unauthorized use of Computer	1	0	0
▪ Theft	0	0	1
▪ Failure to properly investigate	0	0	1
Total	4	14	11

Disposition/Discipline	(2010)	(2011)	(2012)
Unfounded	3	4	8
Sustained	3	2	1
Not Sustained	0	4	1
Exonerated	0	0	0
Complaint withdrawn	0	1	1
Letter of Caution	0	1	0
Counseling Form	0	0	0
Referred to Training	0	0	0
Reprimand	0	0	0
Suspension	0	0	0
Terminated	0	1	0
Resigned	1	1	0

Division/Precinct	(2010)	(2011)	(2012)
Pct. 1	2	3	5
Pct. 2	0	2	1
Pct. 3	0	5	1
Pct. 4	0	0	1
P.S.	1	2	0
CID	0	1	2
Services	0	0	1
Administration	0	0	0
Reserves	0	0	0
Unknown	1	1	0

Rank of person being Investigated	(2010)	(2011)	(2012)
Major	0	0	0
Captain	0	0	0
Lieutenant	0	0	2
Sergeant	1	3	1
Corporal	0	5	7
Officer	2	11	6
Reserve	1	0	0
Civilian	0	0	1
Unknown	0	0	0

**Some of the complaints in year 2012 had multiple officers involved in the incident.*

2012 Internal Affairs Annual Report

Shift-Level Investigations

CONDUCT TYPE	(2010)	(2011)	(2012)
▪ Insubordination	1	0	0
▪ Rude/Unprofessional	9	7	9
▪ Improper Search/Arrest	1	2	1
▪ Failure to perform Duty	7	4	5
▪ Alarming the Public/Threats	1	1	0
▪ Excessive Force	13	3	2
▪ Speeding/Traffic/Redflex	1	2	1
▪ Failed to make/complete report(s)	1	2	2
▪ Interfering with an Investigation	1	1	0
▪ Fail to follow orders	1	2	1
▪ Meddle with In-Car camera system	0	1	1
▪ Misuse/abuse LPD equipment	2	0	0
▪ Fail to secure LPD unit	0	1	0
▪ CUBO	7	3	3
▪ Fail to honor subpoena	0	1	0
Total	45	31	25

Disposition/Discipline	(2010)	(2011)	(2012)
Unfounded	21	12	5
Sustained	15	13	12
Not Sustained	3	3	2
Exonerated	3	0	0
Complaint withdrawn	2	3	4
Overtured by Civil Service	1	0	0

Upheld by District Court	0	1	0
Letter of Caution	1	2	0
Counseling Form	1	3	1
Referred to Training	1	2	1
Reprimand	5	1	4
Suspension	7	4	4
Terminated	0	0	0
Resigned	1	1	0
Division/Precinct	(2010)	(2011)	(2012)
Pct. 1	10	8	5
Pct. 2	13	2	3
Pct. 3	4	4	1
Pct. 4	3	5	7
P.S.	2	9	4
CID	5	2	2
Services	5	1	2
Administration	0	0	0
Reserves	1	0	0
Unknown	2	0	0
Rank of person being Investigated	(2010)	(2011)	(2012)
Major	0	0	0
Captain	0	0	0
Lieutenant	6	0	4
Sergeant	7	2	5
Corporal	12	13	4
Officer	16	18	11
Reserve	1	0	0
Civilian	1	0	1
Unknown	2	0	0

2012 Internal Affairs Annual Report

Use of Force Reports submitted to I.A. Pro

Use of Force Incidents:	(2010)	(2011)	(2012)
▪ Total	143	159	149
▪ Pursuits	-	18	19
▪ I.A. Pro Alerts	-	4	0

*Note: In years previous to 2011 there were no breakdowns by pursuit and alert categories done, therefore, pursuits and alerts will not be available for a comparison until the 2012 report.

Breakdown by months: (2011)	
January	7
February	7
March	13
April	7
May	18
June	20
July	14
August	19
September	13
October	12
November	17
December	12

Breakdown by months: (2012)	
January	11
February	25
March	10
April	9
May	13
June	11
July	8
August	12
September	6
October	19
November	11
December	14

2012 Internal Affairs Annual Report

Shift-Level Discipline

CONDUCT TYPE	(2010)	(2011)	(2012)
▪ Failure to follow directive	0	6	3
▪ Failure to take report	1	2	3
▪ Speeding/Traffic/Reflex	0	3	0
▪ Failure to follow direct order	1	5	0
▪ Failure to follow radio procedure	1	2	0
▪ Rude/Unprofessional	0	11	1
▪ Failure to follow procedure	2	5	1
▪ Crash/Accident	3	3	10
▪ Failure to perform duty	2	3	1
▪ Insubordination	0	1	0
▪ Failure to honor subpoena	1	0	0
Total	11	31	19

