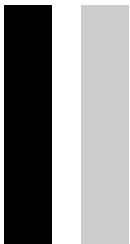


Greensboro Police Department Professional Standards Report 2016



Partnering to Fight Crime for a Safer Greensboro





This is the Greensboro Police Department's sixth Annual Professional Standards Report. As in years past, the data in this document examines areas such as complaints, uses of force, in-custody deaths, forcible entries, vehicle pursuits, and motor vehicle collisions. All of these impact public trust.

This has been an interesting and challenging year in policing – both locally and nationally. Our profession is under unprecedented public scrutiny. This scrutiny is a double-edged sword. On one side, this outside perspective requires us to closely examine ourselves and improve the way we provide services to meet evolving community expectations. On the other side, the scrutiny has brought with it narratives that have made our jobs more difficult, and less appealing to this generation.

This degree of oversight makes this annual report even more relevant. Understandably, our public demands transparency; and, we are welcome to provide it. The findings in this report help identify our strengths and areas for improvement. What we learn helps shape policy, training, and community interactions--- all of which can benefit from rational discussion among key stakeholders. Several of our key accomplishments for 2016 include:

- Creation of the Office of Community Engagement – responsible for 294 intentional community engagements involving 41,000 participants; 972 engagement hours and 732 volunteer hours.
- Conducted mandatory professional development training for command staff personnel focused on the topic of cultural diversity, communication, and procedural justice.
- Launched a monthly 30-minute television program called “Building Bridges” to highlight ways police and members of the community can connect with each other.
- Revived the Motor Unit, with the focus on addressing traffic concerns from residents.
- Issued NARCAN to every patrol officer as an emergency measure to treat opioid overdoses.

Annual PSD Reports from previous years are posted at www.gsopd.org in the “How Are We Doing” section.

Wayne Scott
Chief of Police

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Executive Summary

This report represents a compilation of information provided by the Greensboro Police Department's (GPD) Professional Standards Division evaluating key topic areas that are of interest to the community and can impact public trust, including: complaints, uses of force, in-custody deaths, forcible entries, vehicle pursuits, and motor vehicle collisions. The information contained in the annual report is utilized for statistical analysis, performance measurement, and policy considerations. This is a comprehensive compilation of the measurements that aid the organization in better managing areas of risk, while providing increased transparency and accountability to the public.

Of the hundreds of thousands of police-citizen interactions occurring in 2016, only .02% involved substantiated allegations of police misconduct. There were 199 total complaints lodged against GPD employees in 2016. Some of the complaints had multiple alleged policy violations. Of these complaints 136 were identified internally citing 177 different allegations. Members of the public filed 63 complaints, identifying 121 allegations. Of the total allegations stemming from internal complaints, 87% were found to be in violation of Departmental policies or procedures. Sustained allegations for external complaints in 2016 were 31%, as compared to 19% the previous year. Consistent with past annual reports, courtesy violations remain the most prevalent complaint expressed by citizens, while adherence to laws and regulations continues to be the prevailing internal allegation. For the first time in three years, allegations of employees violating the Duty Responsibilities policy did not increase from the previous year.

For the third consecutive year, incidents involving less lethal force continued to decrease from 226 incidents in 2015 to 193 in 2016. Physical use of force remains the most common force option utilized by GPD officers. There were a total of eight excessive force complaints investigated in 2016, with three sustained allegations of excessive force. The most common calls for service resulting in use of force incidents were domestic disturbances, disorderly conduct, and wanted subjects. There were four deadly force incidents involving GPD Officers' in 2016. In each incident, the officers' actions were deemed lawful by the Guilford County District Attorney's Office, and were found to comply with Departmental policies and procedures.

Compared to 45 vehicle pursuits in 2015, there only 38 vehicle pursuits in 2016. Due to a 37% increase in injuries as a result of pursuits in 2015, a review and subsequent changes were made to the pursuit policy. The changes resulted in a decrease to both injuries from pursuits and damage to vehicles involved.

GPD employees were involved in 149 motor vehicle collisions in 2016 which is the exact same number as 2015 however 98 were deemed preventable compared to 79 the previous year. The majority of the preventable accidents resulted in no injuries and minor damage.

The analysis of complaints in aforementioned key topic areas gives us insight into our strengths and areas in need of improvement. As with previous years, an in-depth analysis has led to policy review and some changes in 2016 that will aid the Department in addressing some of the findings contained in this report. These efforts along with continued emphasis on positive community interactions continue to move the Greensboro Police Department towards becoming a national model for exceptional policing.

GPD Vision Statement

The Greensboro Police Department will be a national model for exceptional policing, through our commitment to excellence, selfless public service and effective community partnerships.

Our Values

- ❖ Honesty – Always being truthful, ethical, and principled
- ❖ Integrity – Embodying and firmly adhering to the principles of honor, trustworthiness, and moral courage, which are reflected in our interactions with the public, and internally through fair and consistent disciplinary, transfer and assignment, and promotional processes
- ❖ Stewardship – Recognizing the responsibility we have for the protection and care of community resources, we will work with a unity of purpose, placing the needs of the community and our mission above our individual needs
- ❖ Respect – Treating all members of our community and our employees with dignity and respect, always acting with compassion and valuing the diversity of our community by building partnerships and relationships
- ❖ Trust – Being transparent in our policies and procedures, ensuring they are designed to be fair to the community and our employees and providing all with effective redress for their concerns
- ❖ Accountability – Providing leadership throughout the department in a professional and responsible manner and holding all of our employees accountable for their conduct, effective job performance; including quality of work and knowledge, and dedication to our mission

GPD Professional Standards Division Goals

The goal of the Professional Standards Division is to provide agency oversight in the administrative and complaints investigation processes involving Departmental members, provide complete and thorough pre-employment background investigations on all prospective Greensboro police applicants and administer and maintain the integrity and professionalism of the Agency through investigative processes in compliance with established standards of the Commission on Accreditation for Law Enforcement Agencies (CALEA).

Professional Standards Annual Report

The purpose of this 2016 Professional Standards Division Annual Report is to:

- Describe the mechanisms of oversight for police administrative investigations related to allegations of employee misconduct.
- Outline the complaint, investigative and corrective action processes of the police department.
- Provide an overview of the results of complaint investigations and supervisor investigations into uses of force, forcible entries, vehicle pursuits, employee vehicle collisions and employee injuries.

Police employees must respond to and assess situations they encounter within a few short moments and take the most appropriate course of action. The majority of interactions between police officers and the public are favorable for all parties involved. In the face of danger or stress, police-public encounters become increasingly complex, but even in those situations most all are concluded without complaint or use of force.

