

2020

Internal Affairs Report



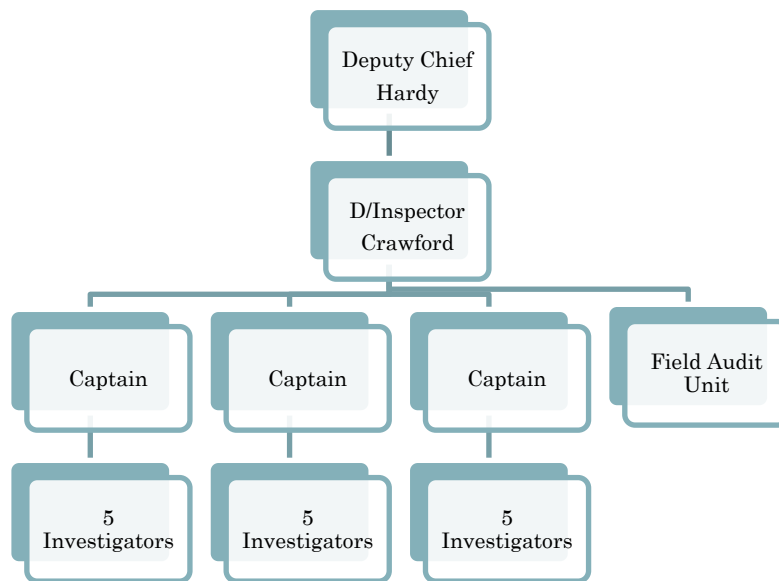
Suffolk County Police
Department

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The Internal Affairs Bureau

The Suffolk County Police Department is committed to maintaining the highest level of professional responsibility among all its officers and civilian personnel. It strives to maintain the trust and confidence of the public, and to that end, investigates all complaints of misconduct. The Internal Affairs Bureau is responsible for overseeing these investigations in a timely, thorough and impartial manner pursuant to exacting policies and procedures.¹



The Complaint Process

Complaints against SCPD personnel may be lodged in-person at any Department facility with any uniformed supervisor. Members of the public may also lodge a complaint via telephone, email or regular mail. Regardless of how it is lodged, every complaint will make its way to the Internal Affairs Bureau [IAB] within 48-72 hours. Most are received by IAB within 24 hours. Complaints are all entered into a dedicated, secure database [IAPro©] which serves as a central clearing house and early warning system for all misconduct and disciplinary matters within the Department.

All complaints are accepted regardless of the complainant's personal involvement in the incident. Family members, witnesses, advocates, attorneys, members of the Department and even anonymous sources may lodge complaints. The duty to document complaints is assigned to sworn supervisors holding the rank

¹ Lexipol Policy 1010 "Personnel Investigations and Complaints"

of Sergeant or above, and every Department employee is mandated by policy to accept all complaints by alerting a supervisor.

Complainants who have limited proficiency in the English language are offered language assistance regardless of the means chosen to lodge the complaint, i.e., telephonic or face-to-face interpretation, email or document translation, etc.² More than 200 sworn personnel are certified by an independent body to conduct interpretations, and all members of the Department have immediate access to telephonic interpretation services.³

Once an IAB investigation is opened, it is assigned to an investigator who must contact the complainant within 72 hours. Contact with the complainant is then maintained on a regular basis throughout the investigation. All information and evidence obtained from the complainant is kept in strict confidence. Once all investigative leads are exhausted and all relevant parties interviewed, the investigator prepares a report which addresses the complainant's allegations, as well as any additional allegations that were brought to light by the investigation. Every allegation is 'disposed of' in one of four ways:

"Substantiated" – when sufficient evidence exists to establish both that the alleged act occurred and that it constituted misconduct.

"Unsubstantiated" – when the alleged act constitutes misconduct however insufficient evidence exists to establish that it occurred.

"Exonerated" – when sufficient evidence exists to establish both that the alleged act occurred and that it did not constitute misconduct.

