

Community Ombudsman's Report

For The Six Months Ending December 31, 1999

Introduction

Mayor Brent Coles and the Boise City Council first envisioned the position of ombudsman nearly eighteen months ago. In March of last year, the mayor nominated and the council approved the selection of Pierce Murphy as the first ombudsman for Boise. Mr. Murphy began work setting up the office in April, an empowering city ordinance was approved in June, and the Office of Community Ombudsman began full operations on September 27, 1999.

In this, the first semi-annual ombudsman's report, the following areas are covered:

- The mission and guiding principles of the Office of Community Ombudsman
- The start-up phase of the Office of Community Ombudsman
- Ombudsman's training
- Citizen contacts and complaint patterns
- Case management and case outcomes
- Review of internal police investigations
- Policy and training recommendations
- Community outreach
- Mediation
- Critical incidents
- False complaints

Mission

The Office of Community Ombudsman exists to promote public confidence in the professionalism and accountability of Boise City's police and law enforcement employees through unbiased investigation of citizen complaints, independent review of police actions, thoughtful policy recommendations, and on-going public outreach.

Guiding Principles

The operating philosophy of the Office of Community Ombudsman consists of the following guiding principles under which we strive to achieve our mission.

1. We believe in providing equal, fair, and impartial access to the services of the Office of Community Ombudsman; without regard to age, race, gender, creed, color, nationality, or station in life.
2. We believe in treating all individuals, regardless of their attitude or demeanor, with the same courtesy, tolerance, sensitivity, and dignity we would expect if placed in a similar situation.
3. We believe in providing quality, timely, objective, and responsive service to those persons who request the assistance of the community ombudsman.
4. We believe in the empowerment of people to solve problems, provide service, and satisfy the needs of the community, coupled with accountability and responsibility for their conduct.

Start-up Phase

The following results were achieved during the start-up phase of the ombudsman's office, between April 5 and September 27, 1999:

- City ordinance number 5930 was unanimously passed by the Boise City Council. This ordinance established Title 2, Chapter 22, of the Boise City Code to establish the Office of Community Ombudsman specifying duties and responsibilities, requiring confidentiality of records, and authorizing mediation, recommendations, community outreach and reporting. This ordinance was the result of extensive benchmarking of police oversight mechanisms throughout the United States and consultations with practitioners and academics in the field.
- A set of standard policies and procedures were proposed by the ombudsman and approved by the city council.
- An administrative secretary, Diana Bell, was hired to support the Office of Community Ombudsman.
- A previously unused section of city hall was renovated and converted into offices for the ombudsman and staff.

Ombudsman's Training

During the start-up phase of the Office of Community Ombudsman, Pierce Murphy attended over 350 hours of training sponsored by the Boise Police Department. As a participant in the department's "Advanced Academy" for all new police officers, the

ombudsman received training in, among other topics, firearms, use of force, arrest techniques, ethics for police officers, police policy and procedure, investigations, interpersonal skills for police, domestic violence cases, etc. In October and November of 1999, Mr. Murphy participated in the Citizens Police Academy sponsored by the Boise City Police Department.

Mr. Murphy also attended a 20 hour seminar on “Internal Affairs and the Use of Force,” a 40 hour seminar on “Professional Standards and Ethics For Internal Affairs,” and a 40 hour conference sponsored by the National Association for the Civilian Oversight of Law Enforcement.

Citizen Contacts and Complaint Patterns

The Office of the Community Ombudsman began keeping statistics in July of 1999. We have been tracking the number of contacts made by members of the public with our office, whether by telephone, e-mail, letter, or in person. The following is a breakdown of those contacts, first by month and then by type of contact.

<u>Month</u>	<u>Number of Contacts</u>
July	5
August	11
September	20
October	48
November	109
December	134
	<hr/>
Six months total	327

Note: The statistical data found throughout this report are displayed graphically in Appendix A of this report.

<u>Type of Contact</u>	<u>Number of Contacts</u>
Allegation/inquiry	55
Referral to other agency	23
Initial contact/no follow-up	99
Other	150

Total contacts	327

Note: The category “other” includes all requests for general information about police policy and procedures, requests for information about the Office of the Community Ombudsman, requests for interviews and talks by the ombudsman, and opinions received from members of the public.

Fifty-five formal allegations or inquiries were filed with the Office of the Community Ombudsman between September 27, 1999 (when the office became operational) and December 31, 1999. The following is a breakdown of these allegations/inquires by month.

<u>Month</u>	<u>Number of Allegations/Inquiries</u>
September	3
October	27
November	10
December	15

Total allegations/inquiries	55

Forty-seven of these allegations/inquiries fell within the jurisdiction of the ombudsman, while the remaining eight were allegations against officers or employees who were not Boise City employees.

<u>Agency</u>	<u>Number of Allegations/Inquiries</u>
Boise Police	45
Boise Airport Police	2
Ada County Sheriff	7
Garden City Police	1
	<hr/>
Total allegations/inquiries	55

Outside Police Agencies

The eight allegations and inquiries which were referred to either the Ada County Sheriff or the Garden City Police Department were initially presented to us as involving the Boise City Police. It was only after a preliminary investigation that the ombudsman was able to determine that the employee(s) named in the complaint worked for a different jurisdiction. Because the Office of the Community Ombudsman is only authorized to act on complaints made against police and law enforcement employees of Boise City, we were required to refer the complainant to either the Ada County Sheriff or the Garden City Police. In order to facilitate such referrals, the Office of the Community Ombudsman has working agreements with these and other neighboring agencies for the referral of complaints and inquiries.

Boise Airport Police

Each of the two complaints received about the actions of the Boise Airport Police was classified as a “Citizen Inquiry.” This means that we determined that the complainant was not alleging misbehavior on the part of an officer. An explanation of the difference between a complaint and a citizen inquiry can be found in Appendix B of this report.

Both airport inquiries dealt with the way in which the Boise Airport Police have been enforcing the curbside parking restrictions at the airport. One citizen urged stricter enforcement while the other argued for greater flexibility in how parking restrictions are enforced. In both cases, the ombudsman sent the information to the airport police manager for his information and follow-up.

Boise City Police Department

Out of the 55 allegations and inquiries received by the ombudsman, 45 were about the Boise Police Department (BPD) or its employees. Three of the contacts were from citizens wishing to commend a Boise Police officer for his or her actions. These officers had shown exceptional courtesy, diligence to duty, or thoughtfulness. The ombudsman sent a letter to the officers thanking them for their service to our community. A copy of each commendation letter was sent to the chief of police for his information and to be placed in the employee's personnel file.

Fifteen of the 45 contacts were classified as inquiries, five were appeals by citizens of findings already issued by the police department in response to a complaint filed, and 22 were classified as complaints.

<u>Classification</u>	<u>Number of Allegations/Inquiries</u>
Complaint – Class I	7
Complaint – Class II	15
Appeals	5
Inquiries	15
Commendations	3
	<hr/>
Total allegations/inquiries	45

A “Class I” complaint is one which is serious in nature. A sustained finding for a Class I violation could result in serious discipline or termination of the officer’s employment. “Class II” complaints are those allegations which are less serious in nature.

These 45 allegations/inquiries were also analyzed by division and shift. The following table shows how many were received for each of the three Patrol Division shifts, the Criminal Investigations Division (CID), and the Administrative Division.

<u>Division</u>	<u>Number of Allegations/Inquiries</u>
Patrol – day shifts	7
Patrol – swing shifts	15
Patrol – night shifts	11
CID (detectives)	7
Administrative	2
Unknown	3
	<hr/>
Total allegations/inquiries	45

We also analyzed these 45 allegations/inquiries by the nature of the allegation or inquiry.

<u>Nature of the Allegation/Inquiry</u>	<u>Number of Allegations/Inquiries</u>
Service quality	16
Use of force	10
Officer conduct	8
Abuse of authority	4
Harassment/non-racial	3
Policy questions/comments	1
Commendations	3
	<hr/>
Total allegations/inquiries	45

Beginning on page 8 of Appendix A of this report, a synopsis of each BPD allegation or inquiry filed with the Office of the Community Ombudsman is listed. These synopses are grouped by the nature of the allegation/inquiry.