Sometimes, members of the public feel police employees have exceeded their authority, acted inappropriately or may have simply not treated them properly. Therefore, it is critically important to have a system that allows the public to bring these concerns to the attention of police managers. This system must achieve at least three important objectives:

- It must create a sense of confidence for the public that their complaints will be taken seriously, properly investigated and will correct employee behavior that is inconsistent with department values, policies and procedures.
- It must give employees confidence that complaints will be investigated within a reasonable amount of time and that they will be treated fairly. To do their work effectively, police employees must also know that they will be supported when their behavior is consistent with department expectations.
- It must provide sufficient information for the department to identify favorable and unfavorable trends in order to influence policy, operations, and training.

This Department has more than 378 directives and standard operating procedures for topics ranging from using force to towing vehicles. However, to establish behavioral expectations more clearly, Greensboro Police Department employees have 38 Rules of Conduct which must be followed. These rules provide clear expectations for a broad range of behaviors. For comparative purposes, this document also contains information for the calendar year 2015 when possible.

Professional Standards Division Staff

Captain

T.J. Biffle

Lieutenant

M.J. Harris

Sergeants

R.L. Alston

R.G. Bateman

A.C. Bell

J.R. Flynt

V.H. Sanchez

W.E. White

Administrative Support Specialist

R.L. Faulk



All of the Greensboro Police Department Professional Standards Division investigators are members of the National Internal Affairs Investigators Association (NIAIA) and the North Carolina Internal Affairs Investigators Association (NCIAIA). These organizations provide training, leadership, and support for internal affairs investigators and administrators. Several of the Greensboro Police Department's Internal Affairs investigators have served on the state board of the NCIAIA.

Community Oversight

The Greensboro Police Department embraces the concept and process of community involvement and recommendation, and consistent with state law, strives to be transparent in its disciplinary process. Including members of the community in the disciplinary process serves to strengthen professionalism in the Greensboro Police Department and your confidence in us.

Police Community Review Board

During 2016, the City of Greensboro tasked the Human Relations Department with coordinating the functions of the Police Community Review Board (PCRB), which is comprised of citizens who are recommended by members of the City Council and appointed by the chair of the Human Relations Commission. With respect to community involvement and recommendations related to GPD complaint investigations, the PCRB serves three primary functions:

- It accepts complaints of police misconduct on behalf of the public and ensures that the GPD fully investigates and determines appropriate findings in such complaints;
- It accepts and hears appeals in cases where the complaining person disagrees with the finding(s) of the GPD investigation;
- In appeals where the PCRB and GPD disagree on the findings, the PCRB will request a review of the findings by the Chief of Police and may appeal his findings to the City Manager for final determinations and disposition. The City Manager is responsible for all City personnel and actions, and is supervised directly by the City Council.

Biased-Based Policing Committee

The Biased-Based Policing Committee is a police-initiated policy group comprised of citizens and police. The group is charged with reviewing policies, training and accountability measures of the police department, related to the concern of racial profiling. In 2012, this committee recommended changes in all three areas to reduce the likelihood that bias plays any role in police action.

As a result of this group's work, GPD revised how it managed complaints of biased-based policing, and increased training on the topic. The department now investigates all allegations of biased-based policing, whether they appear credible or not.

District Attorney and Other Police Agency Review

As mentioned earlier, there are certain situations requiring both administrative and criminal investigations. In cases where an employee's actions result in the death of a person, we request the North Carolina State Bureau of Investigation to investigate. The results of their investigation are first presented to the District Attorney to determine whether prosecution is appropriate, and then with the department to provide facts that aid in the adjudication of its internal investigation.

In other cases where an employee is alleged to have violated the law, facts of a preliminary or detailed investigation are presented to the District Attorney for determination on whether he or she has any interest in prosecuting the matter. This outside review removes perceived internal political influence over the outcome of criminal investigations.

Complaint Investigations

Making a Complaint

Complaints against employees may be made by citizens and other employees. People may lodge a complaint in several ways. A complaint can be filed by telephone, in-person, written correspondence, e-mail or to the [GPD website](#). Anonymous complaints are also accepted, although this sometimes reduces our ability to gather all relevant facts upon which decisions about any given employee's behavior are made.

Not all complaints result in a formal investigation. There are times when communication between an employee and a citizen is not productive or effective, but also is neither discourteous nor a violation of other conduct rules. In such cases, a supervisor may simply work with the citizen and employee to resolve the problem or the incident may be referred to the Department's mediation program. However, a formal investigation is conducted in all cases where a credible allegation, if proven true, would constitute a violation of departmental conduct rules, policies, or procedures. When the investigation is complete, the employee's chain of command reviews all the facts of the investigation and adjudicates the complaint.

The Professional Standards Division investigates all citizen complaints and allegations of misconduct that generally carry more serious consequences for the employee, the department or has the potential to damage the community's confidence in the police. An employee's immediate supervisor conducts administrative investigations and investigates internal complaints with less serious consequences for the employee or Department.

The Greensboro Police Department makes every effort to investigate and adjudicate all complaints within 45 days from the time a complaint is made. However, there are circumstances, including case complexity and witness availability, which might prevent us from achieving this goal in every instance.

Violations of Criminal Law - When an employee is alleged to have violated a criminal law, two parallel investigations occur: the internal administrative investigation described above; and, a separate criminal investigation. The administrative investigation is handled in the same way, but the criminal investigation is investigated by criminal detectives. The criminal investigation is reviewed with the District Attorney, who makes the determination whether or not to prosecute the employee.

Use of Deadly Force Resulting in Death - If an officer uses deadly force resulting in death, or if a person dies while in police custody, the incident is investigated as if it were a violation of criminal law as above with one exception: the criminal investigation is completed by the North Carolina State Bureau of Investigation (SBI). The findings of the SBI's investigation are presented to the DA for a decision on whether to prosecute the employee.

Other Investigations - Using the same investigative process outlined above, police department supervisors conduct investigations into all less lethal force, forcible entries, vehicle pursuits, police vehicle collisions, and employee injuries. The investigation is completed by the employee's supervisor and the chain of command renders a finding (described in Section 1.4). If

a conduct rule violation is suspected, the adjudication process outlined in Section 1.3 applies. The Professional Standards Division reviews every supervisor investigation for consistency with the established investigative process, disciplinary policy and philosophy, and works with the chain of command to resolve any inconsistencies.

Case Adjudication

Adjudication is a review by the employee's chain of command in order to determine a finding and decide on appropriate corrective action measures, if warranted. Adjudication includes multiple options of ensuring due process for employees.