"Unfounded" – when sufficient evidence exists to establish that the alleged act did not occur.

Once the investigator's report is complete, the case is reviewed by their immediate supervisor who authors a summary report. This summary catalogues the steps taken by the investigator and includes a determination regarding the disposition of all allegations. Should the supervisor find that an avenue of investigation was not exhausted, the report will be returned to the investigator to explore that avenue. If the supervisor does not concur with the investigator's disposition of any allegation, the supervisor will explain their conclusions in the summary report.

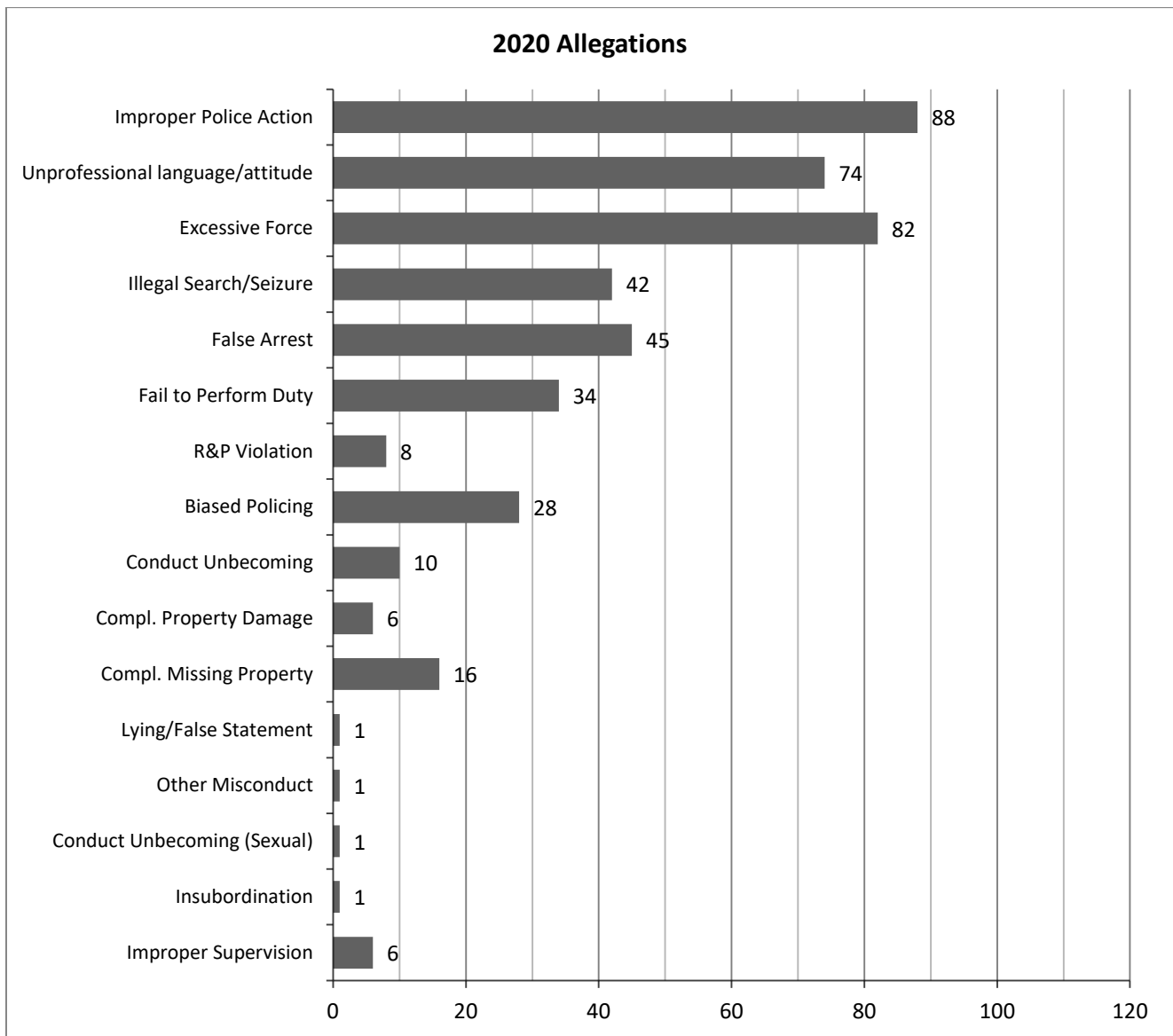
The investigator's report along with their supervisor's summary is then reviewed by the Executive Officer and Commanding Officer. The Commanding Officer will then forward the file to the First Deputy Police Commissioner who will render the final agency determination on the case, and also determine what discipline, if any, is appropriate. Once the file is signed by the First Deputy Commissioner it is returned to IAB and a final letter is sent to the complainant explaining the results of the investigation. If disciplinary action is indicated, charges and specifications are drawn by the investigator and served upon the involved officer who then may request a hearing as provided in the New York State Civil Service law and any applicable collective bargaining agreement.

