

The Palm Beach County Sheriff's Office

# 2016 Internal Affairs Annual Report



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The Palm Beach County Sheriff's Office

## 2016 Internal Affairs Annual Report

# A Message from the Sheriff

The Palm Beach County Sheriff's Office is presenting to our community the 2016 Internal Affairs Annual Report. The over 4,000 dedicated and professional employees are committed to providing the highest level of professional service in order to maintain a safe community environment.



The Division of Internal Affairs has created this annual report for our citizens in an effort to be as transparent as possible. Our hope is that this report will help you understand the seriousness with which we approach your complaints and the processes we follow. This report will give you an overview of our activities in 2016 and compare similar data from previous years.

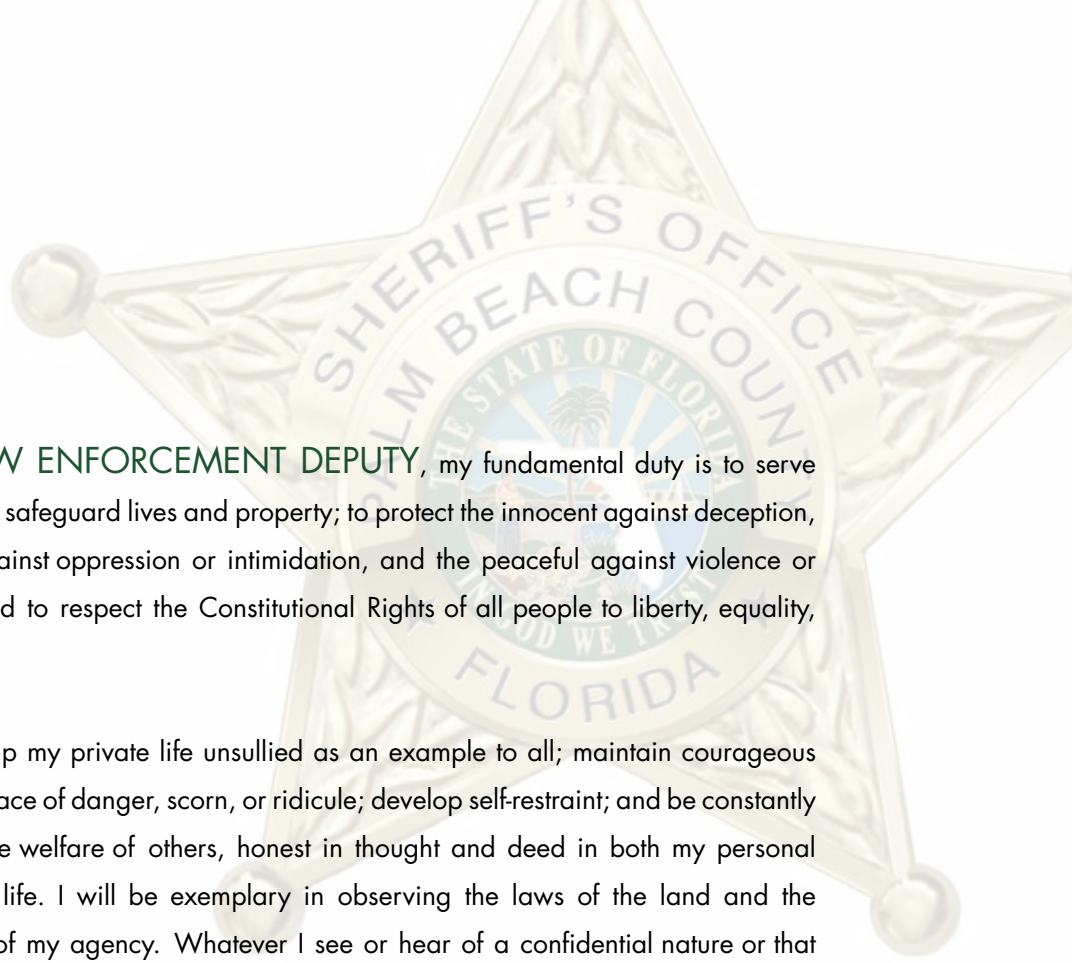
This agency is built on a foundation of trust and performance achieved through the setting of goals and the willingness to adapt. It is my hope that you will find the information in this report reassuring and helpful. I look forward to working with all members of our community. We will work together and make this a better and safer place to live, work and visit.

Sincerely,

A handwritten signature in blue ink, appearing to be 'R. Bradshaw', written in a cursive style.

Sheriff Ric Bradshaw

# Code of Ethics



**AS A LAW ENFORCEMENT DEPUTY**, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all people to liberty, equality, and justice.

**I WILL** keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others, honest in thought and deed in both my personal and official life. I will be exemplary in observing the laws of the land and the regulations of my agency. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

**I WILL** never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without unnecessary force or violence and never accepting gratuities.

**I RECOGNIZE** the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...law enforcement.

# Mission Statement

The Palm Beach County Sheriff's Office is committed to protecting the public, reducing the incidence and fear of crime, and enhancing the quality of life in our community. The Agency does this by doing the right thing through:

## INTEGRITY

We have integrity. We are bound by the highest standards of ethical conduct. As role models, we exemplify honesty and good character, instilling community trust.

## PROFESSIONALISM

We are professional. We are well-trained, competent, knowledgeable employees who demonstrate the highest level of performance, working in partnership with the community.

## RESPECT

We show respect. We treat everyone with dignity, courtesy, and compassion.

## FAIRNESS

We are fair. We treat employees and members of the community equitably while valuing cultural diversity. We are consistent and impartial in protecting the constitutional rights of all.



# Introduction

The Palm Beach County Sheriff's Office Division of Internal Affairs is charged with the receipt, processing and investigation of allegations made against members of the Sheriff's Office, whether sworn or civilian. Additionally, at the direction of the Sheriff, the Division of Internal Affairs conducts administrative investigations for other entities and agencies within the county.

Florida Law requires that all law enforcement and corrections agencies establish a system for the receipt, review and investigation of allegations of employee misconduct received by the agency. All allegations received by Palm Beach County Sheriff's Office are reviewed by the Division of Internal Affairs then submitted to the Sheriff for initial authorization to investigate the allegation, and following the conclusion of the investigation, for final disposition.

As will be discussed later in this report, the Palm Beach County Sheriff's Office has a responsibility to its employees and the community to identify and assist employees who display symptoms of job stress and/or performance related issues. Subsequently, the Palm Beach County Sheriff's Office employs an Early Intervention Systems (EIS).

EIS captures specific data about the behavior of Deputies and aids in the timely detection of problematic behaviors. The number and type of community complaints, use of force incidents, as well as the number of vehicle accidents a deputy might be involved in, are potential factors in this assessment. These reports help identify and provide documentation of members who experience a certain frequency of involvement and are not intended as a statement of misconduct but simply a presentation of quantitative facts to be used as a management tool to identify performance issues.

This 2016 Annual Report will provide statistical information gathered from the Early Intervention System (EIS) in use by the Palm Beach County Sheriff's Office Division of Internal Affairs, as well as an analysis on internal administrative investigations and processes.

*Note: Data contained within this report reflects the constant influx of new information received on a daily basis and is applicable as of date published.*

*Disposition may reflect open cases from previous years.*



# Division of Internal Affairs

The function of the Division of Internal Affairs is to provide fact-finding assistance to the Sheriff and Executive Staff members. Internal Affairs provides a systematic, objective and impartial investigation of complaints alleging employee misconduct.

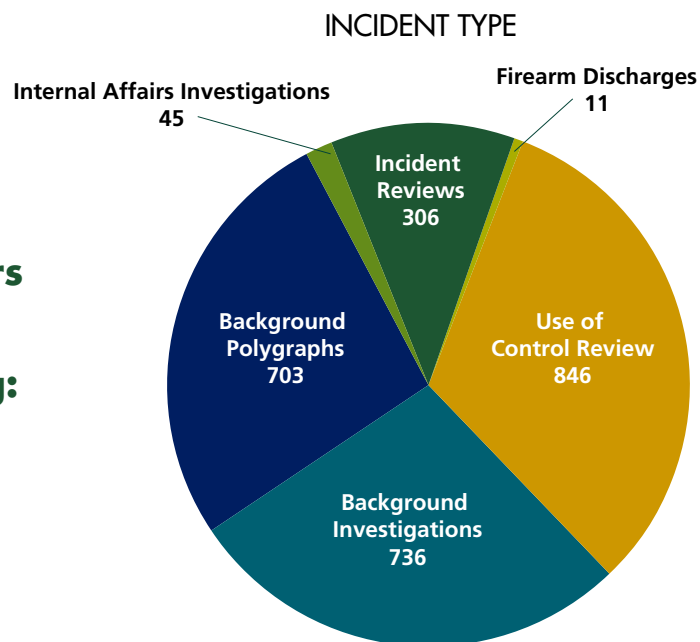
The Division of Internal Affairs is currently commanded by a Captain, who reports to the Major of the Management Services Bureau, who reports directly to the Sheriff of Palm Beach County. The Division includes the following personnel, two (2) Lieutenant's (Administrative & Investigative), thirteen (13) sergeants, one (1) Office Manager, one (1) Office Supervisor, one (1) Chief Security Manager, two (2) Polygraph Operators, five (5) full-time Background Investigators, four (4) part-time Background Investigators, two (2) Security Technicians, two (2) Internal Affairs Analysts, and five (5) Internal Affairs Specialists.

The investigators assigned to the Division of Internal Affairs have decades of combined law enforcement/investigative experience. Many have supervised investigative units within the agency.

In addition to investigating allegations of misconduct against Sheriff's Office employees, the Division of Internal Affairs is responsible for the following:

- Agency and Building Security
- Public Records Request(s) relating to Administrative Investigations
- Pre-Employment Background Investigations
- Pre-Employment Polygraph Examinations
- Documentation Management
- Disciplinary Appeals regulated under Florida law

**In 2016,  
the Division  
of Internal Affairs  
was responsible  
for the following:**





# Investigative Findings

Once the investigation has been completed, a finding will be established in accordance with Palm Beach County Sheriff's Office General Order 222.03-Division of Internal Affairs. The following are the allowable dispositions:

## **EXONERATED**

The alleged actions of the agency or the employee did occur, however, the actions of the agency or the employee was consistent with agency policy and Florida law.

## **SUBSTANTIATED**

The alleged actions of the agency or the employee did occur and said actions of the agency or the employee was inconsistent with agency policy or Florida law.

## **UNFOUNDED**

The allegation is either demonstrably false or there was no credible evidence to support the complaint.

## **UNSUBSTANTIATED**

There is insufficient proof to confirm or refute the allegation.

## **SUSTAINED**

The allegation was supported by sufficient preponderance of evidence.

# Investigation Types

It is the responsibility of PBSO to provide a systematic, objective and impartial method of investigating complaints of inappropriate behavior or allegations of misconduct by employees. PBSO has identified the types of incidents that require review and a report by a supervisor (sergeant or civilian equivalent) or higher-ranking personnel and the method used for completing the reports. Certain incidents, because of their complexity and/or severity, will be investigated by the Division of Internal Affairs (IA).

## Incident Review (IR)

A review undertaken upon receipt of a complaint. Conducted for the thorough gathering and securing of evidence and facts to discover truth and reach conclusions as to the possibility an employee has violated any rules, regulations, policies, procedures, general orders, and/or laws. Based upon this review, the Sheriff will determine the need for further investigation.

## Personnel Complaint Investigation (PC)

An investigation involving gathering and securing evidence and facts to determine whether an employee has violated rules, regulations, policies, procedures, directives and/or general orders of the agency. PC Investigations are generally assigned to a chain-of-command supervisor for investigation, but can, at the direction of the Sheriff or designee, be investigated by the Division of Internal Affairs.

## Internal Affairs Investigation (IA)

A comprehensive investigation gathering and securing evidence and facts to discover truth and reach conclusions as to whether an employee has violated any rules, regulations, policies, procedures, directives and/or general orders of the agency.

## There are also two categories for discipline not stemming from investigations

### Court Appearance Requirement (CAR)

An investigation involving gathering and securing evidence to determine whether an employee failed to appear for a required court appearance (any court related activity in which a subpoena was received). The investigating supervisor will gather all required documentation and determine from the employee if there was a valid reason for the missed court appearance.

### Disciplinary Review Request (DRR)

An investigation involving gathering and securing evidence and facts to determine whether an employee has violated rules, regulations, policies, procedures, directives and/or general orders of the agency. DRR's are generally initiated by an agency supervisor after he has personally witnessed or gathered enough evidence to support a violation of any rules, regulations, policies, procedures, directives, or general orders. DRR's are completed without interviewing the involved employee.

# Call Load: Investigation Volume

2016

**Calls for service** 1,052,741  
**Citizen Contacts** 1783  
**Percent of calls resulting in complaint** .16%

2015

**Calls for service** 986,128  
**Citizen Contacts** 1749  
**Percent of calls resulting in complaint** .17%

2014

**Calls for service** 1,041,352  
**Citizen Contacts** 1737  
**Percent of calls resulting in complaint** .16%

# Discharge and Display of Firearms

The most important purpose of law enforcement is the protection of human life, and the use of deadly force must be strictly limited to situations involving the protection of human life.

The policy of the Palm Beach County Sheriff's Office dictates that all Deputies will act in good faith when using force and conform to the provisions of Florida State Statutes and may use only the amount of force reasonably necessary to affect lawful objectives. Deadly force is force, which is likely to cause death or great bodily harm. Deadly force includes the discharge of firearms but may apply to the use of defensive techniques or even automobiles under some circumstances.

Beginning April 2015, the Palm Beach County Sheriff's Office began requiring the documentation of every incident in which a Deputy Sheriff points their firearm at an individual. This information allows for the compiling of statistical data, monitoring of allegations regarding the careless handling of firearms, identifying Early Intervention trends and patterns, and it places PBSO into "best practice methods" as recognized by the US Department of Justice, and Police Executive Research Forum (PERF).

