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Internal Affairs Survey Report



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Executive Summary

The legitimacy of modern police departments is heavily dependent upon their ability to convey accountability to the general public and the community they serve. Much of this dependency falls under the purview of Internal Affairs (IA) units, tasked with conducting thorough investigations of complaints and allegations of police misconduct. Despite the gravity of this pivotal role, to date virtually no research on the state of IA units across the country has been produced. While some limited publications have suggested best practices, and some professional channels exist for IA investigators to interface with other units and establish a level of consensus regarding policies and practices, it is vital to deepen our understanding of the work of IA units. To begin this research, we sent an 85-question survey about general composition and practices to 436 large police departments, and received responses from around 213 IA units. The key results are as follows:

- Most IA units exist under either the administrative or executive branches of the department, headed by a lieutenant or a captain, with an average of 3-4 full-time sworn officers.
- A significant majority of departments require training upon appointment, though the timeframe for this training varies up to a year. Around one-third of departments did not require annual training, and most other departments requiring approximately 20 or 40 hours.
- Virtually all departments had written and publicly published procedures for taking complaints, and while about half regularly reviewed their complaint systems, integrity tests were rare.
- The ability to receive a complaint was generally split between sworn personnel and any departmental staff, but the overwhelming majority of departments maintained a variety of methods to submit complaints, including in person, by mail, by phone, and online.
- Most departments allowed for anonymous or third-party complaints, but just over half of these mandated the complaint be made in English. More departments than not lacked required legal signatures or specifications for false report penalties.
- A larger percentage of units mandated their investigations to be completed within a variety of timeframes, anywhere from 30 days to 180, and just over half of departments required regular updates to the involved parties, mostly either as needed or around every 30 days.
- Around two-thirds of IA units hold their administrative investigations in abeyance pending criminal investigations.
- The majority of IA units could recommend complaint dispositions, though it was rare for them to recommend specific disciplinary action when warranted. Most departments allow for officer appeals, but not citizen appeals.
- Over three-quarters of departments published complaint information either directly online or in the form of a periodic report.
- The average department experienced around 100 complaints, where about a third would be sustained and another third would be either not sustained or exonerated.

These results provide a roadmap to fulfilling COPS' best practices (2009) to have regularly trained and widely accessible IA units. The wide variation in responses allows for significant room to establish professional consensus. Departments and researchers must build on this knowledge base to form a working relationship identifying potential barriers to effective investigations and solutions.

Introduction

The ability of police departments to receive complaints about officer misconduct, investigate such allegations, and ultimately discipline officers when necessary is viewed as a vital function of police administration and is a key feature of police accountability. Historically these functions have been carried out by the police themselves, either by personnel assigned to these tasks within small departments or through specialized Internal Affairs (IA) units in larger ones. While there is a substantial body of research on civilian oversight of police, particularly regarding complaint systems, there has been virtually no information regarding IA units, despite such units being the primary mechanism by which citizen complaints are disposed. Indeed, the little knowledge we do have regarding such units comes from external reports from oversight agencies (such as police auditors) or blue-ribbon commissions. These commissions were created to scrutinize departments suspected, at least in part, of failing to thoroughly or fairly investigate complaints (Christopher Commission, 1991; U.S. Commission on Civil Rights, 1978, 1981, 1994; Mollen Commission, 1994; National Advisory Commission on Civil Disorders, 1968), and so represent a narrow view into the normally shuttered window of IA units. While such reports are valuable, the extant literature on IA units is extremely limited and provides few details about the structure of these units or the types of practices they employ.

In this report we analyze data drawn from a national survey of IA units from large police departments, and provide information about their staffing levels, training, and investigative practices. While largely descriptive, our objective was to explore the contours of IA units across the US, as current knowledge of this nature is non-existent.

