



Citizens Police Oversight Commission

Agency Report

October 24, 2024




City of
Philadelphia



Citizens Police Oversight Commission

The mission of the Citizens Police Oversight Commission (CPOC) is to oversee and investigate the conduct, policies, and practices of the Philadelphia Police Department (PPD).

CPOC currently:

- Receives complaints of police misconduct
 - Audits and monitors Internal Affairs investigations and police disciplinary processes
 - Sits and votes on PBI panels at police discipline hearings
 - Conducts oversight of police shootings
 - Analyzes police data
 - Develops policy recommendations and reports
 - Engages in outreach and training
- 



Executive Director's Report

NACOLE 2024 Annual Conference

Thirty Years of NACOLE: Progress. Preservation. Perseverance.

The conference was very informative. On Sunday, October 13th I attended the Executive Leadership Forum which is designed to give the heads of oversight agencies tools and peer support to run their offices effectively.

I presented in the first session of the Executive Leadership Forum, entitled **Under Resourced: Overcoming Funding and Staffing Issues.**

Description: Civilian oversight agencies are expected to increase transparency of law enforcement conduct, but often lack the appropriate resources to accomplish that goal. This session provides research-based data on the state of resources for agencies, explores the challenges that these agencies utilizing different models have encountered, and provides practical insight on how you can overcome them.

We also heard panels on: (1) Managing Mandates and (2) Managing Yourself, Managing Others. Participants worked in small groups to discuss the most pressing issues facing oversight agencies.





Executive Director's Report

OTHER HIGHLIGHTS

Informative Workshops and Plenary Session, including:

- Advancing Justice: Emerging Topics in DOJ Civil Rights Investigations
- Transparency, a Bridge to Trust & Collaboration: How Oversight Agencies Can Share Information with Impacted Families, the Public, and Media
- Law Enforcement Interactions with Persons Experiencing Behavioral Health Crisis: Exploring Alternative Response Models
- Overcoming Obstacles: Strategies for Effective Civilian Oversight of Law Enforcement
- The Prosecutor and Police Oversight: Seeking Alignment
- The Intersection of Criminal Defense Litigation and Police Oversight

Staff Development

CPOC is helping staff get certified by NACOLE as “Certified Practitioners of Oversight.” Staff members that have attended NACOLE conferences in the past few years are working towards earning the certification.






CPOC September Complaint Report!

CPOC has issued a monthly complainant report summarizing the complaints received by CPOC and referred to the Internal Affairs Division (IAD) of PPD.

You can find the report on CPOC's website:
<https://www.phila.gov/documents/citizens-police-oversight-commission-meeting-agendas-and-minutes/>



Citizens Police Oversight Commission
CITY OF PHILADELPHIA

1515 ARCH STREET
11TH FLOOR
PHILADELPHIA, PA 19102
(215)685-0891
Phila.gov/CPOC
CPOC@Phila.gov

CPOC August 2024 Complaint Referral Report

These complaints were received by CPOC in the month of August and have been referred to the Philadelphia Police Department (PPD) Internal Affairs Division (IAD). All demographic data is collected as reported by complainants. These complaints only represent complaints submitted directly to CPOC and do not account for complaints filed directly with PPD.

Date Received	Demographics	PPD District	Summary
8/5/2024	M – B/AA	3rd	Complainant claims he was riding his bike in the bike lane on Washington Ave between 10th & 11th. He was approached by the officer he was told he would be receiving a citation for riding in the wrong direction in the bike lane. The complainant claims he was yelled at aggressively by the officer, who then stepped on his foot and grabbed him, pulling him so hard that his bicep was torn as a result.
8/5/2024	M – B/AA	24th	The complainant attests his former partner came to his house, which violated the PFA, and took his child whom he has custody of. The complainant alleges the detective did not investigate properly and alleges the detective dismissed the case as a "custody matter." The complainant alleges he feels the police did not take his case seriously.
8/7/2024	F – H	15th	The complainant has been harassed and stalked by an unnamed male, she has since relocated to another address for fear of her family's safety. The complainant called 911, and two officers and a supervisor from the 26th district responded. The complaint recalls the supervisor saying there was nothing they could do as the police are "reactive not proactive". The complainant went to the 15th district to follow up on her police report. The officer she spoke with, told her that the police report was incorrectly filed and did not include important details about the harassment and threats she was experiencing.
8/7/2024	M – B/AA	22nd	The complainant attests while traveling on his electric motorcycle a police vehicle with two officers pulled up next to him at a red light. One officer said, "Is that a gun on your hip?" he told the officer "No I do not have a gun on me". The complainant attests the officer then got out of the passenger side of the vehicle "aggressively" and reached near his gun holster also knocking over the motorcycle. The complainant ended up having a panic attack from the incident, but no paramedic was called, or any medical services offered.
8/8/2024	M – W	19th	Complainant called the 19th district to report that his neighbor's dogs had been barking excessively. Complainant reported that officers responded hours later and, because the dogs were no longer barking, failed to do anything except speak with the owners of the dogs. Complainant reported that there have been many




Summaries of some recent complaints

These summaries are allegations made by complainants which have not been investigated. They do not represent any findings or conclusions.

The complainant pulled into a gas station and was approached by an officer while still in their vehicle, which was in park. The officer told the complainant that their front windshield was “heavily tinted” and asked for their license. About a week and a half later they got a citation, which stated the offense was operating a vehicle without wearing a seatbelt. The complainant feels this is inconsistent since the officer claimed the vehicle was “heavily tinted” and they were preparing to get out of the vehicle to get gas.

Complainant witnessed an off-duty officer, who is their neighbor, arrive at home in plain clothes intoxicated. Approximately one hour later, the officer was dressed in full uniform heading to work.

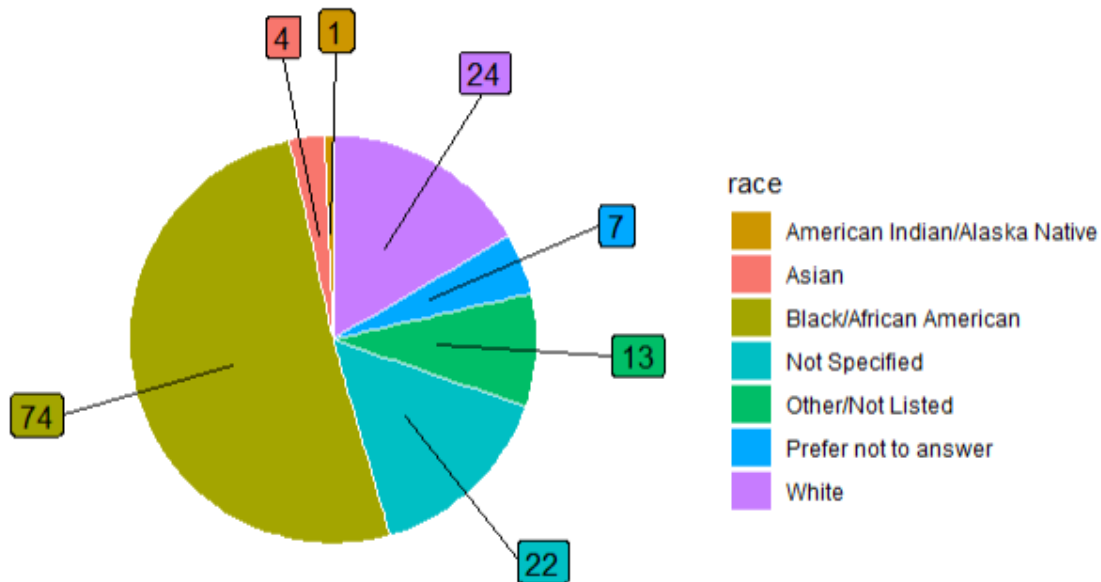
Complainant went to SVU to file a report. The interview room they waited in smelled of urine. When they asked to wait outside until the officers were ready to do the interview, the officer and supervisor did not allow this and were rude and dismissive. The supervising officer provided contact information for a children’s victim specialist to complete the interview. As of reporting, the Complainant had not heard back from the contact to complete the interview.



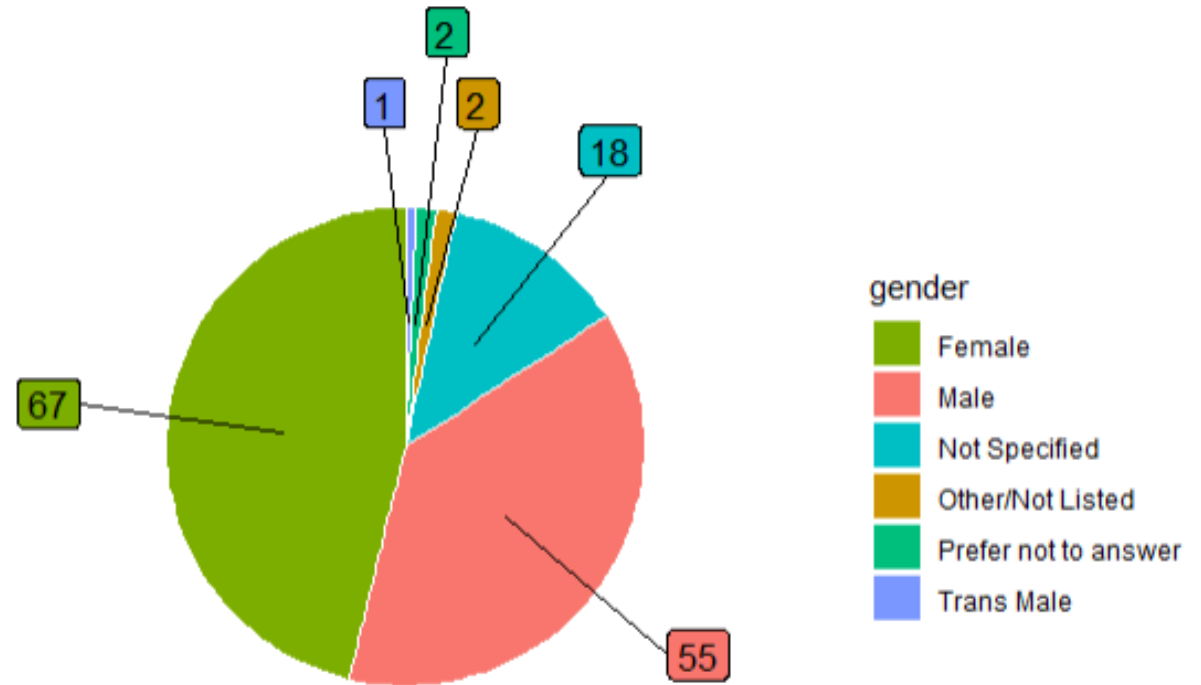
Complaint Data: 2024 Demographics

In the month of September 2024, CPOC referred 23 complaints to PPD's Internal Affairs Division (IAD). CPOC has referred a total of 145 complaints to IAD so far in 2024. These charts show demographic data from 2024 complaints, as reported by complainants.