It should be noted that six of the ten “use of force” allegations involved only two different incidents. In each of these two incidents, the complainant alleged that three officers used unnecessary and unreasonable force in an arrest. We have chosen to count each officer named by a complainant as a separate allegation. For this reason, Appendix A describes only six incidents in its “Use of Force” synopsis section, while the statistical tables in this report show ten as the number of allegations received in the “Use of Force” category.

The gender of both officers/employees and complainants was also analyzed.

<u>Gender</u>	<u>Officer</u>	<u>Complainant</u>
Female	5	19
Male	29	26
Unknown	11	0
Total	45	45

Case Management and Case Outcomes

A total of 286 hours were spent investigating allegations or working to answer inquiries. This does not include the time needed to transcribe tape-recorded interviews or provide administrative support to the investigator. Of the 45 allegations/inquiries handled, 24 were handled exclusively by the ombudsman. Police supervisors, on behalf of the ombudsman, investigated the remaining 21 allegations/inquiries. Cases investigated by police supervisors were either relatively minor allegations or inquiries in which the citizen needed to have someone explain police procedure or policy. In these cases, the ombudsman reviewed the police supervisor’s investigative work and followed-up personally with each complainant. In every case, regardless of who performed the investigation, it was the ombudsman who issued a finding and/or decided on the final disposition of the case.

The policy and procedures of the Office of the Community Ombudsman established 30 days as the standard for completing an investigation. Twenty-eight of the 45 BPD allegations/inquiries (62%) were completed within 30 days or less. Ten cases (22%) took between 31 and 60 days, and only seven cases (16%) remained open longer than 60 days. While these results beg for improvement in case turn-around time, we view them as encouraging, given the newness of the ombudsman process and the large number of cases that came in.

Case management, answering inquiries, and investigating allegations is labor-intensive work. Most inquiries were resolved with one to three hours of work. However, investigations required the investment of considerably more time. The time spent investigating a single allegation ranged between three and 80 hours. The following statistics give an indication of the time spent responding to allegations and inquiries.

	<u>Hours Per Case</u>	<u>Days Case Open</u>
Average	12.4	31.8
Median	3.0	29.0

Twenty-eight of the 45 BPD cases were closed by December 31, 1999. Out of these 28 allegations/inquiries, the ombudsman issued twelve findings. The remaining 16 closed cases were inquiries, which never result in a finding. The findings were categorized as follows.

<u>Finding Categories</u>	<u>Number In Each Category</u>
Unfounded	5
Exonerated	4
Not sustained	1
No finding	2
Sustained	0
	<hr/>
Total findings	12

In nine out of twelve (75%) completed investigations, the ombudsman found that the weight of the evidence (preponderance) showed that the officers either did not do what had been alleged (unfounded) or behaved in a manner that was consistent with both policy and law (exonerated). In one instance the available evidence did not weigh heavily enough on either side to allow the ombudsman to either clear the officer or sustain the allegation. In this case the ombudsman issued a “not sustained” finding. A finding of “no finding” was issued in two cases because the accused officers were no longer employed by the department at the time of the investigation and were unavailable for interviews. As of December 31, 1999, the ombudsman had not issued any “sustained” findings. A sustained finding would have meant that the ombudsman had

concluded that the officer's behavior had violated either departmental policy or the law. Definitions for the findings categories can be found in Appendix B of this report.

Review of Internal Police Investigations

The city ordinance that established the Office of Community Ombudsman gave the ombudsman both the authority and the duty to monitor and audit internal Boise Police Department investigations. Due to the high volume of allegations/inquiries presented by the public, we were unable to begin formal auditing of completed police internal investigations.

The mayor and city council have authorized the ombudsman to hire an investigator/analyst. This person will report to the ombudsman and will be responsible for conducting audits, data analysis, and conducting investigations. As of February 15, 2000, we are in the process of interviewing candidates to fill this position.

While formal, on-going auditing has not yet begun, the ombudsman has been closely monitoring the activities of the Boise Police Department's Office of Internal Affairs (OIA). OIA reports directly to the chief and has responsibility for management of all non-criminal, internal police investigations. The ombudsman and the commander of OIA meet on a regular basis to discuss current cases. The ombudsman has complete access to all files and records of OIA.

In a handful of cases, the ombudsman has closely monitored the progress of the police department's own internal investigations. We take seriously our role as monitor so that the citizens of our community can be assured that the police department is holding its employees accountable to the highest standards.

Policy and Training Recommendations

One of the most positive things that the Office of the Community Ombudsman can do is to recommend changes or improvements to police policies, procedures, and training. Given our mission to improve public confidence in the professionalism and accountability of the police, continuous improvement in police practices is a vital part of our strategy.

Policy and training recommendations can arise from our work in response to an inquiry or complaint. In one such case, the ombudsman has recommended that the police department develop a policy or procedure for how officers are to respond to individuals with seizure disorders. While having a seizure, some individuals exhibit behavior that can easily be seen as aggressive and threatening. The ombudsman is currently working with the police department to develop the most appropriate way in which officers can be given the information and tools they need to respond effectively when someone is acting

in a way that appears aggressive, but may be having a seizure. Our interest here is to minimize, as much as possible, the risk of injury to both officers and those with whom they come in contact.

In a related area, the ombudsman has also recommended that the police department consider procedures and training that direct officers in their encounters with people who suffer from mental illness or emotional instability. The problem is the same as the one cited above in dealing with seizures. People with mental illness often engage in behavior that appears threatening and aggressive. In some cases the person is truly dangerous and the police must act quickly and forcefully to reduce the danger presented to them, the public, and the person him or herself. Other times, however, the subject is no danger to self or others. In an effort to avoid the tragic death or serious injury of an unstable person who appears dangerous but is truly not, it is our recommendation that the police department provide their officers with guidelines and training in how to contain and control individuals with mental illness without resorting to the use of force, if at all possible.

We have conducted some initial research into what other police departments have done in developing policies and training for the handling of people with seizure disorders and for dealing with those who have mental illness or emotional instability. We will continue to work with the police department to determine the most appropriate way to give officers the tools they need in both of these areas.

In the wake of the arrest of a Boise police officer for acts allegedly committed while on-duty, the ombudsman launched a review of the hiring and screening practices of the police department. The results of this study and the recommendations of the ombudsman were released on January 28, 2000. However, the majority of the work on these recommendations was accomplished in 1999.

The ombudsman has an on-going role in the development and improvement of police policy as an advisor to the Boise Police Department's Policy Committee. This committee is comprised of representatives from each division of the department, the president of the union, a civilian employee, and the commander of the Office of Internal Affairs. Throughout the summer of 1999, this committee worked on a complete re-write of the police department's policy and procedure manual. This new manual was issued in September and went into effect on October 1, 1999. The committee continues to meet every month to consider possible changes, additions, or deletions to the department's policies and procedures. As an advisor to the committee, the ombudsman is able to attend committee meetings, review drafts, make suggestions, and offer advice.

Community Outreach

Community outreach for the Office of Community Ombudsman has three goals:

- To listen to the needs, opinions, and concerns of the community so as to better serve them.
- To familiarize members of the public with the mission and services of the Office of Community Ombudsman.
- To encourage and facilitate greater dialogue and collaboration between the Boise Police Department and the community they serve.

In service of these three goals, the ombudsman has engaged in a number of outreach activities in 1999. These activities include meetings with groups of youth, teaching conflict resolution in an elementary school, speaking to junior high and high school classes, speaking to service clubs and professional organizations, meeting with senior citizens' groups, and meeting with representatives from some of the various minority groups in our community.

<u>Activity</u>	<u>Frequency</u>
Youth and schools	22
Service clubs	16
Professional organizations	6
Radio talk shows	5
Minority groups	4
Neighborhood associations	4
Senior groups	3
	<hr/>
Total contacts	60

We have also produced an attractive brochure that describes the mission of our office and the procedure for filing either a complaint or a compliment. These brochures include a self-mailing form that can be filled out and sent in to our office. Brochures have been widely distributed around Boise, including all police stations and sub-stations, schools, the library, city hall, the public defender's office, the prosecutor's office, and a number of other locations.