Case review – When the investigation reveals a less than fair probability that the alleged misconduct is sustainable, an accused employee's commanding officer or non-sworn equivalent communicates with the Professional Standards Division staff to review all facts of the case. The employee's commanders will assign a finding of Not Sustained, Exonerated or Unfounded, or they will direct the Professional Standards Division to convene a Chain of Command Board Hearing.

Chain of Command Board Hearing – When an investigation reveals a fair probability that a policy violation has occurred, the Professional Standards Division outlines the alleged conduct violation and summarizes the events which support the allegation. The Professional Standards Division also coordinates a board hearing for that employee. The members of that board include the chain of command of the accused employee. The accused may also request a peer be included on the board in applicable hearings. The members of the board question and hear from the accused and police employee witnesses to fully understand all facts necessary to make a finding. Members of the public generally are not requested to participate in hearings, but their statements are incorporated as evidence in the hearing.

The accused employee may waive a Chain of Command Board Hearing. In this case, the employee's chain of command reviews all facts obtained in the investigation and renders a finding and, possibly, corrective action.

Findings

Findings are determined by the chain command after the case has been investigated and as the complaint is adjudicated. Each complaint will receive one of five possible findings:

Sustained – The investigation disclosed sufficient evidence to prove the allegation made in the complaint. The standard of proof to sustain an allegation is defined as *preponderance of the evidence*, a much lower standard than *proof beyond a reasonable doubt*.

Not Sustained – The investigation failed to disclose sufficient evidence to prove or disprove the allegation made in the complaint.

Exonerated – The acts that provided the basis for the complaint or allegation occurred, however, the investigation revealed that they were justified, lawful and proper.

Unfounded – The allegation is false or the employee could not have committed the violation.

Cleared by BWC – The allegation is proven false by Body-Worn Camera footage.

The Professional Standards Division does not participate in determining findings or assigning corrective action in sustained complaints. These actions are the responsibility of the employee's chain of command.

Complaint Disposition

None of the findings or corrective action prevents a chain of command from requiring an employee to receive additional training, address performance concerns through the performance appraisal process or obtain assistance through the Employee Assistance Program. Such actions are not disciplinary. These steps are designed to help an employee handle job responsibilities more effectively.

Corrective Action

Corrective action is administered only when an allegation of misconduct is sustained. If an allegation is sustained, the Chain of Command will discuss and impose corrective action consistent with the department's Corrective Action Philosophy which ranges from counseling to employment termination.

The goal of the department is to apply progressive corrective action to prevent misconduct from reoccurring. In some cases, employees also receive corrective counseling or training in areas where violations occur or a supervisor has concerns.

Employees do have appeal rights. In cases of reprimand, employees may appeal to the next level of authority beyond the commander who imposed the reprimand. For suspensions, employees may appeal to the Chief of Police. In cases where employment is terminated, affected individuals may appeal for redress to the City Manager.

Overview of 2016 Complaints

Extent of Police-Citizen Interaction

Greensboro Police Department employees have hundreds of thousands of interactions with the public each year. Attempting to quantify the number of police-citizen contacts is impossible due to the nature of our function, size of our workforce, and dynamics of our daily duties and interactions with people.

To put in perspective the extent of interactions that involve employee misconduct, we analyzed the number of citizen complaints compared with total number of calls for service in 2015 and 2016. Calls for service are those requests for assistance that are entered into the department's computer aided dispatch system. These calls for service can be initiated by both citizens and employees. ***Calls for service do not include the thousands of other contacts our employees have each year with the public in follow-up investigations, community outreach events, meetings and other interactions which are not entered into the dispatch system.*** Of the hundreds of thousands of police-citizen interactions each year, a nearly immeasurable amount involves actual police misconduct. [Figure 1](#) shows the number of complaints in comparison to the calls for service.

Citizen and Employee Complaints In General		
	2015	2016
Calls for Service	223,657	217,735
Citizen Complaints	81	63
Citizen Allegations	143	121
Sustained Citizen Allegations	27	38
Complaints per CFS	.04%	.03%
Sustained Complaint Allegations per CFS	.01%	.02%
Internal Employee Complaints	72	136
Internal Employee Allegations	111	177
Sustained Internal Allegations	95	154

Figure 1 The percentage of sustained citizen complaints increased from 2015 to 2016.

Scope of Complaints

As many complaints implicate more than one employee and/or contain multiple allegations, totals for employees and allegations exceed the number of complaints. [Figure 2](#) portrays the scope of complaints for the past two years.

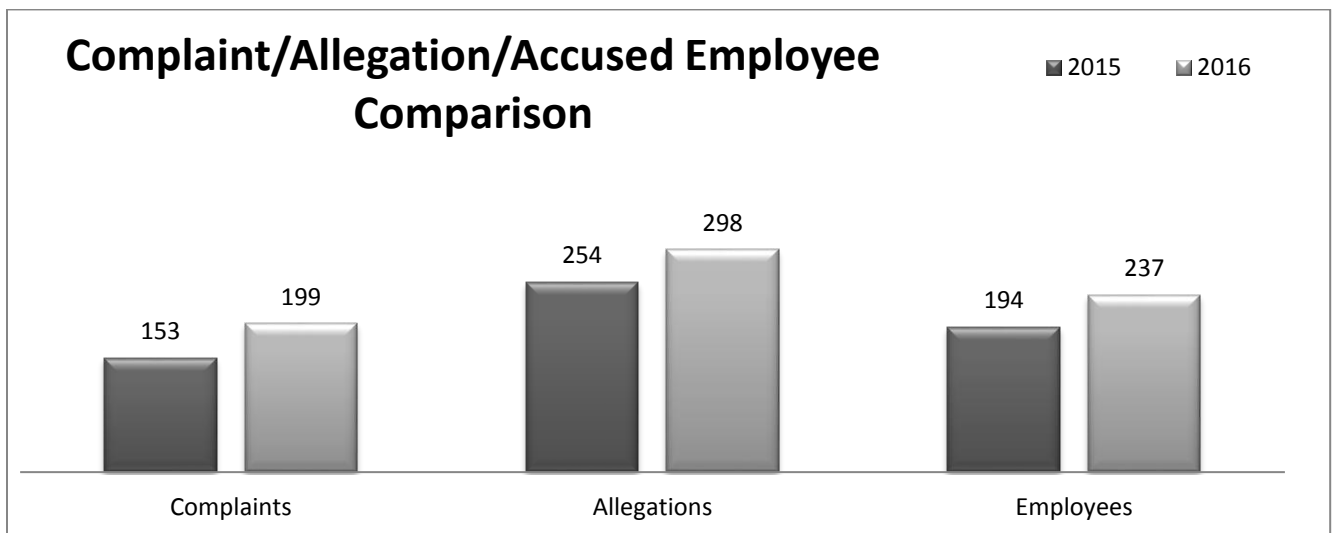


Figure 2 In 2016, 199 complaints contained 298 allegations of misconduct by 237 employees.