A Deputy Sheriff may use as much force as is reasonably necessary, short of deadly force, to retain custody of an arrested person. If the arrested person resists, the Deputy Sheriff may increase the force to counter the resistance. The Deputy Sheriff has no duty to retreat as the force escalates, and if the force should increase to the point where the arrested person threatens the Deputy Sheriff with death or serious bodily harm, the Deputy Sheriff may use deadly force.

Deputy Sheriffs who use deadly force or accidentally discharge a firearm while on or off-duty whether or not personal injury, death or property damage occurred, shall immediately report the incident to an on-duty supervisor, who will immediately report the incident to the Sheriff and complete a Use of Control Report form.

The Training Division, the Division of Internal Affairs, and the Department of Legal Affairs review all incidents involving discharge of firearms. Additionally, the Division of Internal Affairs maintains the statistical data derived from reports of discharges of firearms by Palm Beach County Sheriff's Deputies.

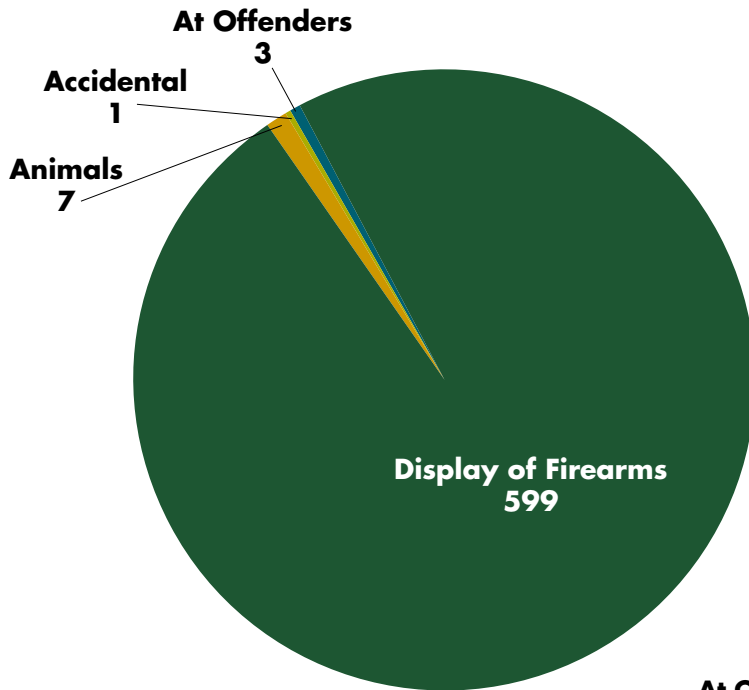
In cases involving a Control of Persons or Use of Force, an internal administrative investigation is conducted parallel with a criminal investigation. All deputy-involved shootings, where there is injury or death, are presented for review by the Office of the State Attorney for the 15th Judicial Circuit. The Office of the State Attorney issues a finding on the deputy's Use of Deadly Force, and makes a legal determination whether the case will be presented to the Grand Jury for consideration of criminal prosecution or not.

The Division of Internal Affairs is notified, but does not respond to all discharge of firearm incidents involving Palm Beach County Sheriff's Deputies, only those involving a control of persons or use of force.

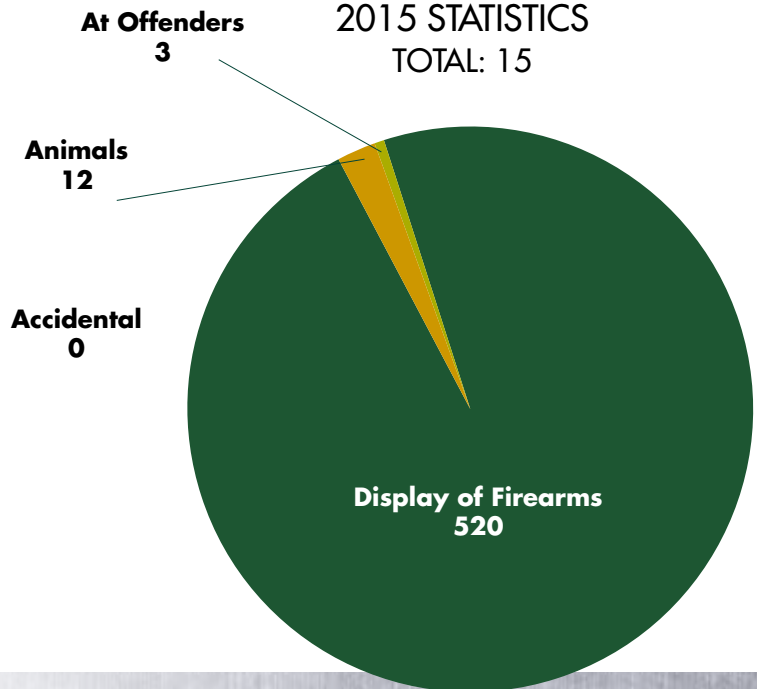
Cases where members use their firearm to destroy menacing animals or suffer an unintentional or accidental discharge are generally investigated by the member's chain of command to determine potential violations of Florida law or Sheriff's Office policy. If in the initial review, violations of Florida law or Sheriff's Office policy are identified, applicable investigations are initiated.

# Statistics for Firearm Discharges

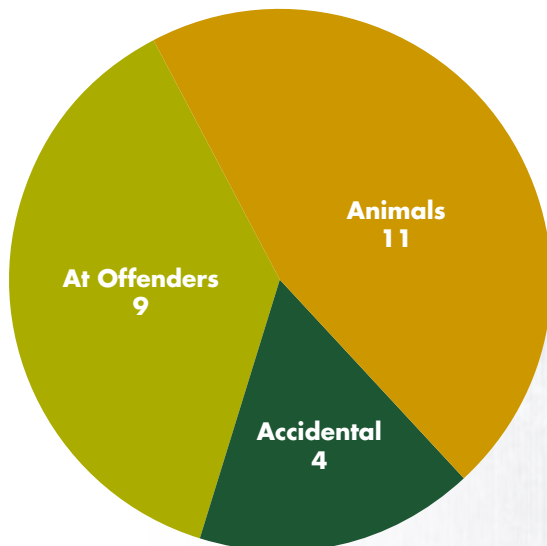
2016 STATISTICS  
TOTAL: 11



2015 STATISTICS  
TOTAL: 15



2014 STATISTICS  
TOTAL: 24



*\*Display of Firearms since April 8<sup>th</sup>, 2015.*

# Summary Format Incident Listing

**Occurred date:**  
**Jan 16, 2016**

**Disposition: Justified**

Deputy conducted a traffic stop at which time the driver fled from the vehicle. While fleeing, the driver pointed gun at the deputy. The deputy discharged his departmental issued handgun striking and killing the suspect.

**Occurred date:**  
**May 7, 2016**

**Disposition: Justified**

While conducting a welfare check, deputy fired one round from his departmental issued firearm at an aggressive dog.

**Occurred date:**  
**Feb 24, 2016**

**Disposition: Justified**

Deputies responded to a complaint of three Pitbulls attacking a homeless citizen. Upon arrival, the dogs were actively attacking the citizen who was severely injured. Deputy fired one round from his departmental issued handgun striking one dog and fired one round from his issued shotgun killing one dog.

**Occurred date:**  
**June 22, 2016**

**Disposition: Open**

Currently under investigation and considered confidential pursuant to FSS 119.

**Occurred date:**  
**Mar 30, 2016**

**Disposition: Justified**

Deputy fired one round from his departmental issued shotgun to euthanize an injured deer.

**Occurred date:**  
**Sep 22, 2016**

**Disposition: Accidental**

While returning a departmental issued rifle to the trunk mounted rifle rack, the deputy accidentally fired one round causing property damage only.

**Occurred date:**  
**Apr 21, 2016**

**Disposition: Justified**

Deputy fired four rounds from his departmental issued shotgun to euthanize an injured cow.

**Occurred date:**  
**Oct 13, 2016**

**Disposition: Justified**

While executing a search warrant, SWAT team members encountered an aggressive Pit-bull. One team member fired one round from his departmental issued handgun striking and gravely injuring the dog. A second team member fired one round from his departmental issued shotgun to euthanize the dog.

**Occurred date:  
Nov 15, 2016**

**Disposition: Justified**

Deputy fired one round from his departmental issued handgun to euthanize an injured pig.

**Occurred date:  
Dec 29, 2016**

**Disposition: Justified**

Two deputies encountered wild boars in a residential neighborhood. One of the boars aggressively charged the deputies at which time they fired one round each from their department issued shotguns killing the animal.

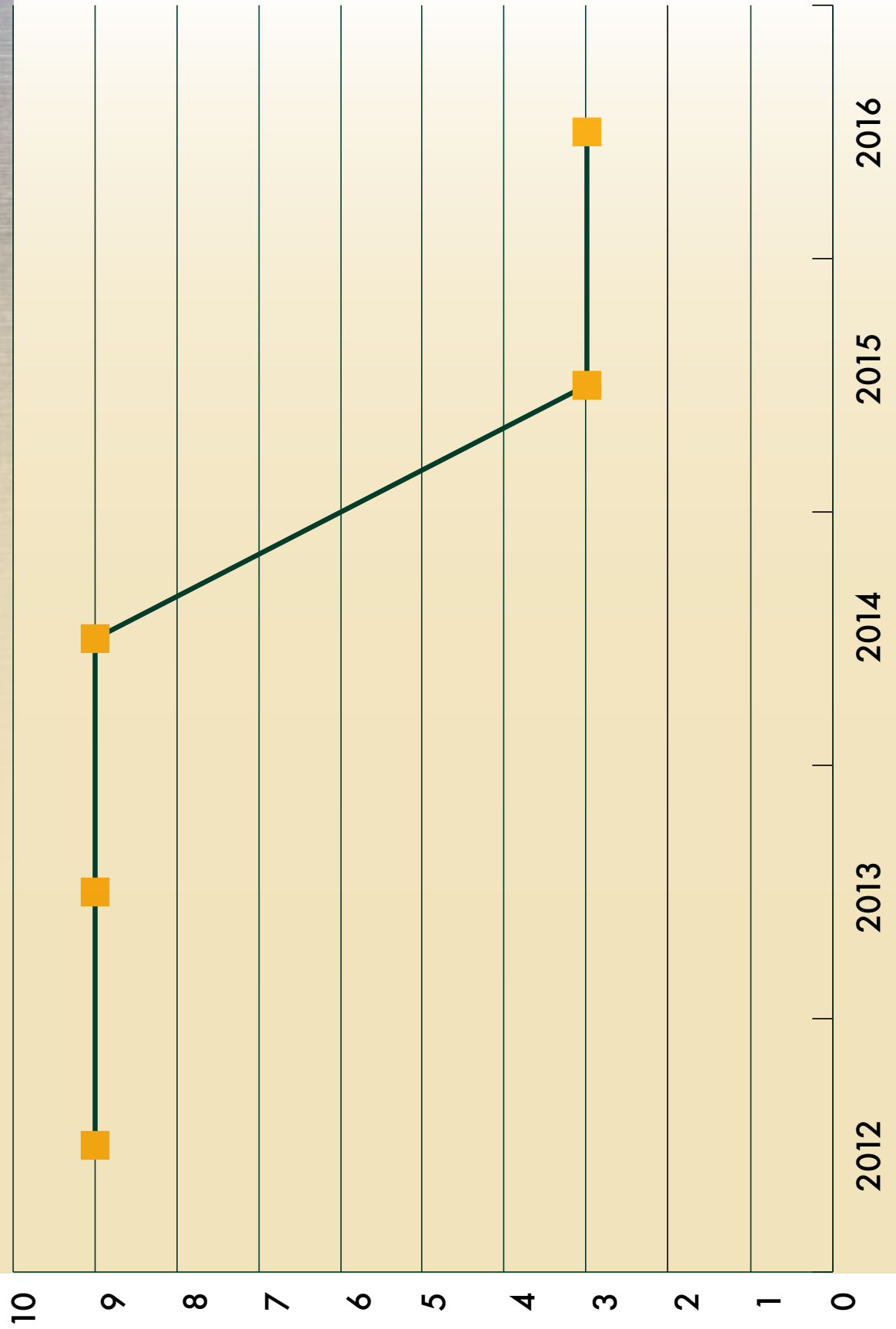
**Occurred date:  
Dec 31, 2016**

**Disposition: Open**

Currently under investigation and considered confidential pursuant to FSS 119.

# OFFICER INVOLVED SHOOTINGS 2012 TO 2016

*(These statistics reflect shootings at offenders only)*





*Palm Beach County, FL  
Sheriff Ric Bradshaw*



## **Tactical Pause and Pre-Event Planning & Strategy Continued ...**

The Palm Beach County Sheriff's Office remains committed to focusing on the "tactical pause" in our approach to critical incidents. The Police Executive Research Forum (PERF) is a police research and policy organization and a provider of management services, technical assistance, and executive-level education to support law enforcement agencies. At our request, PERF conducted a comprehensive review of PBSO's Internal Affairs policies, practices and processes as compared to established best practices, national standards and community expectations. In March, 2016, PERF submitted its final report in which they noted that while the "tactical pause" is largely a training and operational tool, it appeared to be sparking a larger cultural change within the agency in which personnel are approaching situations with a different mindset that focuses on up-front information gathering, planning, teamwork, and sound tactics. Other areas that PERF found "demonstrated a commitment by the leaders of the PBSO to consider new ideas and implement new approaches" were:

- Formation of the Critical Incident Investigative Team (CIIT), a special unit of experienced PBSO personnel who investigate all deputy-involved shootings, in-custody deaths, and other critical incidents.
- Creation of a new Behavioral Services Unit (BSU) to provide a specialized response to individuals with mental illness or substance abuse issues.
- Improvements to the PBSO's Early Intervention System (EIS), including expanded use of technology to document use-of-force incidents and police pursuits and to provide early intervention alert capabilities.

Our paradigm shift to pre-event planning and strategy has continued to work well in reducing incidents of, "officer created jeopardy." Maximizing our efforts to establish good communications, along with utilizing available resources and less-lethal options, has proven to be invaluable in the de-escalation of volatile incidents where time is generally on our side. We'll continue to reinforce our progress through quality training and accountability.