Background

In August of 2009 the Office of Community Oriented Policing Services (COPS Office) produced a report providing guidelines for IA units, which was drafted following a meeting of a dozen law enforcement agencies from around the country regarding best practices in IA work (COPS Office, 2009). The report contains standards and recommendations, as well as approaches to improving IA practices, particularly around the intake, classification, investigation, and adjudication of citizen complaints. While providing much-needed guidance regarding IA practices, what is striking about the report is both the lack of commonality in IA practices across the police departments who participated in this meeting, and an overall lack of knowledge regarding IA practices throughout the US. That the COPS Office was able to find the means to fashion a set of general principles and guidelines for IA is itself rather remarkable. Regarding our general lack of IA information, Walker (2007) notes that “the descriptive literature on the structure, staffing, and procedures of internal investigation units is non-existent,” (p.19) but that anecdotal evidence suggests there is substantial variation in organization and management of such units—evidence which is also corroborated in the COPS Office report (2009). To date there is only one survey of IA units which is over 3 decades old (West, 1988), and there are no evaluative studies regarding the structure and management of IA units, or whether varying procedures used by their personnel produce more desirable outcomes (e.g., lower rates of citizen complaints, fewer incidents of misconduct amongst officers, etc).

Given the lack of knowledge and the importance of the topic at hand, we surveyed IA units across municipal police departments regarding their structures and processes: particularly staffing

levels, training, and investigative practices. The survey questions were constructed based on both a prior survey of this nature (West, 1988) and the COPS Office report about IA standards and guidelines (COPS Office, 2009). As well, we reached out the National Internal Affairs Investigators Association (NIAIA) with help constructing the survey and received feedback from both their Executive Board President as well as an IA instructor from the Federal Bureau of Investigation's (FBI) Law Enforcement Executive Development Association (LEEDA), and to whose assistance we are grateful.

The survey itself was 85 questions, although it contained many skip patterns whereby responses to certain questions would bypass several others (and so it was unlikely that anyone saw all 85 questions). The survey was anonymous, asked factual questions only, and took about 30 minutes to complete. The methods by which we obtained response, as well as the findings related to those responses, are detailed below. This report discusses three major sections regarding the questionnaire for IA/OPS units: (1) general descriptives of IA/OPS such as their location within the chain of command, their commander, staffing, and training policies; (2) practices of these units, specifically regarding their complaint, investigation, adjudication, and training policies; and (3) complaint descriptives detailing the overall frequency of complaints and their dispositions. Afterwards, significant conclusions from these responses will be discussed, as well as avenues for future research to build the base of knowledge on Internal Affairs.

Methods

In order to obtain a list of police departments to contact regarding our survey, we utilized the 2016 Law Enforcement Management and Administrative Statistics (LEMAS) survey, which collected data from 2,784 law enforcement agencies across the United States. The 2016 LEMAS survey obtained responses from the population of large agencies with 100 or more full-time sworn officers, as well as a nationally representative sample of smaller agencies (that is, 99 full-time sworn officers or fewer). Since IA/OPS units are most likely to exist in larger police departments these data are useful for our purposes, but they certainly do not comprise an exhaustive list of all police department which contain IA units—such a list, to our knowledge, does not exist.

From the LEMAS data we selected only municipal police departments (thus excluding Sheriff's offices and State police) who reported a minimum of 100 full-time sworn police officers and who indicated they had an IA unit with personnel assigned full-time to this task. This provided us with 436 departments, representing 21.8% of all municipal police departments in LEMAS, but 86% of all municipal police departments with 100 or more full-time sworn. We then searched for means by which to contact agencies about our survey, focusing first on email addresses, which we obtained from department or city websites. From this we were able to obtain emails for 384 (88.1%) of these agencies to contact and request participation in the survey electronically. The other 52 agencies from which we were unable to obtain an email were mailed a letter directly to the IA/OPPS unit or Chief's office requesting participation and were provided a shortened hyperlink to access the survey.

For those agencies for whom we could locate emails, the survey was distributed online via Qualtrics. We provided no incentive to complete the survey and only asked that the agencies complete it as a professional courtesy. The initial survey was distributed on Monday, February 3rd of 2020 and was expected to close on March 2nd. Unfortunately, the timing of our survey coincided with start of the

outbreak of the global COVID-19 pandemic, and given the burden this crisis placed on law enforcement, we decided to suspend the survey at the end of February and sent an email to nonparticipants indicating such. The survey reopened on Monday, November 3rd of 2020 and invited participants to start the survey (or finish it if we obtained only partial responses), and the survey remained open until Thanksgiving day (November 26th). All told, we received at least partial responses from 213 of the 436 agencies we contacted (48.9%). What follows is a descriptive analysis of our findings.