Race Distribution - YTD



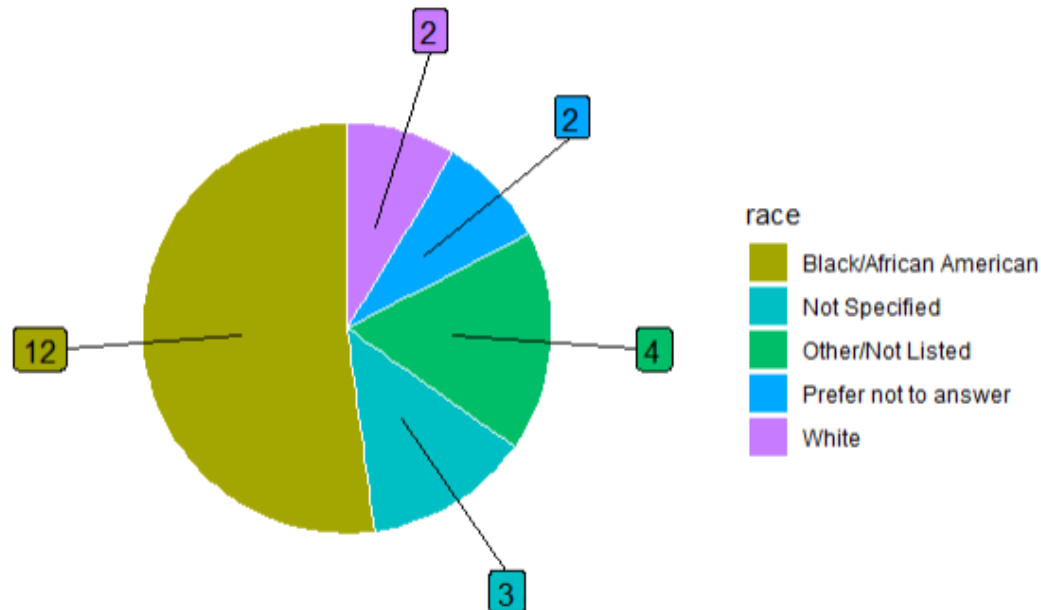
Gender Distribution - YTD



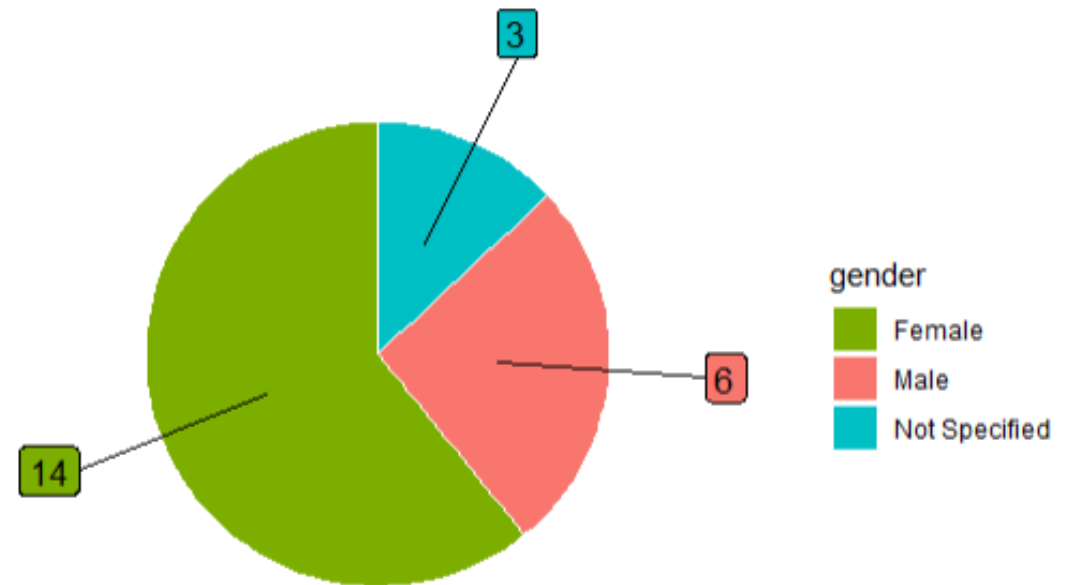
Complaint Data: Sept. Demographics

These charts show demographic data from the 23 complaints received in September 2024, as reported by complainants.

Race Distribution - September 2024



Gender Distribution - September 2024



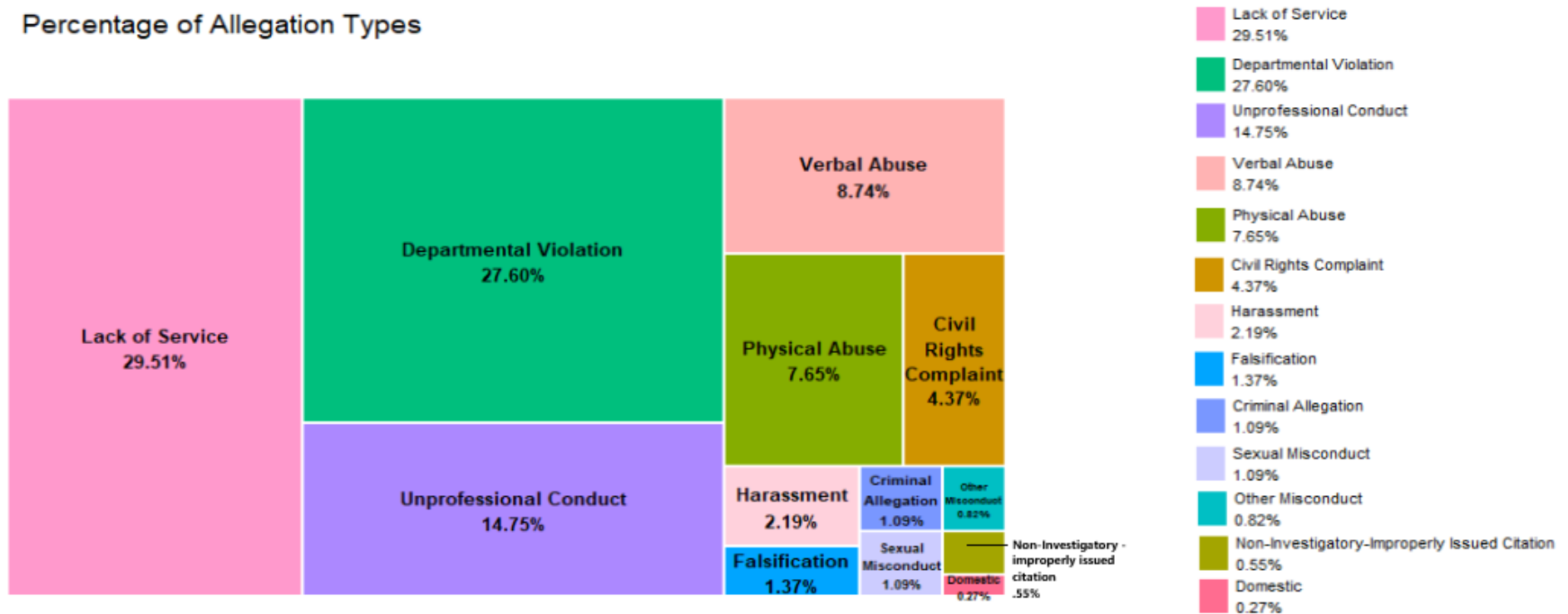
Complaint Data: Allegations

Most allegations reported by complainants in 2024 to date are related to Lack of Service or Departmental Violations.

A single complaint can have multiple misconduct allegations.

More than a quarter of allegations are “Departmental violations” which are explained further on the next slide.

Percentage of Allegation Types

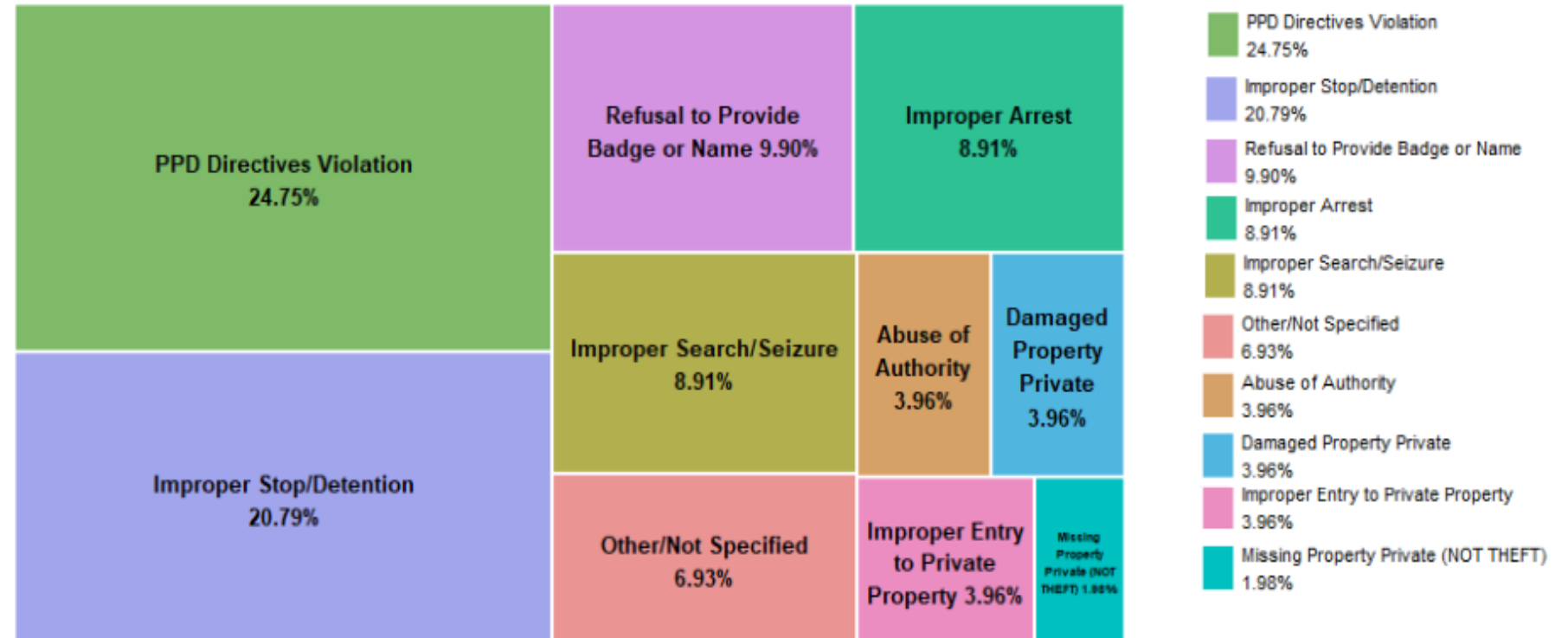


Complaint Data: Department Violation subcategories

This data shows the breakdown of each sub-category within the Departmental Violation Allegation type.