Representatives from the PBSO continued to attend conferences around the country related to the Use of Force and its practical and legal ramifications. We, as an agency, will continue to benchmark industry's "best practices" and study the model policies that are being implemented across the country. We will be relentless in our effort to identify areas of improvement.

The downward trend in Officer-Involved Shootings (OIS) that began in 2015 remained low through 2016. With just three OIS's in 2015, that number remained the same in 2016.



# Incident Reviews

Incident Reviews are assigned by the Sheriff and/or Division of Internal Affairs Commander. These reviews are generally conducted at the Division level by either a Watch Commander or Field Supervisor, but may also be conducted by an Internal Affairs Investigator at the discretion of the Sheriff. Upon completion, Incident Reviews are submitted to the Sheriff or his designee for review and approval. The case files are marked and identified utilizing the prefix "IR" and followed by the last two digits of the calendar year and a sequence number.

Incident Reviews often involve allegations of a minor nature against agency employees or address issues of concerns, which may affect overall agency efficiency. Incident Reviews may be assigned in order to:

- More thoroughly document facts of an incident beyond the level of detail provided within offense reports and supplements written by Deputies at the time of occurrence.
- Determine in closer detail, such issues as may be appropriate for revision of policy and procedure.

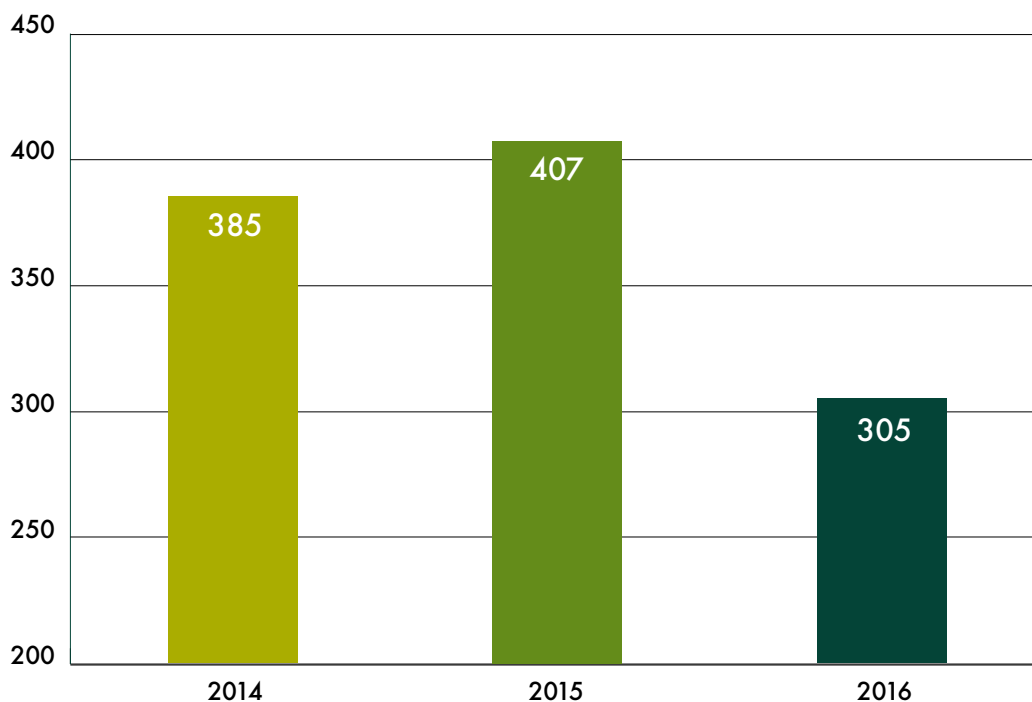
- Assess operational guidelines and effectiveness of a special operation or function.

In the event an Incident Review identifies potential policy violations, the Incident Review is upgraded to a Personnel Complaint or Internal Affairs Investigation depending upon the seriousness of the allegation.

Once a review is completed, it becomes subject to inspection and review in accordance with the provisions of Florida Public Records Law, Chapter 119. The Division of Internal Affairs maintains custody of all investigative reviews and documentary evidence. The Internal Affairs Commander is the custodian of records for the Division, and supervises the response to all requests for inspection or copies of those records made in compliance with the Florida Public Records Law, Chapter 119.

During the calendar year of 2016, the Division of Internal Affairs processed three hundred five (305) inquiries as Incident Reviews.

### TOTAL NUMBER OF INCIDENT REVIEWS 2014 TO 2016



# Disciplinary Review Request

Disciplinary Review Requests are initiated by an agency supervisor and approved by a commanding officer. These requests are conducted at the Division level by a Field Supervisor but may also be conducted by an Internal Affairs Investigator. Upon completion, Disciplinary Review Requests are submitted to the Sheriff for final disposition and disciplinary recommendation. The case files are marked and identified utilizing the prefix "DRR" and followed by the last two digits of the calendar year and a sequence number.

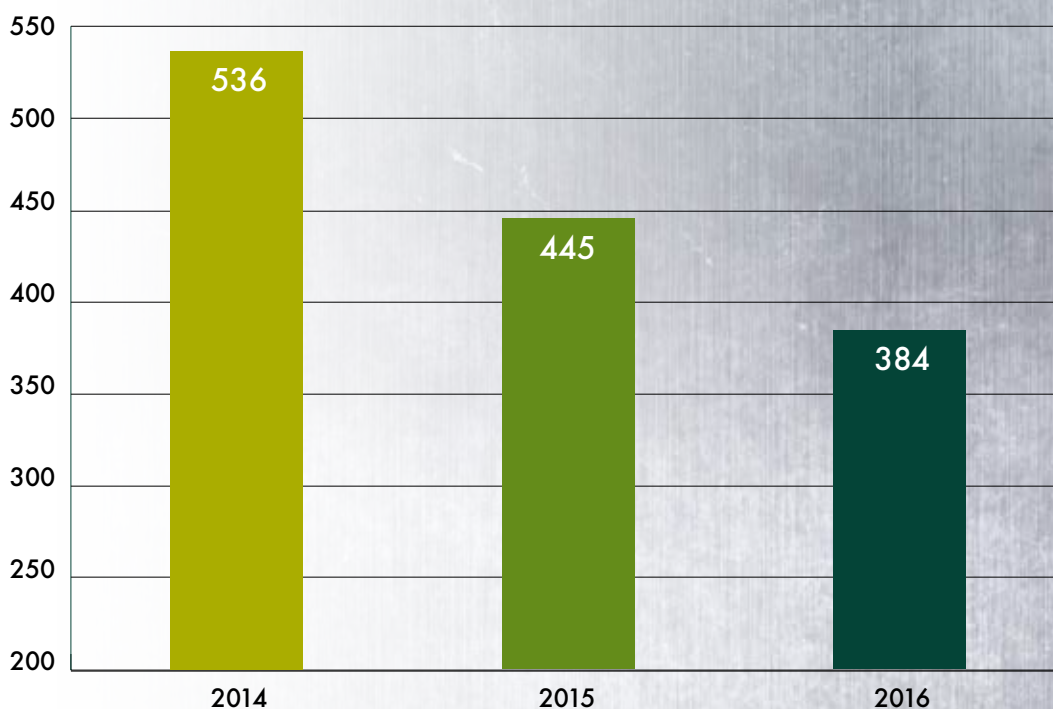
Disciplinary Review Requests involve allegations of a minor nature against agency employees. These investigations are generated when a supervisor has sufficient evidence/information to show an agency employee has violated an agency Rule and Regulation or General Order and does not require the supervisor to interview the employee. The supervisor completes the necessary paperwork and

forwards the request to their commanding officer for approval. These requests can only be used if the discipline requested is for a verbal reprimand, remedial training counseling, or a formal written reprimand. Once discipline is approved, it becomes subject to inspection and review in accordance with the provisions of Florida Public Records Law, Chapter 119.

The Division of Internal Affairs maintains custody of all investigative reviews and documentary evidence. The Internal Affairs Commander is the custodian of records for the Division and supervises the response to all requests for inspection or copies of those records made in compliance with the Florida Public Records Law, Chapter 119.

During the calendar year of 2016, the Division of Internal Affairs processed three hundred eighty-four (384) Disciplinary Review Requests.

### TOTAL NUMBER OF DISCIPLINARY REVIEW REQUESTS 2014 TO 2016



# Personnel Complaints

Personnel Complaint investigations result from allegations of violations of Sheriff's Office rules, regulations, policies and/or procedures. Personnel Complaint investigations are generally conducted at the Division level by either a Watch Commander or Field Supervisor, but may also be conducted by an Internal Affairs Investigator at the discretion of the Sheriff. All Personnel Complaint investigations are reviewed by Internal Affairs before submission to the Sheriff. The case files are assigned a case number utilizing the prefix "PC" and followed by the last two digits of the calendar year and a sequence number.

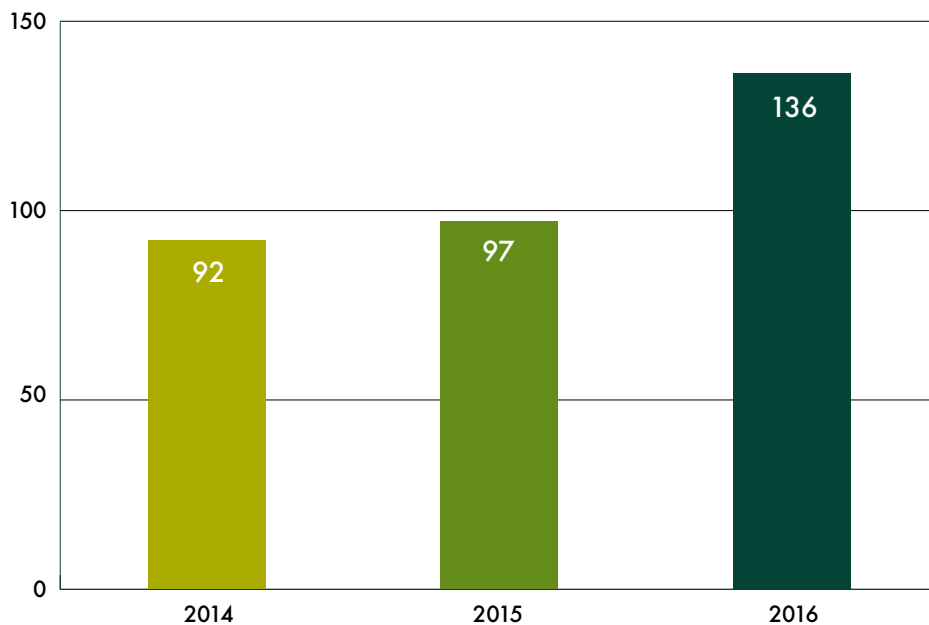
The Sheriff determines the disposition of the allegations against the focused member using the "preponderance of evidence" or "clear and convincing evidence" standard of proof. When violations of policy are substantiated, the investigation results are forwarded through the focused employee's chain of command. The reviewing supervisors and commanders recommend corrective, remedial, or disciplinary ac-

tion as appropriate, based upon the evidence presented and/or discovered during the course of the investigation. The Sheriff then determines the final disciplinary action. Both the focused member(s) and the complainant are notified of the final disposition in writing.

Once an investigation is completed, it becomes subject to inspection and review in accordance with the provision of the Florida Public Records Law, Chapter 119. The Division of Internal Affairs maintains custody of all investigative reviews and documentary evidence. The Internal Affairs Commander is the custodian of records for the Division and supervises the response to all requests for inspection or copies of those records made in compliance with the Florida Public Records Law, Chapter 119.

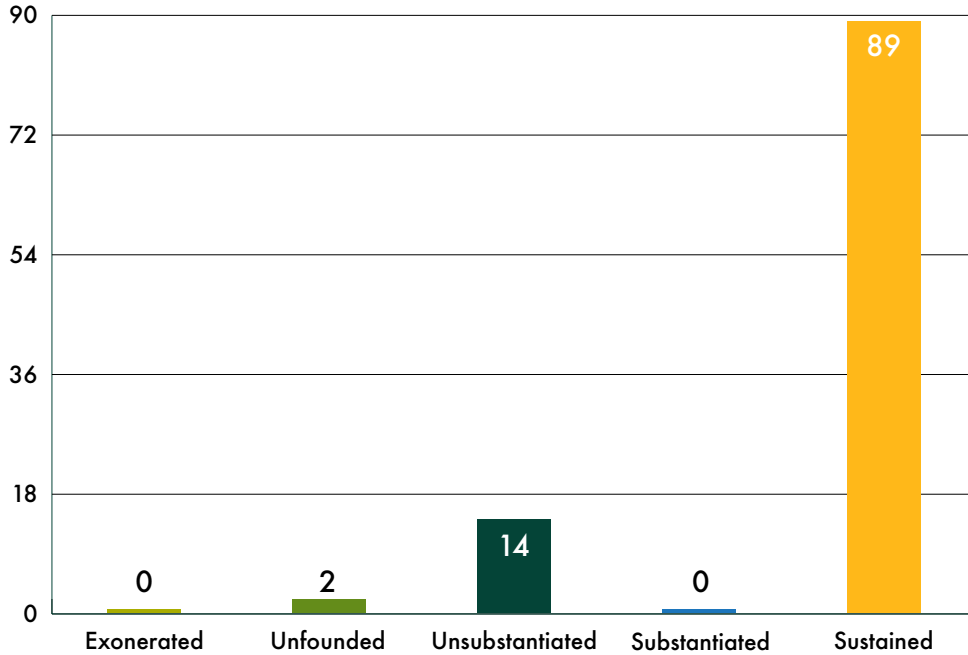
During the calendar year of 2016, the Division of Internal Affairs processed one hundred thirty-six (136) as Personnel Complaints Investigations.