² Lexipol Policy 333 "Limited English Proficiency Services"

³ Nearly all marked police cars have video conference capabilities also.

2020 Complaints

The Department received 190 civilian complaints in 2020, containing a total of 443 separate allegations of misconduct.⁴

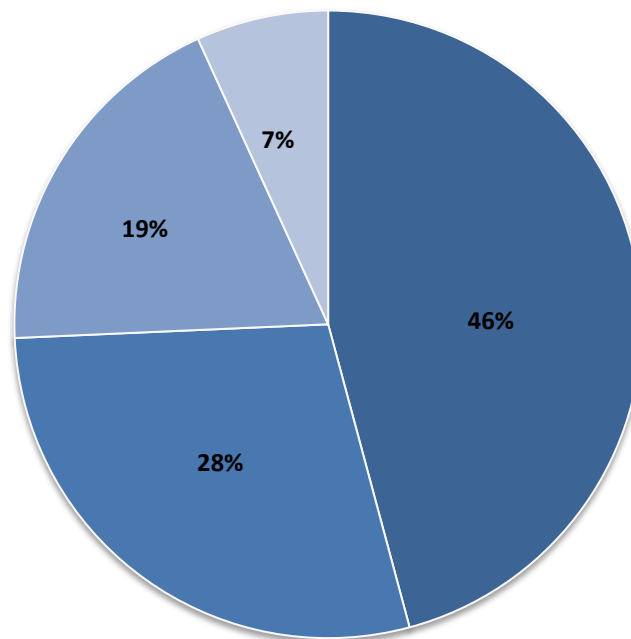


⁴ These numbers do not include Administrative Investigations which are opened at the request of a Department Supervisor. Thirty-one Administrative Investigations were opened in 2020.

The Internal Affairs Bureau investigated 111 of the complaints received in 2020, and delegated 79 to other commands for investigation. The results of delegated investigations are submitted to Internal Affairs for review and concurrence as described above.

Of the 111 cases investigated by Internal Affairs, 73 have been completed.⁵ Dispositions for the allegations contained within these cases are displayed below.

2020 Dispositions



■ Exonerated ■ Unsubstantiated ■ Unfounded ■ Substantiated

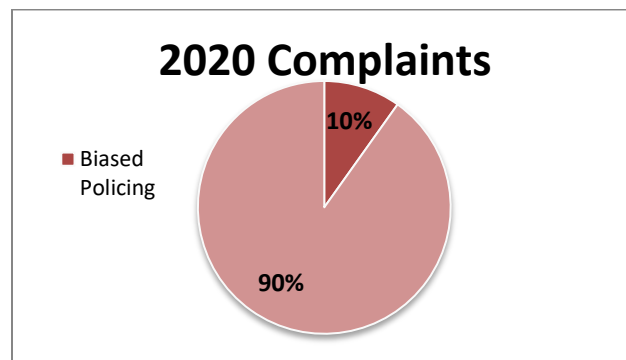
⁵ Case completion and allegation disposition statistics are based upon data retrieved on May 20, 2021.

