

# Naples Police Department

## Professional Standards Bureau



## 2022 Annual Report

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# Professional Standards Bureau 2022 Annual Report

## TABLE OF CONTENTS

Overview.....	2
Internal Affairs.....	2
Complaints.....	3
Employee Discipline.....	4
Grievances.....	4
Response to Resistance.....	5
Vehicle Pursuits.....	7
Traffic Crashes.....	8
Biased Policing.....	9
Training.....	10
Accreditation.....	11
Recruitment.....	12
Public Information.....	14

# **Professional Standards Bureau**

## **2022 Annual Report**

### **OVERVIEW**

The Professional Standards Bureau, under command of a Lieutenant, is responsible for ensuring the Naples Police Department is operating within the boundaries and established guidelines of City and Departmental policies to ensure the public trust and confidence in the agency. This division is responsible for the investigation of complaints against its members, the verification of compliance of required accreditation standards, public information and media relations, the training of all police personnel, and the recruitment and hiring within the Naples Police Department. The Lieutenant of Professional Standards reports directly to the Administrative Services Assistant Chief.

The Professional Standards staff consists of one Lieutenant, one Sergeant, one Detective, one Officer, and one Civilian employee.

The Professional Standards Bureau is tasked with the following functions:

- Internal Affairs
- Accreditation
- Training
- Recruiting and Hiring
- Public Information/Media Relations

### **INTERNAL AFFAIRS**

Internal Affairs is responsible for investigating police department employees for internal complaints, citizen complaints, employee involved traffic crashes, vehicle pursuits/ failures to stop, and uses of force. Internal Affairs is also responsible for ensuring that all police records, pertaining to the above investigations and employee discipline, are tracked, analyzed for trends, and securely maintained.

Florida Law requires that all law enforcement agencies establish a system for the receipt, review, and investigation of allegations of employee misconduct received by the agency. All allegations received by the Naples Police Department are reviewed by Internal Affairs and submitted to the Chief of Police for initial authorization to investigate the allegation. Following the conclusion of the investigation, all evidence and information is submitted to the Chief of Police for final disposition and discipline, if applicable.

The function of the Internal Affairs section is to provide fact-finding assistance to the Chief of Police. Internal Affairs utilizes a systematic, objective, and impartial method of investigating complaints of improper behavior by police officers or other personnel alleged to have violated Department or City Policies and/or Procedures. All formal complaints, whether made by citizens or City employees, are investigated.

## COMPLAINTS

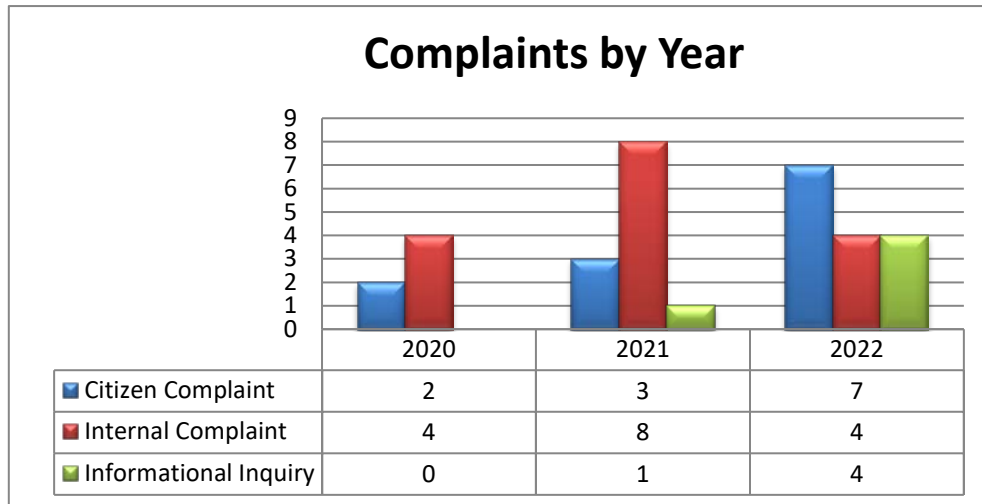
The Internal Affairs Section of the Naples Police Department is responsible for the investigation of complaints against department employees, and on occasion other city employees. Investigations are completed with a case finding.