TOTAL NUMBER OF PERSONNEL COMPLAINTS  
2014 TO 2016



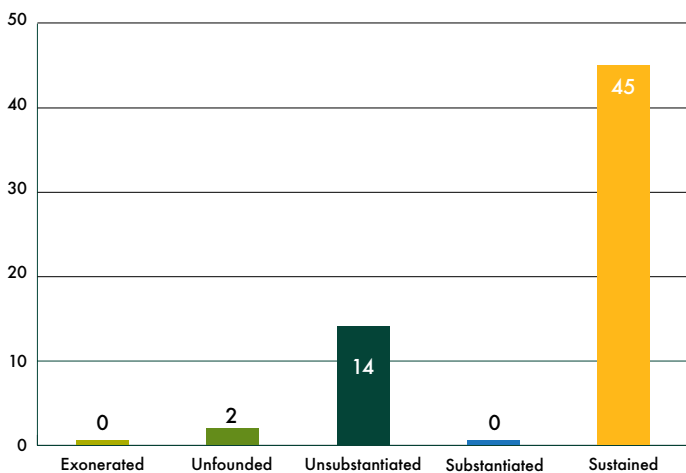
# Personnel Complaint Findings

TOTAL NUMBER OF PERSONNEL COMPLAINT FINDINGS 2016

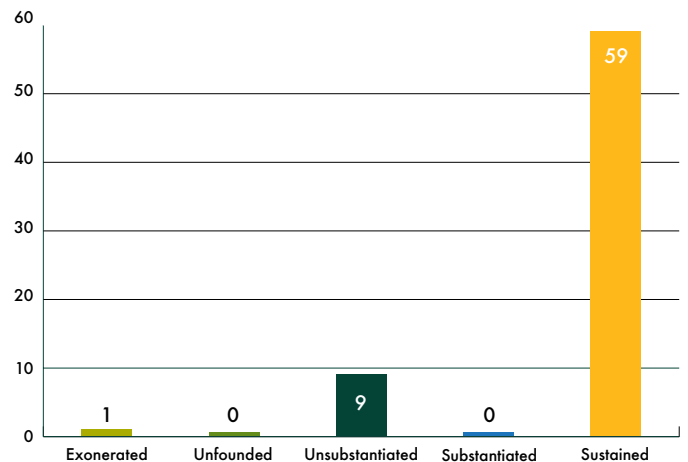


*\*Totals do not include the Personnel Complaints that were active investigations to include being tolled due to criminal investigations.*

TOTAL NUMBER OF PERSONNEL COMPLAINT FINDINGS 2015



TOTAL NUMBER OF PERSONNEL COMPLAINT FINDINGS 2014



# Internal Affairs Investigations

Internal Affairs investigations result from allegations of violations of criminal law or major violations of Sheriff's Office rules, regulations, policies and/or procedures. Internal Affairs investigations are automatically triggered by critical incidents cases, such as an in-custody death, life-threatening injury to an arrestee, or the use of deadly force by a Palm Beach County Sheriff's Deputy. Internal Affairs investigations are conducted by the full-time staff of the Division of Internal Affairs. The case files are assigned a case number utilizing the prefix "IA" and followed by the last two digits of the calendar year and a sequence number.

Once an investigation is completed, it becomes subject to inspection and review in accordance with the provisions of the Florida Public Records Law, Chapter 119. The Sheriff determines the disposition of the allegations against the focused member, using the "preponderance of evidence" or "clear and convincing evi-

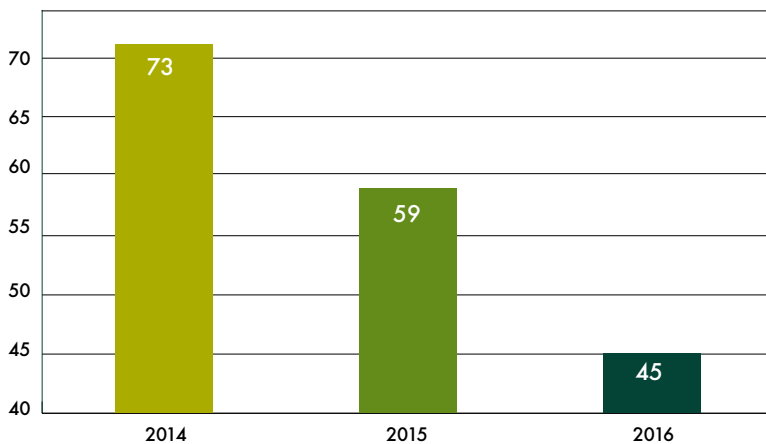
during the course of the investigation. The Sheriff then determines the final disciplinary action. Both the focused employee and the complainant are notified of the final disposition in writing.

The Division of Internal Affairs maintains custody of all investigative reports and any other documentation or evidence. The Internal Affairs Commander is the custodian of records for the Division and supervises the response to all requests for inspection or copies of those records made in compliance with the Florida Public Records Law, Chapter 119.

Complaints sometimes involve allegations of a violation of criminal law against an agency member. In these cases, the Sheriff and/or the Division of Internal Affairs Commander refer the complaint information to a criminal investigator charged with the responsibility of conducting an investigation of any possible violation of criminal law. The completed criminal investigation is presented to the State Attorney for the 15<sup>th</sup> Judicial Circuit for review and if deemed necessary, prosecution. The Division of Internal Affairs conducts a parallel internal administrative investigation. The evidence documented in the criminal investigation later becomes part of the internal administrative case. In this way, all pertinent facts are included in the Internal Affairs investigation for review by the Sheriff in making a final decision on the case.

During the calendar year of 2016, a total of one thousand seven hundred seventy-nine (1779) Citizen Contacts were received and processed by the Division of Internal Affairs. Of these contacts, 1369 were attributed to Law Enforcement and 164 contacts to Corrections. Of the remaining 246 Citizen Contacts the complainant was unable to provide enough information to positively identify a PBSO employee. forty-five (45) were classified as Internal Affairs' investigative cases.

TOTAL NUMBER OF INTERNAL AFFAIRS INVESTIGATIONS  
2014 TO 2016

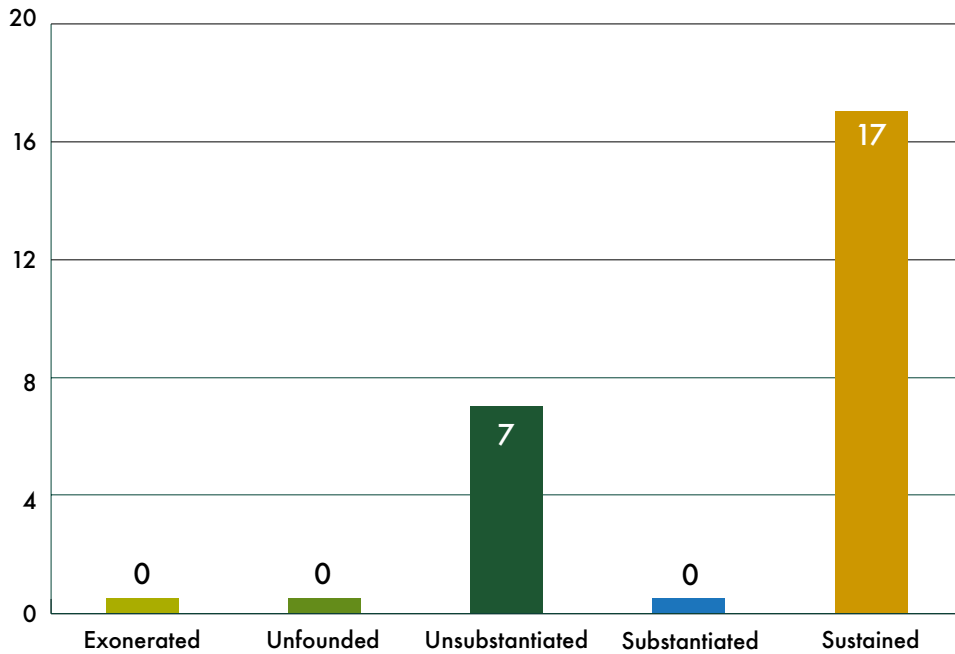


dence" standard of proof. When violations of policy are substantiated, the investigation results are forwarded through the focused employee's chain of command. The reviewing supervisors and commanders recommend corrective, remedial, or disciplinary action as appropriate, based upon the evidence presented and/or discovered

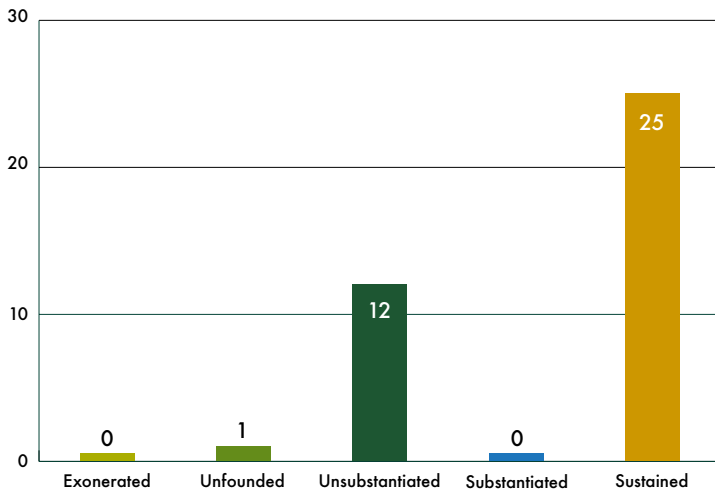
# Internal Affairs Investigation Findings

TOTAL NUMBER OF INTERNAL AFFAIRS FINDINGS 2016

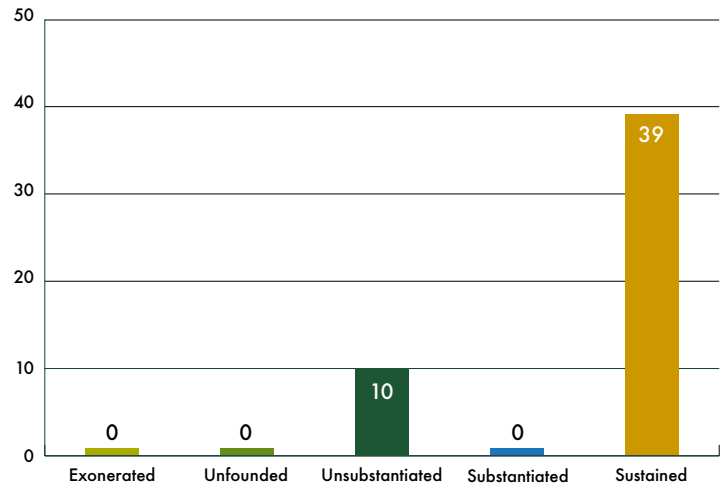
*\*Totals do not include the Internal Affairs Investigations that were considered reclassified, active or tolled due to criminal investigations.*



TOTAL NUMBER OF INTERNAL AFFAIRS FINDINGS 2015



TOTAL NUMBER OF INTERNAL AFFAIRS FINDINGS 2014

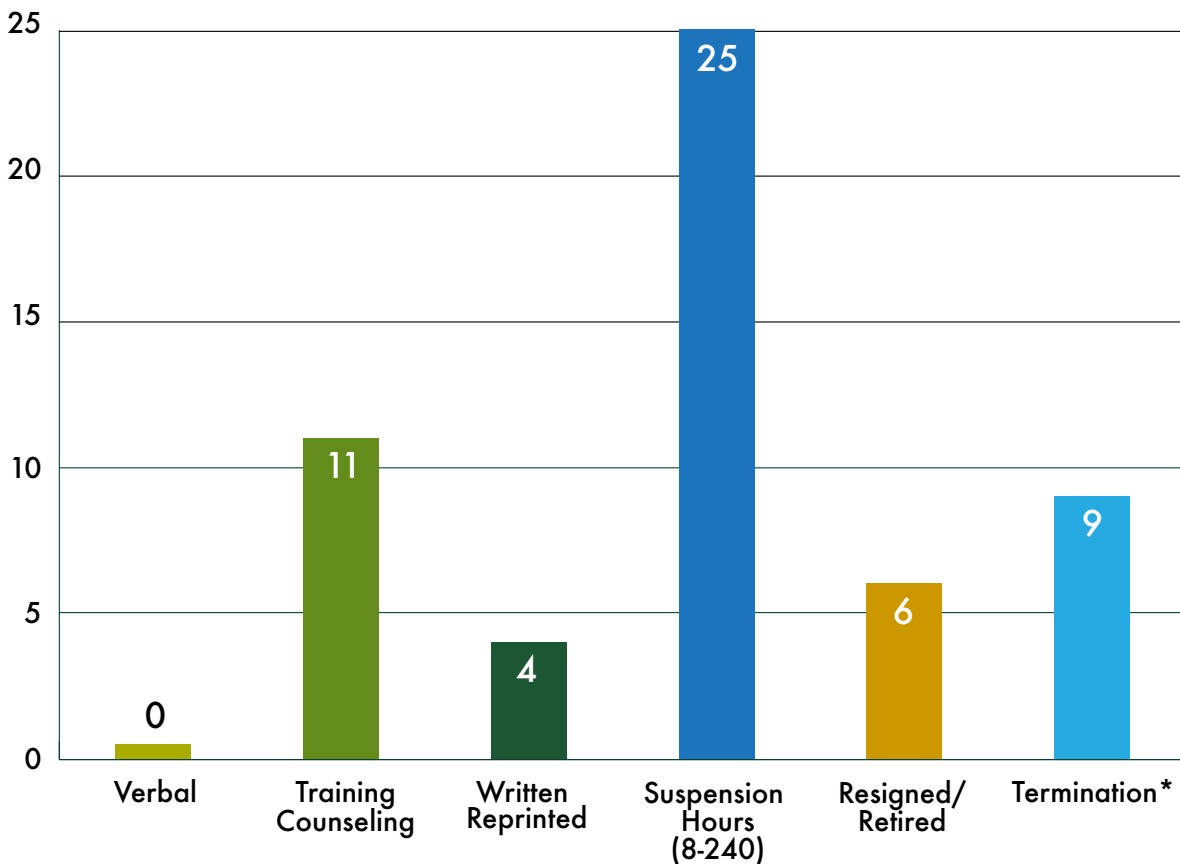


# Final Discipline Totals

It is the policy of PBSO that discipline should be characterized as corrective rather than punitive, and that disciplinary actions are utilized as an element of an overall program to educate employees and promote proper conduct. Numerous factors are considered in determining the appropriate level of discipline to be assessed. Some of the factors involved include, but are not limited to, severity of the offense, prior violation of the same offense or of a different offense,

time intervals between offenses, effectiveness of prior disciplinary actions, willingness to improve, overall work performance, job attitude, and disciplinary actions previously administered to other comparable personnel for similar offenses. It is further understood that certain offenses are of such serious nature that immediate dismissal upon first offense is appropriate.