Citizen and Internal Complaints

For 2016, the number of internal complaints (those identified from *within* the department) exceeds the number of external complaints.

Internal complaints are initiated when one officer files a complaint against another officer for misconduct. Additionally, internal complaints encompass **administrative investigations**. These investigations are initiated when misconduct or a potential departmental policy violation has been identified. Such investigations are generally initiated by a supervisor when a policy violation has been observed/alleged by a member of the department or through internal reviews of body worn camera video footage.

Internal administrative investigations are far more common than internal complaints.

Nature of Complaints -Complaints can be levied against an employee either internally or by citizens for both procedural infractions and the manner in which they conducted themselves. [Figure 3](#) lists the conduct rules that comprise the most frequent citizen and internal complaint allegations of employee misconduct. One complaint may consist of multiple allegations against one or more employees.

Most Common Allegations							
Conduct Violation	2015			2016			Change
	Citizen	Internal	Total	Citizen	Internal	Total	
Duty Responsibilities	22	14	36	28	6	34	-6%
Courtesy	40	5	45	32	6	38	-16%
Laws and Regulations	24	31	55	7	43	83	51%
General Conduct	7	9	16	8	5	13	-19%
Discretion	8	8	16	10	2	12	-25%
Excessive Force	6	1	7	4	3	8	14%
Bias-Based Policing	7	0	7	6	0	6	-14%
Arrest Search & Seizure	15	4	19	7	3	10	-47%
Duty to Report Violation	0	1	1	0	0	0	-100%
Truthfulness	2	1	3	1	8	9	200%

Figure 3 Violations of professional courtesy were the basis of most citizen complaints for 2015 and 2016.

A review of the complaints revealed significant decreases in some categories when compared to the 2015 Annual Report. For example, in the category of Courtesy, there were forty-five (45) complaint allegations received in 2015 and thirty-eight (38) received in 2016. Further analysis of these complaints did not reveal any significant patterns or trends related to training or policies of the Department.

In 2016, incidents involving use of force decreased from 226 to 193. The number of allegations of excessive force also remained constant at 7 allegations in both 2015 and 2016. The complaint allegations were thoroughly investigated and 3 incidents were determined to be excessive.

An increase was noted among Laws and Regulations complaints during 2016. The number of complaint allegations increased from 55 in 2015 to 83 in 2016, equating to a 51% rise in that specific area. All the complaint allegations were thoroughly investigated and forty (40) allegations were sustained.

[Figure 4](#) provides information about the number of complaint allegations (alleged multiple acts of misconduct within a complaint) filed by citizens and GPD employees. It also shows the number of sustained allegations as a portion of the whole in each of these categories.

Complaint Allegations Received/Sustained		
	2015	2016
Citizen Complaint Allegations	143	121
Sustained Portion and % of Total	27 (19%)	38 (31%)
Internal Complaint Allegations	111	177
Sustained Portion and % of Total	95 (86%)	154 (87%)
Total Complaint Allegations	254	298
Sustained Portion and % of Total	122 (48%)	192 (64%)

Figure 4 All investigations involve conduct rule violations. Each conduct rule violation qualifies as an allegation, so a complaint that alleges multiple conduct rule violations will require that each allegation be adjudicated individually. This table reflects all allegations received and adjudicated.

Sustained Allegations

Of the 298 allegations of misconduct, 192 revealed sufficient evidence to prove the allegation made in the complaint. [Figure 5](#) outlines the nature and source of the most common sustained allegations.

Nature of Most Common Sustained Allegations	Citizen Complaint	Internal Complaint
Compliance to Laws and Regulations	4	36
Courtesy	9	4
Truthfulness	1	6
General Conduct	4	4
Discretion	7	2
Duty Responsibilities	4	0
Driving	0	50

Figure 5 Violations of Compliance to Laws and Regulations accounted for 11% of the sustained external complaints and 23% of the sustained internal complaints. Violations of Driving accounted for 0% of the sustained external complaints 49% of the sustained internal complaints.

Citizen-Police Mediation

Mediation is used as an alternative to the traditional complaint investigation process. A neutral, professional mediator helps citizens and police employees resolve complaints involving cases in which a lack of effective communication led to the complaint. Mediation provides an opportunity for police employees and citizens to understand the actions, behaviors, and motivations of each other; thereby cultivating the relationship between the community and the police department.

The Greensboro Police Department implemented its mediation program in May of 2014. Complaints are referred to mediation on a case by case basis if the nature of the allegation(s)

meets the established criteria for referral. Since its inception in 2014, 60 cases have been referred to mediation. During 2016, a total of 29 cases were referred. Of the 29 cases, 15 cases were successfully mediated. In the remaining cases referred for mediation, the citizens either declined the offer or withdrew from the process.

Criminal Investigations

When a Greensboro Police employee is suspected of a crime, a criminal investigation is completed in addition to a Professional Standards Division administrative investigation. Criminal investigations are conducted by detectives assigned to the Criminal Investigations Division and are subsequently presented to the Guilford County District Attorney for a decision on prosecution. If the alleged crime occurs outside of Greensboro NC, then the agency with jurisdiction in that area conducts the criminal investigation in accordance with local procedures. Decisions on the final disposition of the criminal and administrative cases are made independently of one another. Employees charged with a crime, including certain traffic offenses, are required to report the charges to the Chief of Police.

In 2016, there were no criminal charges filed against any employees of the Greensboro Police Department.

Disposition of Complaints

Because complaints may contain multiple allegations of misconduct, each allegation is investigated, reviewed and adjudicated separately. As a result, the number of dispositions significantly exceeds the number of complaints – something we believe is a more appropriate measure to consider in evaluating complaint investigation results. In 2016, 199 complaints (including all citizen and employee initiated complaints) involved 298 misconduct allegations. [Figure 6](#) portrays the number of complaints and their dispositions for the last two years.