Biased Policing Allegations

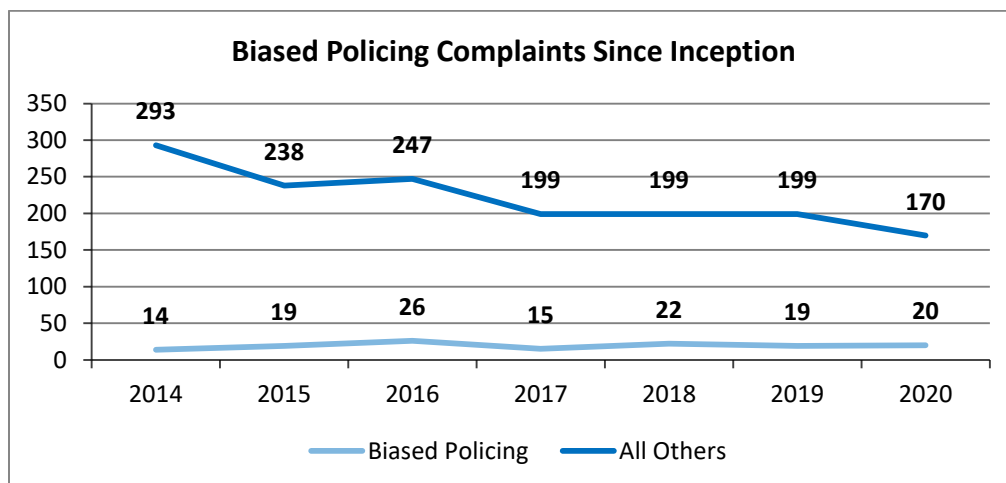
Biased Policing is defined as:

The selective enforcement or non-enforcement of the law, including the selecting or rejecting of particular policing tactics or strategies, based upon an individual's race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity or expression.⁶

Of the 190 cases opened in 2020, 20 contained a total of 28 allegations of Biased Policing.

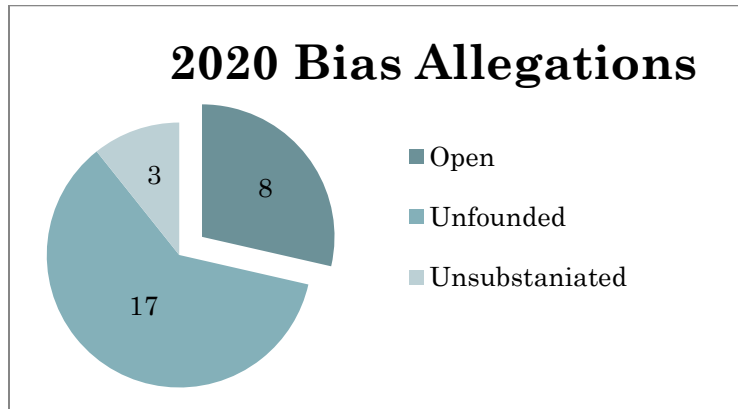


The number of biased policing complaints has remained relatively constant since 2014, while the overall number of complaints has been steadily decreasing.



⁶ Lexipol Policy 401 “Bias Free Policing”

Of the 28 individual allegations of biased policing, 20 have dispositions.



The Cases

Case #20-48i

Complainant	Latino male	Officers	Caucasian males
		Command	3 rd Precinct
Allegations	Biased Policing	Unfounded	
	Improper Police Action	Exonerated	
	Biased Policing	Unfounded	
	Improper Police Action	Exonerated	

Complainant alleged that he was pulled over by 2 Caucasian male officers and ticketed solely because he was driving with a hoodie on and is Hispanic. The involved officers stated that they observed the complainant's vehicle pass them at a high rate of speed and then turn without signaling. The officers stated that they could not observe the driver's face as he passed them because he was wearing a hood. No evidence of bias motivation was found.