Sustained	Sufficient evidence was obtained through investigation to determine that employee misconduct occurred.
Not Sustained	The investigation failed to produce sufficient either prove or disprove the alleged misconduct.
Exonerated	The employee's actions were justified, lawful, proper, and consistent with department policy.
Unfounded	The allegation concerned an act of misconduct by an agency employee which did not occur.
Policy Review Required	A conclusion that the Department General Orders, policies, procedures, rules or regulations covering the situation were non-existent or inadequate and require review and amendment.
Information Only	This applies to allegations which lack a basis in corroborating facts or evidence of misconduct, or when the reporter retracts or refuses to file a statement and the Chief of Police, or his designee, determines that further action is not required. The complaint will be recorded for informational purposes, classified as inactive and may be re-opened if new evidence is obtained that is likely to affect the outcome of the investigation.

During 2022, eight (8) reports were processed by the Internal Affairs Section. These reports are separated into categories to include:

- Internally generated complaints (INQ).  
Zero (0)
- Externally generated complaints documenting verified policy violations (CC).  
Seven (7):  
22-003 / Policy Violation / Partially Sustained  
22-006 / Policy Violation / Exonerated and Not Sustained  
22-020 / Policy Violation / Exonerated  
22-026 / Policy Violation / Information Only  
22-029 / Policy Violation / Information Only  
22-030 / Policy Violation / Exonerated  
22-034 / Policy Violation / Information Only
- Internally or externally generated complaints with no policy violations (INF).  
One (1):  
22-023 / Information Only

## COMPLAINTS cont'd



## EMPLOYEE DISCIPLINE

During 2022, there were six (6) instances in which officers received discipline:

- Informal Discipline.
  - Five (5) oral counseling
  
- Formal Discipline.
  - One (1) written reprimand

## GREIVANCES

There were zero (0) employee grievances received in 2022.

# RESPONSE TO RESISTANCE

## Overview

Per department General Order 202 - Response to Resistance, a review of each incident involving response to resistance for the period January 1, 2022, through December 31, 2022, has been conducted. All Response to Resistance incidents are entered into the IAPro database.

The Naples Police Department addresses responses to resistance in General Order 202, which states:

It is the policy of the Naples Police Department to provide a framework for making decisions involving the reasonable use of force when deemed necessary to execute their legal authority. Command presence and verbal communication will diffuse many volatile situations. However, in situations where non-compliance to a lawful order, physical resistance to arrest, or a threat to life is encountered and reasonable alternatives have been exhausted or would clearly be ineffective, necessary physical force specific to the circumstances of the situation may be used in compliance with Florida Statute 776.05.

## Current Procedures

Current procedures are detailed in General Order 202, Response to Resistance.

## Statistical Data

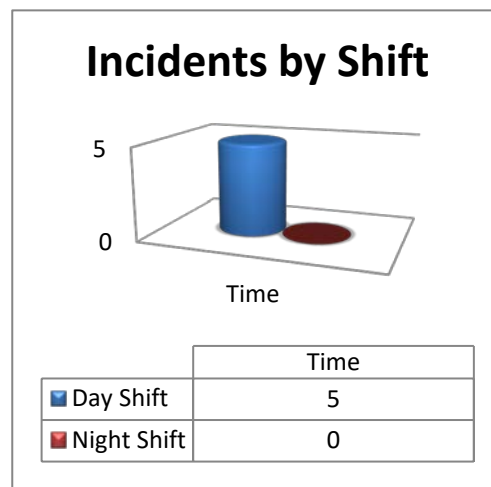
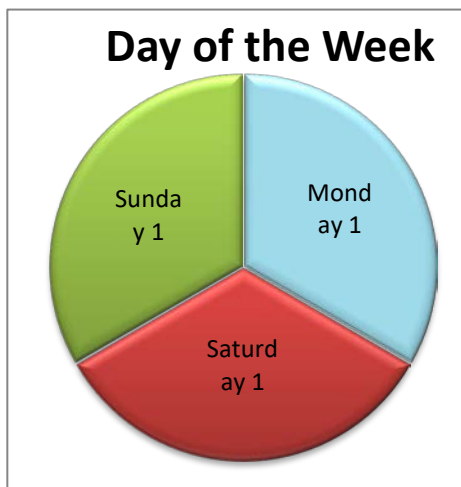
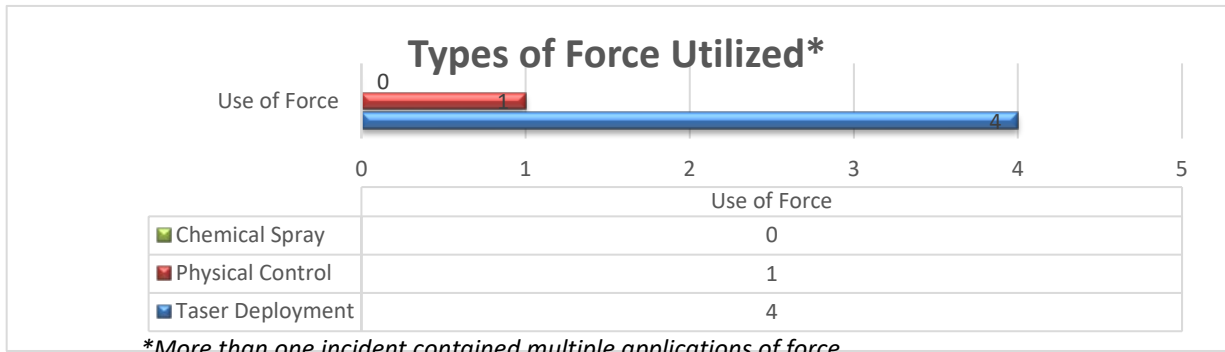
In 2022, there were a total of eight (8) recorded response to resistance incidents. This total is a decrease of four (4) incidents from the same period in 2021. Two (2) incidents were in response to assault(s) on a law enforcement officer(s), three (3) incidents were in response to non-compliance, one (1) incident was in response to restraining a subject for their own safety, and two (2) incidents were in defense of others.