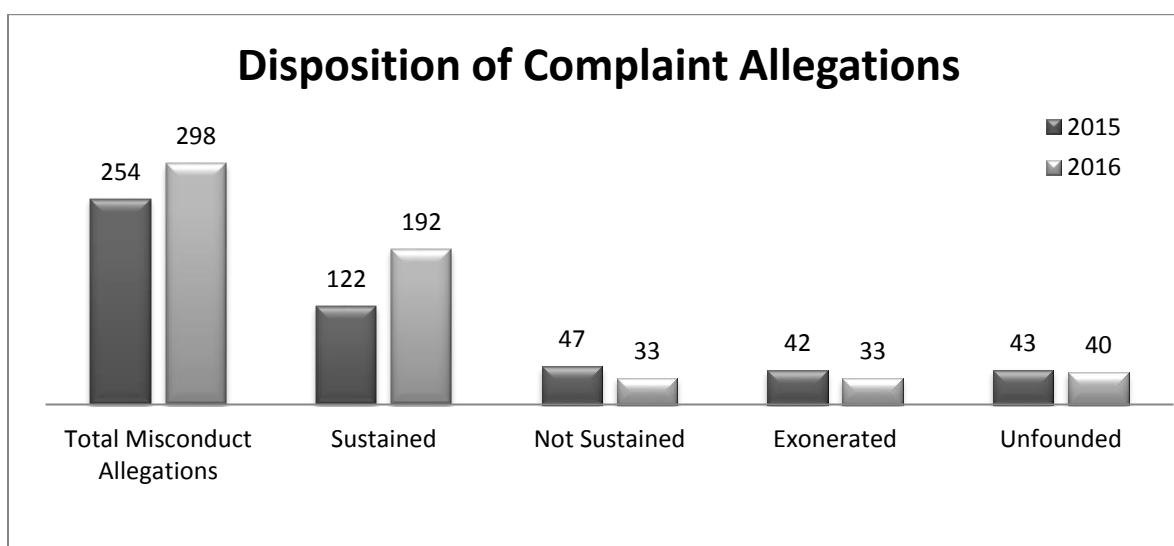


Figure 6 In 2016, approximately 13% of misconduct allegations against GPD employees were unfounded.

Upon disposition of a case, the Professional Standards Division mails a letter to the complainant to advise them of the investigation findings. Citizens who are dissatisfied with the disposition of

their complaint may discuss their concerns with Professional Standards and/or may appeal the decision to the Police Community Review Board.

Corrective Action

The Chain of Command decides the appropriate corrective action based on the Department's Corrective Action Philosophy. This philosophy takes into account employee motivation, degree of harm, employee experience, whether the violation was intentional or unintentional, and the employee's past record. [Figure 7](#) illustrates the corrective action taken for sustained allegations in 2016 compared to 2015. There are fewer actions taken than sustained allegations, as not all sustained allegations require corrective action. Retraining and counseling are sometimes used as corrective and/or preventative measures.

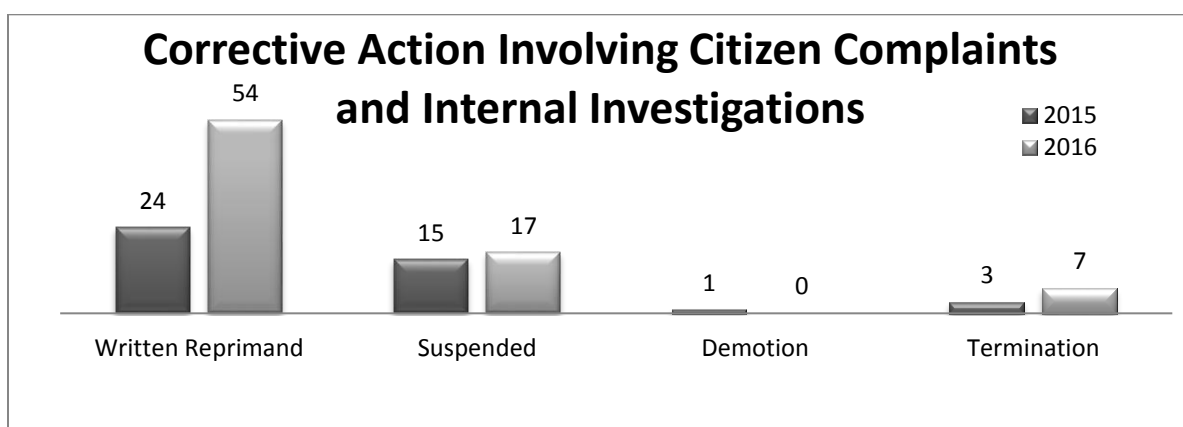


Figure 7 Written reprimands were deemed appropriate corrective action in the majority of instances at 69% in 2016.

Uses of Force

Police officers strive to seek the public's voluntary compliance to their lawful direction and de-escalate situations when possible. However, sometimes a situation requires officers to use force in order to gain compliance. Officers may use less lethal force under both North Carolina law and departmental directives in situations where the officer believes force is necessary to protect him or herself, another person, or to effect a lawful arrest.

The circumstances in which an officer may use deadly force are limited by North Carolina General Statutes and further restricted by Departmental Directives. Officers are justified in using deadly force upon another person when the officer reasonably believes deadly force is necessary:

- To defend the officer, or another person, from what the officer reasonably believes to be the use or imminent use of deadly physical force.
- To affect the arrest, or prevent the escape from custody of, a person whom the officer reasonably believes is attempting to escape by means of a deadly weapon.

- To affect the arrest, or prevent the escape from custody of, a person whom the officer reasonably believes presents an imminent threat of death or serious physical injury to others unless apprehended without delay.

Greensboro Police Department policy requires officers to report all use of force events and a supervisor is required to investigate and document each event.

Uses of Force per Calls for Service

We compared our use of force incidents to the number of calls for service to gain perspective on the prevalence of uses of force, and whether or not they were applied appropriately. [Figure 8](#) shows the frequency in which employees used force in comparison to dispatched calls for service, and the number of complaints received and sustained for 2015 and 2016.

Uses of Force In General		
	2015	2016
Calls for Service	223,657	217,735
Use of Force Events	226	193
Use of Force Events per CFS	.10%	.09%
Use of Force Complaint Allegations	7	8
Use of Force Complaint Allegations per CFS	.003%	.004%
Sustained Excessive Force Complaints	0	3

Figure 8 Force was rarely used when responding to calls for service. Over the past seven years, force events have fallen 47% from 367 in 2010, to 193 in 2016.

Use of Force

The Greensboro Police Department uses a State recommended *subject control options guide* to identify what actions may be taken in response to varying levels of subject resistance. This helps officers train and understand what level of force is most appropriate in certain circumstances. These control options and definitions listed below are intended as a guide. An officer's decision to use any force in a situation is a response to the behavior of the subject(s) involved and other relevant factors known to the officer. The subject control options do not follow a preset order of escalation – by law and policy, an officer must continually assess the totality of the circumstances and appropriately escalate, de-escalate, or completely cease any force used to overcome subject resistance.