A single complaint can have multiple misconduct allegations.

Top 10 Sub Allegation Types



Policy Unit

Charging Unit Review

- Review all Complaints Against Police (CAPs) made by community members
- CPOC reviews and make recommendations to PBI Charging Captain
- If a sustained allegation is found by IAD, the case will advance to CPOC Charging Unit Review
- CPOC and PBI Charging captain discuss and assign charges from the Sept 2021 Disciplinary Code based on sustained misconduct allegations

PHILADELPHIA POLICE
DEPARTMENT



DISCIPLINARY CODE

September 2021

Policy Unit

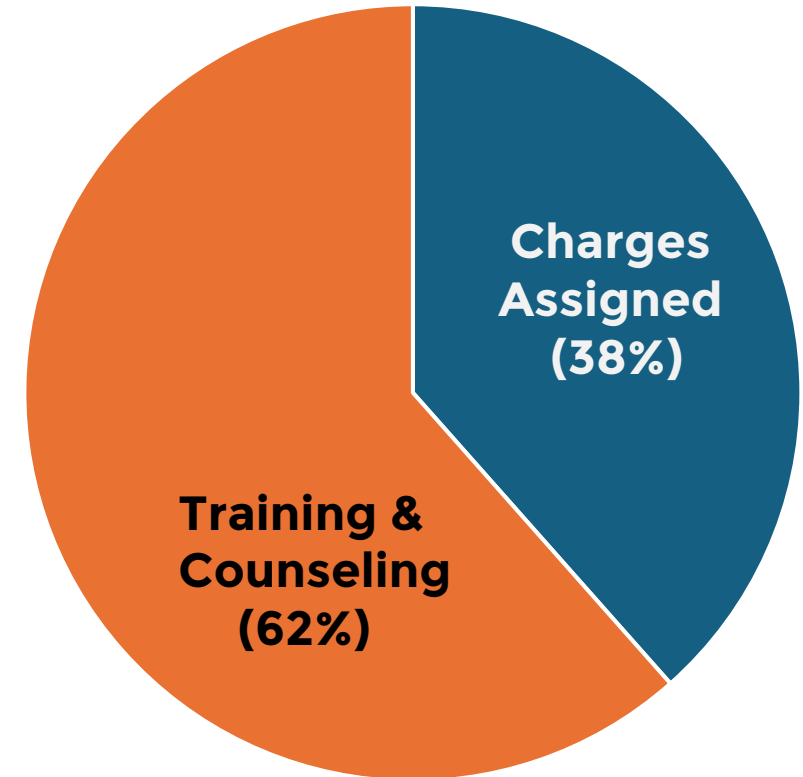
Charging Unit Review

September 1, 2024 through October 18, 2024

26 total sustained allegations from Complaints Against Police (CAPs)

- 23 officers
 - 10 charges assigned
 - (verbal abuse, unprofessional conduct, second offenses for forms or BWC)
 - 16 referred to training and counseling
 - (first offenses for BWC, lack of service or forms)

Complaints Against Police (CAPs)



Policy Unit

PPD Disciplinary Procedure

What happens next?

PPD Directive 8.6



PHILADELPHIA POLICE DEPARTMENT

DIRECTIVE 8.6

Issued Date: 11-11-22

Effective Date: 11-11-22

Updated Date: 02-03-23

**SUBJECT: DISCIPLINARY PROCEDURE
PLEAC 2.3.1**

1. POLICY

- A. The disciplinary procedure and the respective rulings shall be consistent and fair throughout the process. This procedure supports the core values of the Philadelphia Police Department: Honor, Service, and Integrity.
- B. Only the Police Commissioner shall have the authority to suspend, demote, or dismiss a member, except as stated herein.
- C. All charges and specifications for formal disciplinary action shall originate from and be approved and/or modified by the Commanding Officer of the Police Board of Inquiry Charging Unit.
- D. Only the Police Commissioner has the authority to withdraw disciplinary charges.
- E. Police Department employees will be entitled to have a recognized bargaining unit representative present during any administrative inquiry that the employee reasonably believes might result in disciplinary action against them. However, it is the employee's responsibility to notify and obtain representation. The Department representative will schedule such inquiries no less than three (3) calendar days, excluding Saturdays, Sundays, and recognized City holidays, after notifying the employee.
- F. All timelines are for procedural purposes only. Failures to comply with the timeline shall not bar or waive any disciplinary matter.



Policy Unit

Charging Unit Review – PPD Disciplinary Procedure

What happens next? PPD Directive 8.6

Training and Counseling

- Officers receive a memo that the IAD investigation determined a policy violation occurred
- The memo details the violation, offers corrective guidance, and is kept in the officer’s internal personnel record
- Training and counseling is not a formal disciplinary outcome



Issued Date: 11-11-22	Effective Date: 11-11-22	Updated Date: 02-03-23
-----------------------	--------------------------	------------------------

SUBJECT: DISCIPLINARY PROCEDURE
PLEAC 2.3.1

3. INVESTIGATIONS FORWARDED TO THE POLICE BOARD OF INQUIRY CHARGING UNIT
 - A. Whenever an investigation is conducted by Internal Affairs, an appropriate EEO agency or a District/Unit Commander concludes that a departmental violation(s) has occurred, the completed investigation shall be forwarded to the Police Board of Inquiry Charging Unit (PBI Charging Unit) for appropriate action.
 1. The forwarded investigation shall include, but not be limited to, completed reports, statements from civilian or police complainants and/or police or civilian witnesses, statements of the accused, Daily Attendance Reports, Daily Complaint Summary(s), signed court notices, KTNQ printouts, Radio Logs, Patrol Logs, and all other pertinent information.
 - a. All supporting documents must be included, as it will enable the PBI Charging Unit to make the appropriate charging decision.
 - b. Refusal of civilian complainants and/or witnesses to be interviewed and/or cooperate shall not relieve the Investigating Officer of the responsibility to conduct a thorough investigation and submit complete reports.
 2. Once the PBI Charging Unit has thoroughly reviewed the investigation, the Commanding Officer of the Charging Unit shall either file formal disciplinary charges or require formal training and counseling to address the sustained departmental violation(s).
- NOTE:** Disciplinary charges may be determined by an individual or committee determined by the City which may include City personnel outside the bargaining unit and/or individuals under contract with the City who agree to be subject to confidentiality restrictions.





Policy Unit

Charging Unit Review – PPD Disciplinary Procedure

What happens next? PPD Directive 8.6

Formal Discipline:

- No PBI Hearing – An officer may plead guilty to the formal charge(s), or the Police Commissioner may enforce discipline through a Commissioner Direct Action (CDA) directly.
- PBI Hearing – Police Board of Inquiry (PBI) panelists will participate in a hearing on the matter and make recommendations to the Police Commissioner for formal discipline.



Issued Date: 11-11-22	Effective Date: 11-11-22	Updated Date: 02-03-23
-----------------------	--------------------------	------------------------

SUBJECT: DISCIPLINARY PROCEDURE
PLEAC 2.3.1

4. **FORMAL DISCIPLINARY PROCESS: GUILTY PLEA, NOT GUILTY PLEA OR COMMISSIONER’S DIRECT ACTION**
 - A. When police personnel are formally notified of disciplinary charges initiated against them, upon receipt of the 75-18s, personnel will be permitted to plead guilty and waive a hearing before the Police Board of Inquiry or plead not guilty and request a Police Board of Inquiry (PBI) hearing.
 - B. When a charged employee elects to a hearing, the Commanding Officer may include a penalty recommendation (including demotion or transfer), on the Employee’s Assessment Sheet if the penalty range is ten (10) days or less. The appropriate Deputy Commissioner may include a penalty recommendation (including demotion or transfer) if the penalty range is more than ten (10) days, but less than dismissal. No penalty recommendation will be made if dismissal is a possibility.
 1. The Police Commissioner is not bound by the Commanding Officer’s recommendation. Commanding Officers are not authorized to guarantee charged personnel that their recommendation will be implemented if the individual pleads guilty. The recommendation is only a basis for the Police Commissioner to consider when making their final decision.
 2. Commanding Officers will make recommendations based on charges, reckoning periods (if applicable), the employee’s evaluation and commendations.
 - C. When a charged employee pleads “not guilty,” and the Police Commissioner does not take direct action, the Department Advocate will be responsible for scheduling a hearing in front of the Police Board of Inquiry in a timely fashion.



Policy Unit

Policy Resources at NACOLE

Transforming Policy Through Storytelling

- Three groups from police oversight, jail death oversight, and issues facing jailed individuals with maternal health needs, pregnancy, or serious mental illness.
- Advocates shared their efforts to listen to and relay stories from impacted communities when pursuing policy change. These stories helped identify what data should be collected to inform research design and community conversations about balancing public safety and public harm.

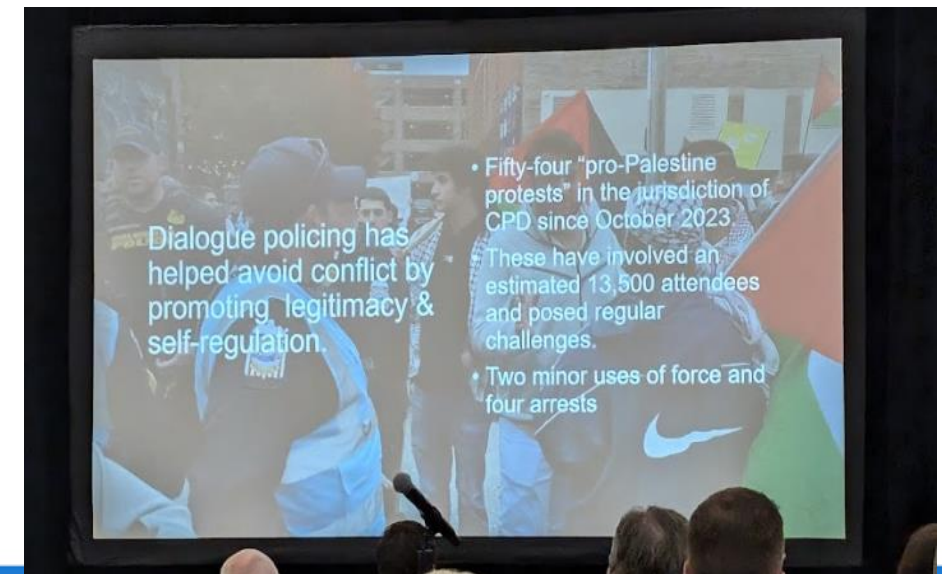


Policy Unit

Policy Resources at NACOLE

Public Order Policing

- Experts discussed recent efforts to professionalize public order policing, or law enforcement practices during protests.
- Discussed cultural competency and de-escalation tactics, including dialogue policing, for civilian oversight agencies to understand while overseeing the police response to First Amendment actions.