As part of our community outreach efforts, the Office of Community Ombudsman also has a fully operational web page. This very attractive site includes information about our

mission and procedures, an on-line complaint/compliment form which can be sent to us electronically, a way to contact us via e-mail, a copy of the enabling ordinance, and links to the police department's home page and the Boise City home page. We can be found at www.boiseombudsman.org.

Interacting with and listening to the officers and employees of the Boise Police Department and the Boise Airport Police Department is also part of our community outreach mission. While the Office of Community Ombudsman is independent from the police, we recognize the importance of developing positive working relationships and promoting dialogue with the members of the law enforcement community. The ombudsman spent a considerable amount of time meeting and interacting with members of the police department in 1999.

<u>Activity</u>	<u>Frequency</u>
Attending shift briefings	30
Ride alongs	5
Attending ceremonies	7
	<hr/>
Total	42

Mediation

The Office of Community Ombudsman is authorized to develop a program of mediation for resolving certain citizen complaints about the police. It is our view that mediation holds great promise for promoting learning and building trust between the community and our police officers. We have already begun to study how other cities are making use of mediation in resolving police-related complaints. However, we have not yet begun to develop a mediation program for the ombudsman. We anticipate that we will begin this effort in the second half of 2000, once we have reduced our turn around time for investigations and have successfully implemented a process of regular auditing of internal affairs investigations.

Critical Incidents

The ombudsman is required to be notified whenever deadly force is used by a Boise police officer or when a serious injury results from the actions of an officer. Fortunately, such notification was not necessary in 1999.

In the event of such an incident, it will be the duty of the ombudsman to closely monitor the resulting joint investigation of the incident by the Boise Police and the Idaho State Police. The ombudsman will also conduct his own, independent investigation of such an incident, once the police investigation has been completed.

False complaints

Truthfulness is the foundation of the ombudsman's work. We seek to learn the truth and to use it for the improvement of our police and for the good of our community. We depend on all citizens who request our services to be honest and straightforward in what they tell us. Every complaint filed with our office is evaluated to ensure that the ombudsman's office is not being used for malicious or harmful purposes. If we were to receive an allegation that we believed the complainant knew to be false, we would refuse to take any action on that complaint. Fortunately, we have not encountered this situation to date. Even those allegations that resulted in findings of "exonerated" or "unfounded" were not, on their face, false complaints. It was our opinion that the complainants sincerely believed that the officers had acted improperly.

Conclusion

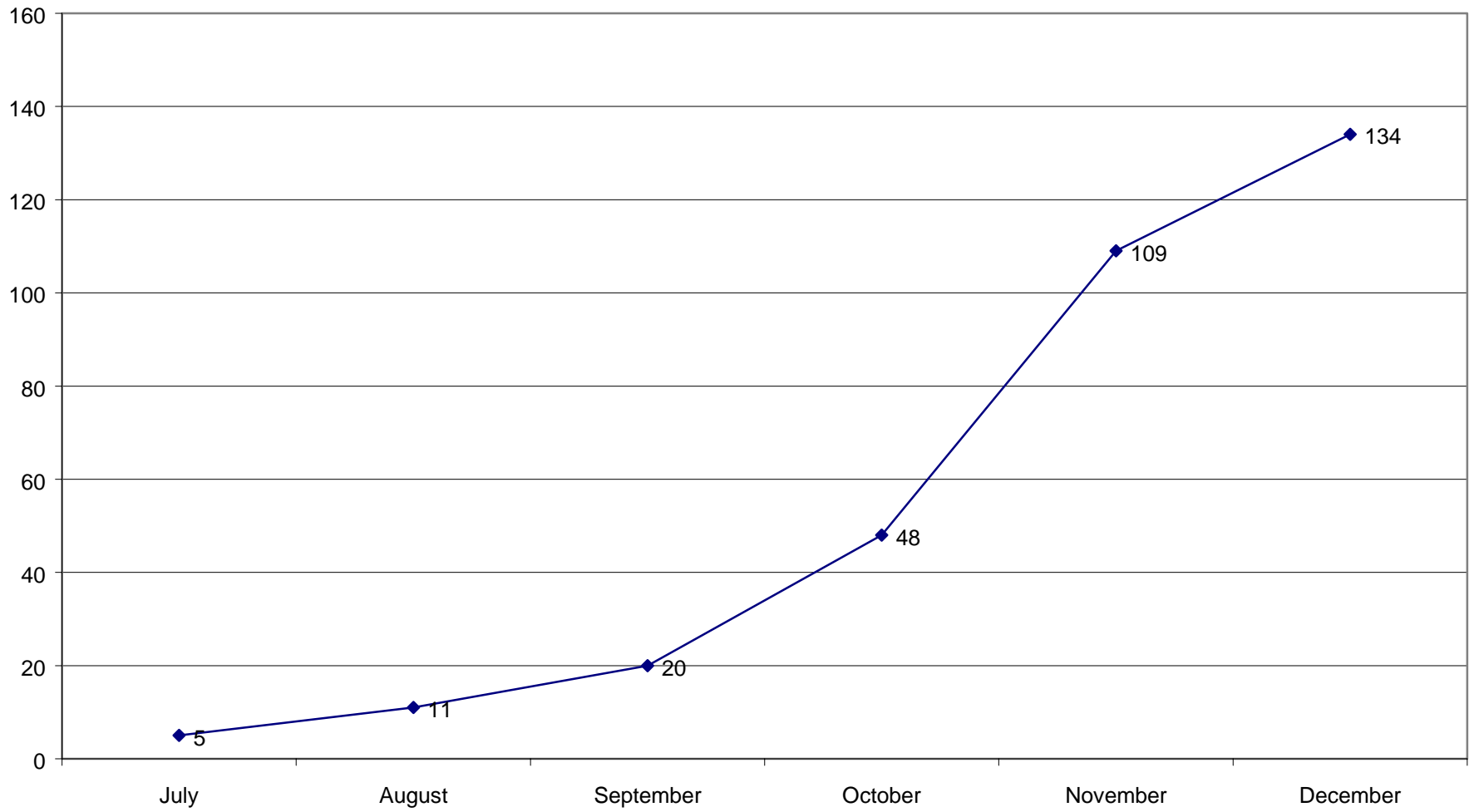
The Office of Community Ombudsman is off to a wonderful start. We have quickly established a process, open to all citizens, that serves to surface complaints and questions for peaceful resolution. The rather high volume of requests for service appears to be an indication of the need for such a process. The feedback we have received from the public has been very positive. They tell us that they appreciate the fact that someone has taken the time to listen carefully to their concerns and to take an objective look at them.

There remains much to be accomplished. As mentioned above, it takes too long for us to complete an investigation and come to a resolution for a complaint. We are committed to improving in this area and believe that the addition of an investigator will help immeasurably. We also recognize the need to begin regular auditing of police internal investigations. This will begin shortly. We look forward to using mediation as a tool for resolving minor complaints and misunderstandings. Mediation holds great promise for building trust in our community.