Disposition/Discipline	(2010)	(2011)	(2012)
Counseling form	8	28	16
Letter of Caution	0	1	1
Reprimand	2	2	2
Suspension	1	0	0

Division/Precinct	(2010)	(2011)	(2012)
Pct. 1	2	5	2
Pct. 2	0	1	4
Pct. 3	3	5	3
Pct. 4	2	5	4
P.S.	1	3	1
CID	2	5	4
Services	1	7	1
Administration	0	0	0

Rank of person receiving Discipline

Major	0	0	0
Captain	0	0	0
Lieutenant	0	1	2
Sergeant	0	10	3
Corporal	3	9	5
Officer	7	7	8
Civilian	1	4	1

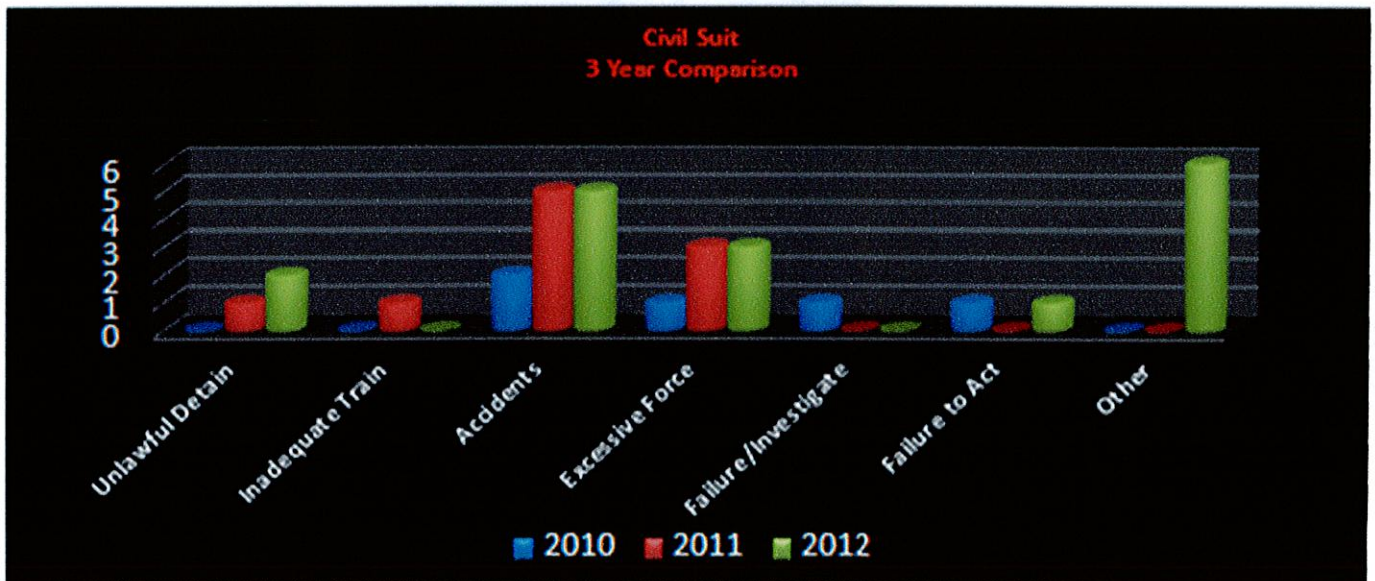
2012 Internal Affairs Annual Report

Polygraph Statistics

Polygraphs administered:	(2010)	(2011)	(2012)
▪ Total	9	14	8
▪ Pre-Screen or Investigations	7	12	7
▪ Outside agencies	2	2	1