Section 1: IA/OPS Units: A General Overview

The vast majority (93.4%) of units responding to our survey indicated they were referred to as either Internal Affairs or Offices of Professional Standards (or some close derivation of those two names). A few additional responding agencies (3.2%) went by Office of Professional Accountability/Conduct or Public Integrity Unit. The remaining agencies (3.4%) went by some other descriptor (e.g., Office of Internal Investigations, Office of Professional Compliance, etc). For purposes of the report, we will use Internal Affairs/Office of Professional Standards (IA/OPS) to refer to all of the responding agency units, even though their specific descriptors may vary.

Table 1 presents the IA/OPS units' location within their respective organizations. The majority of the responding agencies (47.8%) indicated they are either located under the Chief or Executive Division or Bureau, or report directly the Chief. About one-fifth of agencies (21.7%) reported that they were located within an Administrative Division or Bureau (and in many such agencies, we suspect these administrative divisions also contain the Executive office). The remainder comprise a much smaller number of respondents, although 11.3% of IA/OPS units said they exist as a separate Division, Bureau, or operational unit and are not under any other broader organizational entity.

Division, Bureau, or Unit	Percent
Administration	21.7
Chief or Executive Office	47.8
Investigations	3.4
Stand Alone Unit	12.8
Support	4.9
Other (Auxiliary, Management, etc.)	9.4
Total	203

Table 2 presents the rank of the person who commands the IA/OPS unit. As can be seen, most of these units are commanded by Lieutenants (44.3%) or Captains (20.2%), followed by Commanders (10.8%) or Sergeants (9.9%). Very few units are commanded directly by the Chief or Superintendent (3.4%) or an Assistant/Deputy Chief or Superintendent (4.9%).

Table 2. Rank of IA/OPS Unit Commander

Rank (in alphabetical order)	Percent
Lieutenant	44.3
Captain	20.2
Commander	10.8
Sergeant	9.9
Assistant or Deputy Chief	4.9
Chief or Superintendent	3.4
Major	3.0
Civilian Director	2.0
Inspector	1.5
Total: 203	

IA/OPS Staffing

In terms of personnel, Table 3 presents the number of full- and part-time investigators employed by the IA/OPS units, as well as civilian staff. Across the 200 respondents, there was an average of 3.6 full-time investigators, ranging from no full-time investigators to as many as 64. Part-time investigators were rare, as the vast majority of responding agencies reported having no part-time personnel. The average for part-time investigators was less than 1 (0.2), and ranged from 0 to 7.

The number of full-time civilian employees employed by IA/OPS units also varied. The average number of civilian personnel was 1.7, and ranged from no civilian personnel to as many as 70.

Table 3. Personnel	
Full-Time Sworn	
Average	3.6
Total: 200	
Part-Time Sworn	
Average	0.2
Total: 203	
Civilian	
Average	1.7
Total: 203	

IA/OPS Training

In terms of training, we asked each respondent to indicate the number of career development or in-service training hours required for IA investigators annually. Table 4 lists those hours. If respondents indicated the training hours across multiple years (e.g., 2 years or 3 years) we divided them evenly in order to produce an annual number of hours. Thirteen respondents provided non-numerical answers to this question (e.g., “unknown” or “varies”) and so were not included in the table.

Table 4. Annual Training Hours Required for IA Investigators	
Number of Hours	Percent

0	34.5
10 – 19	11.3
20-29	20.2
30-29	3.6
40-49	25.0
50 or more	5.4
Total: 168	

As can be seen in the table, just over one-third (34.5%) of agencies do not have an annual training hour requirement for their IA investigators, or that their training hours are the same as other officers, and therefore their training presumably doesn't vary in any substantial way from their peers. If annual training was required, the most common number of hours were 40-49 (25%) with the modal number of hours at 40, followed closely by 20-29 hours (20%). Few agencies required more than 50 or more hours of annual training (5.4%) or fewer than 20 hours (11.3%).

Table 5 presents the number of agencies who require officers to attend specialized IA/OPS training upon appointment to that unit. The vast majority of agencies (78.5%) require this training. We also inquired as to how long officers have to complete this training. While the greatest number of respondents do not have a required time period, or simply indicated that the new appointee would be required to attend the next available training (38.1%), of those that did specify a time, the majority would be completed between the first 6-12 months (45.3%). Very few agencies (4.3%) required the training to be completed in fewer than 6 months, and no agency granted a period of more than 12 months for a newly appointed IA investigator to complete their required training.