## FINAL DISCIPLINE TOTALS 2016



\*Totals do not include open investigations.

\*\*May include terminations from Administrative Investigations initiated in previous years.



# Use of Force

The most important purpose of law enforcement is the protection of human life. In order to be consistent with that purpose, the use of control, often referred to as the use of force, must be limited to situations involving the protection of human life, resistance to arrest, defense against physical assault or force necessary to perform official duties and/or self-defense or in the defense of others.

The International Association of Chiefs of Police (IACP), Use of Force Project defines force as “that amount of effort required by police to compel compliance from an unwilling subject,” and excessive use of force as “the application of an amount and/or frequency of force greater than that required to compel compliance from a willing or unwilling subject.”

The IACP Use of Force Project collects data through reports of excessive use of force from citizen or department complaints against officers that are investigated and adjudicated (sustained) and counted as excessive force incidents. This force includes physical, chemical, impact, electronic and firearm force.

The Palm Beach County Sheriff’s Office records each use of force by members while acting in a professional capacity as a Deputy Sheriff. It is the responsibility of the Division of Internal Affairs, through the use of an advanced database, to collect a variety of data from those incidents to ensure the application of force by members of the agency is justified and within Agency policy.

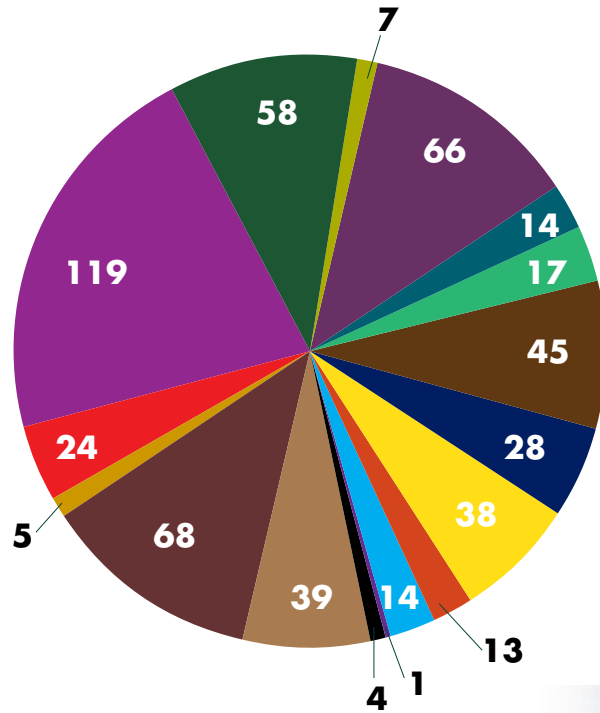
In contrast to the IACP, the Palm Beach County Sheriff’s Office collects the data from **all** reports of force by members of the Agency. Allegations of excessive force are reviewed by the Division of Internal Affairs, with the determination of a requirement for further investigation directed by the Sheriff.

The following pages outline the various subject matter data.

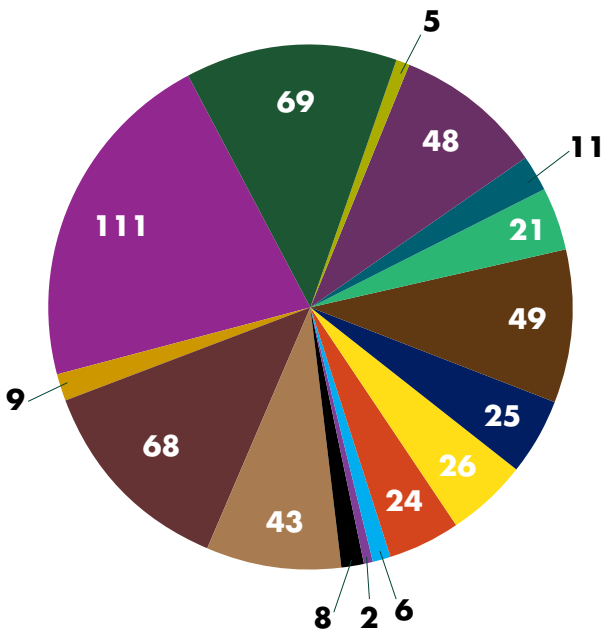
# Law Enforcement

The charts below depict a comparison of the number of Use of Force incidents for Law Enforcement by district in 2014, 2015 and 2016

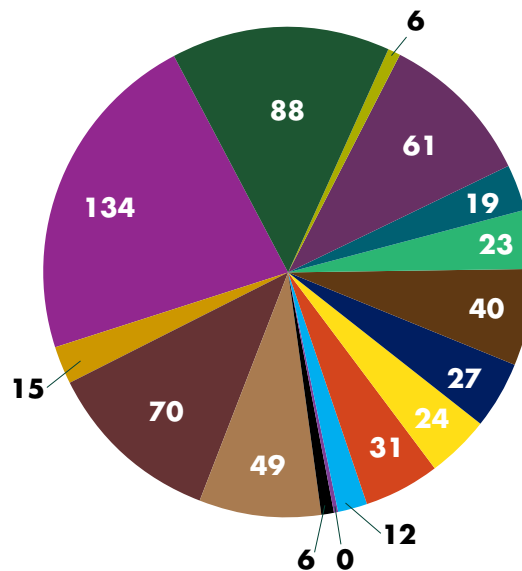
2016 TOTALS



2015 TOTALS



2014 TOTALS

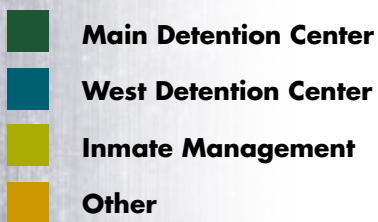


- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9
- District 10
- District 11
- District 12
- District 13
- District 14
- District 15
- District 16
- Other

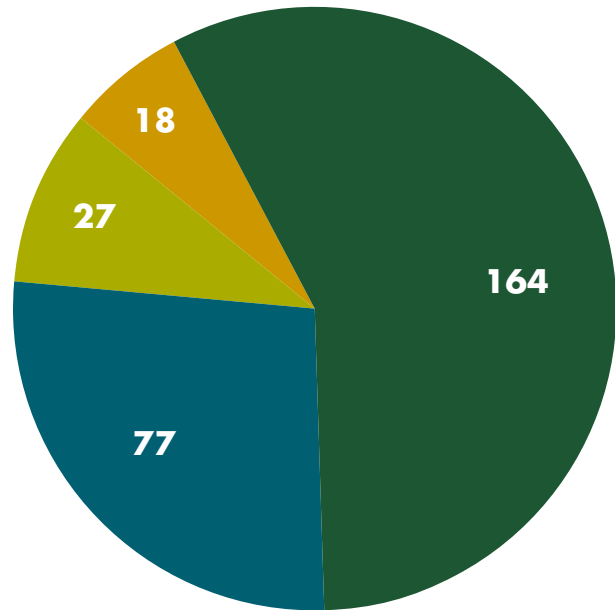
*\*Other includes use of control by personnel in various Divisional assignments to include Violent Crimes, Special Investigations, Training, Court Services and Contracts.*

# Corrections

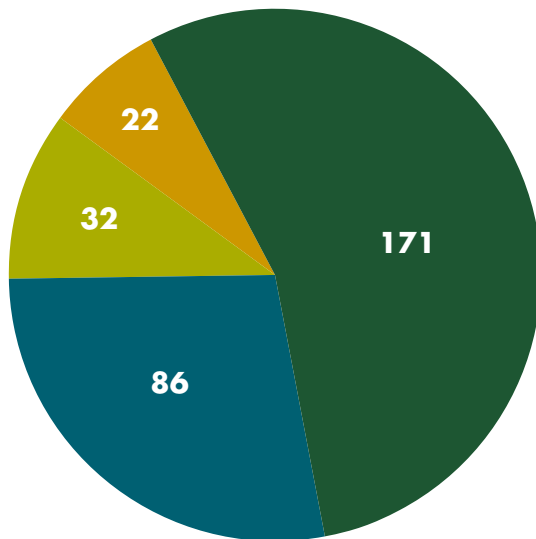
The charts below depict a comparison of the number of Use of Force incidents for Corrections by Section in 2014, 2015 and 2016



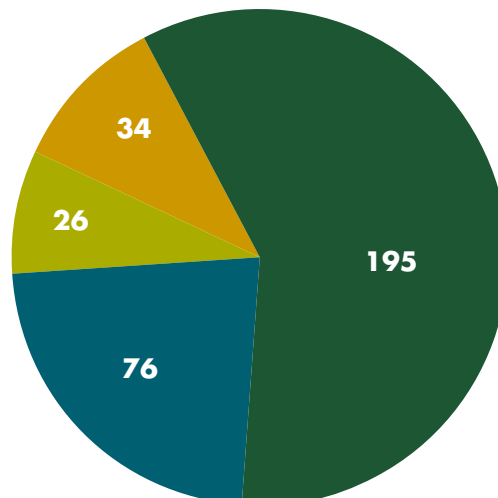
2016 TOTALS



2015 TOTALS



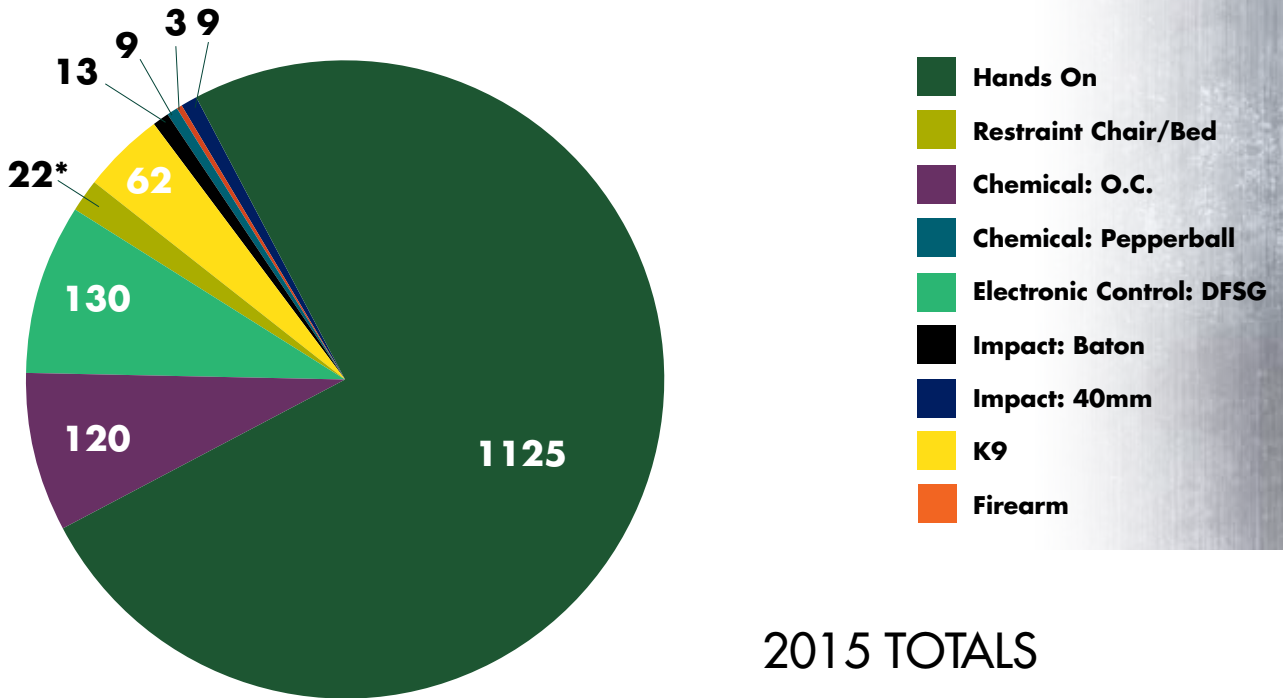
2014 TOTALS



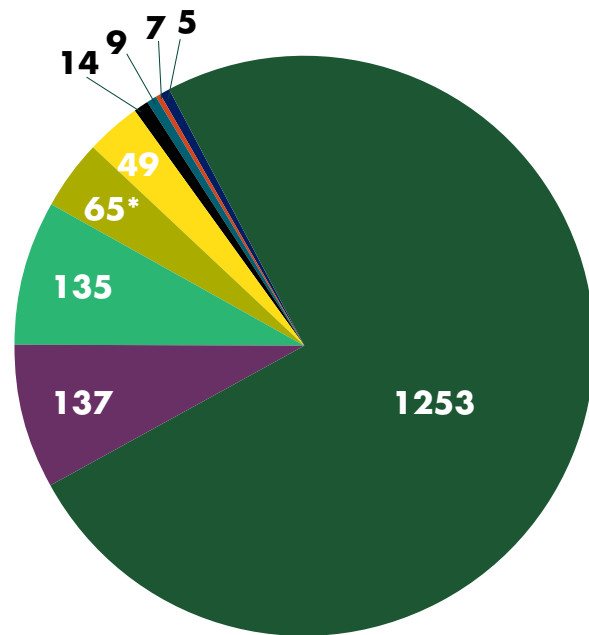
*\*Other includes Use of Force by Corrections Personnel in Corrections Support, Standards Development and Court Security.*