All use of force incidents were reviewed and determined to be within policy.

Department procedures require the completion of a use of force entry within BlueTeam/IA Pro following any application or use of empty-hand striking techniques, pain compliance, transporters, and takedowns; any time a member takes action that results in, or is alleged to have resulted in, injury or death of another person; an application of a less-lethal weapon such as chemical spray or gas, an impact weapon, or weapon of opportunity that is not fundamentally designed to cause death or great bodily harm; any time an officer discharges a firearm for other than training or recreational purposes, initiates any action that could be considered a form of deadly force, or any type of accidental discharge; any time an officer discharges a conducted electrical weapon (Taser) for other than training or routine spark test purposes; and any time a police canine is deployed for a deliberate apprehension, including recalls and unsuccessful apprehensions, or causes any injury to a subject.

Year	Arrests	U of F	Percent
2019	460	6	1.3%
2020	415	13	3.1%
2021	310	12	3.8%
2022	350	8	2.3%

## RESPONSE TO RESISTANCE cont'd



### Summary

There are no known incidents which involved in a response to resistance where a resistance report was not completed as required per policy.

During the year 2022, there were two (2) reported incidents in which an officer was injured while arresting a resisting suspect. One (1) incident was where an officer suffered an abrasion/scrape and one (1) incident where an officer suffered a laceration/cut.

There were a total of five (5) incidents where suspects being apprehended sustained some sort of injury. Two (2) incidents in which suspects were injured involving a minor cuts/abrasion and sustained puncture marks as a result of a Conducted Electrical Weapon deployment, two (2) incidents in which suspects sustained puncture marked as a result of a Conducted Electrical Weapon deployment, and one (1) incident in which a suspect sustained a minor cut/abrasion. All injured suspects were medically treated and released as a result of the injuries sustained while resisting arrest.

### Policy Amendments/ Training Outcomes

There were no policy amendments or training outcomes following review of the instances where force was used during suspect apprehension during 2022. A review of General Order 202 – Response to Resistance was completed and the policy was determined to be up-to-date and meets the standards and statutes sufficiently.

## FAILURE TO STOP/VEHICLE PURSUITS

In 2022, there were seven (7) failure to stop reports an increase of one (1) from 2021. There were 0 instances of vehicle pursuits taking place in 2022:

<b>Type of Incident</b>	<b>Count</b>	<b>Percent</b>
Failure to Stop	7	100%
Vehicle Pursuit	0	0%

<b>Reason Initiated</b>	<b>Count</b>	<b>Percent</b>
Stolen Vehicle	1	10%
Traffic Violation	6	90%
Criminal Investigation	0	0%

<b>Time of Day</b>	<b>Count</b>	<b>Percent</b>
0001-0600	3	42.86%
0601-1200	1	14.28%
1801-2400	3	42.86%

<b>Event that Concluded the Pursuit</b>	<b>Count</b>	<b>Percent</b>
Turned over to Other Jurisdiction	2	28.57%
Stop Aborted by Officer	5	71.43%

<b>Incident Within Policy</b>	<b>Count</b>	<b>Percent</b>
Yes	7	100%
No	0	0%



# EMPLOYEE TRAFFIC CRASHES

## Traffic Crashes

Professional Standards reviewed seven (7) reports of traffic crashes involving Police Department vehicles, which is a decrease of one (1) from 2021:

- 5 deemed non-preventable.
- 2 deemed preventable.
- 2 officers received formal or informal discipline for causing preventable crashes.
  