Table 5. IA/OPS Training Upon Appointment	
Training Required?	Percent
Yes	78.5
No	19.7
Total: 195	
Time to Complete Training	Percent
No specified period/next available	38.1
1 week	1.4
1-2 months	2.9
3 months	12.2
6 months	17.2
1 year	28.1
Total: 139	

Section 2: IA/OPS Units Practices

Guiding Principles and Best Practices

The responsibility for the review and investigation of complaints of employee misconduct lies with IA/OPS. However, the variety of responses we obtained from agencies who completed our survey demonstrates there is no “one-size-fits-all” approach to Internal Affairs, and so there are likely multiple avenues which ensure accountability within an agency. Nevertheless, there are guiding principles and best practices that departments should follow in order to achieve an effective complaint process (see COPS, 2007, p.21). First, the process should be *comprehensive*. A department must investigate all complaints, regardless of the source—including anonymous complaints—and complaints should be accepted in a variety of forms (e.g. in-person, via telephone, or electronically). Second, the process should be *accessible*. Both civilians and employees should be made aware of the complaint system, and this should include information presented to the public through a variety of methods. Potential complainants should be able to file complaints free from intimidation and should never be discouraged. Third, the process must be *fair and thorough*. Complaint investigations should be unbiased, but also timely. Finally, the process should be *transparent*. All employees should be trained on what to do when a complainant would desire to file a complaint, and the department should have a formal means to keep the complainant apprised as to the status of their investigation. Information about complaints should also be regularly updated for public view.

IA/OPS Practices

The bulk of the remainder of the survey inquired about policies regarding citizen complaints, and these responses were considered through the lens of best practices and guiding principles established above. We begin first by presenting results for a few general questions regarding citizen complaints, and then proceed to more specific questions regarding their intake, investigation, and adjudication.

Table 6 presents some general information about citizen complaint policies. First, we inquired as to whether there is a general philosophy, policy, or broad order describing the department’s philosophy and purpose in investigating complaints of misconduct. The vast majority of responding departments indicated in the affirmative (97.4%), and of these respondents who did have such a policy, the vast majority (92.5%) said that this was publicly available, either via the department’s website, a public records request, or via hardcopy available at the department or some other location (e.g., City Hall).

For the complaint processes themselves, about half (52.4%) of the agencies indicated that policy dictates the complaints system be reviewed on a regular basis. This was predominately reviewed by IA/OPS supervisors and was typically done on an annual basis. These reviews did seem to spurn some adjustments, as one-fifth (20.7%) of agencies had indicated some change to the citizen complaint system within the last 12 months. However, only 5 agencies (3.5%) indicated they perform integrity tests (that is, an undercover officer would pose as a citizen wishing to file a complaint) on their complaint system.

Table 6. Citizen Complaint Practices

General policy regarding complaints	Percent
Yes	97.4
No	2.6
Total: 192	
Policy regarding complaints publicly available	Percent
Yes	92.5
No	7.5
Total: 187	
Complaint system reviewed regularly	Percent
Yes	52.4
No	47.6
Total: 143	
Changes to complaint system in last 12 months	Percent
Yes	20.7
No	79.3
Total: 145	
Integrity tests performed on complaint system	Percent
Yes	3.5
No	96.5
Total: 144	

Complaint Intake

Intake denotes the process of receiving a complaint. Under best practices, departments should attempt to receive all complaints from a variety of sources and via a variety of means; it should be as simple as reasonably possible for anyone to present a complaint and without any unnecessary burden.

Most departments (91.2%) have information regarding their complaint process publicly available either via the department's webpage, printed materials such as pamphlets or brochures, or in annual reports. A majority of departments (53.5%) have a specified penalty for officers who fail to take a citizen's complaint, although the penalty ranges quite considerably amongst departments: some stated that it could result in a verbal or written reprimand, while others stated that such a failure could result in more serious sanctions such as a suspension or even termination. Many indicated that the officer would be charged with dereliction/neglect of duty and that progressive discipline would be used, but did not specify a precise disciplinary penalty.