- **Presence:** a form of control established through the officer's appearance and professional demeanor at a scene.
- **Verbal Direction/Control:** communication used by an officer to gain control or de-escalate a situation.
- **Physical Control:** the use of bodily contact, to include; touching, assisting, grabbing, joint manipulations, kicking or striking. Physical control includes "soft" and "hard" hand options. "Soft" hand techniques are those with a low probability of injury, such as joint locks and pressure points. "Hard" hand techniques are those with a higher risk of injury, and include strikes such as punches and kicks.
- **Aerosol/Chemical Agents:** the use of Oleoresin Capsicum (OC) pepper spray or other approved chemical irritants to control resistance.

- **Intermediate Weapons:** impact weapons utilized in a manner consistent with current departmental training, in order to reduce the probability of serious bodily injury. This includes the baton, flashlight, police bicycle and specialized impact munitions such as less lethal sponge rounds for crowd control, issued to field supervisors and the Special Response Team (SRT).
- **Precision Immobilization Technique (PIT):** a maneuver that may be used by properly trained officers which involves the controlled striking of a violator's vehicle with a police vehicle to stall the vehicle and enable police to apprehend its driver. The PIT is considered a less than lethal use of force when performed as described by the training guidelines of the GPD.
- **Police Canine:** canine handlers employ their assigned police service dogs in a manner consistent with departmental training and guidelines. If the police canine is deployed, and the canine bites a suspect, this is considered a less than lethal use of force. The mere release of police canine is not considered a use of force.
- **Conducted Electrical Weapon (CEW):** a device which deploys electrical current into a subject's body to disrupt normal muscular control and assist officers in securing custody.
- **Deadly Force:** an action likely to cause death or serious bodily injury, including but not limited to the use of lethal weapons.

Less Lethal Force

Officers in patrol assignments are required to carry OC spray, a conducted electrical weapon, flashlights, and collapsible baton as less lethal force options. Crime Scene Investigators also carry OC spray and collapsible baton. As with the use of deadly force, officers receive training consistent with the force options guidelines issued by North Carolina, as well as federal and state statutes. Officers are required by the North Carolina Criminal Justice Education and Standards Commission to receive use of force training each year in order to maintain their police certification. In addition, officers are re-familiarized with the GPD use of force policy during their annual firearms training and qualification sessions.

Officers may use several types of less lethal force in order to gain control of a subject when one type proves ineffective in accomplishing that goal. In some instances, more than one officer may apply force to one or more subjects in response to the level of resistance. For those reasons, the actual number of times less lethal force is used will exceed the number of incidents in which the use of force is required. [Figure 9](#) depicts the number of times less lethal force was applied by weapon type.

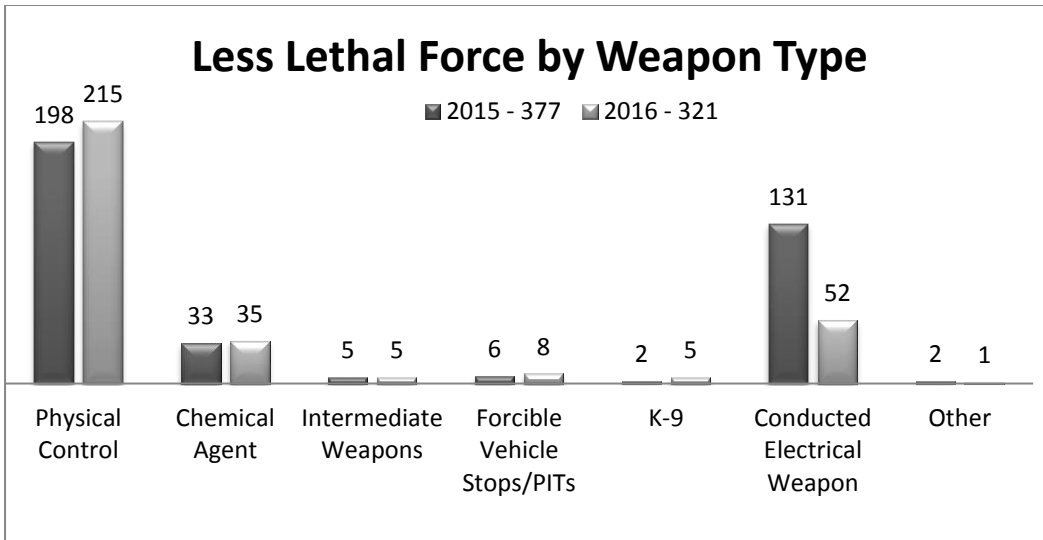


Figure 9 Officers rely on CEWs and physical force more than any other less lethal means to gain subject control.

Incidents Precipitating Use of Force

The department also analyzes the types of incidents that precede the use of force. If systemic issues are identified, we evaluate our training methods and policies to determine if revisions are warranted. [Figure 10](#) lists the types and frequency of incidents which have resulted in a use of force during 2016.

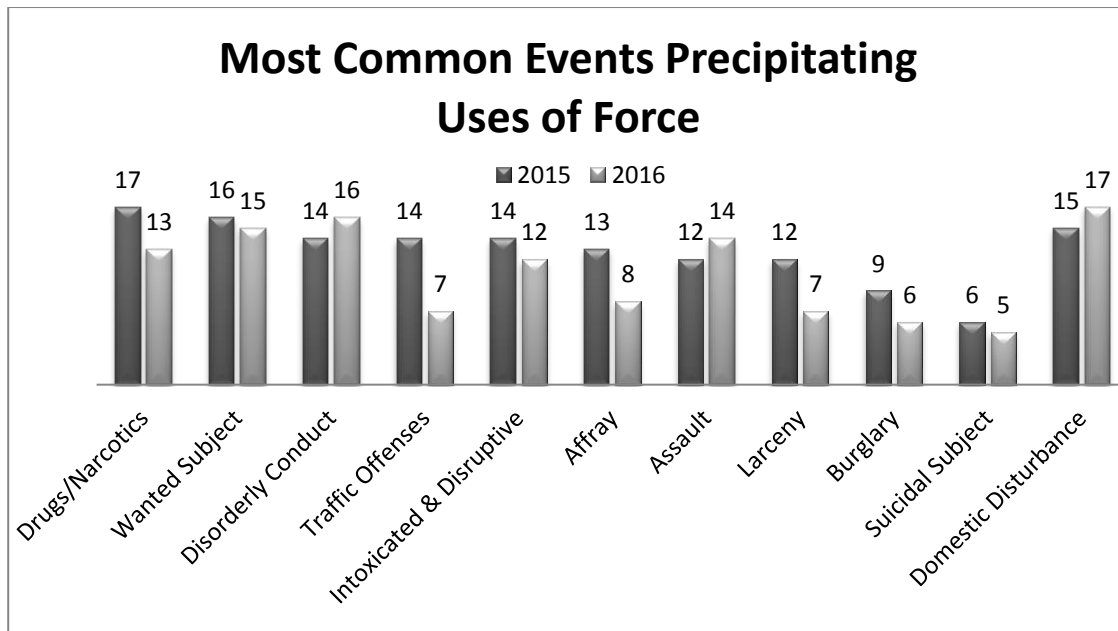


Figure 10 Officers responding to drug/narcotic and domestic disturbance calls were more likely to need to use force than on any other call for service in 2016.