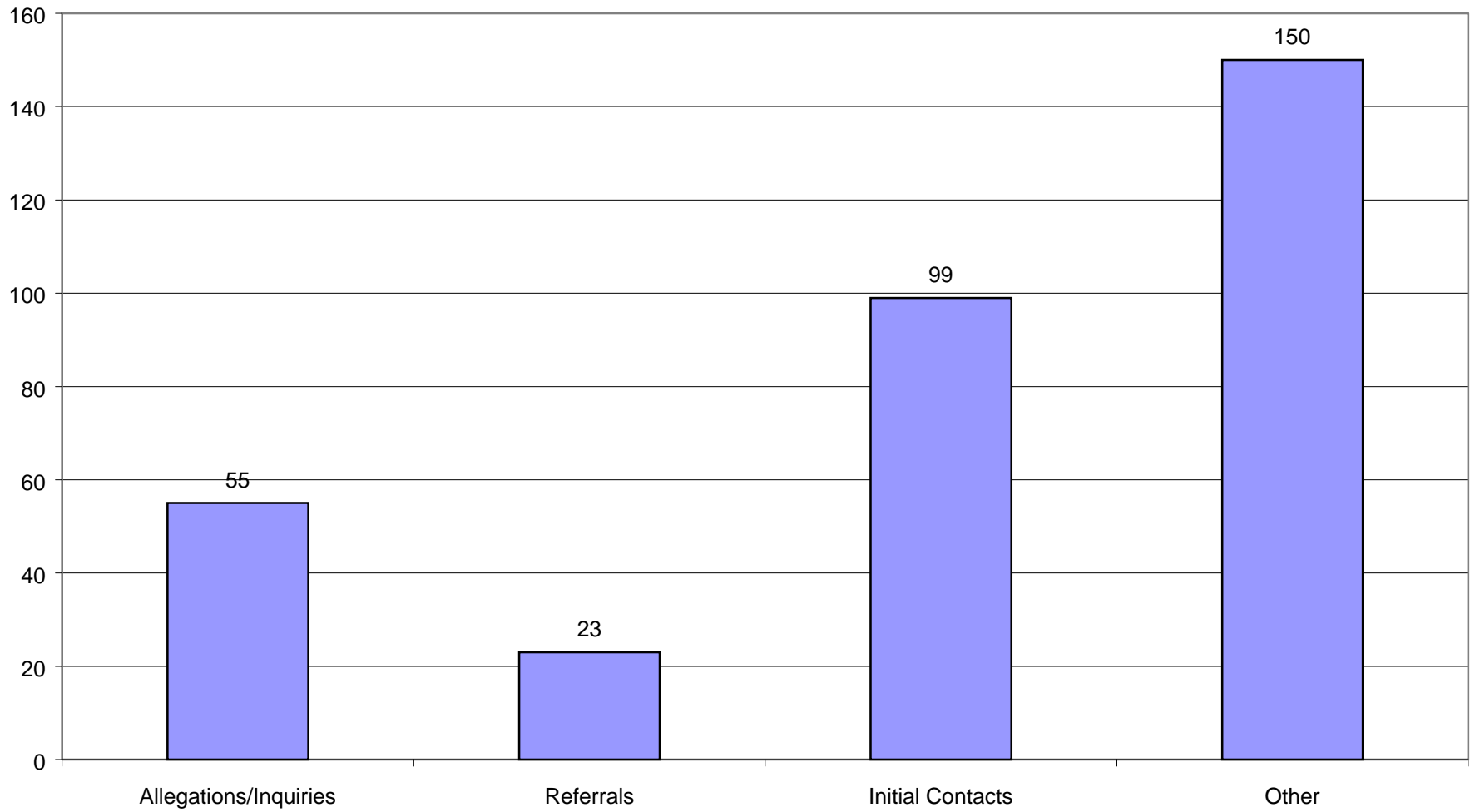
Finally, we wish to end this report on a note of thanks. We are grateful to Mayor Coles and to the Boise City Council for having given us the opportunity and the resources to perform this valuable service for our community. We are also thankful to the women and men of the Boise Police Department who, in spite of some understandable misgivings, have given us their trust and cooperation. Our gratitude also goes to the many members of the Boise community who have expressed their support and encouragement and who have demonstrated their trust in us by asking for our assistance. Encouraged by the support of so many, we remain committed to our mission and to the people of Boise.

APPENDIX A

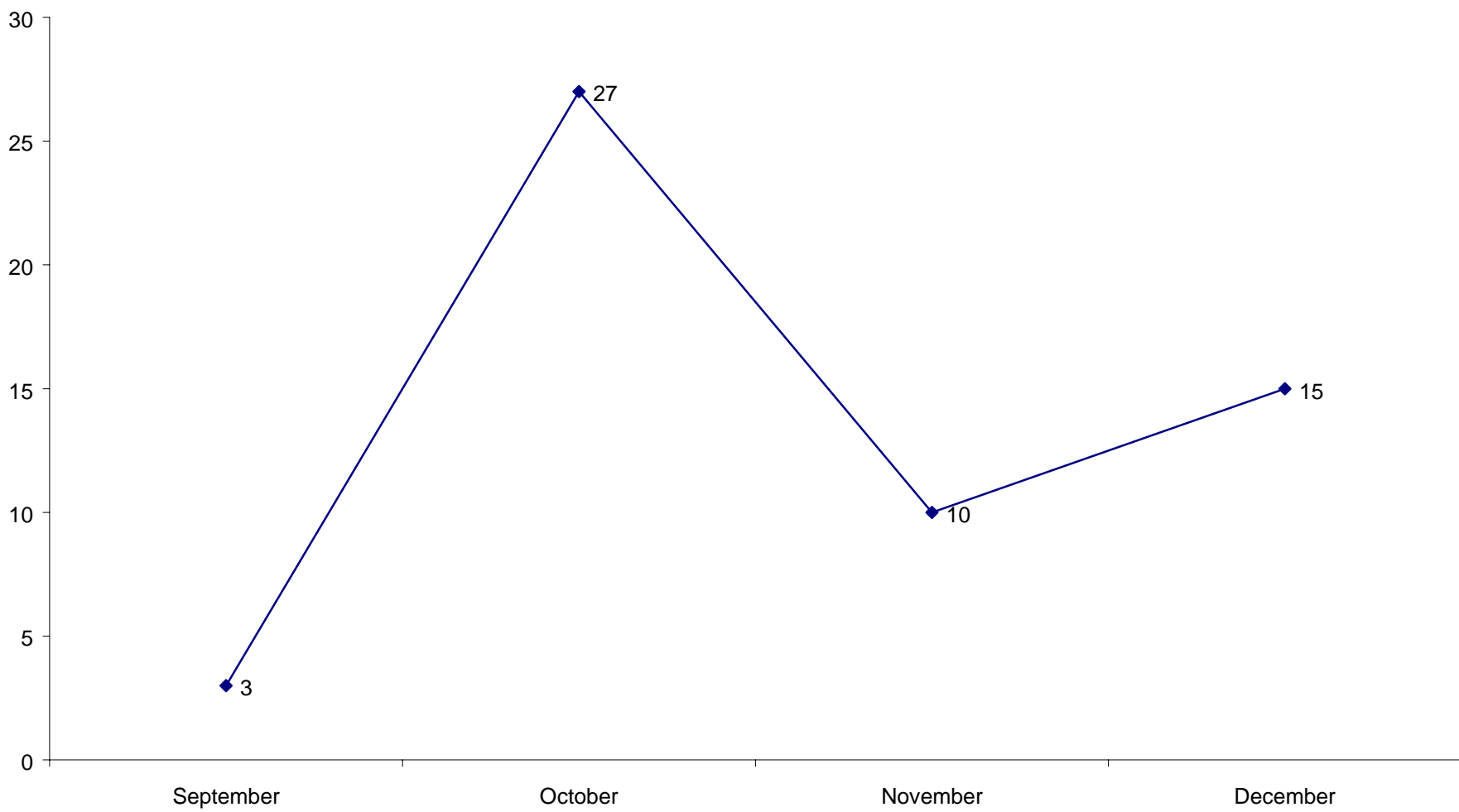
Citizen Contacts With Ombudsman By Month
7/1/99 - 12/31/99
Total = 327