- **Time of day**
  - 6 crashes occurred between 6:00 am – 6:00 pm.
    - 5 non-preventable.
    - 1 preventable.
  - 1 crash occurred between 6:00 pm – 6:00 am.
    - 0 non-preventable.
    - 1 preventable.
  
- **Injuries:** There was 2 employee injuries and 2 non-employee injuries as the result traffic crashes involving police department employees.
  
- **Contributing Cause of Non – Preventable Crashes (5)**
  - 1 - Civilian Struck Unattended Police Vehicle While Backing
  - 3 - Civilian Struck Police Vehicle While in Transport
  - 1 - Civilian Struck Unattended Police Vehicle
  
- **Contributing Cause of Preventable Crashes (2)**
  - 0 – Struck a Fixed Object
  - 0 – Backed into Fixed Object
  - 1 – Struck a Motor Vehicle in Transport
  - 0 – Struck a Parked Vehicle
  - 1 – Struck a Pedestrian in Transport
  - 0 – Sideswiped a Motor Vehicle in Transport
  
- By comparison, in 2021, Professional Standards reviewed seven (7) reports of traffic crashes involving Police Department vehicles. Six (6) of the seven (7) crashes were preventable.

There was a decrease of 4 preventable crashes in 2022.

## Recommendations

- The department should continue to conduct vehicle operations training utilizing the Florida Department of Law Enforcements Law Enforcement Vehicle Operations instruction and should include backing and crash avoidance techniques.
- Department vehicles purchased should continue to be equipped with back-up sensors and crash avoidance systems to aide in the reduction of preventable crashes where possible.
- Employees will continue to back in vehicles when parking which is a proven method to minimize crashes occurring while backing out of parking spots.

## BIASED POLICING

In order to maintain compliance with Commission for Florida Law Enforcement Accreditation standard 2.04M and the Naples Police Department General Order 215 – Biased Policing, an annual review concerning biased policing for the period January 1, 2022 through December 31, 2022 has been conducted.

The results of this review are as follows:

- A review of General Order 215 - Biased Policing was found to include:
  - ✓ definitions for bias based profiling and reasonable suspicion.
  - ✓ language prohibiting biased policing in field contacts, traffic contacts, seizure of assets and forfeiture efforts.
  - ✓ language regarding corrective measures if biased policing occurs.
- A review of training documents verified department personnel are trained in biased policing issues, including legal aspects in accordance with CJSTC guidelines.
- Zero (0) incidents of biased policing which would require corrective measures were reported or identified in the period January 1, 2022, through December 31, 2022.
- A review of department Policy identified written procedures for traffic stops are located in General Order 208 - Police Vehicle Operations and General Order 215 – Biased Policing.
- The Records Specialist has confirmed that the department is in compliance with Florida Statute 316.614, the Florida Safety Belt Usage Law, with the recording of violator race and ethnicity on seat belt citations by our officers. Additionally, the Records Specialist reports this information is being transmitted to the Department of Highway Safety and Motor Vehicles quarterly as required by statute. An administrative review of the data shows consistency with the population distribution in the City of Naples.
  - 2022 Seat Belt Violation Data Collection (316.614)
    - Total Citation Issued – Fifty-five (55)
      - White – 33 (60.0%)
      - Hispanic or Latino – 15 (27.27%)
      - Black – 6 (10.91%)
      - Asian – 1 (1.82%)
      - American Indian or Alaskan – 0 (0%)
      - Unknown – 0 (0%)

Community education is an integral part of the department's biased policing awareness efforts. Citizens may access the Naples Police Department's website for community education and awareness updates in reference to biased policing by using a link that describes the department's policy, explanation of department procedures and how to file a complaint.

## **TRAINING**

Training coordinates the entire department's training needs and corresponding records. The Training section also coordinates the delivery of those courses and specialized in-service training to department members.

The Training section maintains all training records on a computer database and provides those records either to the Florida Division of Law Enforcement's (FDLE) Criminal Justice Standards and Training Commission (CJSTC) for inspection or for legal defenses relating to the various disciplines applied by the department personnel.