Policy Unit

Policy Resources at NACOLE

Civilian Oversight in Phoenix: Implementation, Preemption, and a Meaningful Path Forward

- City of Phoenix Office of Accountability and Transparency (OAT) had the duties of the organization dramatically scaled back due to political shifts in the state of Arizona preempting certain types of oversight.
 - OAT currently has review and monitoring powers, but prior to state preemption, OAT's authority was broader. The state has stopped just shy of a complete ban on civilian oversight of law enforcement.
- 




Policy Unit

Policy Resources at NACOLE

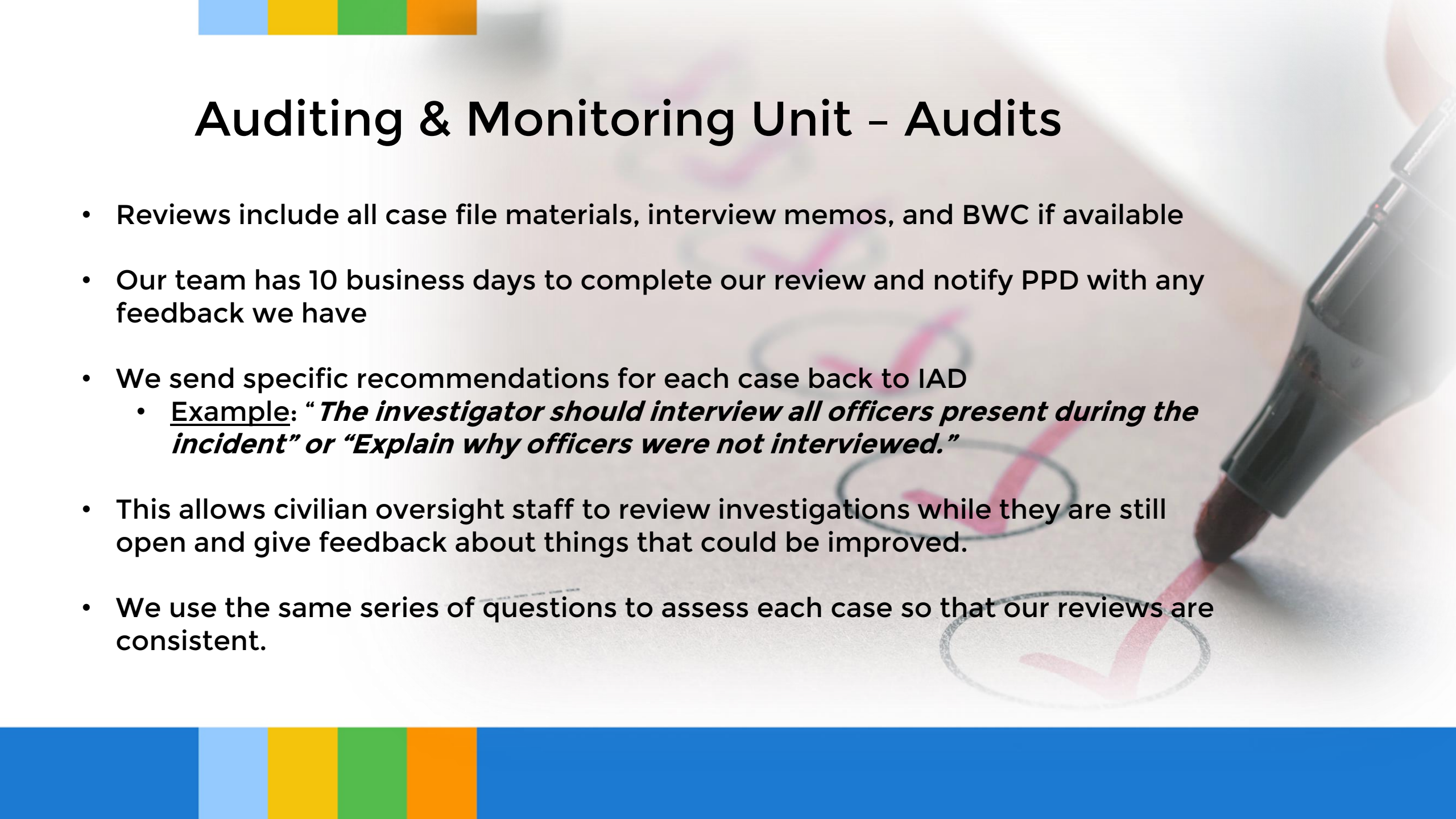
Law Enforcement Interactions with Persons Experiencing Behavioral Health Crisis:

Exploring Alternative Response Models

- Officers involved in in Burbank, CA and Eureka, CA and national law enforcement oversight officials discussed co-responder model efforts.
 - PPD has behavioral health unit
 - CPOC explainer
 - Law enforcement agencies that respond most effectively to persons experiencing mental health crises do so in collaboration with community partners and mental health professionals.
 - Persons experiencing significant mental illness are nearly 12% more likely to experience a police use of force than those who are not. They are 10 times more likely to be injured during their interactions with police
- 

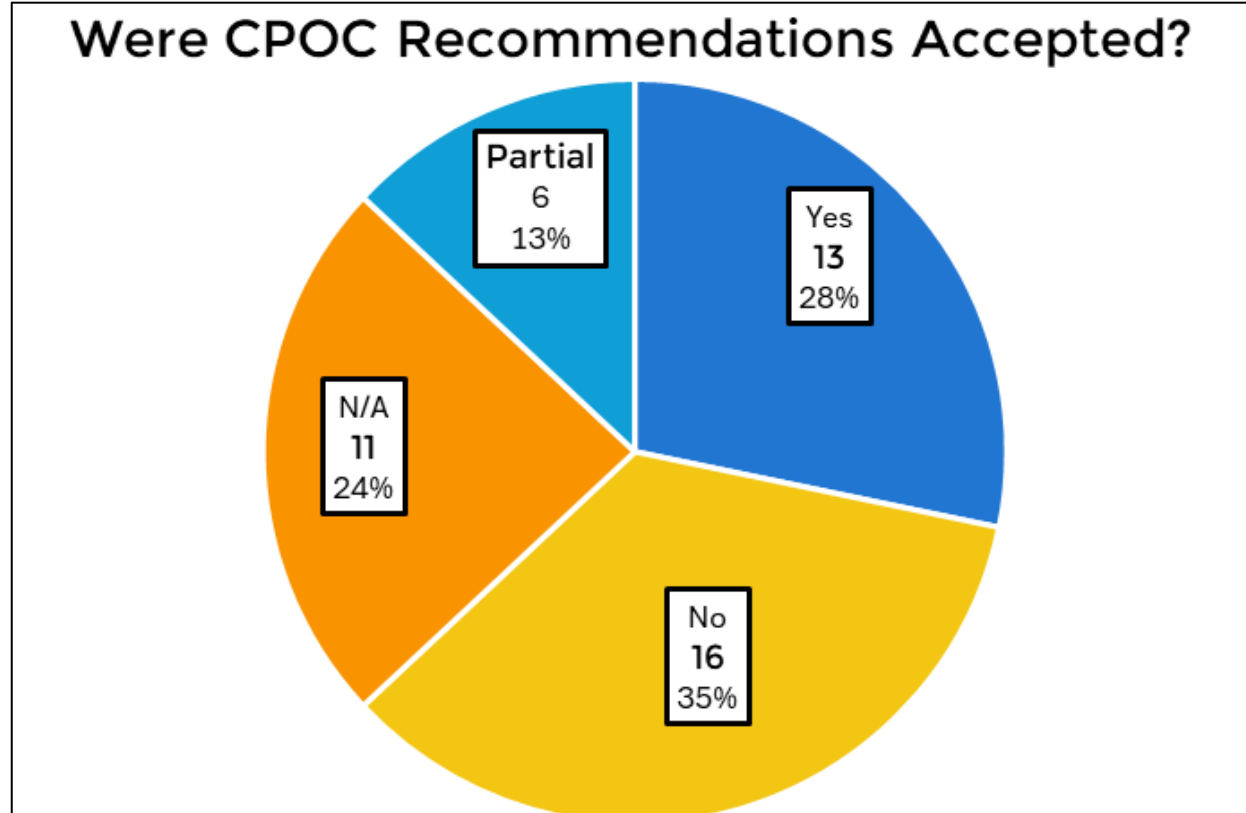


Auditing & Monitoring Unit – Audits

- Reviews include all case file materials, interview memos, and BWC if available
 - Our team has 10 business days to complete our review and notify PPD with any feedback we have
 - We send specific recommendations for each case back to IAD
 - Example: “*The investigator should interview all officers present during the incident*” or “*Explain why officers were not interviewed.*”
 - This allows civilian oversight staff to review investigations while they are still open and give feedback about things that could be improved.
 - We use the same series of questions to assess each case so that our reviews are consistent.
- 

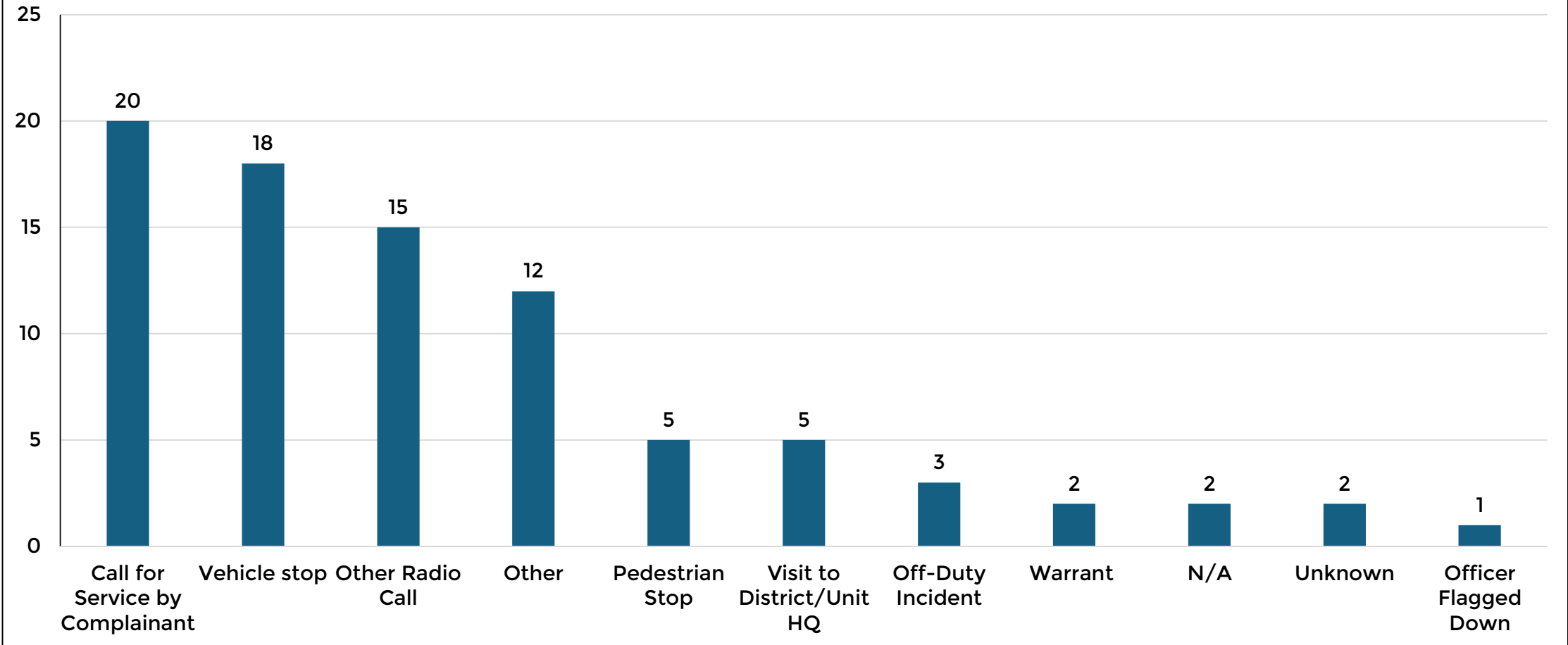
Auditing & Monitoring Unit - 85 audits - Results so far