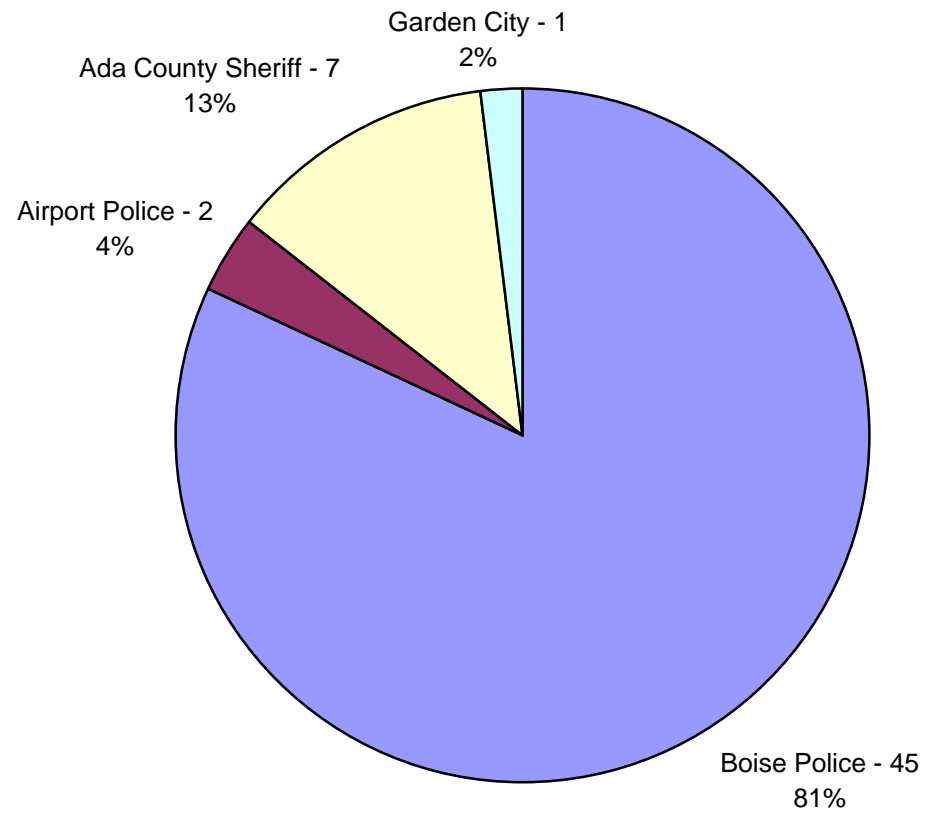
Citizen Contacts With Ombudsman
7/1/99 - 12/31/99
Total = 327



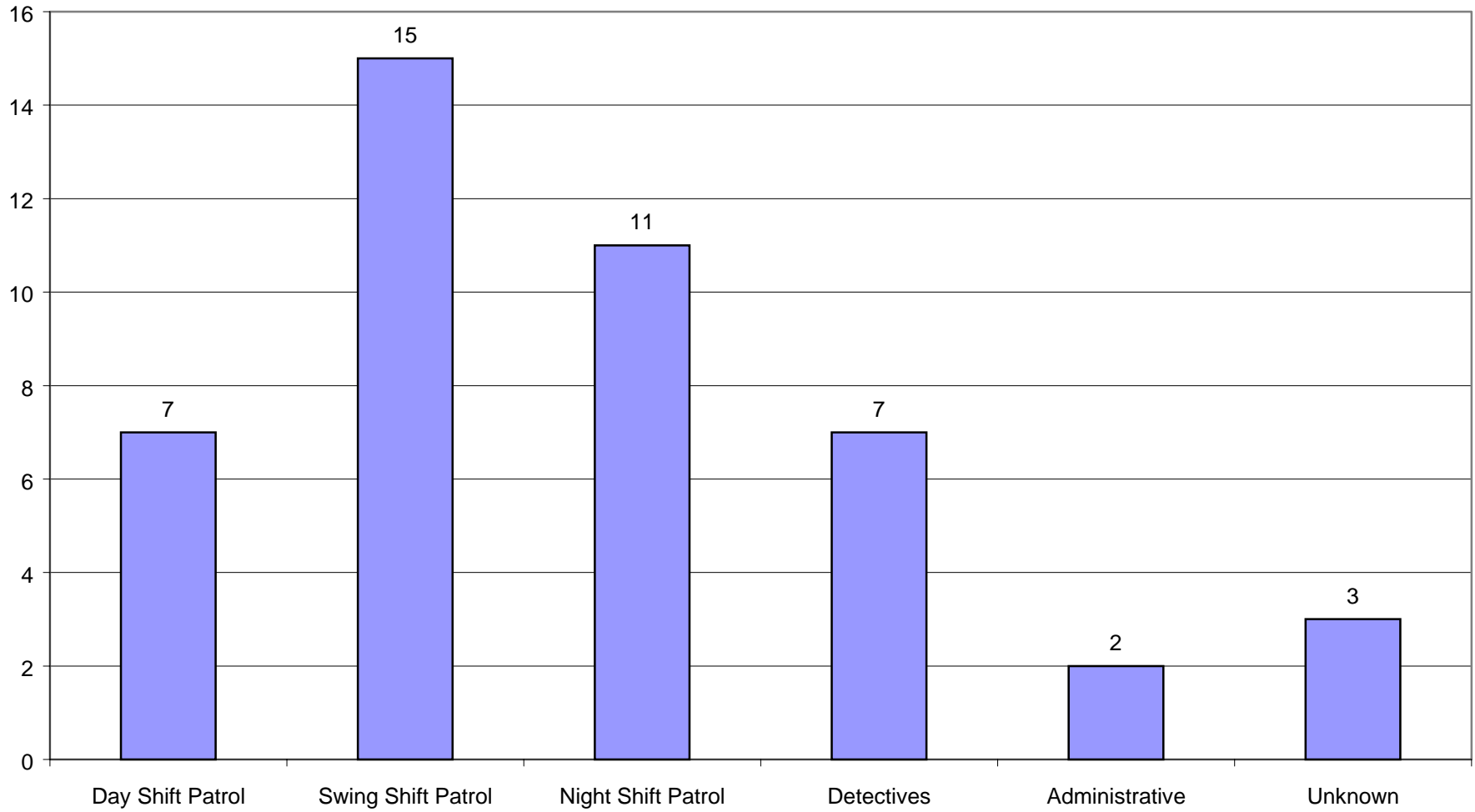
1999 Allegations/Inquiries By Month
9/27/99 - 12/31/99
Total = 55



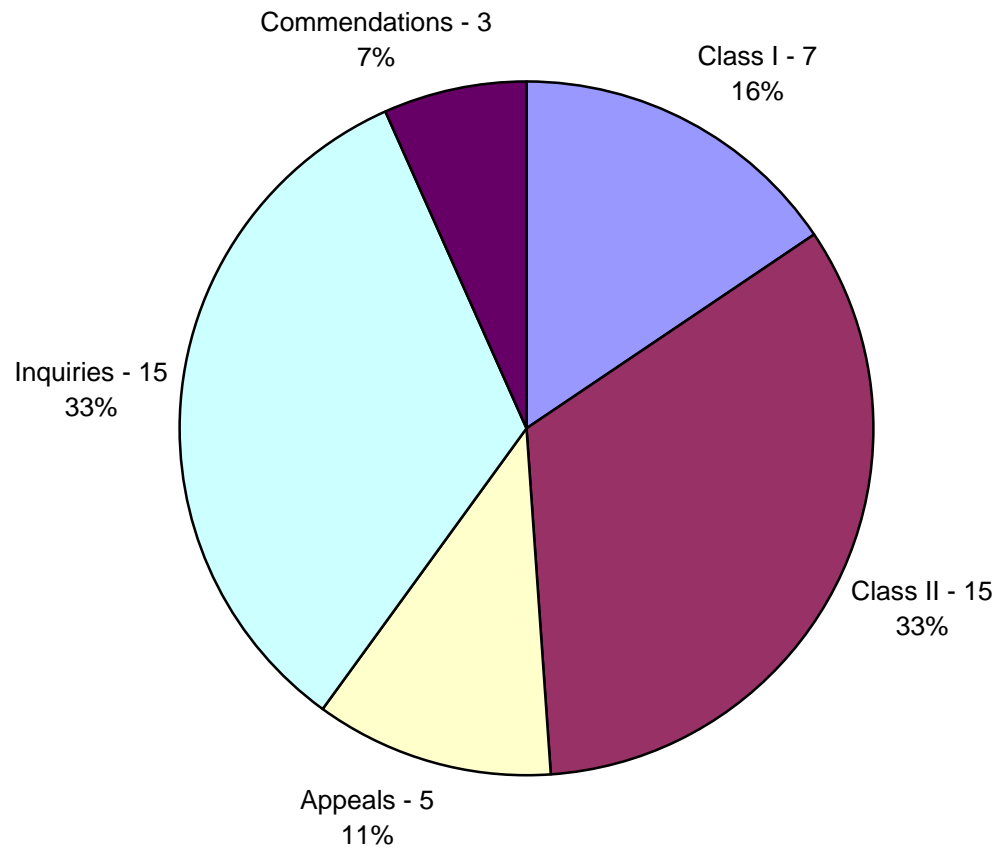
1999 Allegations/Inquiries by Jurisdiction
Total = 55