Use of Deadly Force

Deadly force is an action likely to cause death or serious bodily injury, including but not limited to the use of lethal weapons. The use of deadly force does not necessarily result in death. Most commonly, deadly force involves the discharge of a firearm. Each officer must qualify annually

with his/her assigned firearm and department-issued shotgun. Officers review the deadly force policy at that time.

An officer's use of deadly force is rigorously investigated and thoroughly reviewed. An administrative investigation is conducted by the Professional Standards Division to determine if the officer complied with all policies and training. A criminal investigation is also conducted. If death does not occur, the Department's Criminal Investigations Division conducts the criminal investigation. If death occurs, the North Carolina State Bureau of Investigation (SBI) conducts the criminal investigation. Since October 2008, North Carolina law has required the SBI to investigate fatal shootings by police if the family of the deceased person requests such an investigation within 180 days of the death. The law applies to shooting deaths by any law enforcement agency in the state.

In all deadly force investigations, the facts revealed by the criminal investigation are presented to the Guilford County District Attorney, who reviews the entire case and determines if the officer's action was justifiable under law or should result in criminal prosecution. The employee's commanders and chief of police are presented with the administrative investigation, to determine compliance with department policies, and assess whether the shooting was justified, not justified or accidental in nature. The group also determines whether adjustments to policies or training are necessary.

In 2016, four (4) of 193 use of force events involved discharging a firearm against a person. [Figure 11](#) graphs the number of deadly force incidents throughout the past six years.

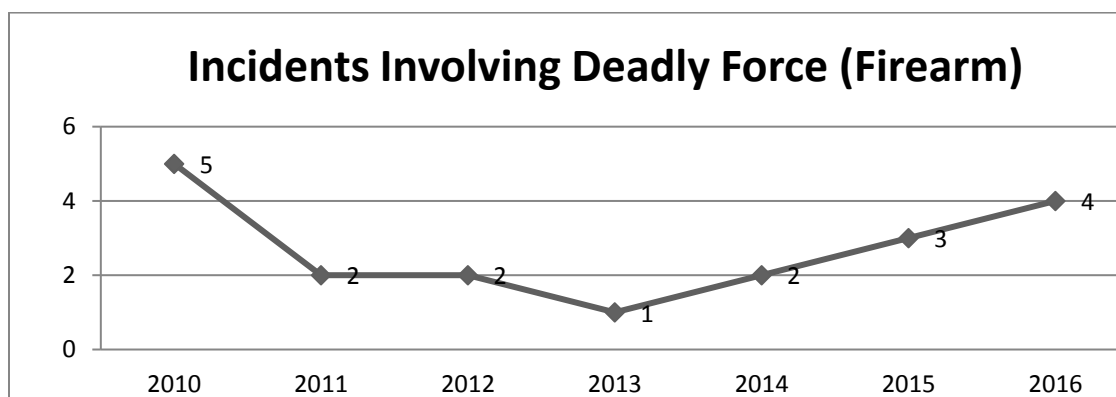


Figure 11 Despite an increase, incidents involving deadly force remain lower than in 2010.

In-Custody Deaths

The department trains employees to monitor all persons taken into custody and summon medical treatment whenever a subject appears or states they are in distress. To help reduce risk, the GPD has developed several policies related to prisoner care and transportation. These policies are periodically reviewed and updated to best guide employee handling of persons in-custody.

If a person dies while in-custody, the SBI is requested to conduct a criminal investigation. The investigation is presented to the Guilford County District Attorney, who reviews the entire case investigation and determines if officer action was justifiable under law or should result in criminal prosecution. A Professional Standards Division administrative investigation is simultaneously conducted to determine if officers complied with GPD policies and directives. The employee's commanders and chief of police are presented with the administrative investigation; determine if any department policies were violated.

There were no in custody deaths in 2016.

Police Vehicle Pursuits

Frequency of Vehicle Pursuits

From time to time, police officers encounter vehicle operators who refuse to stop when blue lights and sirens are activated. When police keep pace with a vehicle in attempt to stop it, a pursuit is declared. Vehicle pursuits can pose a significant risk to the general public, to those in the pursued vehicle and to pursuing officers. For these reasons, the department thoroughly investigates and reviews each incident. It also conducts intensive practical training in police pursuits every two years, which exceeds the North Carolina training requirements. [Figure 12](#) graphs the number of vehicle pursuits throughout the past six years.

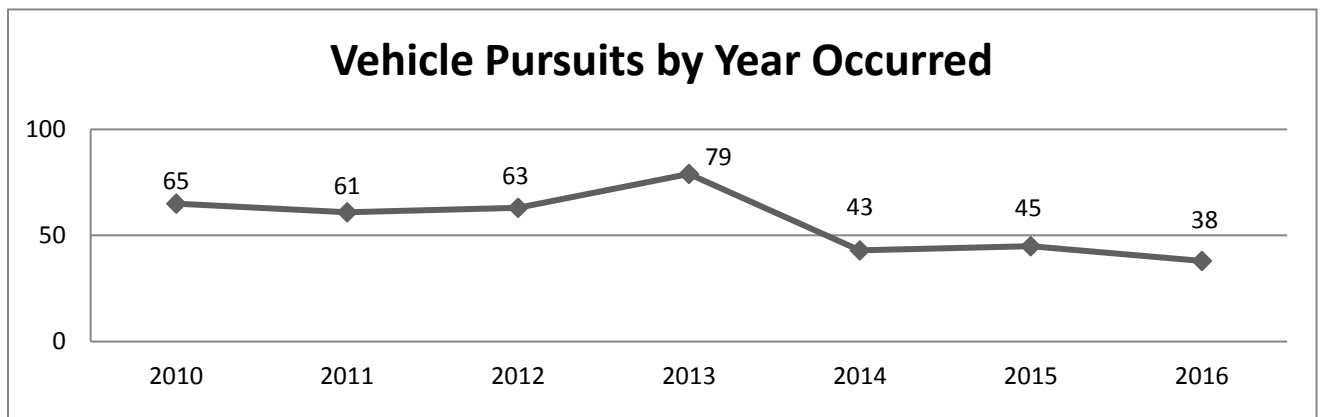


Figure 12 Vehicle pursuits decreased by 16% compared to last year.