- We completed **85 audits** between 7/2/24 and 9/13/24. These slides are a compilation of those audits.
 - 59 feedback memos
 - 155 individual recommendations
- CPOC's feedback memos go to the Deputy Commissioner over IAD and to investigators so they can update the files.
- Of the 18 responses we have logged so far, our recommendations are accepted and rejected at roughly the same rate.
- We have more responses to log and will update this figure in the future.



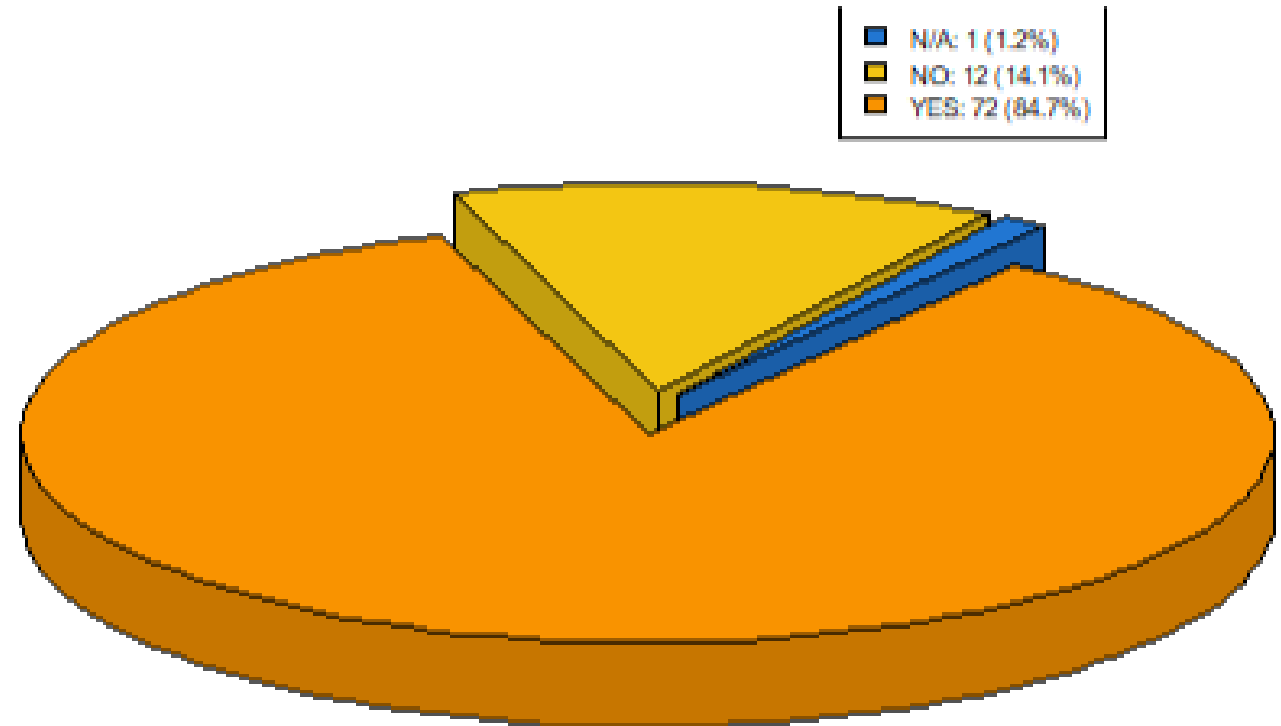
Auditing & Monitoring Unit - 85 audits - Encounter Type

CAPs by Police Encounter Type

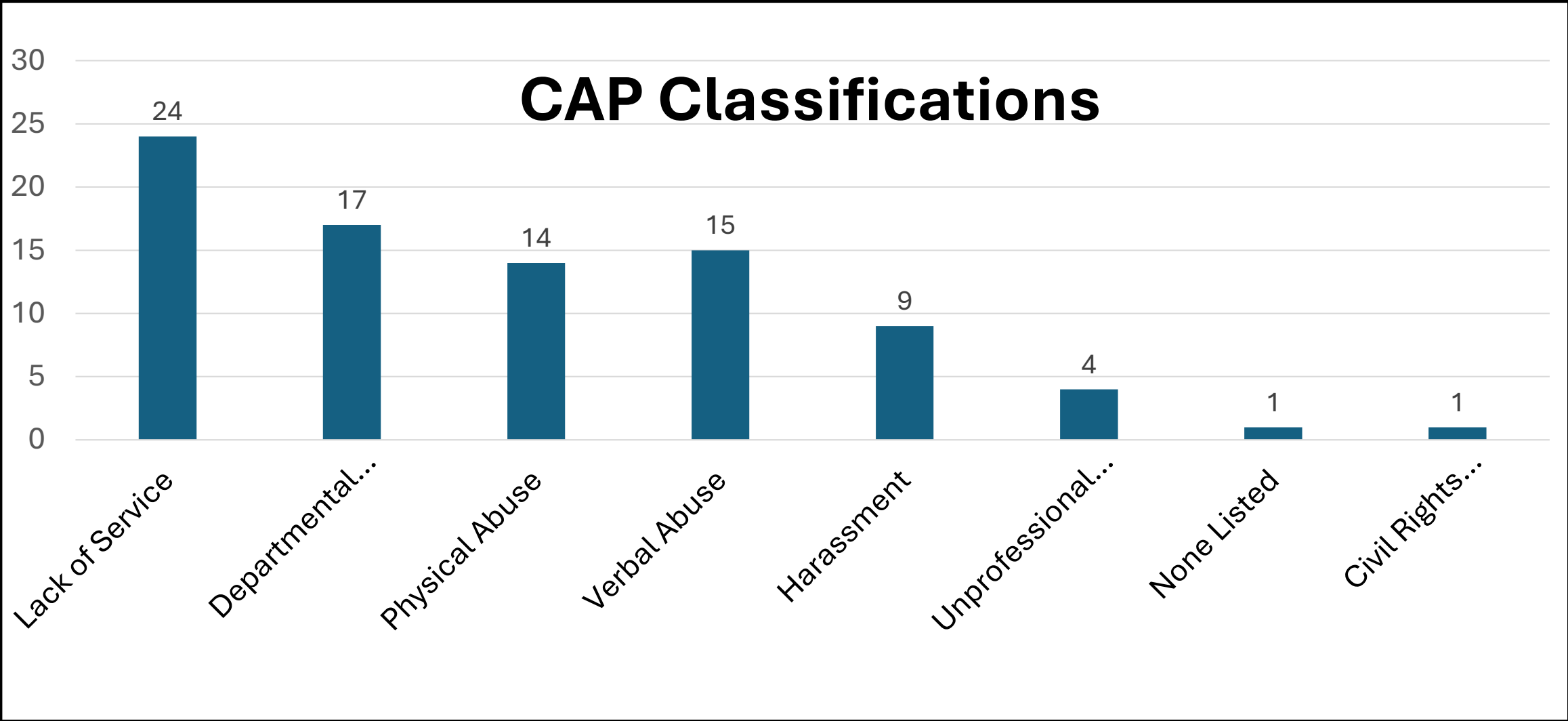


Auditing & Monitoring Unit – 85 audits – Case Classification

- Was the classification of the complaint accurate?
- In ~85% of cases, it was accurate.
- The classification can determine how the CAP gets handled, if it gets a full investigation
- We will continue to monitor this – all cases that need a full investigation should get one.