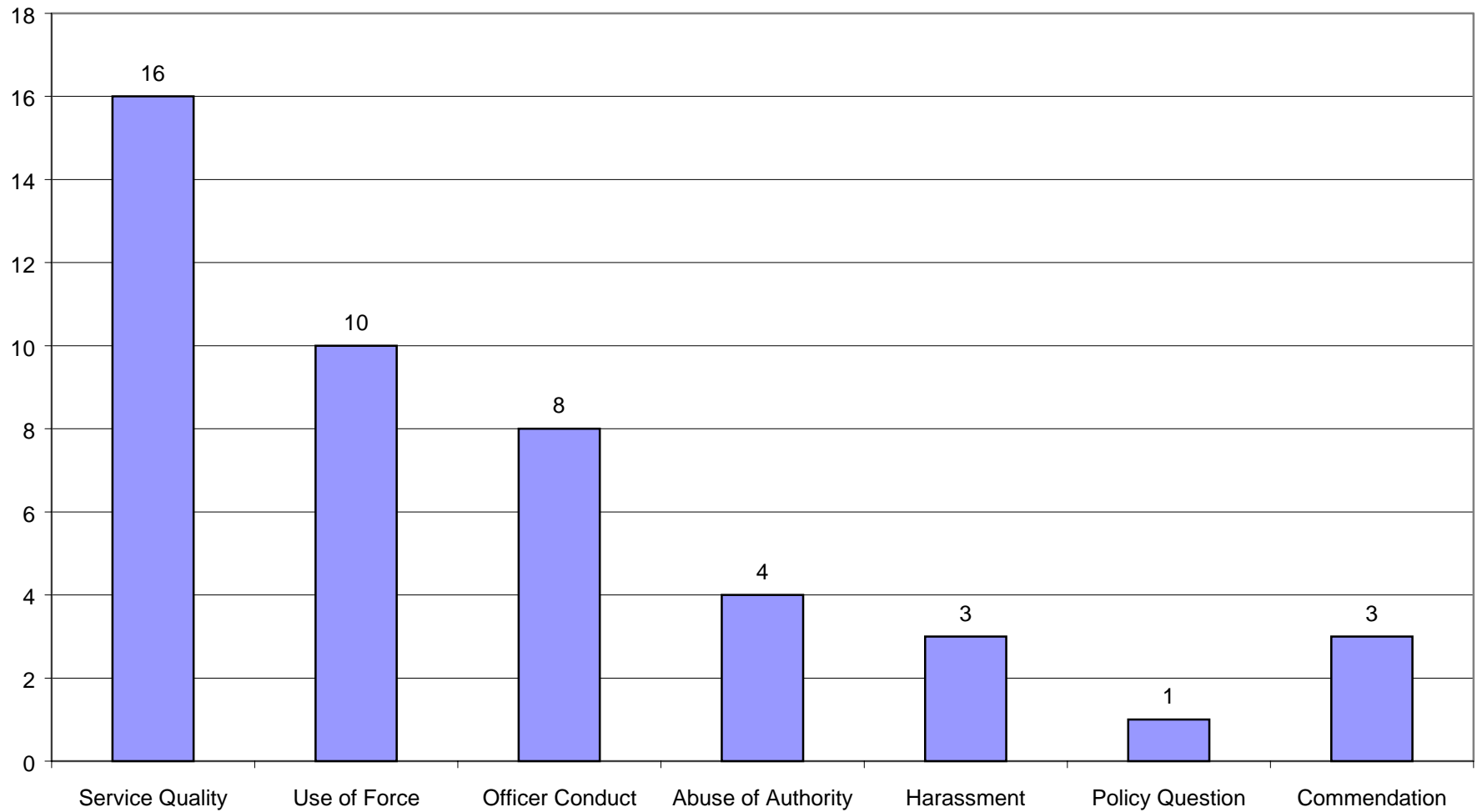
1999 BPD Allegations/Inquiries By Division and Shift
Total = 45



Classification of 1999 BPD Allegations/Inquiries
Total = 45



BPD Cases (Total = 45)
9/27/99 - 12/31/99
Nature of Allegation or Inquiry



SERVICE QUALITY ALLEGATIONS AND INQUIRIES

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed	Wants help from police to solve a neighborhood problem.	Neighborhood contact officer helped neighbors formulate a plan.
Closed	Complains that officers are not ensuring that drivers exchange information at the scene of accidents.	Reminder sent to patrol officers.
Closed	Alleges that a BPD employee failed to provide adequate assistance when requested.	Unable to identify employee involved.
Closed	Wants to know why complainant's tip about crime was not acted upon.	Unable to identify the employee involved.
Closed	Claimed 3 patrol cars and one motorcycle passed complainant's disabled vehicle and did not stop to help. Unknown if any were BPD.	Unable to identify officer(s) involved.
Closed	Alleges a lack of adequate investigation into an assault that took place in 1997.	Complaint not taken due to 90 day limit.
Closed	Alleges that an unidentified officer did not properly supervise road repair operation.	Referred to BPD for information only.
Closed Unfounded finding issued.	Appealed BPD finding that a detective had thoroughly investigated a reported crime.	No further action.

SERVICE QUALITY ALLEGATIONS AND INQUIRIES (CONTINUED)

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Under Investigation	Complained that BPD was not responsive to calls regarding abandoned vehicles.	
Under Investigation	Wants to know why it took nearly an hour for officers to respond to an alarm call.	
Under Investigation	Alleges officers failed to properly secure complainant's residence following arrest and the execution of a search warrant.	
Under Investigation	Wants to know why the detective assigned to complainant's case is not investigating.	
Under Investigation	Alleges police failed to contact complainant as was promised by dispatch and Ada County Records.	
Under Investigation	Alleges officer failed to collect evidence and thoroughly investigate a hate crime.	
Under Investigation	Wants BPD to call the building owner when there is vandalism or damage to buildings.	Referred to Neighborhood Contact officer for follow-up.
Under Investigation	Wants to know why action has not been taken on abandoned vehicles in front of the complainant's house.	

USE OF FORCE ALLEGATIONS AND INQUIRIES

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed Unfounded findings (3) issued.	Alleged that officer struck complainant and caused multiple injuries during arrest. Allegations made against all 3 officers involved in the incident.	No further action.
Closed Exonerated findings (3) issued.	Appealed BPD finding that officer used reasonable force in overcoming resistance to arrest. Original allegation was that officer struck complainant without reason during arrest and brought on a seizure. Allegations made against all 3 officers involved in the incident.	Recommended BPD considers policy and training for dealing with persons with seizure disorders.
Under Investigation	Alleges officer beat complainant in the chest when he tried to leave the hospital.	Note: This case was closed and a sustained finding was issued on January 31, 2000.
Under Investigation	Alleges officer used pepper spray without justification and excessive force during the process of arrest.	
Under Investigation	Alleges officer used unnecessary force when questioning complainant about sleeping in his car.	
Under Investigation	Alleges officer unnecessarily struck complainant during the process of arrest.	