Case #20-58i

Complainant	Latino female	Officer	Caucasian male
		Command	2 nd Precinct
Allegations	Biased Policing	Unfounded	
	Unprofessional Language/Attitude	Unfounded	

Received from Human Rights Commission. Claimant reports that she accidentally backed into another vehicle in a parking lot and a white male in the parking lot made derogatory ethnic remarks toward her. Claimant stated that the responding officer did not listen to her explanation about the threatening man and instead yelled at her and issued her two summonses for the accident. Claimant feels that the officer has been targeting Hispanic people and that she was subjected to discriminatory treatment. Investigators reviewed audio and video recordings of the incident and found no evidence to suggest bias. The recordings also disproved the allegation that the officer yelled at the complainant.

Case #20-79i

Complainant	Black male	Officers Command	Caucasian male, Latino male 3 rd Precinct
Allegations	Biased Policing False Arrest Biased Policing False Arrest	Unfounded Exonerated Unfounded Exonerated	

Received via Notice of Claim. Claimant alleged that he was waiting for a train when he was approached by two white males who asked him for identification and if he was in possession of any drugs. Claimant alleged that after checking information in their unmarked car, they placed him under arrest for providing an inaccurate date of birth. The Notice of Claim contains an allegation of race-based biased policing upon information and belief, but makes no factual allegations supporting this. Claimant refused to be interviewed by IAB investigators. Statements from the involved officers and records made contemporaneously with claimant's arrest reveal that he was observed making hand-to-hand transactions on the train platform, and when approached by officers gave a fictitious name. No evidence of any bias motive was found by investigators.

Case #20-175i

Complainant	Black male	Officer Command	Caucasian male 1 st Precinct
Allegations	Biased Policing False Arrest Illegal Search/Seizure	Pending Pending Pending	

Received as a Notice of Claim. Claimant alleges being falsely arrested, imprisoned and illegally searched by members of the Suffolk County Police Department and Officers of the Brooklyn Parole Office.

Case #20-221i

Complainant	Black male, Black female	Officers Command	Caucasian male 5 th Precinct
Allegations	Biased Policing False Arrest	Pending Pending	

Received via *pro se* Summons and Complaint. Plaintiffs allege members of the Town of Brookhaven along with Suffolk County Police illegally removed them from their residence. Plaintiffs also allege the Suffolk County Police Department permits and tolerates a pattern and practice of unlawful and illegal bias against African-Americans.

Case #20-239i

Complainant	Black male	Officers Command	Caucasian males, Caucasian female 4 th Precinct
Allegations	Biased Policing False Arrest False Arrest	Unfounded Exonerated Exonerated	

False Arrest	Exonerated
Excessive Force	Exonerated
Excessive Force	Exonerated
Excessive Force	Exonerated
Excessive Force	Exonerated

Received via Notice of Claim. Claimant alleges he was a passenger in a vehicle which was involved in an accident. He alleges that officers slammed him to the ground causing injury and tazered him while handcuffed. Claimant also alleges that EMS personnel noticed a white substance in the ambulance and accused claimant of drug possession. Claimant also alleges that the arresting officers used the “N” word.

Investigators obtained security camera footage of the struggle that led to claimant’s arrest and also interviewed 5 eyewitnesses and all of the officers involved in the incident along with EMS personnel. According to an eye witness, the claimant was the operator and sole occupant of the vehicle which crashed into a fence. Four other, un-related eyewitnesses saw the claimant several blocks away and witnessed his arrest. Investigators concluded from this sworn testimony and the security camera footage that the officers used only the force necessary to take claimant into custody. Investigators also found no evidence that any of the officers used racial epithets.