# Types of Force

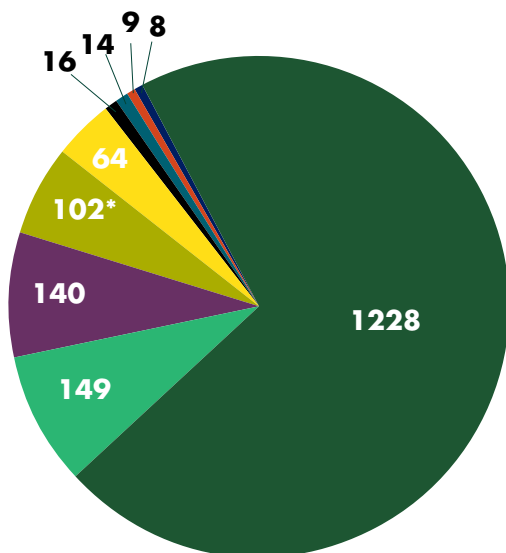
## 2016 TOTALS



## 2015 TOTALS



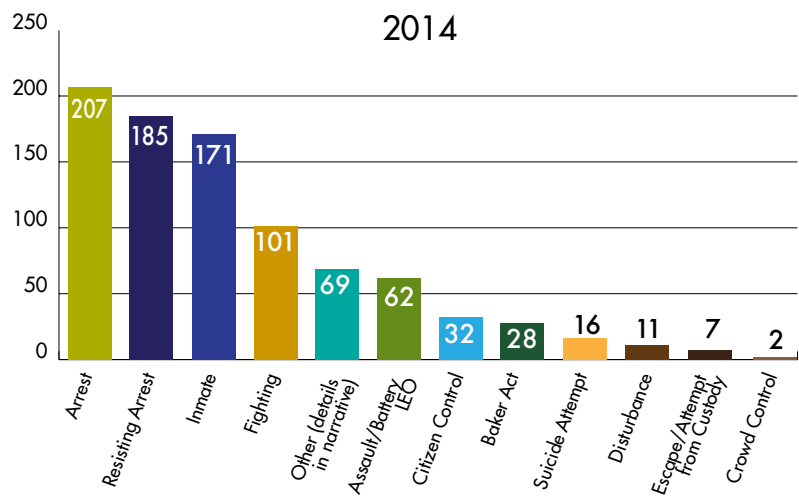
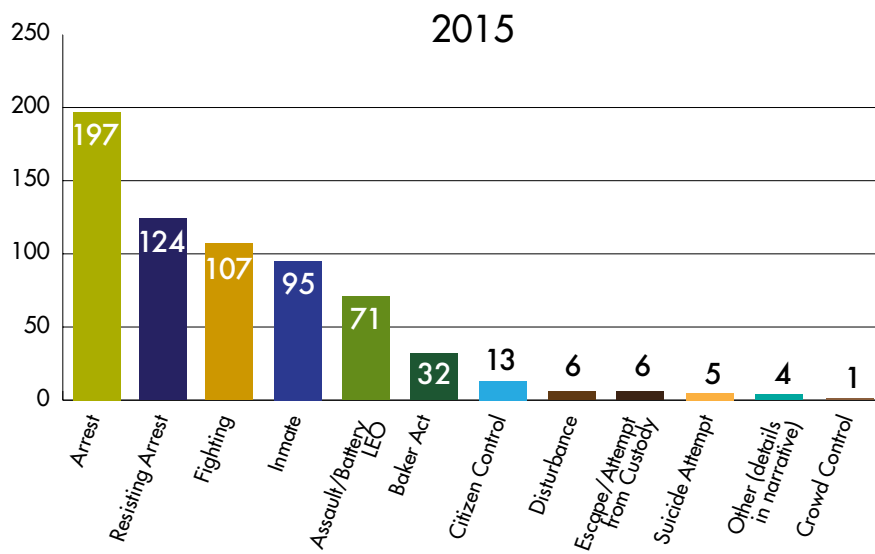
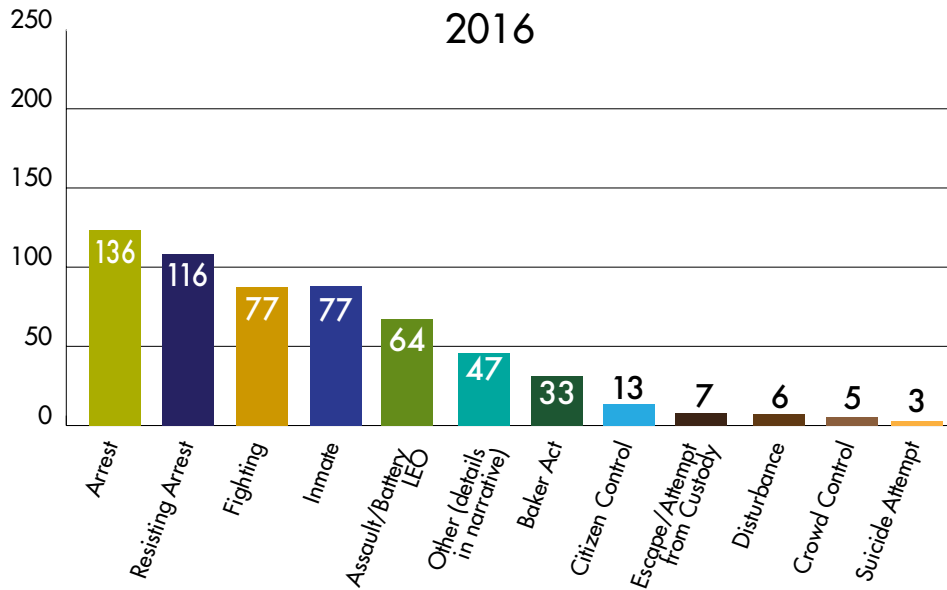
## 2014 TOTALS



\*Corrections only.

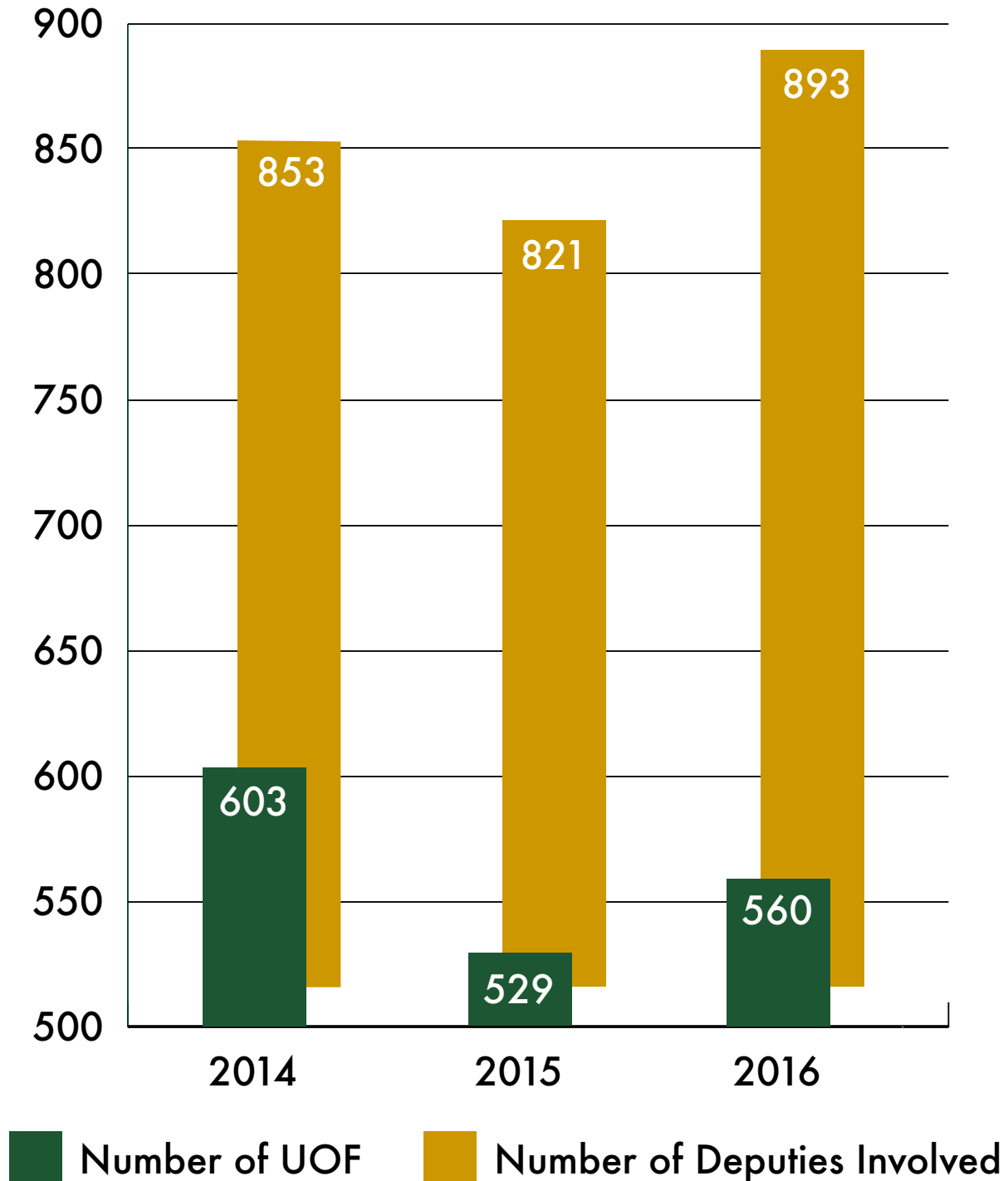
# Use of Force Incidents

**1 Year Trend  
by Reason**

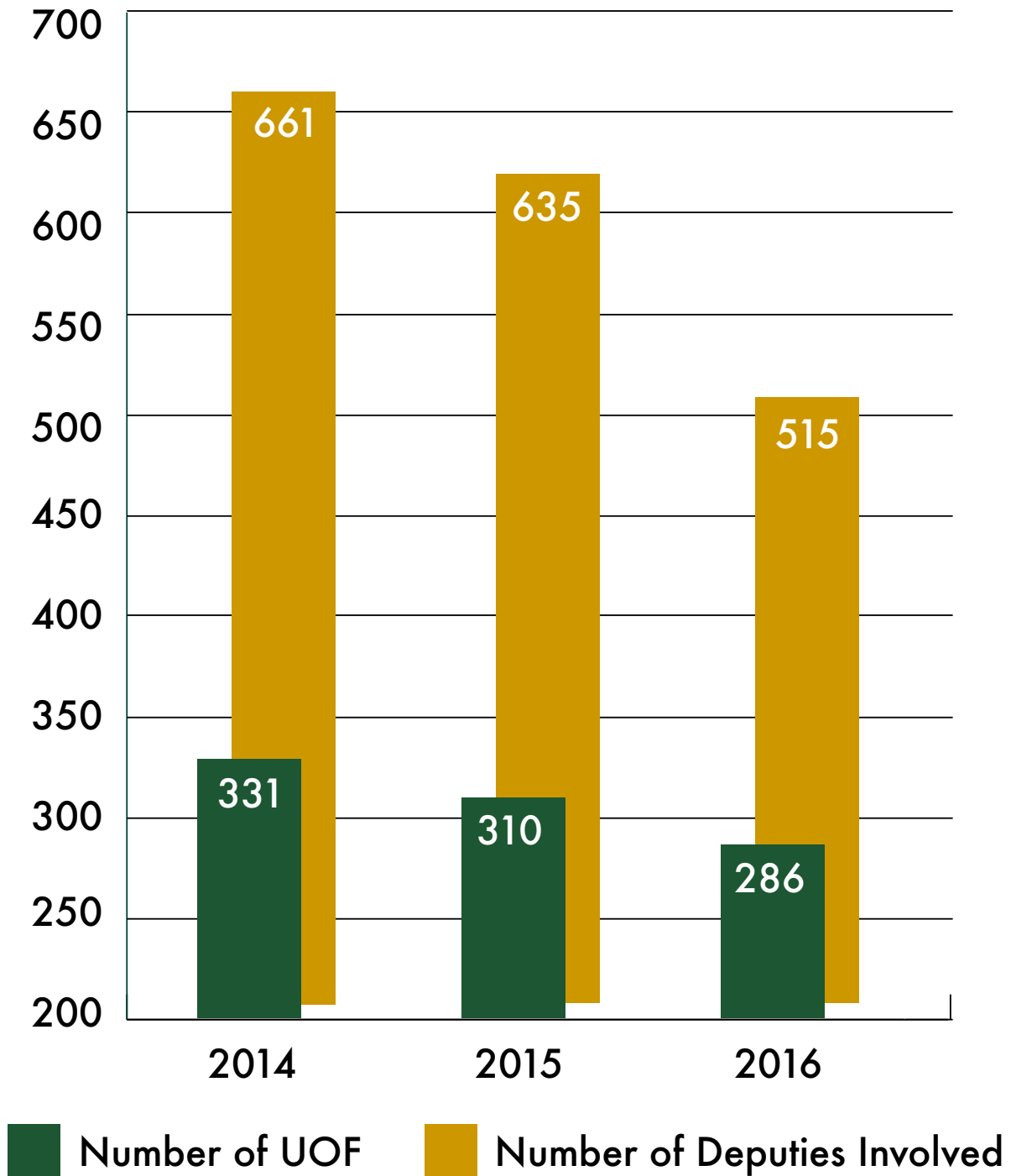


# Use of Force Reports

TOTAL UOF LE



## TOTAL UOF CORR



# Use of Force Reports

**Use of Force incidents** 560  
**Arrests** 20,230  
**Arrests requiring force to be used** 2.76%

**Use of Force incidents** 529  
**Arrests** 20,539  
**Arrests requiring force to be used** 2.57%

**Use of Force incidents** 603  
**Arrests** 22,690  
**Arrests requiring force to be used** 2.65%

2014 2015 2016



# Vehicle Pursuits

One of the most litigated topics involving Law Enforcement is the police pursuit. When a law enforcement officer activates the emergency lights, signaling a driver to pull over, reasonable persons comply by not ignoring the officer's show of authority. The officer must generally initiate the stop based on either probable cause or reasonable suspicion that the vehicle's driver or a passenger is involved in activity that violates criminal or motor vehicle laws.

The primary concern of the Sheriff's Office is public safety and the protection of human life. However, on occasion, and frequently for reasons initially unknown to the officer, the driver will not stop, but flees in an effort to evade the officer. Compelling emergency circumstances may dictate the necessity of vehicle pursuit. Deputy Sheriffs engaging in a vehicle pursuit must always drive with due regard, consistent with "reasonable safety".