Traditionally officers receive approximately 80 hours annually of in-service training per officer. During 2022, the Training Section continued to utilize Police Law Institute, online police training, which provides legal, interactive scenario based, training to keep officers informed regarding statutory changes, amendments, and best practices to remain informed and safe in the field. These training modules are provided monthly and account for one hour of additional training.

The Naples Police Department strives to host in-service and advanced training on a monthly basis to sworn members. In 2022, Officers received approximately 60 hours of in-service training through a combination of Florida Department of Law Enforcement on-line training, department held in-service classes, and Police Law Institute interactive virtual lessons.

## ACCREDITATION

The Naples Police Department received reaccreditation on June 21, 2017, from the Commission for Florida Law Enforcement Accreditation (CFA). The department continues to review policies annually and provide the professional standards bureau with proofs. The department's second reaccreditation assessment was in July of 2020, and the department received its award virtually on October 15, 2022. The mock assessment is January 30-February 2, 2023, and the formal assessment is April 4-6, 2023.

The Accreditation manager received the distinction of Certified Accreditation Professional virtually on October 14, 2020. Accreditation professionals who become Certified Accreditation Professionals are distinguished as individuals who have reached one of the highest levels of achievement and recognition in their field.



Accreditation provides some of the following benefits to the department:

- Assures governmental leaders of the quality of services delivered by their law enforcement agency.
- Provides a thorough review of the agency's status and readiness.
- Reinforces the agency's ability to maintain the highest standards of law enforcement services that represent current professional practices.
- Assures that agency personnel are trained and functioning according to established policies and procedures.
- Provides a quality work environment for well-trained professionals that aids in recruiting and retaining qualified personnel.

The Accreditation manager is charged with the responsibility of ensuring that the Naples Police Department remains in compliance with all the applicable accreditation standards designated by the state accrediting agency (CFA) between reaccreditation periods. Standards compliance is maintained through a variety of methods, which include continual review and updating of departmental written directives to include the General Orders and Standard Operating Procedures, as well as collection of time-sensitive standards and reports.

## RECRUITMENT

Recruitment provides one of the most essential functions for the police department. The selection of suitable personnel applying for positions within the department is necessary to ensure that the best-qualified individuals are hired. Therefore, much effort and scrutiny are put into this process.

The Professional Standards Bureau works in conjunction with the City’s Human Resources department to process candidates through written and oral exercises. Extensive background investigations and professional testing are conducted preceding employment. Many candidates may be screened in order to fill one officer position. Professional Standards also conducts orientation and an eighty-four (84) hour mini academy to all new police officers.

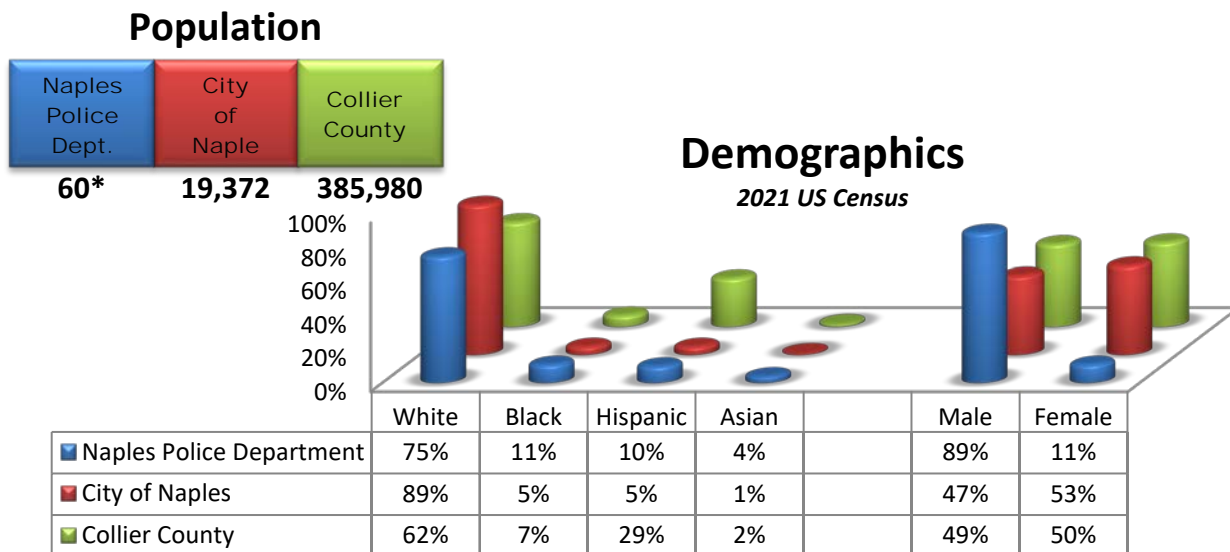
### Objectives

While a properly structured and administered recruitment program is not a guarantee that applicants will represent a more diverse cross section of the police department’s jurisdiction, nonetheless, it is the department’s objective to attract applicants who represent our jurisdiction.

