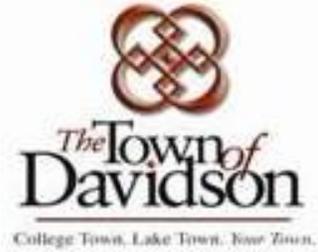




DAVIDSON POLICE DEPARTMENT

2019 Annual Citizen Complaint, Internal Affairs Investigation, and Commendation Analysis and Summary



The Department is often evaluated and judged by the conduct of individual members. The public has the right to impartial, professional law enforcement services. Therefore, any alleged misconduct by Davidson Police Department personnel must be thoroughly investigated and properly adjudicated to assure the delivery of professional police service and enforcement efforts. Additionally, employees must be protected against false allegations; this can be accomplished through the investigative process.

Staff members are also recognized for outstanding and exemplary performance of their duties. These commendations from citizens and supervisor are another reflection upon the department's capabilities and skills in delivering professional law enforcement services.

Investigations Defined: Upon completion of an investigation of a citizen complaint and/or internal affairs allegation, the findings of the investigation are stated and action may take place based on the findings. The classifications of findings are as follows:

- A. **Exonerated** - The alleged conduct occurred, but it was lawful, proper and the officer's actions were within accepted division practices and procedures. When an anonymous complaint is made against an employee and where no corroborative evidence can be found after an investigation, the complaint shall be classified as "unfounded".
- B. **Unfounded** - The complaint was false or otherwise not based on fact.
- C. **Not Sustained** - The investigation produced insufficient evidence to prove or disprove the allegation.
- D. **Sustained** - The allegation, in part or in whole, was supported by proper and sufficient evidence.
- E. **Misconduct Not Based on Original Complaint** - The discovery of sustained acts of misconduct not alleged in the original complaint.

Citizen Complaints: The Davidson Police Department received three (3) citizen complaints for the calendar year of 2019. The citizen complaints included the following issues:

1. **CC2019-01/IA2019-03:** A resident complained on December 3, 2019 about the manner in which a criminal investigation, involving his minor child, was conducted. The details of the allegations were numerous, involved one staff member and two outside, assisting

agencies/organizations. The sworn officer was accused of violating Davidson Police Department Policies 100-04 Code of Ethics and 600-700 Victim-Witness Assistance. A thorough review of all documentation and recording related to the criminal investigation was conducted. The complainant was uncooperative despite many attempts to interview him. There were numerous incidents of the complainant confronting law enforcement officers of multiple agencies and Town of Davidson elected officials in an aggressive and insulting manner. The complainant was eventually charged with a misdemeanor offense providing the opportunity for a mental health crisis intervention. The complainant later withdrew his complaint and apologized. The investigation was concluded.

Findings: UNFOUNDED

2. **CC2019-02/IA2019-01:** An anonymous complaint was received on September 6, 2019 advising of conduct unbecoming of a police officer. The complainant advised of an officer arriving at a local house party where many young people were gathered and staying for two to three hours; allegedly told individuals at the party the GPS locating on the patrol vehicle had been deactivated while the officer was on-scene, and the officer participated in a drinking game but did not consume alcohol according to the complainant. The investigation confirmed the activity did occur and the officer's conduct was contrary to department policy. **Findings: SUSTAINED**

3. **CC2019-03:** A verbal complaint was received on February 15, 2019 advising of an improper stop for vehicle equipment. The complainant said he was stopped for a headlight working that he insisted was recently replaced. The supervisor reviewed recordings and spoke with the officer about the traffic stop. The BWC recording showed the vehicle stopped near a streetlight and it could not be seen if the light was working or not working. The officer stated the complainant was stopped for a non-working headlight and no license plate light as required by state statute. The traffic stop lasted 3 minutes and 54 seconds with the officer advising the complainant of the equipment issues and the requirements to be compliant with state law. The officer was professional and courtesy during the stop and there were no violations of department policy.

Findings: UNFOUNDED

Internal Affairs Investigations: The Davidson Police Department conducted four internal affairs investigations for the calendar year of 2019. The internal affairs investigations included the following issues:

1. **IA2019-01/CC2019-02:** An allegation of misconduct by a Sworn Officer (see above Citizen Complaint #2). Pertinent Policy – Davidson Police Policy 300-525, Disciplinary Procedures, Conduct Unbecoming (A); **Findings: SUSTAINED**

2. **IA2019-02:** An allegation of Simple Assault, Child Abuse (misdemeanor) was filed with the Department of Social Services on a Sworn Officer. The Criminal Investigation was conducted by the Charlotte-Mecklenburg Police Department – Crimes Against Children Unit. The criminal investigation determined the allegations were false. The internal review of this incident determined the officer was cleared of all criminal allegations and there were no department policy violations. **Findings: UNFOUNDED**
3. **IA2019-03/CC2019-01:** Allegations of misconduct by a Sworn Officer (see above Citizen Complaint #1). Pertinent Policy – Davidson Police Policy 100-04 Code of Ethics (1) and 600-700 Victim-Witness Assistance (1-5); **Findings: UNFOUNDED**
4. **IA2019-04:** Allegations of policy violations related to Town and Davidson Police Department policies impacting job performance, conduct and officer safety. The Sworn Officer admitted to the violations, faced disciplinary action and remains on a probationary status. Pertinent Policy – Town of Davidson Personnel Policy Section B – Unsatisfactory Job Performance, Section C – Detrimental Conduct, Davidson Police Policies 3.12 Competence, 3.16 Conduct – Unbecoming, 3.5 Malingering, and 3.52 Neglect, Delay, or Evasion of Duty; **Findings: SUSTAINED**

The Davidson Police Department receives commendations and expressions of thanks from citizens for the difficult tasks performed as public servants. I have **received 55 commendations** for officers and non-sworn staff members. As the Chief of Police, I find this data to be critical in demonstrating how well we perform our jobs as public servants.

The purpose of analysis and providing this report to all staff members and the public demonstrates the Department's commitment to transparency and accountability. Our efforts in accountability includes the ability to recognize our capability of moving forward, being adaptable, and learning from our unintentional errors. The analysis also provides insight on the false allegations made against public servants and the benefits of recording devices, such as those in patrol units and the body worn cameras utilized by the Department. Finally, I personally thank all for being outstanding public servants in the community of Davidson.