OFFICER CONDUCT ALLEGATIONS AND INQUIRIES

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed Not Sustained finding issued.	Alleges officer was rude while taking a report.	No further action.
Closed	Anonymous complaint about angry look from an unidentified officer.	Unable to identify officer. No further action.
Closed	Complained about rudeness of an officer following a traffic accident.	Not taken due to 90 day rule.
Closed	Reports that an officer was discourteous during a traffic stop but did not wish to file a formal complaint.	Referred to BPD for information only.
Closed Unfounded finding issued.	Alleges officer was rude, would not listen, and would not help with disability during arrest.	No further action.
Under Investigation	Alleges officer made insulting remarks during an investigation.	
Under Investigation	Alleges that officer was patronizing and rude during a traffic stop.	
Under Review	Appealed BPD finding that officer acted appropriately during a traffic stop. Original allegation was of rude and aggressive behavior by the officer.	

ABUSE OF AUTHORITY ALLEGATIONS AND INQUIRIES

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed	Claims detectives are pressuring complainant to take a polygraph.	Advised to consult with an attorney.
Closed	Claimed that unnamed BPD officers have been trying to ruin complainant's reputation.	Complainant unable to give specific names, dates, or other information. No further action.
Closed Exonerated finding issued.	Alleges officer did not have authority to order complainant to return home immediately because of equipment problem on the car.	No further action.
Under Investigation	Alleges that the officer threatened the complainant with arrest for no reason.	

HARASSMENT (NON-RACIAL) ALLEGATIONS AND INQUIRIES

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed Finding of No Finding issued.	Alleges officer harassed complainant by making offensive comments.	Officer no longer employed by BPD.
Closed Finding of No Finding issued.	Alleges officer harassed complainant by making offensive comments.	Officer no longer employed by BPD.
Closed	Alleges officer is harassing a homeless person for sleeping in his truck on private property.	Complainant withdrew complaint after discovering that the story was not true.

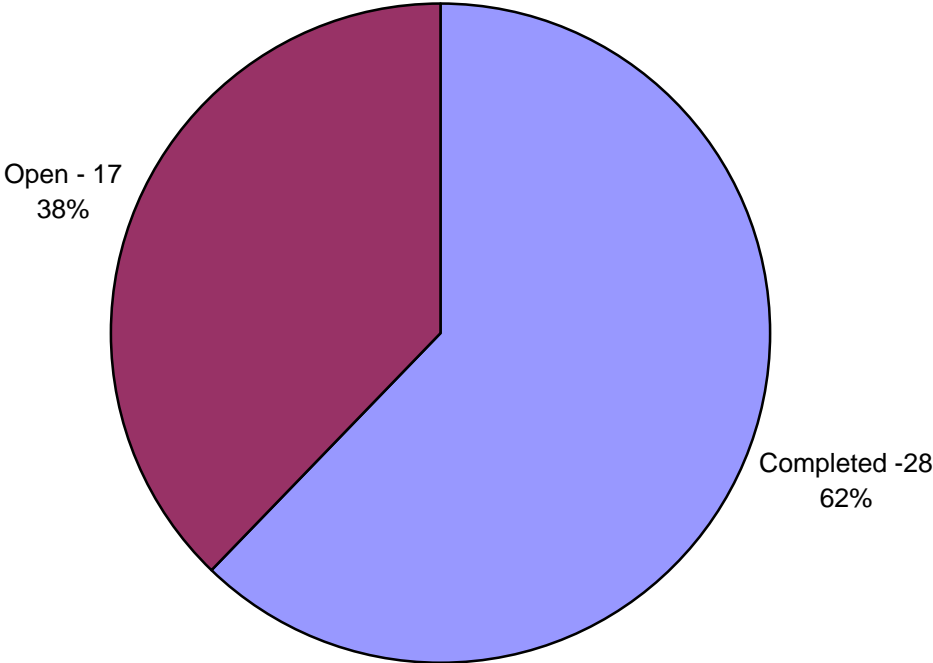
POLICY QUESTIONS

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed	Complainant was offended by questions asked by an officer and wants to know what kind of questions an officer can ask during a routine traffic stop.	Question answered.

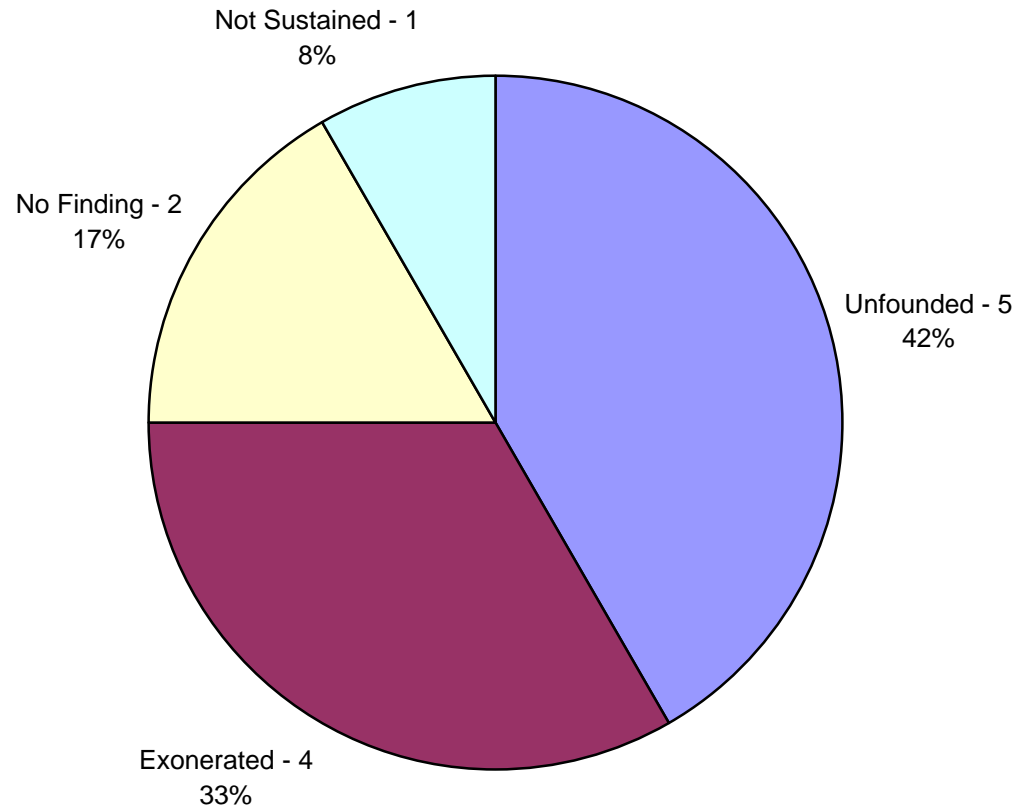
COMMENDATIONS

<u>STATUS</u>	<u>SYNOPSIS</u>	<u>ACTION TAKEN</u>
Closed	Commends officer for helping recover stolen property.	Commendation letter sent to officer and chief.
Closed	Commends officer for removing a hazard from the roadway.	Commendation letter sent to officer and chief.
Closed	Commends officer for cordiality and professionalism during a traffic stop.	Commendation letter sent to officer and chief.