In terms of who is authorized to take citizen complaints, nearly half (48.7%) of the respondents allow anyone who works for the department---both sworn of any rank and nonsworn personnel---to take complaints. About one-third of agencies (37.2%) only allowed particular officers to receive complaints, and this was almost exclusively supervisors (that is, officers with the rank of Sergeant or above). See Table 7. It appears that in some departments nonsupervisory employees are not vested

with the authority to take complaints. This may be because of concerns of conflict of interest in accepting complaints against a peer or a superior officer (COPS, 2009).

Table 7. Who is Authorized to Take Complaints	
Employee	Percent
All sworn, but not civilian, personnel	11.5
Only some sworn, but not civilian, personnel	37.2
Anyone who works for the department	48.7
Other	2.6
Total: 191	

We also inquired about the methods by which citizens could file complaints, as can be seen in Table 8. Since it was presumed agencies would allow citizens to file complaints in multiple ways, we asked respondents to check all of the methods which applied, which is why the sum of the percentages from the table exceeds 100. All departments received complaints in person, and the vast majority also took complaints via mail, telephone, or online form. A few departments also indicated other means, which was usually by fax, via social media, or via an app. In short, the vast majority of department received complaints via multiple means.

Table 8. Methods of Filing Complaints	
Method	Number (Percent)
In person at department or some other place	197 (100%)
Via a mailed complaint form	189 (95.9%)
Via telephone	189 (95.9%)
Online via department or other website	183 (92.9%)
Other	38 (19.3%)
Total: 197	

Most departments (55%) had their complaint forms available in a language other than English, would take anonymous complaints (96.9%), and would allow a third party to file a complaint on another's behalf (85.9%). This is also in line with accepted best practices allows complaints to be filed by a variety of citizens, even those who do not speak or write in English.

As well, only about a quarter of departments (24.4%) require citizens to sign some kind of legal document (like an affidavit) when filing a complaint, and about a third of all complaint forms specify a penalty if the citizen's complaint is found to be false (31.4%). See Table 9. Ideally, in order to ensure citizens are not discouraged or intimidated from filing complaints no legal documents should be signed nor should a penalty be specified. Nevertheless, some departments might be required to do so under state or local laws, or via collective bargaining agreements (COPS, 2007).

Table 9. Other Features of Intake
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Complaint forms other than English	Percent
Yes	55.0
No	45.0
Total: 191	
Takes anonymous complaints	
Yes	96.9
No	3.1
Total: 193	
Takes third party complaints	
Yes	85.9
No	14.1
Total: 192	
Require signature of legal document	
Yes	24.4
No	75.6
Total: 193	
Specifies penalty for false complaints	
Yes	31.4
No	68.6
Total: 191	

Complaint Investigations

Following intake, IA/OPS must determine how the complaint will be investigated and resolved. This typically involves classifying complaints as at least either administrative or criminal in nature, and possibly subclassifying complaints along additional dimensions. The guiding principle for investigations is that all complaints of a serious nature must be investigated commensurate with the complexity of the allegation. Some complaints might be resolved after a truncated or cursory examination, but most will require a thorough investigation. Investigations should be fair, free of bias, and completed in a timely manner out of respect for both employees and the public. The entire investigative process should be transparent to both officers and citizens, and they should be updated regularly on the progress of any investigation.

Regarding investigations, we asked whether departments are required to conduct a full investigation on all citizen complaints, or whether some complaints might be resolved informally at intake. Three-quarters of respondents (75%) indicated their department could resolve complaints informally, and that this most commonly occurs when an officer's actions are allowable by law or policy, the facts are not in dispute, and explaining such to the complainant eliminates their desire to complain. Others noted that sometimes people with mental illness attempt to file patently false complaints, and these are also informally resolved, or that occasionally citizens don't want to formally complain, but want to speak informally with an officer's supervisor.