Overall, an effective, standardized and properly administered recruitment, screening and selection process will improve the quality of applicants from which to fill existing vacancies.

Pursuant to the Commission for Florida Law Enforcement Accreditation (CFA) standard 8.02, a review of Naples Police Department sworn law enforcement demographics was conducted to compare those demographics to the population statistics of the City of Naples and Collier County.

CFA mandates that recruitment steps should be directed towards the goal of approximating within the sworn ranks the demographic composition of the community that it serves. The following table represents the current race and gender composition of the Naples Police Department at the time of this report as well as corresponding census numbers from the City of Naples and Collier County.



*\*The Naples Police Department is budgeted for 72 sworn officers.*

## **RECRUITING cont'd**

The percentage of Black, Hispanic, and Asian Officers exceeds that of the jurisdiction's demographics. The percentage of female officers is 10.7% which is below the state average of 16.3% for women in law enforcement (ATMS/FDLE). The current population of the Naples Police Department is 59, the City of Naples is 19,372, and Collier County is 385,980 (2021 US Census).

### **Annual Evaluation of Progress**

Twelve (12) officers were hired during 2022, consisting of ten (10) male officers, two (2) female officers.

In an effort to combat turnovers and vacancies within the Naples Police Department, budget funding was received to sponsor six (6) Police Officer Trainees through the Southwest Florida Public Service Academy's Basic Law Enforcement Class. Three (3) recruits were sponsored in an academy class that began in February 2022 and graduated in July 2022. Three (3) recruits were sponsored in an academy class that began in November 2022 and is slated for graduation in April 2023. Currently, three (3) additional Police Officer Trainees are completing the final stages of their background investigations for sponsorship to begin a police academy beginning in March 2023.

### **Plan of Action**

As determined by a review of department and demographics for both the City of Naples and Collier County, the department approximates the percentage of Black and Hispanic officers to the service area but is barely above comparable national demographics for female officers. The national average for women by population served (10,000-24,999) is 9.7% (Bureau of Justice 2020).

The department's recruitment plan is to focus on maintaining a diverse workforce that mirrors the City of Naples available workforce demographics. While the disparity of female Officers is minor, the department should continue to make every effort to increase the number of qualified and experienced female officers and is advertising on national job sites targeted to women in law enforcement. The recruitment plan for 2023 will continue to include advertising on websites, advertising within Florida colleges and universities, and further utilization of social media groups. Additionally, department efforts should include utilizing female officer(s) during recruiting trips to colleges/universities, civic groups, and surrounding police academies.

Due to turnover and current vacancies, the department is processing approximately six (6) previously certified officers and police officer trainees for hire within the first two quarters of 2023. Currently, there are three (3) officers in the Deferred Retirement Option Program (DROP) and one (1) of those officers will retire in 2023. The department will continue to focus on effective and efficient recruiting processes and will look for ways in which the onboarding process can be streamlined for efficiency.

## **PUBLIC INFORMATION**

The Professional Standards Bureau is the main point of contact for media outlets to receive information. The Public Information Officer (PIO) is responsible for the release of accurate and timely information regarding the activities of the Department to the news media (broadcast and print) and the public. The function of PIO is an integral component of the day-to-day law enforcement operations of the Department, guaranteeing that the avenues of communication are consistently open among the Department, the media and the citizenry is the goal of the PIO. The relationship established by the PIO and the media benefits both participants. The media receives current and factual information for publication and broadcast, while the law enforcement community benefits from the media's enhanced dissemination capabilities. The PIO sends the 24-hour activity log to members of the media on a daily basis and responds to their requests for additional information and interviews.

Press releases documenting community outreach programs as well as investigative updates were disseminated in 2022.

The department provides public information and department information regarding social events, community policing events, prevention information, traffic, and road construction information, as well as other information on the Naples Police Department app, and social media platforms such as Facebook, Twitter, Ring Neighbors App, and Instagram.