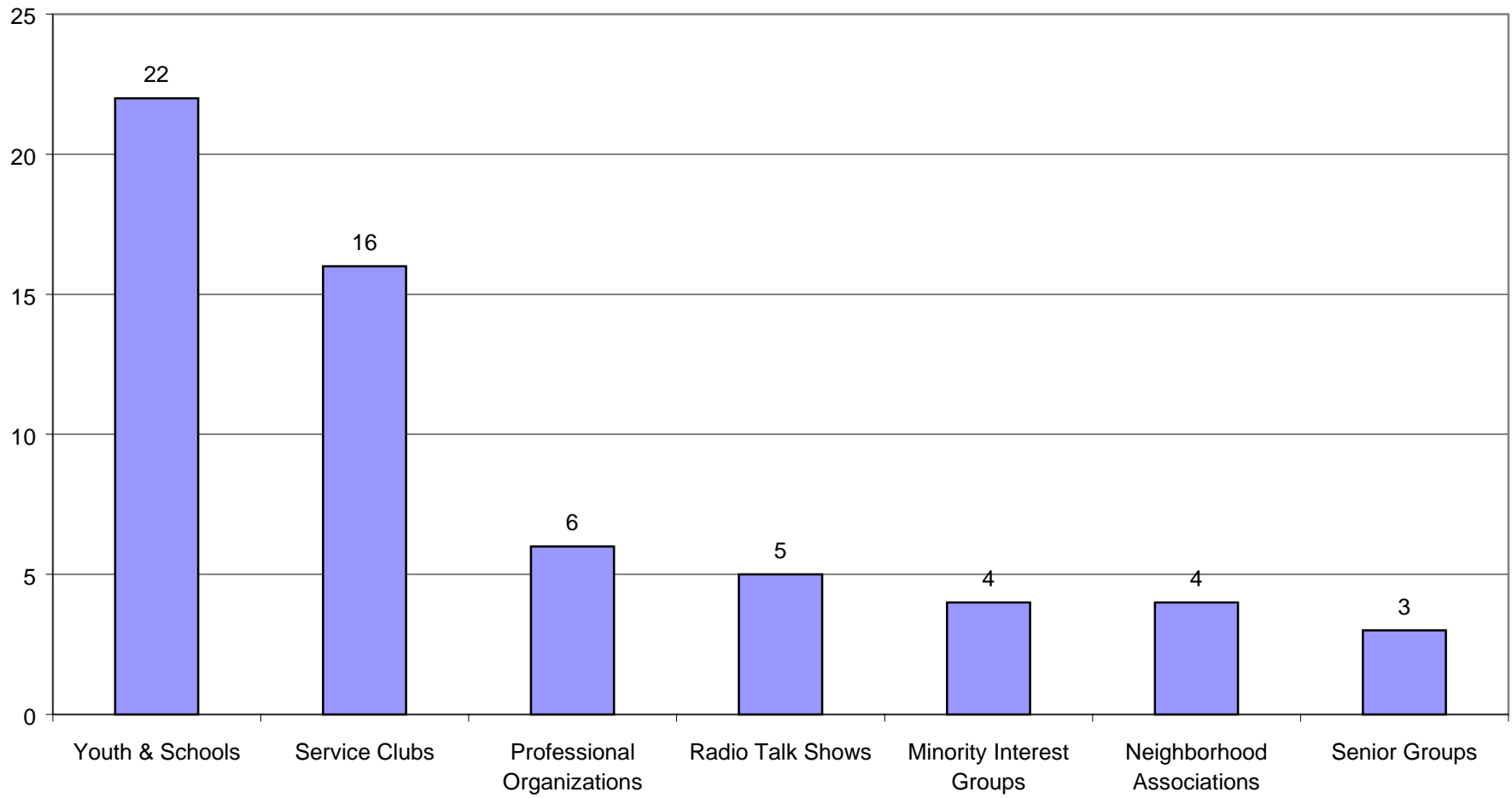
**Status of BPD Allegations/Inquiries
As of December 31, 1999
Total = 45**



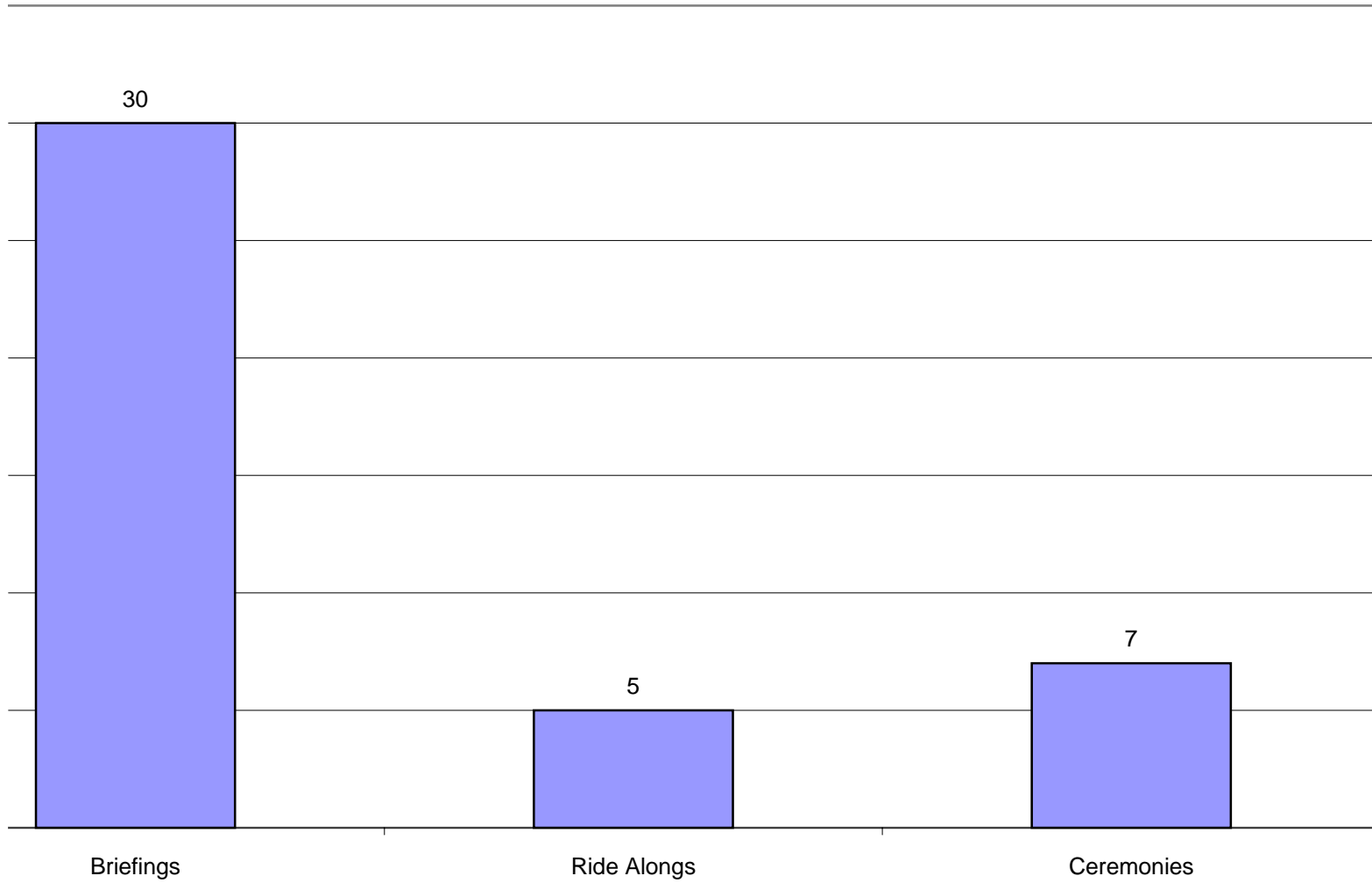
1999 Findings in BPD Allegations
Total = 12



Community Outreach Activities
April - December, 1999
Total = 60



Outreach To Boise Police
Total = 42 Contacts



APPENDIX B

Terms and Definitions

Complaint Definition

A “complaint” is an allegation received from a citizen alleging conduct by a Boise City police or law enforcement employee which, if sustained, would constitute a violation of law or of the policies and/or procedures of the City of Boise or any of its departments.

Citizen Inquiry Definition

“Citizen inquiries” are not complaints, per se, but involve questions of a general nature regarding department policy and procedure or law. No misconduct is alleged.

Definitions of Findings

- a. EXONERATED - The acts which provided the basis for the complaint or allegation did occur, but were justified, lawful, and proper.
- b. NO FINDING - The investigation cannot proceed because the complainant failed to disclose promised information to further the investigation; or the complainant wishes to withdraw the complaint; or the complainant is no longer available for clarification. This finding may also be used when the information provided is not sufficient to determine the identity of the officer(s) or employee(s) involved.
- c. NOT SUSTAINED - The investigation failed to discover sufficient evidence to clearly prove or disprove the allegations made.
- d. SUSTAINED - The investigation disclosed sufficient evidence to clearly prove the allegation(s) made.
- e. UNFOUNDED - The investigation conclusively proved that the act or acts complained of did not occur. This finding also applies when individual officer(s) or employee(s) named were not involved in the act or in acts which may have occurred.