Once a formal complaint is logged, most departments (69.3%) categorize complaints, and this is almost always done by an IA/OPS supervisor or by the supervisor initially receiving the complaint. The number of categories varies considerably across respondents, but the vast majority (84.3%) have 5 or fewer complaint categories, although a few agencies (5.2%) had 20 or more. We asked respondents to provide us their specific complaint categories, and their classifications appear to fall along several dimensions. First, the simplest 1 or 2 category systems appear to only categorize complaints as either internal or external, or as administrative or criminal. Systems with a larger number of categories typically sort complaints by class, level or type (e.g., Class I, Class II, Class III). While we did not ask respondents to explain their complaint categories, we presume these to be sorted either by the severity of the misconduct, or who is responsible for the investigation (and these two are often related). Other complaint categories were specific according to who was to conduct the investigation. For example, departments with 3 complaint categories may categorize complaints as Administrative, Precinct, or Division. Finally, departments with the greatest number of categories sorted complaints by officer behavior. So, for example, a department might have a dozen or more complaints categories, and these may include behaviors such as excessive force, racial profiling, neglect of duty, damage to property, discourtesy, criminal conduct, etc. See Table 10. Nearly all departments (95.3%) assign a tracking number to formally registered complaints and are tracked electronically, either by an automated system or digital application (90.6%).

Table 10. Complaint Categories	
Number	Percent
1	5.2
2	36.5
3-5	42.6
6-9	7.8
10-14	2.6
15 or more	5.2
Total: 115	

In term of the time required to complete an investigation of a citizen complaint, most agencies (90.9%) have some kind of specified timetable. We also asked how long the agency has to complete the investigation (which is usually stipulated by policy, union contract, or state law). For ease of reporting, we used the greatest time length if a respondent provided a variable length (e.g. for 60-90 days, we used 90 days). The time limits vary considerably across the respondents, although the most frequent response (31.5%) was 30 days, followed by 180 days (16.7%) and 45 days (16.1%). Many departments (96.5%) also indicated that there are provisions where timetables might be suspended due to circumstances beyond the department's control, and these typically included a criminal prosecution related to the complaint, the investigation involving multiple police agencies, the complainant or subject employee being unavailable, or a state of emergency in the jurisdiction being declared. See Table 11.

Table 11. Investigations	
Time to complete investigation	Percent

Less than 30 days	4.8
30 days	31.5
45 days	16.1
60 days	10.7
90 days	11.3
120 days	8.3
180 days	16.7
More than 180 days	0.6
Total: 168	

About half of the responding departments (55.7%) required investigators or other personnel to regularly update complainants as to the status of their complaint. This was typically done via a letter mailed to the complainant or a phone call. In terms of timing, most department (38%) did not specify when to update a complainant and simply updated “as needed.” If a time was specified, it was most commonly 30 days (30.3%). See Table 12.

Table 12. Complainant Update	
Require regular update	Percent
Yes	55.7
No	44.3
Total: 183	
Form of update	Percent
Letter	45.3
Telephone	38.1
Email	9.3
Complainant preference	7.2
Total: 97	
Time of regular update	Percent
Every 7 days	3.9
Every 14 days	2.6
Every 30 days	30.3
Every 45 days	3.9
Every 60 days	6.6
Every 90 days	2.6
Only at the start and completion of investigation	11.8
“As needed” or not specified	38.0
Total: 76	

Complaints alleging criminal behavior on the part of an officer requires special consideration. Since most departments have rules which makes it an act of misconduct to commit a crime, a complaint alleging criminal behavior will often involve two separate investigations, one administrative and one

criminal. The timing of these investigations is crucial, and agencies should create a protocol for determining how to proceed with an administrative complaint while a criminal case based on the same facts is pending (COPS, 2009). Some agencies hold the administrative investigation in abeyance while the criminal investigation is pending out of concern that compelled statements in the administrative investigation may taint the criminal investigation. However, delaying an administrative investigation could negatively impact the availability of witnesses and the accuracy of their recollection of events. As well, delaying corrective action for misconduct could lessen its effectiveness and undermine public trust. Yet conducting two concurrent investigation, while keeping each separate, might prove difficult for some agencies and has the potential to cause conflict in the record. Each department should weight the costs and benefits of what to do with administrative investigations of criminal complaints, and whether to hold them in abeyance or conduct concurrent investigations.

We inquired about the timing of a complaint that alleges criminal behavior on the part of the officer. Nearly two-third (65.9%) indicated that they hold the administrative investigation in abeyance until the criminal investigation is concluded, while about one-third (34.1%) indicated that they run both the administrative and criminal investigations concurrently. See Table 13. Thus, it appears that the majority of agencies find more benefit in waiting to conduct an administrative investigation after the criminal investigation is concluded.