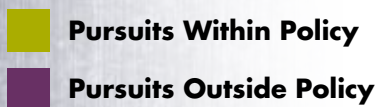
In a split-second, a Deputy Sheriff must assess whether there is a reasonable belief that the individual driving has committed a violent felony and is such a danger to society that the individual's escape would expose society to immediate death or danger such that warrants the use of deadly force.

In that split-second, the Deputy Sheriff must consider all risk and take into account whether the need to engage in pursuit driving is "outweighed" by the potential risks to the public. Some of the considerations are:

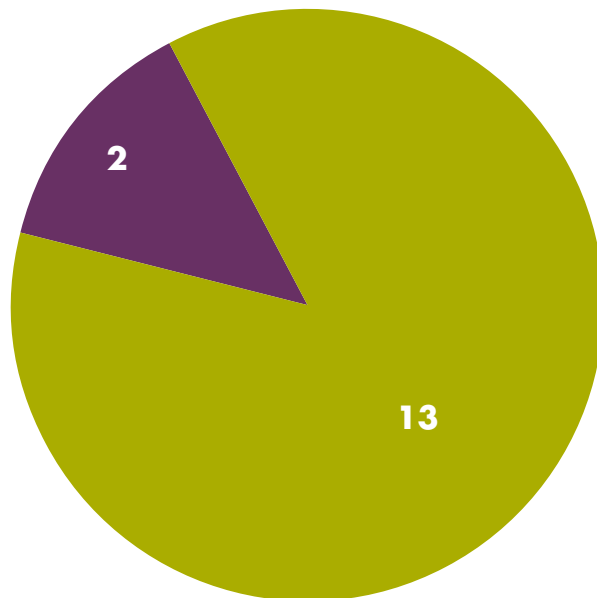
The seriousness and/or dangerousness of the crime or matter warranting police involvement; Pedestrian and vehicular traffic patterns and volume; Time of day; Road conditions, weather conditions, lighting, and visibility; Terrain (curves, hills, building, etc.); The types of roadway and speeds involved; Likely effectiveness or ineffectiveness of emergency lights and siren; The capability and limitation of police equipment; The Deputy Sheriff's own skills in emergency driving; The familiarity of the area by the Deputy Sheriffs involved; The quality of radio communications; Alternate of safer methods of problem solving; Any other factor, which increases or decreases risk.

The Division of Internal Affairs maintains the statistical data derived from pursuits by Palm Beach County Sheriff's Deputies. Each pursuit is initially reviewed by the involved Deputies' supervisory chain and further reviewed and evaluated by the Training Division and the Division of Internal Affairs staff.

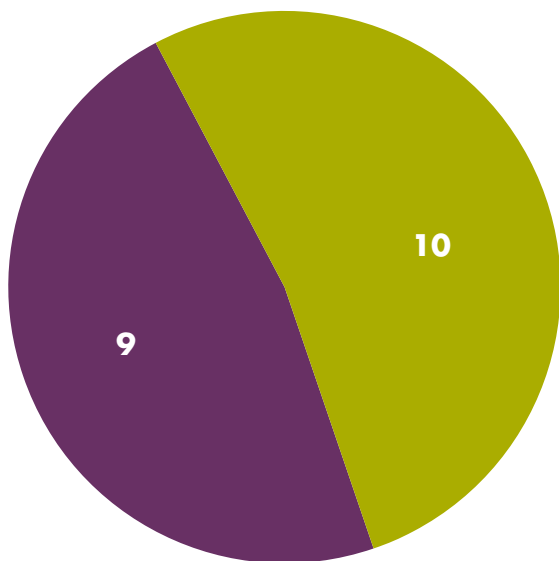
# Police Pursuits 3 Year Comparison



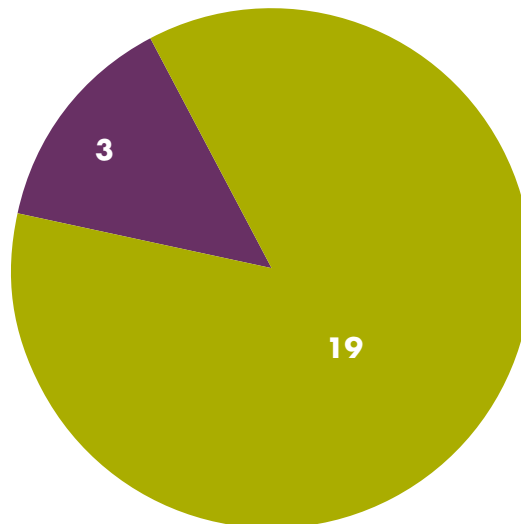
2016  
TOTAL: 15 (6 INVOLVED CRASHES)