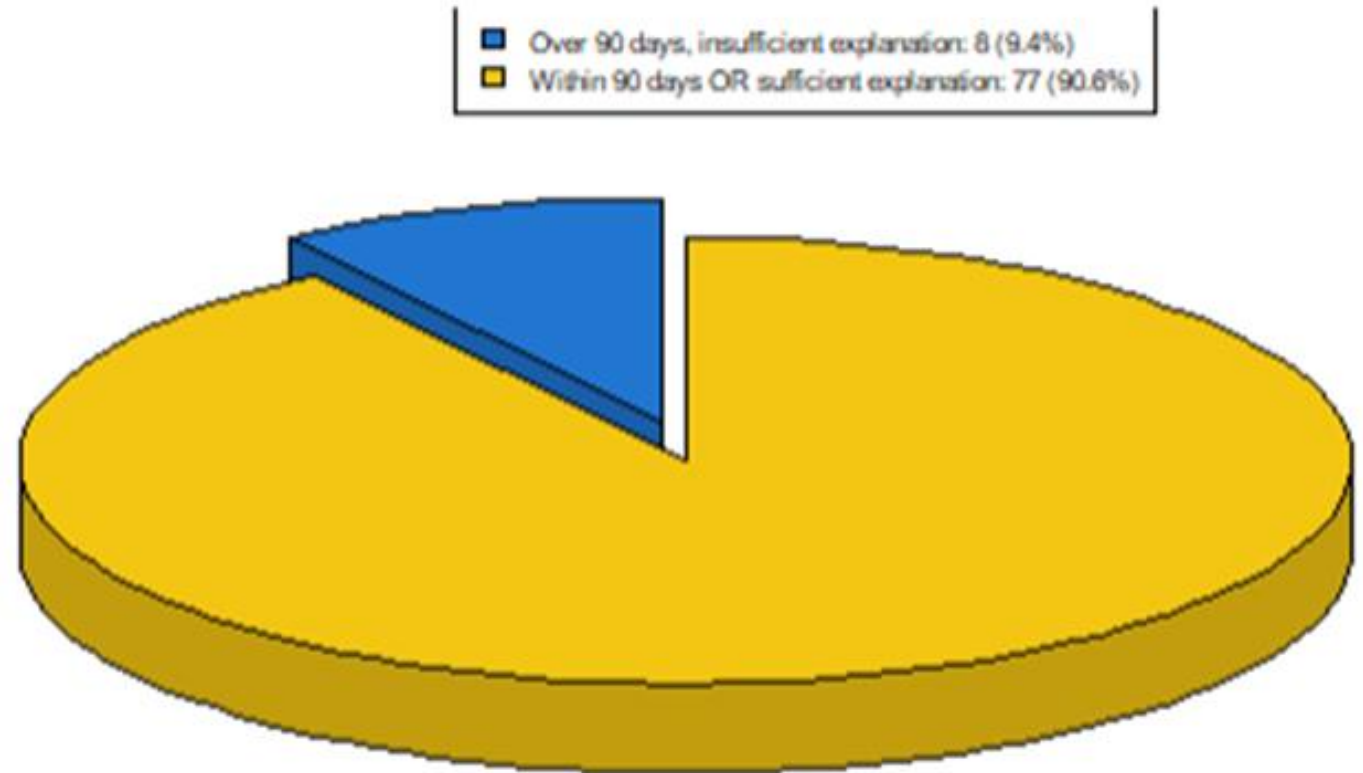


Auditing & Monitoring Unit - 85 audits



Auditing & Monitoring Unit - 85 audits - Timeliness

- 70 out of 85 cases were completed with 90 days = 82% compliance rate
- 77 (90%) of cases were completed within 90 days or had a sufficient explanation for exceeding 90 days.
- Of 15 cases NOT done in 90 days, only 8 cases had an unclear or sufficient explanation

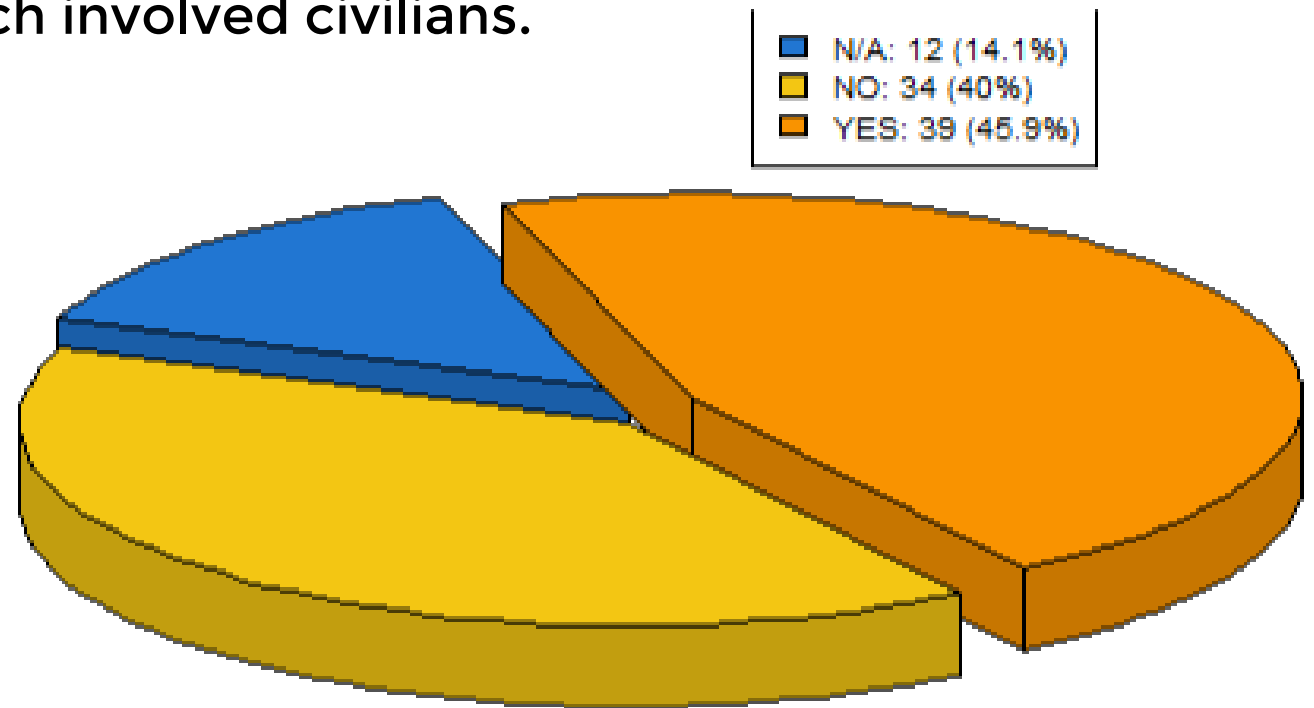


Auditing & Monitoring Unit - 85 audits - Civilian Contacts

- In roughly half the relevant cases, the investigator made the required contact attempts to reach involved civilians.

A PPD policy requires the following contact attempts:

- E-mail
- at least one documented telephone call
- a 75-48 written message delivered by a uniformed officer (if in Philadelphia)
- IAD form letters sent by certified and 1st class U.S. Mail

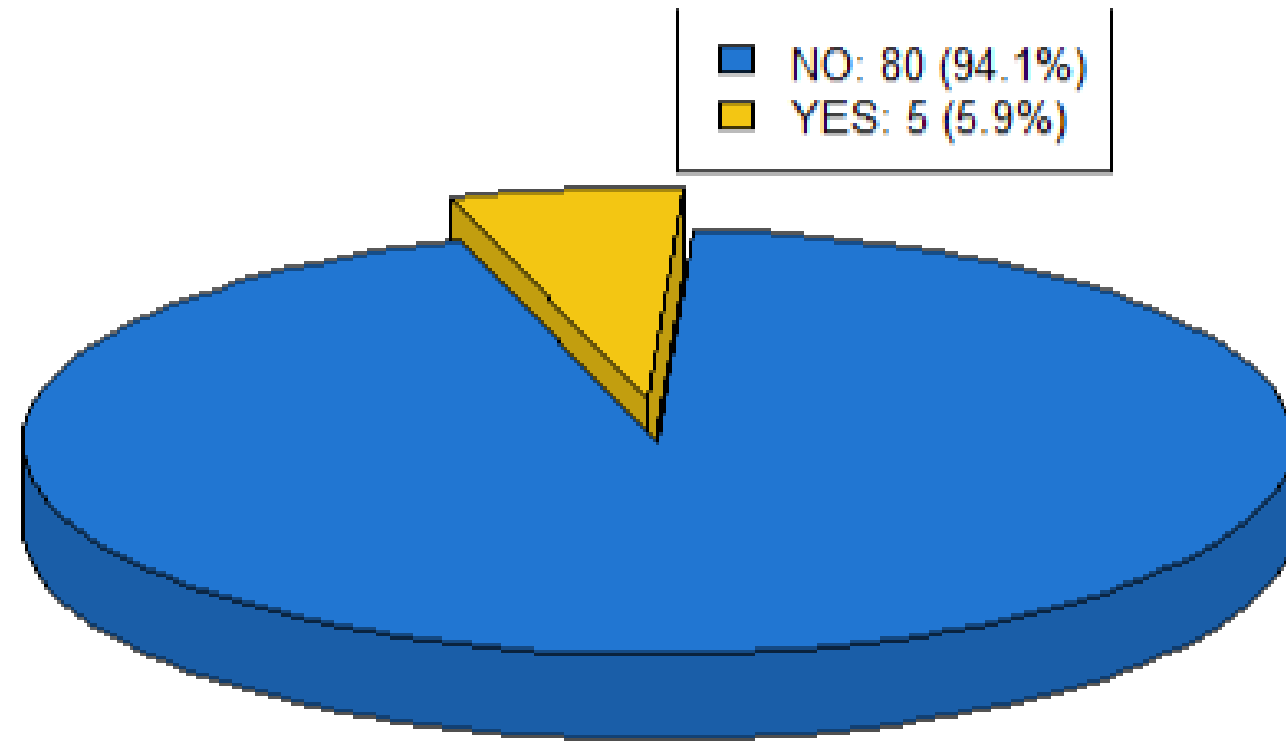


Important note: CPOC was slightly misinterpreting this policy. Because of our feedback, IAD is working to update their policy so that there are minimum required contact attempts to all civilian parties to a CAP.

Auditing & Monitoring Unit - 85 audits - Neutrality of PC memo

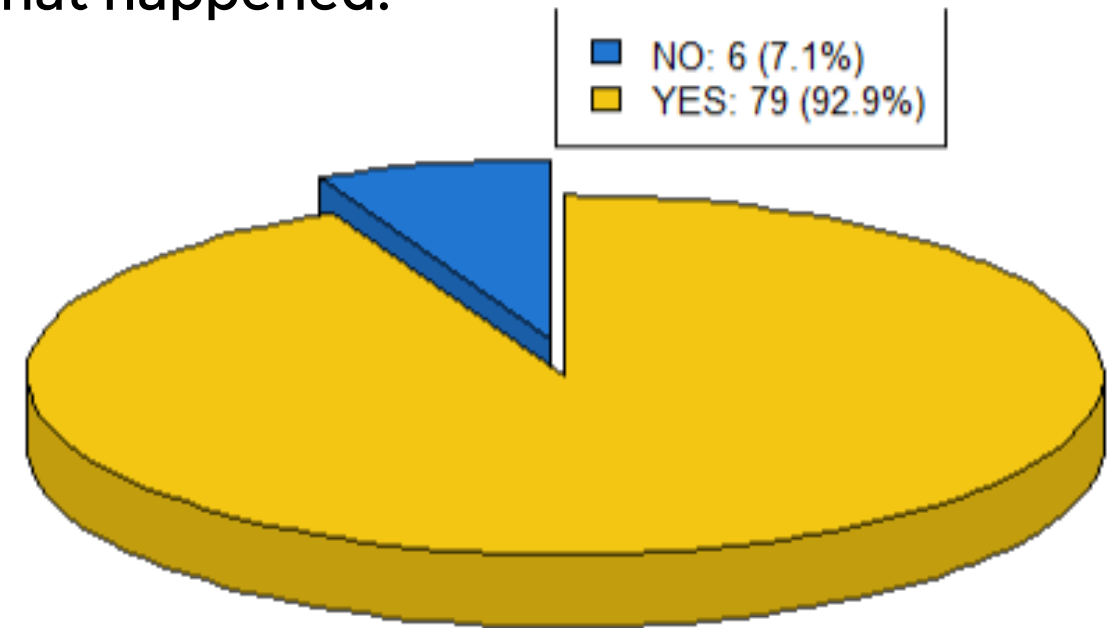
Does any language in the PC memo come across as not neutral or as favoring one perspective over another?