Type	Percent
Administrative investigation held in abeyance	65.9
Administrative and criminal investigation run concurrently	34.1
Total: 182	

Complaint Adjudication

Once an investigation is concluded, IA/OPS investigators write a report which typically includes a summary of the complaint, identification of the subject officer, identification of all witnesses, the details of the allegations, the policies and procedures that were allegedly violated, and an extensive narrative about the substance and process of the investigation. Usually the Chief of any agency has final say regarding a disposition of a complaint and related disciplinary action to take when warranted, but some IA/OPS units may recommend either or both a part of their report. According to our respondents, most IA/OPS units (63.2%) recommend a disposition, but few (15.8%) recommend specific disciplinary action if it is warranted. Once a disposition is reached, both the officers and citizens involved must be notified of the outcome of the complaint. Most agencies (84.8%) notify citizens via a letter, with far fewer relying on other means such as telephone calls or e-mails.

In most departments (83.8%), the complaint disposition can be appealed by an officer, but can be less frequently be appealed by the citizen (37.5%). For officers, the majority of appeals are heard by the Chief or the Deputy/Assistant Chief (55.6%). The rest of those who consider appeals are much less frequent in nature, but are most commonly mediator/arbitrators (11%), a Civil Service board (6.9%) or other review board (6.3%), or the City Manager (5.6%). Those falling in the "other" category included HR directors, other police supervisors that are not the Chief or Deputy/Assistant Chief, or that the officer must follow some kind of grievance procedure (but the respondent did not provide additional detail).

For citizens, the Chief or Deputy/Assistant Chief was the most common means by which appeals were heard (41.9%), followed by citizen review boards (27.4%) and City Managers or Attorneys (12.9%). Those in the “other” category included arbitrators, civil service boards, police/fire commissions, or the state Attorney General. See Tables 14 – 16.

Table 14. Disposition and Discipline	
IA/OPS recommends disposition	Percent
Yes	63.2
No	36.8
Total	185
IA/OPS recommends disciplinary action	Percent
Yes	15.8
No	84.2
Total: 184	

Table 15. Citizen notification of disposition	
Means of notification	Percent
Letter	84.8
Telephone	4.5
Email	2.8
Some combination of the above	5.6
As per citizen preference	2.2
Total: 178	

Table 16. Appeals of Complaint Dispositions	
Officer can appeal disposition	Percent
Yes	83.8
No	16.2
Total: 179	
Who hears officer appeal	Percent
Chief or Deputy/Assistant Chief	55.6
Mediator or Arbitrator	11.0
Civil Service board	6.9
Review board	6.3
City Manager	5.6
Other	11.7
Total: 144	
Citizen can appeal disposition	Percent
Yes	37.5
No	62.5

Total: 176	
Who hears citizen appeal	Percent
Chief or Deputy/Assistant Chief	41.9
Civilian Review Board/Ombudsman	27.4
City Manager or Attorney	12.9
Other	17.7
Total: 62	

In the interests of transparency with regard to adjudication of complaints, most departments (71%) make statistics related to these available to the public. This was most typically done via publication on a website—either the department’s, the city’s, or some other entity (like a civilian review board). Many departments also published statistics regarding the adjudication of complaints in an annual report or would provide such information to citizens upon request. See Table 17.

Table 17. Public information about complaint dispositions	
How this information is disseminated*	Percent
Published online	54.4
Annual report	24.3
By request	20.4
Other	6.8
Total: 103	
<i>*Note: respondents could indicate multiple methods of dissemination, which is why the cumulative percentage from the table exceeds 100.</i>	

Section 3: Citizen Complaints

Last, we asked departments to provide to us citizen complaints dispositions from 2019. We asked specifically for agencies to report not only their total number of complaints, but also along the following dispositional categories:

- *Unfounded*: the allegation did not occur or was not true.
- *Exonerated*: the incident occurred, but the officer action was deemed proper and lawful.
- *Not sustained*: there was insufficient evidence to either prove or disprove the allegation.
- *Sustained*: there was sufficient evidence to prove the allegation.
- *Pending*: the final disposition of the complaint has yet to be made.
- *Other*: the complaint has some other disposition (e.g., withdrawn).