2015  
TOTAL: 19 (5 INVOLVED CRASHES)

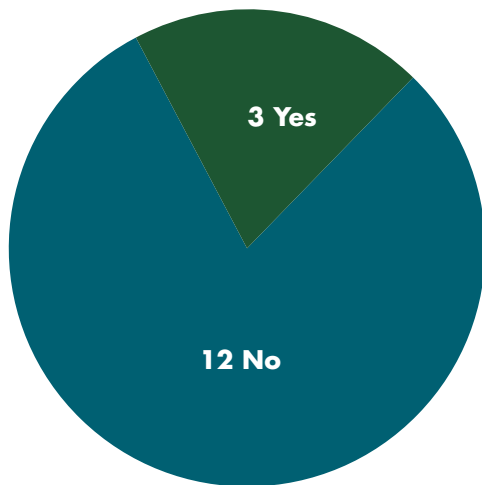


2014  
TOTAL: 22 (4 INVOLVED CRASHES)

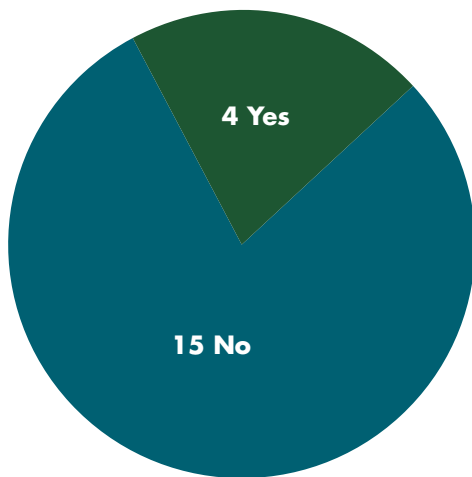


# Stop Device Used

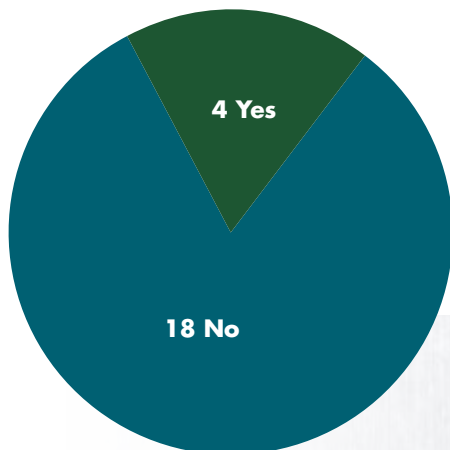
2016



2015

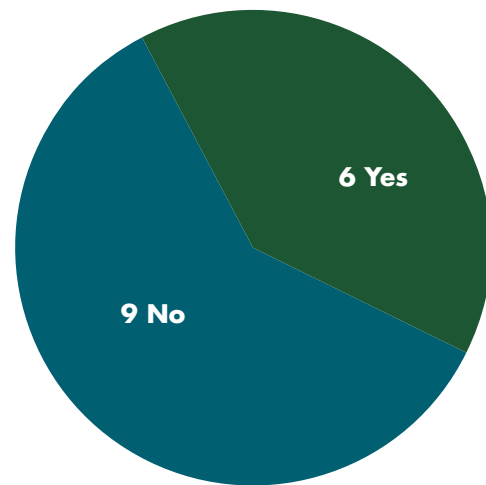


2014

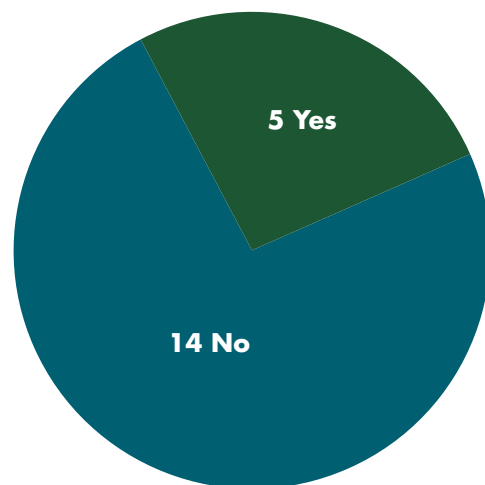


# Helicopter Used

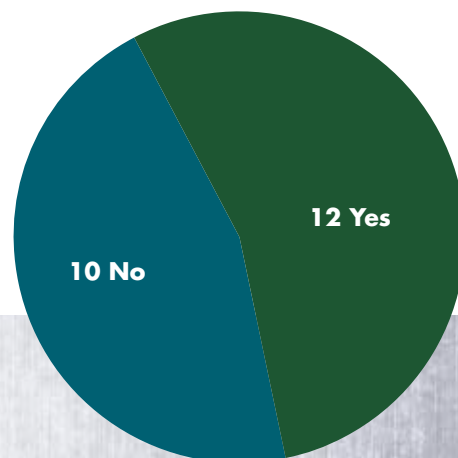
2016



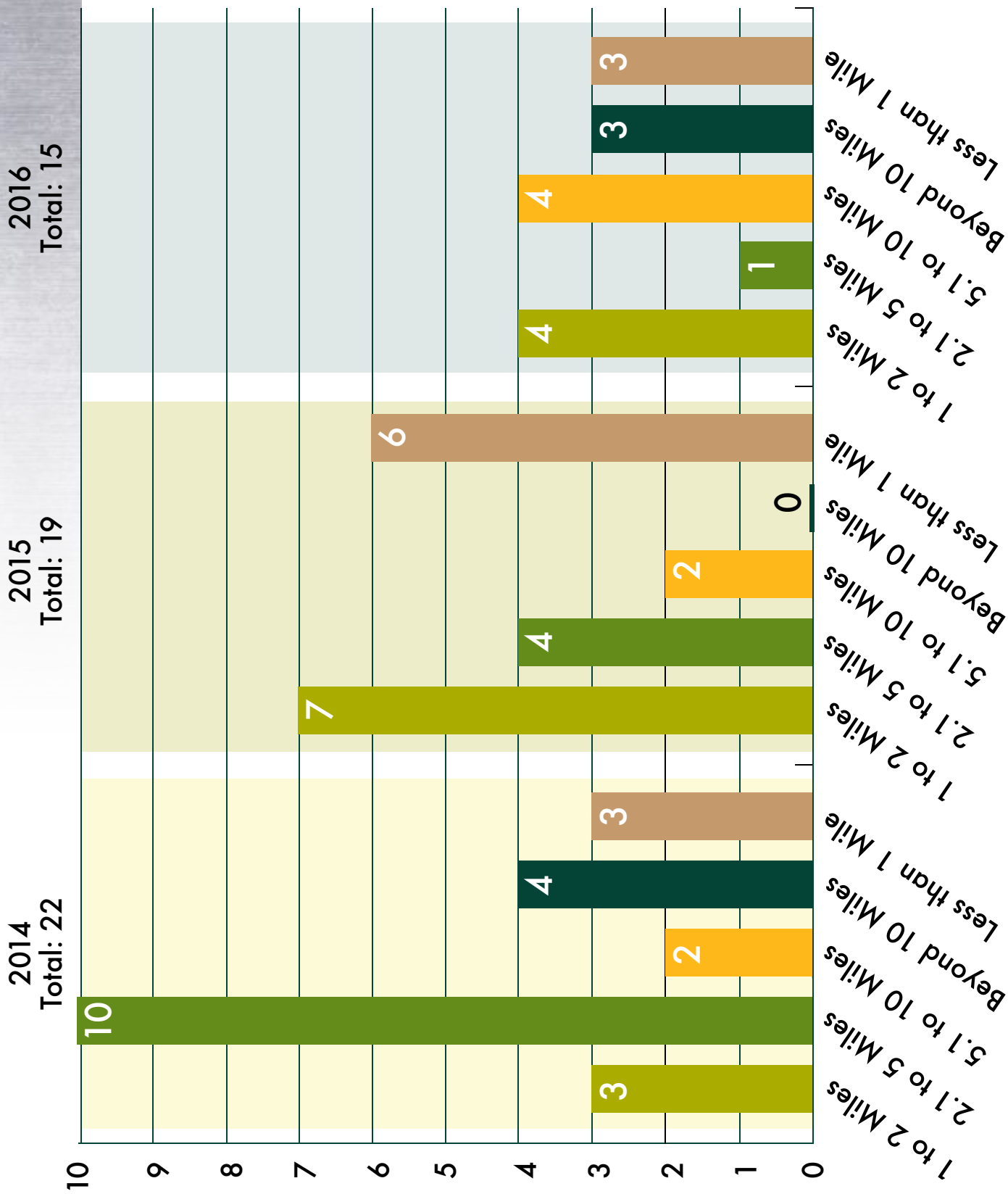
2015



2014



# PURSUIT DISTANCE 2014-2016



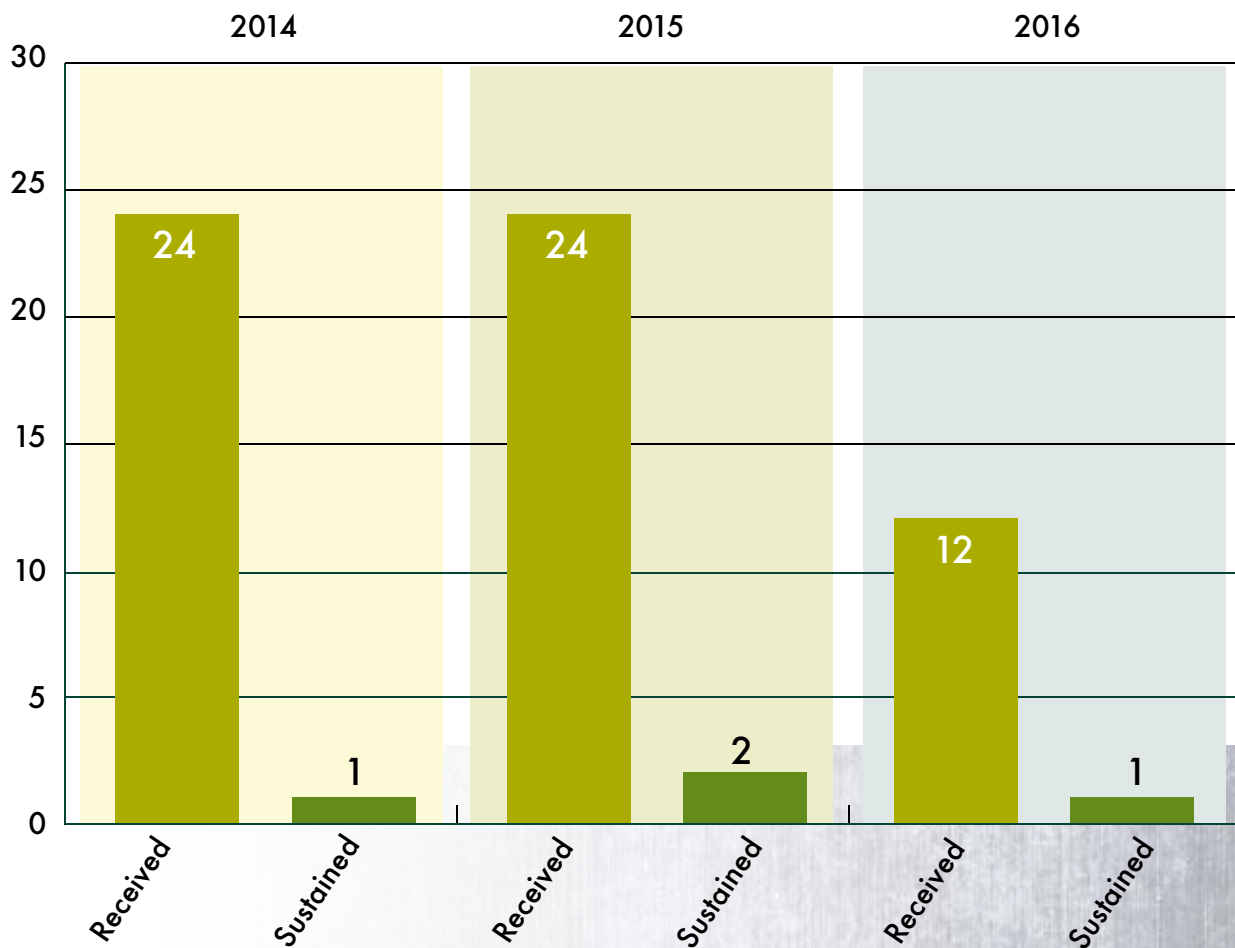
# Bias Based Policing

A fundamental right guaranteed by the Constitution of the United States to all who live in this Nation is equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without police interference so long as they obey the law. They also are entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from the actions of reckless and careless drivers.

The PBSO is charged with protecting these rights for all citizens of Palm Beach County, regardless of race, color, religion, sex, national origin, age, disability, familial status, marital status or sexual orientation.

Because of the nature of our business, employees are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals. It is the mission of the PBSO to accomplish this in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police.

## BIAS BASED COMPLAINTS



# Police Canine and the Use of Force

When discussing the use of force by law enforcement, frequently overlooked is the police canine; however, the police canine is an instrumentality of force, much like a baton or pepper spray and the rules that apply to police use of force generally apply to the use of the police canine.

The use of the police canine even to inflict serious injury may be reasonable and necessary based on the circumstances. As in all use of force by law enforcement, the issue will be decided through the reasonableness: was the force used proportionate to the apparent need to apprehend criminals, prevent escape, or protect persons.

As applied to police canine, the reasonable standard means a canine bite is justifiable and lawful force if the threat to the officers or the public is serious. In the case of canines, the need for force must be sufficient to justify the injury of a dog bite. A dog's bite is no different from a laceration inflicted by a baton, but generally less lethal than a gunshot. It is the need for force, not the injury inflicted, that determines whether the force used is justifiable.

There are many decisions from the U.S. Supreme Court, as they relate to the use of force and consequently to that force demonstrated by a police canine. As in other use of force, application of the three-part test decided in *Graham v Connor* justifies a canine deployment:

- The severity of the crime at issue;
- Whether the suspect poses an immediate threat to the safety of law enforcement officers or others;
- Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.
- And the totality of the circumstances.

Palm Beach County Sheriff's Office policy strictly regulates the control of Sheriff's canines, consistent with case law, for canine usage and deployment.

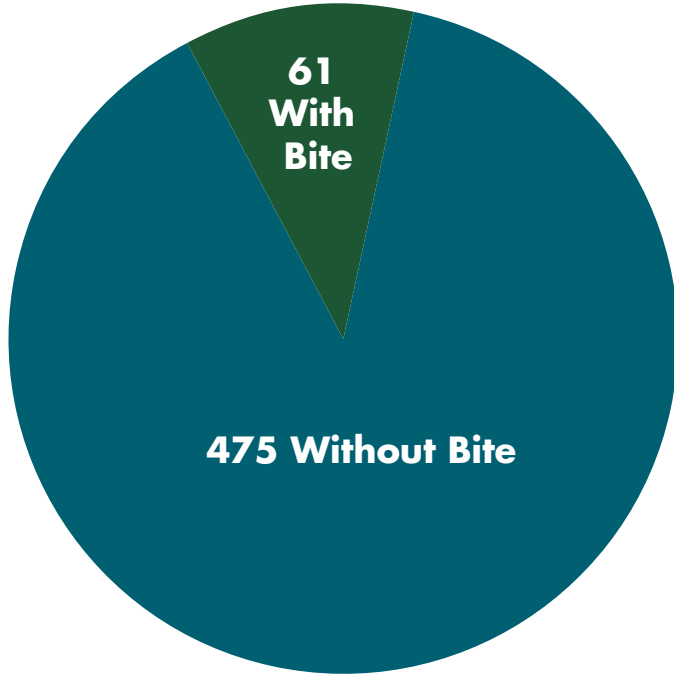
The Division of Internal Affairs maintains the statistical data derived from canine usage by Palm Beach County Sheriff's Deputies. Each usage is initially reviewed by the involved Deputies' supervisory chain and further reviewed and evaluated by the Division of Internal Affairs staff.

For 2016 PBSO Canine Deputies deployed their Canines 536 times of which only 61 of the deployments resulted in actual bites to the suspect.

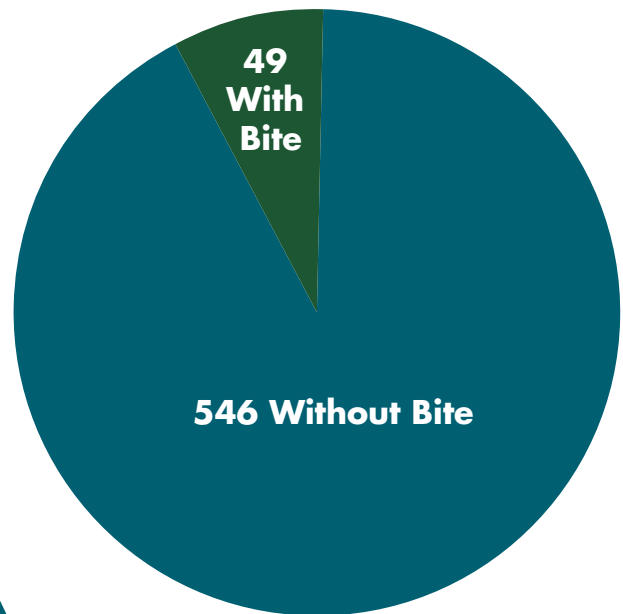


# Total K9 Apprehensions: Bite Ratio

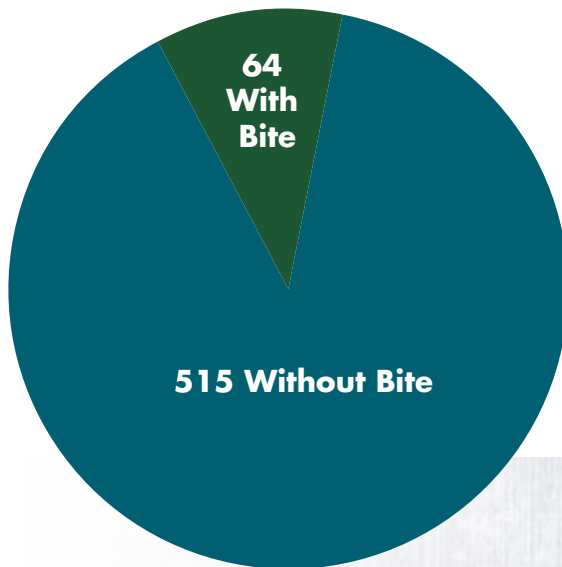
2016



2015



2014



# Early Intervention System (EIS)

The Palm Beach County Sheriff's Office has a responsibility to its employees and the community to identify and assist employees who display symptoms of job stress and/or performance problems.

Since the 1980's, the Palm Beach County Sheriff's Office has employed a mechanism to track and monitor such issues. In the early days, it was referred to as an Early Warning System or EWS. This term has given way to Early Intervention System or EIS.

The EIS system captures specific pieces of information about the behavior of Deputies to help identify problematic behaviors early. Examples could include the number and type of community complaints, the number and type of use of control incidents, also referred to as use of force, and the number of vehicle accidents a deputy might be involved in.

The Palm Beach County Sheriff's Office Division of Internal Affairs produces reports for Executive Staff and Middle Management level supervision to provide information for review of Personnel Complaints and use of control issues. The reports help identify and provide documentation of members who experience a certain frequency of involvement in these types of complaints and reports.

Alerts are generated based upon a daily review assessing both a specified period of time and frequency, often referred to as thresholds, on the following actions of officers: complaints received, control of persons, canine usage, vehicle pursuits, and discharge of firearms. These actions are categorized individually and each has its own threshold.

As an example, following a vehicle pursuit, the primary pursuing officer's supervisor will complete and submit, through the chain-of-command, required documentation capturing various criteria surrounding the pursuit. Upon final review, approval and submission into a database by the Division of Internal Affairs, the EIS process is initiated for that officer and the assessment period begins. As the twelve (12) months pass, if the officer is not involved as the primary officer in another vehicle pursuit, the process concludes without any alerts.

Conversely, if the officer is involved as the primary pursuing officer in four (4) more vehicle pursuits within those twelve (12) months, the alert is automatically generated and the officer's command is directed to complete a review of all five (5) vehicle pursuits outlined in the alert.

The thresholds for each category and a sample alert can be found on the following pages.



The following are the established thresholds, time periods and frequencies for each category. On the following page is a sample alert.

### **EIS I Report- Complaints (Formal I.A. and P.C.)**

Deputies with five (5) or more complaints within the previous twenty-four (24) months.

### **EIS II Report- Use of Control**

Deputies involved in five (5) or more control of person incidents for the previous twelve (12) months. (Excluding canine usage and firearm discharges).

### **EIS III Report – Canine Usage**

A bite record of each canine, categorized by the deputy as the handler, will be reviewed quarterly.

### **EIS IV Report – Discharge of Firearms**

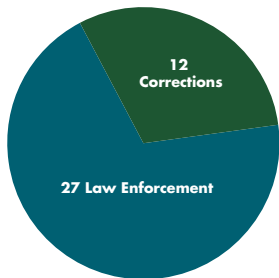
Deputies involved in three (3) or more firearm discharge incidents in the previous sixty (60) months.

### **EIS V Report – Vehicle Pursuits**

Deputies involved in five (5) or more vehicle pursuit incidents as the initiating deputy for the previous twelve (12) months.

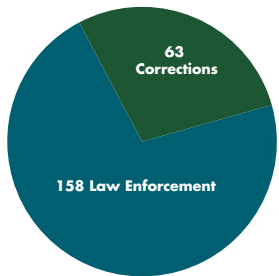
All thresholds are on a rolling calendar time period so that a deputy who has received an Early Intervention for one of these dimensions has been reviewed and counseled with a Supervisor to discuss policies, training and any potential concerns. This report however reflects a specific time period running from January 1, 2016 to December 31, 2016. It is important to remember these reports are not intended as a statement of misconduct, but are simply a presentation of quantitative facts to be used as a management tool to identify performance issues that infringe on the level of service expected of the Palm Beach County Sheriff's Office by the community and could be counterproductive to professional careers.

# Early Intervention Use of Control Statistical Summary



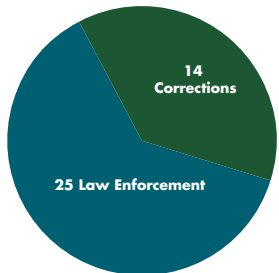
**Number of employees with five (5) or more use of control reports for the year preceding December 31, 2016.**

**Total: 39**



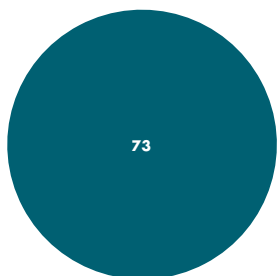
**Total number of use of control reports associated with the employees reported in the above section.**

**Total: 221**



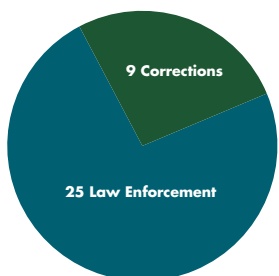
**Number of employees who are new to the current EIS II Report.**

**Total: 39**



**Number of employees on the previous EIS II Report who are not on the current Report.**

**Total: 73**



**Number of employees who are repeaters on the current EIS II Report.**

**Total: 34**





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