- 80 out of the 85 cases audited had neutral language throughout.
- Maintaining neutrality is a key tenet of investigations and is crucial to achieving fair outcomes and building legitimacy within the investigation process.



Auditing & Monitoring Unit - 85 audits - PC Memo Clear

- In 92% of cases audited, the PC memo clearly articulated in the incident and provided a clear picture of what happened.
- This is particularly important for cases that move forward for discipline
- Civilians, PBI panels, attorneys, and even arbitrators could see these reports, and they are crucial for determining outcomes.



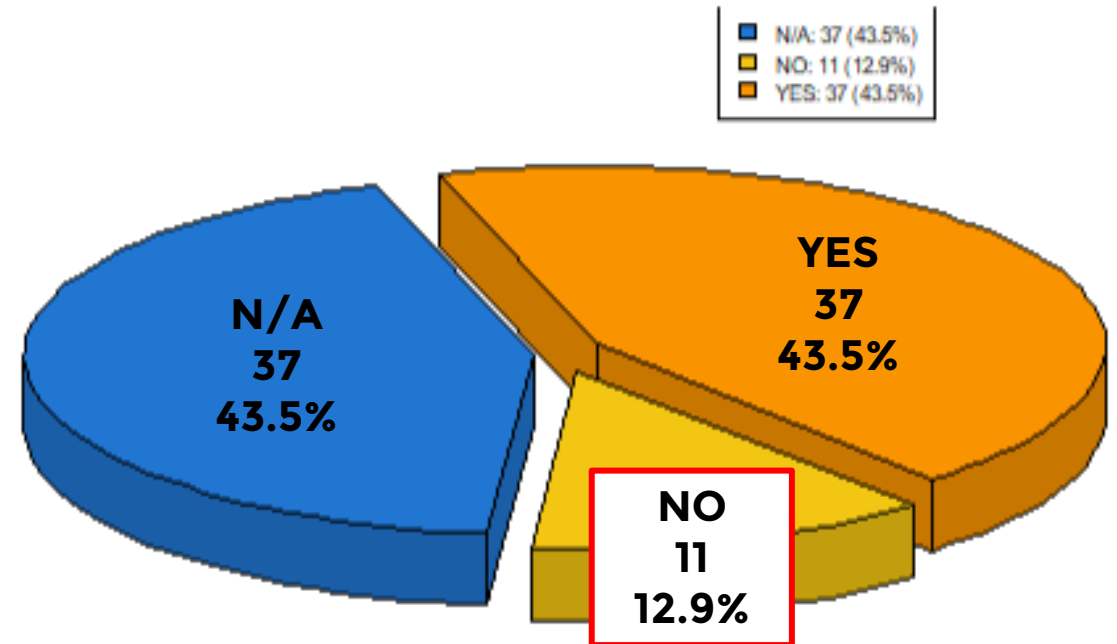
Auditing & Monitoring Unit - 85 audits - BWC footage summaries

If applicable, did the investigator accurately summarize all video recordings?

- 48 cases had BWC to review
- 37 cases - BWC was accurately summarized
- 11 cases - BWC was NOT accurately summarized

Example: In one case, a civilian being angry and uncooperative was described in the BWC summary, but an officer's use of profanity and threatening language was not included in the footage summary, and no violation for this conduct was included.

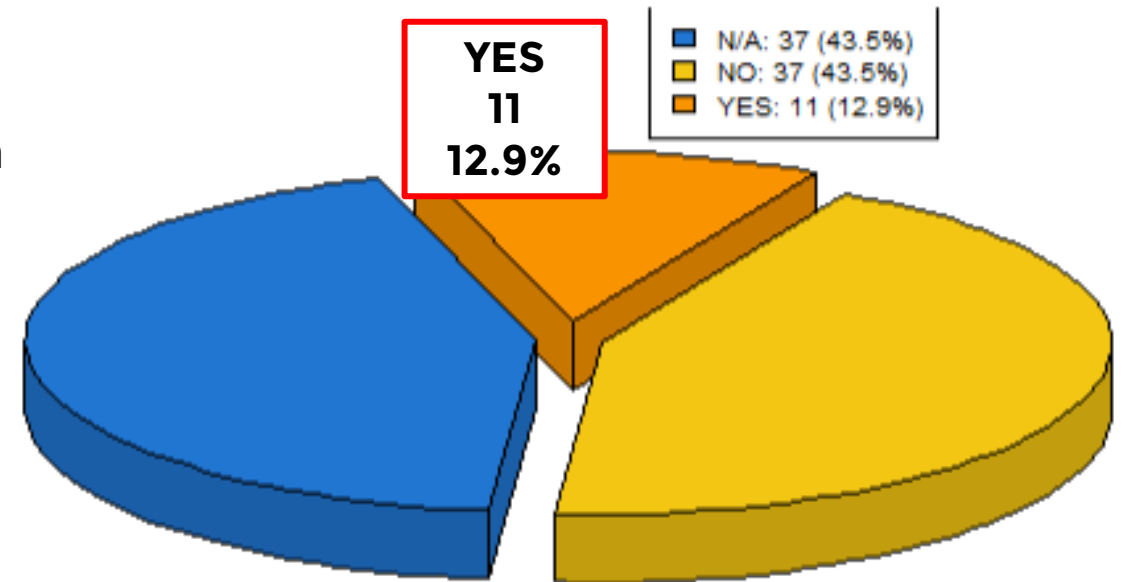
Access to BWC footage allows us to compare what we see with how it is described in the PC memo.



Auditing & Monitoring Unit - 85 audits - BWC footage summaries

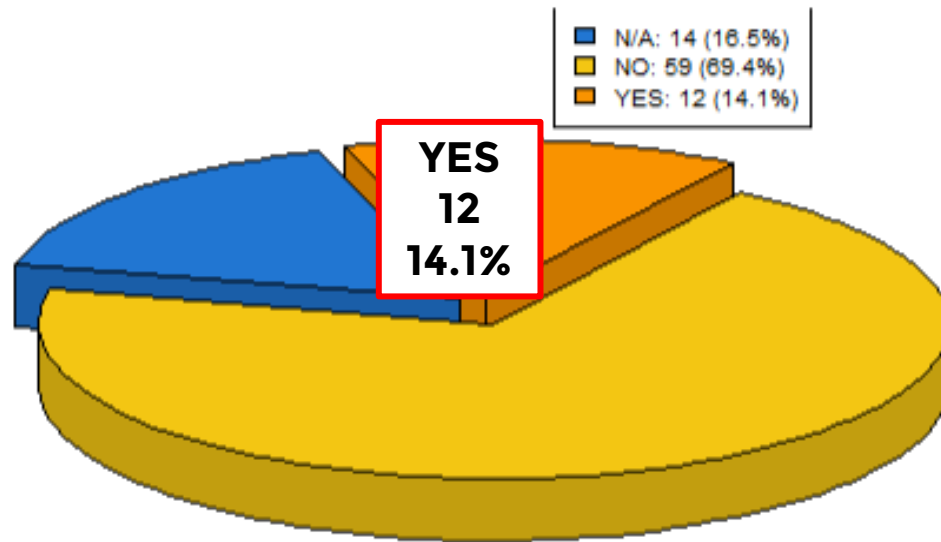
If video recordings were included, were any additional allegations present in the footage that were not addressed in the PC memo?

- 11 out of the 85 cases audited had additional allegations present in BWC footage that were not captured in the PC memo.
- If an incident is being investigated due to a citizen complaint, the entire incident should be reviewed, and any observed violations should be noted and addressed. Improper behavior should be corrected, regardless of if the complainant noticed it or not.

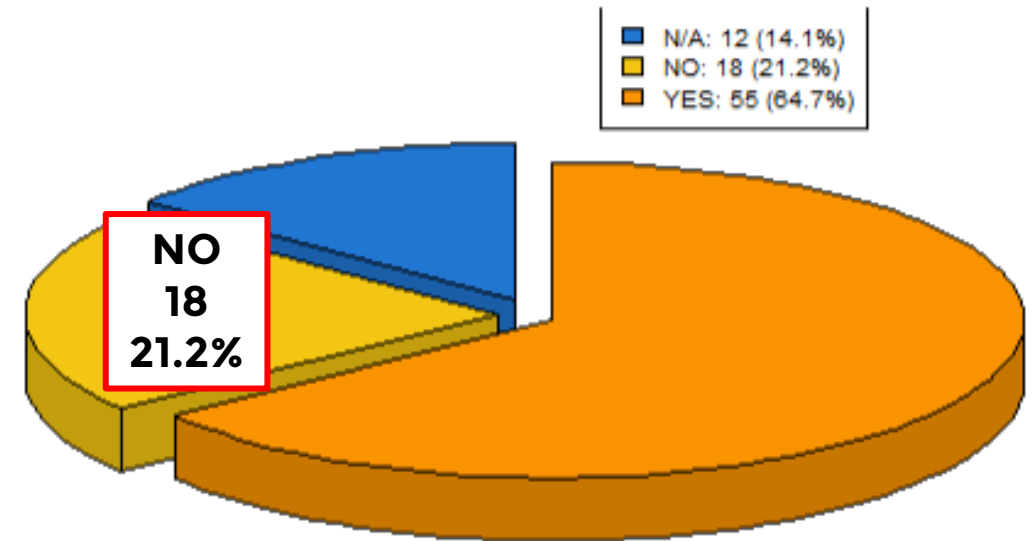


Auditing & Monitoring Unit - 85 audits - Thoroughness

Do any interview memos indicate the existence of additional evidence or witnesses that the investigator failed to obtain/contact?



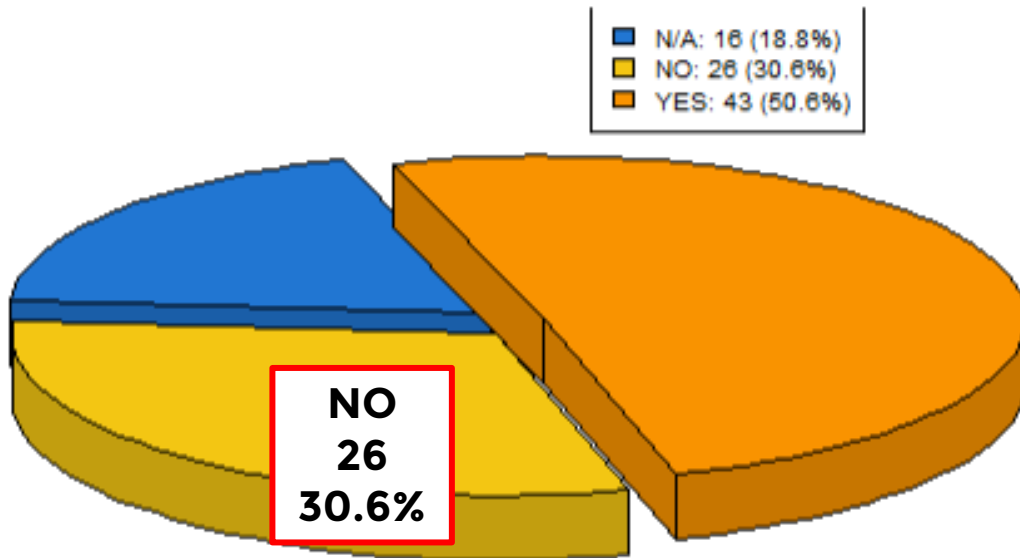
Did the investigator interview all PPD witnesses or provide explanation?