Across respondents, there was a wide number of citizen complaints filed in 2019, and amongst the 112 agencies who provided complete data, the number ranged from 1 to 1,852 complaints. Given this wide variation, we provide the median citizen complaints, which was 51. Amongst the dispositional categories, on average across the respondents about one-third (32%) of citizen complaints were founded, about a quarter (22.7%) were unfounded, about one-fifth were exonerated (19.3%), and just

over one-tenth (12.5%) were not sustained. About 6% of complaints were still pending and another 6% were in the “other” category. This demonstrates that in about 1 of every 3 complaints, there is a preponderance of evidence that the allegations of the citizen were true and that the conduct at issue was a violation of agency rules. In just over half of all complaints (54.5%), either there was sufficient evidence to disprove the allegation, the officer’s behavior was within policy, or there was insufficient evidence to draw a firm conclusion. See Table 18.

Table 18. Citizen Complaints in 2019			
	Mean	Median	Standard Deviation
Total number of complaints	99.4	51.0	212.7
Complaint Disposition			
Sustained (%)	32.0	27.8	22.6
Not Sustained (%)	12.5	9.0	14.5
Exonerated (%)	19.3	11.6	20.7
Pending (%)	6.2	0	10.3
Other (%)	6.8	0	17.0
Total: 112			

Discussion

As stated above, there is a general lack of knowledge about IA/OPS units, so while the information presented in this report is largely descriptive, having any information about the form and function of such units is illuminating and could establish a basis for future research. From the data reported above we can see that there is quite a bit of variation in both where IA/OPS units are located within their respective departments, the rank of the commanding officer there, and the size of IA/OPS staff. Most units required new IA/OPS investigators to undergo training of some kind, although the number of hours involved and the time allotted to complete the training varied across departments, as did the number of in-service training hours for IA/OPS investigators annually.

The adherence of IA/OPS units to best practices summarized in the COPS report (2009) also highlights considerable variation across departments. Some best practices were reported by nearly all of the respondents. Nearly all departments report having a general philosophy, policy, or broad order describing the department’s philosophy and purpose in investigating complaints of misconduct, and that this is available to the public. Many departments provide multiple means for citizens to file complaints, and take complaints anonymously or via third parties. Once filed, complaints are typically categorized in some fashion, and are assigned a tracking number to be monitored electronically. As well, most agencies have specific timetables upon which to complete investigations, and most provide general statistics about citizen complaints to the public.

There were best practices however that were either less frequent or other practices which went against the guiding principles stated above. For example, only about half of the responding agencies indicated that they review their complaint system on a regular basis, and only a very small number

conduct integrity tests on their system. Only about half of responding agencies had their intake forms in a language other than English, and some required citizens to sign a legal document when complaining and specified a penalty if their complaint was found to be false. As well, only about half of all agencies required that complainants be regularly updated as to the status of their complaint, and just over one-third had mechanisms by which citizens could appeal their complaint disposition.

Explaining the variation in IA/OPS policies and practices, while beyond the scope of this report, likely represents the often fragmented and decentralized nature of municipal policing in the U.S. In addition, some of this variation is beyond the control of the respective departments and may be mandated by state or local law, while others are likely reflective of the administrative priorities of each department.

Conclusion

This report represents an incremental step towards a broader knowledge base regarding IA/OPS units, but much more needs to be known. We are grateful to our respondents for having taken the time to complete our survey and provide much-needed information, and we hope to broaden our research in the future to cover a wider variety of topics regarding IA/OPS units and their investigators. These units and their personnel perform an important and vital function, ensuring that complaints about officers are heard and dealt with effectively, and that an officer is protected against false or malicious accusations through fair, thorough, accurate, and impartial investigations (Noble and Alpert, 2009). But, as Walker (2007) notes, no research on IA/OPS units have reached the level of social science, and so we do not yet know, for example, whether smaller ratios of IA/OPS investigators to officers results in more timely investigations, or whether more or better training for investigators yields more sustained or substantiated complaints. In fact, we have little idea of how IA/OPS officers spend their time, how they view their roles within the department, or why they decided to become investigators in the first place. In order to move beyond best practices and provide evidence-based guidance to police departments regarding their Internal Affairs functions, academics and police departments will need to work together to identify and prioritize key questions to be addressed in this area, and then obtain and analyze data to answer them.

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