Offenses Precipitating Pursuits

Understanding what is likely to precipitate a vehicle pursuit allows officers to anticipate the offender's likely course of action. [Figure 13](#) details the types and number of offenses preceding a pursuit.

2016 Offenses Precipitating Pursuits			
	Count		Count
Traffic Offense (excluding DWI)	10	Stolen Motor Vehicle	2
Robbery Suspect	7	Hit and Run	2
DWI	5	Narcotics	1
Discharge of Firearm	3		
Burglary Suspect	3		
Assault	3		
Kidnapping	2		
Total Pursuits			38

Figure 13 Traffic offenses accounted for 26% of the precipitating events for all police pursuits.

Conclusion of Pursuits

An officer must terminate a pursuit when further pursuit would create excessive danger after considering: location, volume of pedestrians and/or vehicular traffic, road and weather conditions, distance between violator and police vehicles.

In cases where simple efforts to stop the fleeing vehicle have failed, advanced action may be required. Advanced action techniques include the use of stop sticks to flatten tires, the use of multiple police vehicles to create a moving road block, or the use of the Precision Immobilization Technique (PIT), where a subject vehicle is immobilized at low speed in order to apprehend the driver. A PIT maneuver is also considered a use of force. All attempts to forcibly stop the violator must be made with due regard for the safety of the violator, officers executing the stop, and the general public. [Figure 14](#) shows how pursuits concluded in 2015 and 2016.

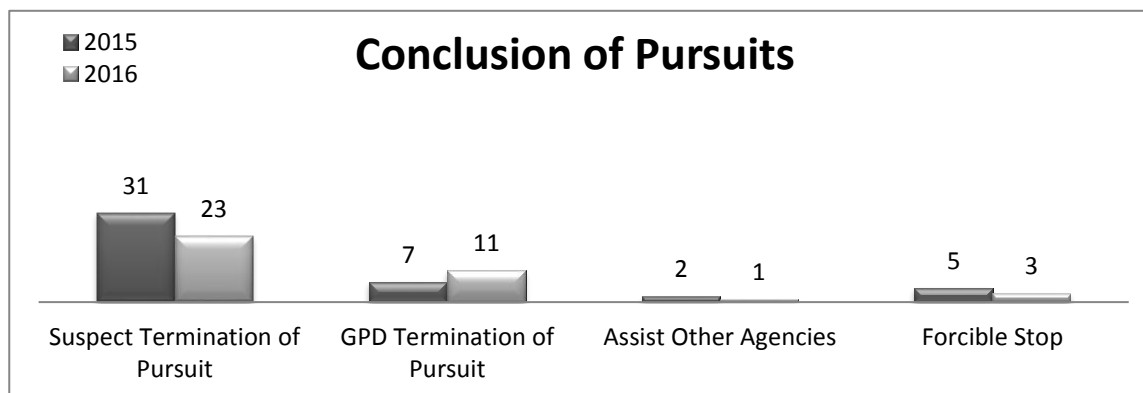


Figure 14 Each year, more than half of police pursuits were concluded due to the subject's action such as voluntarily stopping or crashing. Out of the 23 vehicle pursuits where a suspect's action terminated the pursuit, 43% resulted from the suspect voluntarily stopping, 40% resulted from the suspect vehicle crashing, 17% resulted from the suspect jumping from the vehicle and attempting to flee on foot, and none resulted from the suspect eluding police.

Employee Motor Vehicle Collisions

Employee Involved Collisions

Employees operate their vehicles in all types of weather, traffic, and emergency conditions. GPD employees were involved in 149 collisions in 2016. The majority of the preventable collisions are attributed to backing and inattention. We review the circumstances associated with each collision to determine whether or not it was preventable. Non-preventable collisions include all collisions where the employee was not at fault and could not reasonably have avoided the collision. Preventable collisions include all collisions that the employee could reasonably be expected to have avoided. [Figure 15](#) shows the number of preventable and non-preventable collisions in 2016 compared to 2015.

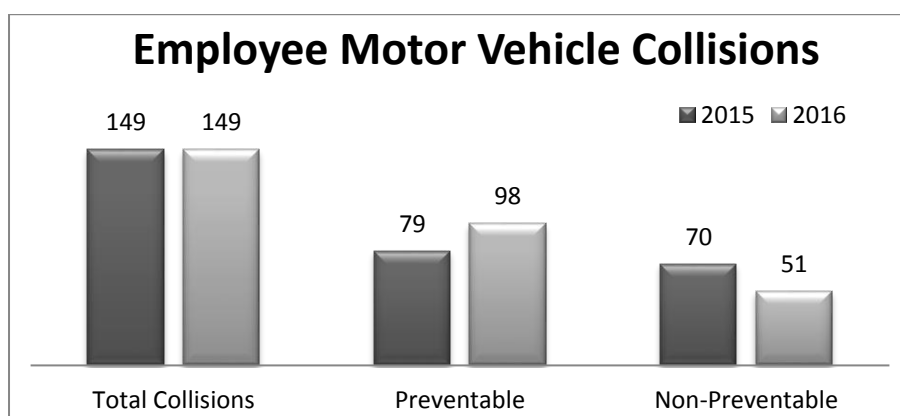


Figure 15 The number of preventable motor vehicle collisions increased by approximately 24% from 2015 to 2016.

Body Worn Camera Disclosure and Release

Body Worn Camera Disclosure and Release

During the early months of 2016, the Department made several presentations to the Joint Legislative Oversight Committee on Justice and Public Safety, as well as presentations to the North Carolina Criminal Justice Information Network Governing Board. During these presentations the Department identified for these groups the benefits of having a law that would separate Body-Worn Camera (BWC) recordings from other state laws which governed personnel records and evidence in court cases. It was the desire of the Department to have the ability to share the BWC recordings with individuals who were directly involved in an interaction with any officer. As a result of these efforts by the Department, effective October 1, 2016 State law changed permitting the disclosure and release of BWC recordings under certain circumstances. The Department embraced the new law and was the first law enforcement agency in the State to implement a BWC viewing room in order to facilitate disclosure of BWC recordings. [Figure 16](#) outlines the number of request related to BWC recordings.

Approved	15	0
Delayed until investigation could be completed, then approved	0	0
Denied	1	0
Incident occurred years prior to request, recordings no longer available	0	0
Withdrawn by Requestor	2	0
Ordered by the Court	0	0

Figure 16 In Accordance with NCGS 132-1.4A, release of BWC recordings may only be approved by a Superior Court Judge. The Department is not permitted to release BWC recordings absent a court order. The Department received 18 requests for disclosure of BWC recordings in 2016. Of those, 94% of were approved by the Department. The only denial of a disclosure request was due to the fact that the recording was requested almost two years after the encounter, and the recording was no longer available.