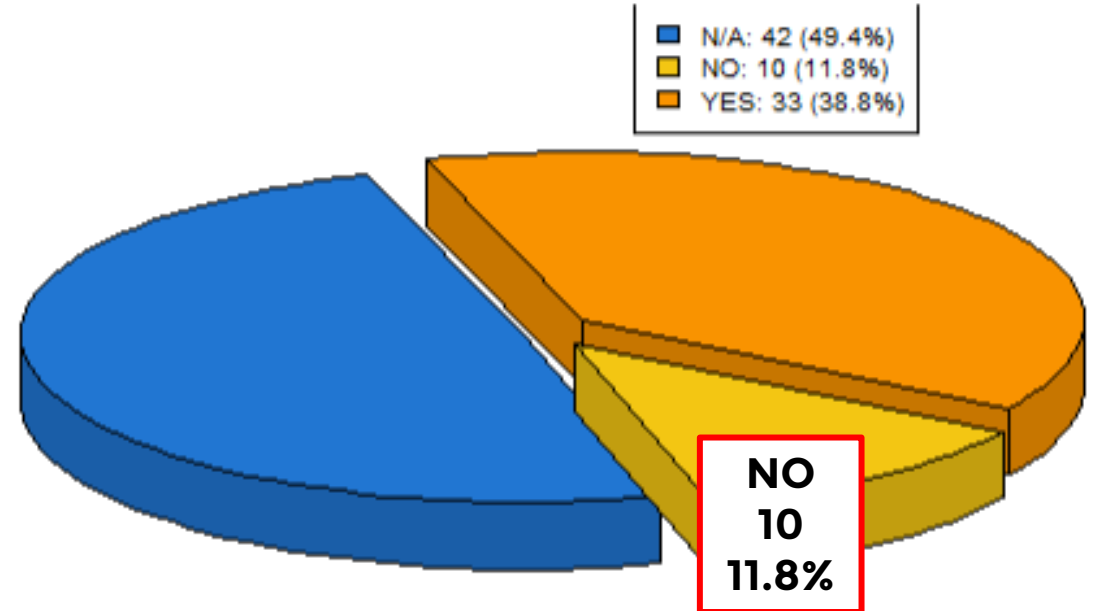
- Explanations are so important - without an explanation for why someone wasn't interviewed, it's impossible to know if it's on purpose or if it was missed during the investigation.

Auditing & Monitoring Unit - 85 audits - Interview thoroughness

Did the investigator ask proper follow-up questions in OFFICER interviews?



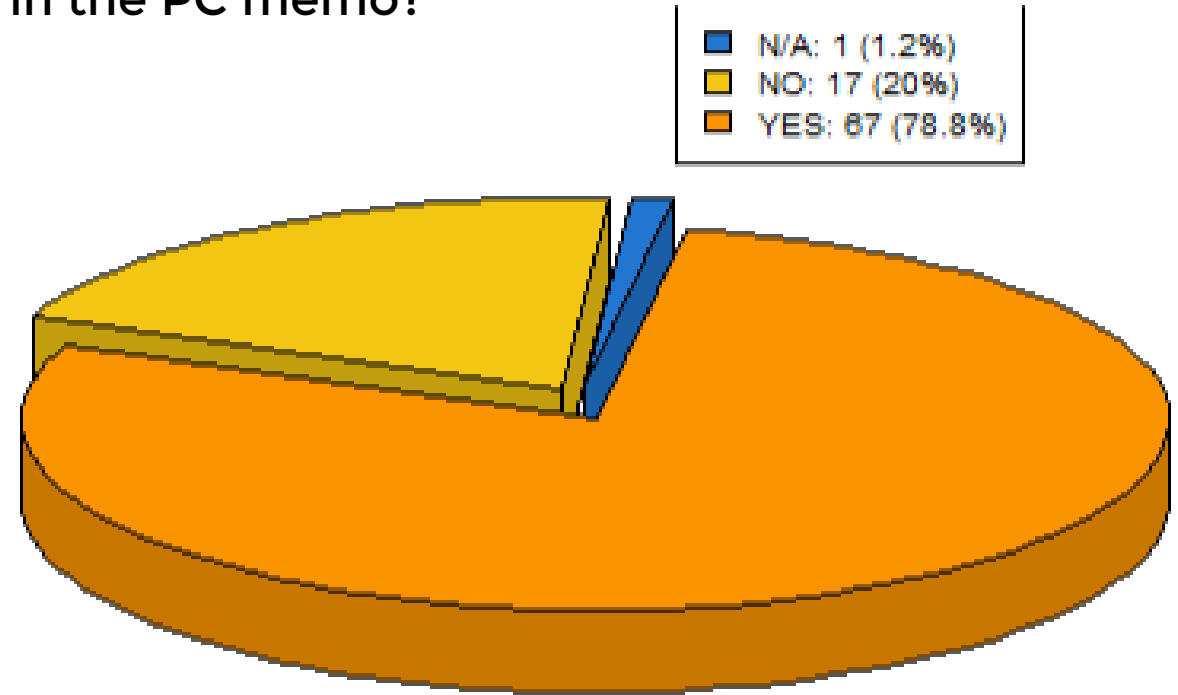
Did the investigator ask proper follow-up questions in CIVILIAN interviews?



Auditing & Monitoring Unit – 85 audits

Are the allegation findings on the conclusions page logical and reasonable based on the analysis of the evidence presented in the PC memo?

- 17 cases (20%) had findings that were not logical or reasonable.
- We want findings to match the facts and analysis – it’s about fairness to the complainant and the officer.
- “Exonerated” and “unfounded” mean different things as findings, but sometimes are used interchangeably. We want findings to be accurate and data to be solid.
- We don’t see findings that are wildly off base – “exonerated” when misconduct occurred – so that is a positive sign.



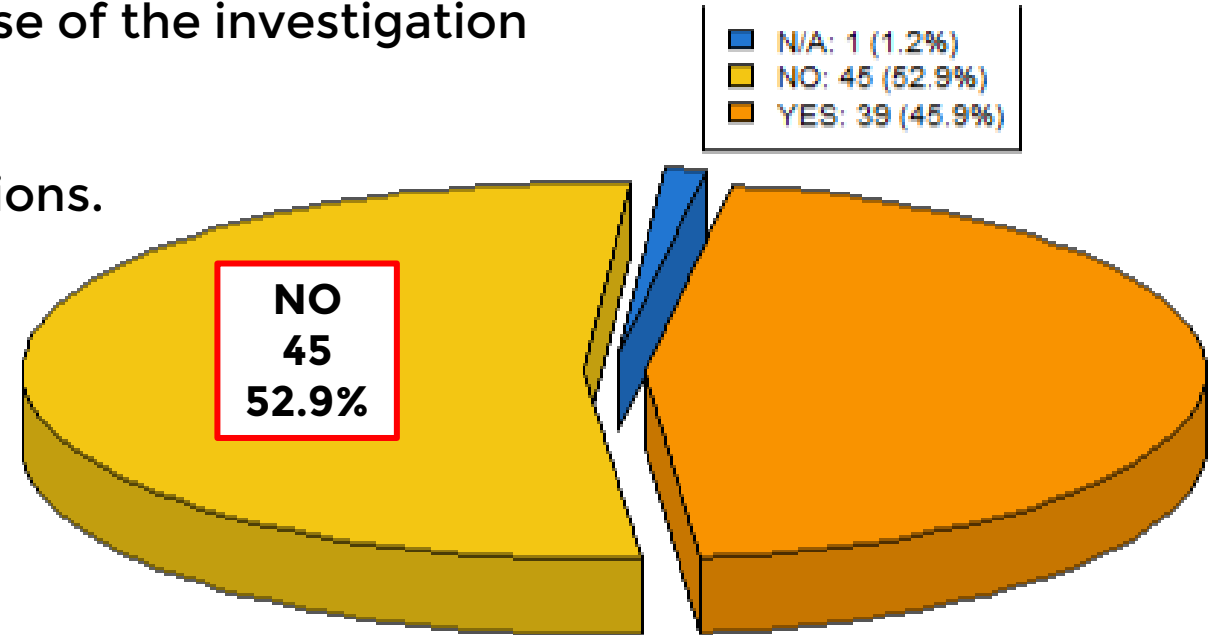
Auditing & Monitoring Unit – 85 audits

Were ALL allegations identified during the course of the investigation addressed on the conclusions page?

- Half of the cases audited had missing allegations.
- Auditors highlight every violation they see – this can include “minor” violations that PPD may not want to discipline for.

Example – when officers do not announce over police radio before they conduct a traffic stop.

But – as seen on the next slide – the most common missing allegations relate to use of BWCs and officer conduct while interacting with civilians.



Auditing & Monitoring Unit – 85 audits

- Auditors look for allegations raised by the complainant as well as other administrative violations
- BWC is a great example – complainants may not know if officers have activated their BWC, but video is critical to accountability and BWC should always be on when required.

Most Common Missing Allegations	Count
Departmental Violation-Failure To Activate BWC	16
Departmental Violation-PPD Directives Violation (See PPD#)	15
Unprofessional Conduct-Rude/Dismissive Behavior	10
Verbal Abuse-Intimidating/Threatening Language	7
Lack Of Service-Failure To Prepare/Accurately Complete Report	6
Departmental Violation-Refusal To Provide Badge Or Name	5
Lack Of Service-Failure To Provide Service/Take Police Action	4
Other Misconduct-Unspecified	3
Departmental Violation-Improper Search/Seizure	3
Departmental Violation-Damaged Property Private	3
Physical Abuse-Threatened With Firearm	3
Lack Of Service-Delayed Response	2
Physical Abuse-Forcibly Grabbed	2
Departmental Violation-Improper Stop/Detention	2
Harassment-By Authority	2
Lack Of Service-Failed Impartiality	2
Verbal Abuse-Rude Language/Tone	2



Auditing & Monitoring Unit

These audits have generated productive discussions with PPD about IAD processes.

Bringing the civilian oversight perspective to these cases and conversations has been an overall positive experience.

Every review we do helps build our knowledge base and strengthens our toolkit as we look toward CPOC's growth.

We receive new cases everyday and continue our reviews.





Citizens Police Oversight Commission

Thank you for coming

Questions or comments?

Please raise your hand, type your question in
the chat, or contact us:

cpoc@phila.gov or (215) 685-0891



City of
Philadelphia