2012 Civil Law Suit Against Lafayette Police Department

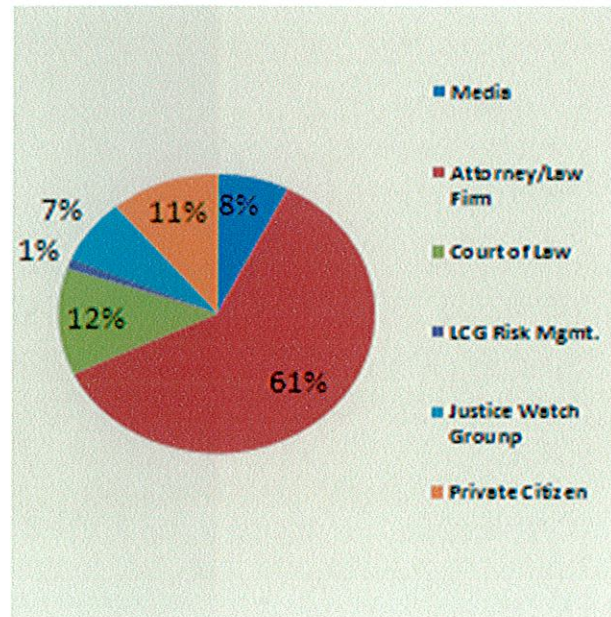
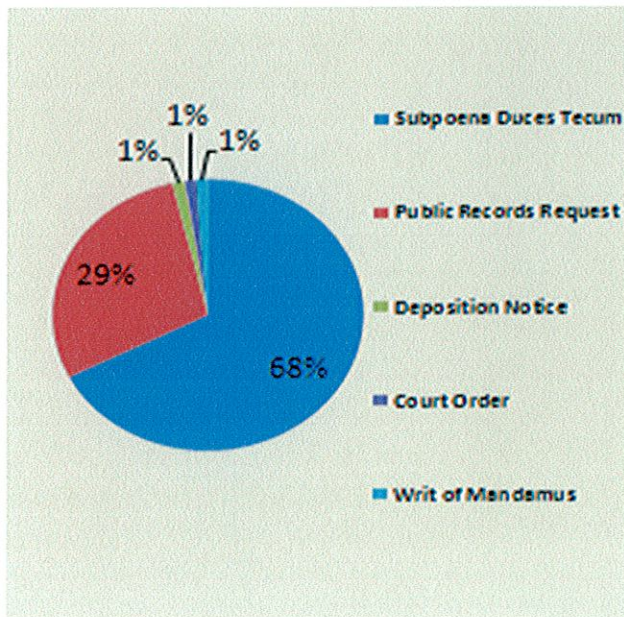
Type of Law Suit:	(2010)	(2011)	(2012)
Unlawful Detainment	-	1	2
Inadequate Training	-	1	-
Vehicle Crashes	2	5	5
Excessive Force	1	3	3
Failure to Investigate	1	-	-
Failure to Act	1	-	1
Other	-	-	6
Total	5	10	17



2012 Litigation Files

LITIGATION TYPE		REQUESTED BY	
• Subpoena Duces Tecum	54	• Media	6
• Public Records Request	23	• Attorney/Law Firm	49
• Notice of Deposition	1	• Court of Law	10
• Court Order	1	• LCG Risk Mgmt.	1
• Writ of Mandamus	1	• Criminal Justice Watch Group	6
		• Private Citizen	9

2012 Litigation Files



Conclusion:

The Internal Affairs Section experienced a **7% increase** in cases assigned for investigation while Shift Level investigations **decreased** by **19%**. The reduction in shift level assigned investigations resulted primarily from a 2011 executive decision to refer the majority of all excessive force claims to the Internal Affairs Section for investigation. The primary reason for this decision was because many excessive force claims involve the potential for litigation. Although litigation may become involved, the majority of the use of force cases was found to be justified and reasonable, administered within standards of police officer training and complies with departmental policy and procedure.

Overall misconduct investigations **decreased by 9%**, going from **71** total misconduct investigations in year 2011 to **64** investigations in 2012.

In the Shift-Level Discipline category there was a **38% decrease** from 2011 to 2012 in documented disciplinary action at the shift level or Divisional level against employees. **84%** of all shift level discipline in year 2012 resulted in the issuance of a Counseling Form.

In the area of civil suits, the 2 year comparison found that there was a **70% increase** in civil suits brought against the department and/or its personnel between years 2011 and 2012. The notable increase was in the category of **"Other"** lawsuits involving the department and/or personnel. Lawsuits in the **"Other"** category included Rule Nisi, loss property, writs of mandamus, and sexual battery misconduct. Many of these lawsuits listed in the **"Other"** category were the result of several police employees who filed multiple lawsuits against the Department in an employee related dispute that stemmed from an administrative investigation into the release of a confidential internal document.

Civil Litigation files and request were primarily filed by attorneys and law firms at 50% followed by City, State and Federal courts at 12%. The remaining 27% of litigation files, which encompasses primarily subpoena duces tecums and public records request, were filed on behave of the media, criminal justice watch groups, LCG Risk Management and private citizens. The majority of these litigation files and court orders were for subpoena duces tecums at 67 % and public records request at 29 %.

Prepared by Lieutenant Dwayne Prejean, February 5, 2013