Case #20-275i

Complainant	Hispanic female	Officers Command	Caucasian males, Caucasian female 3 rd Precinct
Allegations	Biased Policing		Unfounded
	Fail to Perform Duty		Unfounded
	Fail to Perform Duty		Unfounded
	Fail to Perform Duty		Unfounded
	Unprofessional Language/Attitude		Unfounded
	Unprofessional Language/Attitude		Unfounded
	Unprofessional Language/Attitude		Unfounded
	Excessive Force		Exonerated
	Biased Policing		Unfounded
	Biased Policing		Unfounded

Complainant alleged that she called 911 because her husband punched her in the stomach and that the responding officers sided with him and didn't give her a copy of the report. She stated she was handcuffed for no reason and held her by her arm, causing injury. She also alleged that the officers were verbally abusive and that the female officer refused to leave the room and allow rescue personnel to examine her. Complainant alleged that her ethnicity influenced the way the officers handled the call.

Cell phone video of the underlying incident revealed no evidence to support complainant’s allegations against her husband. A family member who arrived on scene during the incident provided a sworn statement that the complainant was handcuffed because she was ‘acting up’ and ‘going crazy’. A member of the responding ambulance crew also provided a sworn statement that complainant was acting aggressively and was uncooperative and that he requested officers to remain for the safety of the crew. Investigators found no evidence of any bias motivation or unprofessional language or attitude.

Case #20-309i

Complainant	Black male	Officers Command	Caucasian males 1 st Precinct
Allegations	Biased Policing Improper Police Action Biased Policing Improper Police Action	Unfounded Unfounded Unfounded Unfounded	

Complainant alleged that he was pulled over and issued summonses "for being black and operating a nice car". Complainant, his passenger and all involved officers were interviewed by investigators. Complainant's passenger gave a statement that she had transferred the license plates from a different vehicle. Officers stated that they pulled the complainant over because the plates did not match the vehicle he was operating. No evidence of any bias motivation was found by investigators..

Case #20-318i

Complainant	Black male	Officers Command	Caucasian male Highway Patrol
Allegations	Biased Policing Improper Police Action	Unfounded Unfounded	

Received from Human Rights Commission. Complainant was issued summonses for driving 89 m.p.h. and having illegal tint on his vehicle's windows. He alleged that he was only stopped because he is Black. Investigators interviewed both parties and review records pertaining to the traffic stop. No evidence of any bias motive was discovered.

Case #20-329i

Complainant	Black Hispanic male	Officers Command	Caucasian males 1 st Precinct
Allegations	Biased Policing Improper Police Action Biased Policing	Unfounded Unfounded Unfounded	

Complainant, who was pulled over but not issued any summonses, alleges that he was racially profiled because he is a Black Hispanic male operating a nicer vehicle than most people in the area. Photographic evidence confirmed that the officers had a valid reason to pull the complainant over, and investigators found no evidence of bias.

Case #20-341i

Complainant	African-American female	Officers Command	Caucasian males 1 st Precinct
Allegations	Biased Policing Unprofessional Language/Attitude	Unfounded Unsubstantiated	

Complainant alleges that she was pulled over on two occasions and believes she is being targeted due to her race. Complainant was issued summonses for driving with a suspended license, unlicensed operation and broken tail light on two separate occasions. Investigators found no evidence of any bias motivation.

Case #20-326i

Complainant	African-American female	Officers	Unknown
		Command	3 rd Precinct
Allegations	Biased Policing	Pending	
	Improper Police Action	Pending	

Complaint received via email from the NAACP o/b/o complainant who alleged she was being harassed by police because of her race and the fact that she had started feeding the homeless in a public park. Complainant alleges being followed, having a marked police car block her way in a train station parking lot and that the police destroyed a BBQ grill she brought to the park.

Case #20-328i

Complainant	Black male	Officers	Unknown
		Command	3 rd Precinct
Allegations	Biased Policing	Pending	
	Improper Police Action	Pending	

Complaint received via email from the NAACP o/b/o complainant who alleged he has been harassed and targeted by SCPD members for years because he is a former convict and he is black. He reports previously he was searched, had property seized, and was tazered.

Case #20-342ii

Complainant	White male	Officers	Caucasian male
		Command	6 th Precinct
Allegations	Biased Policing	Unfounded	
	Unprofessional Language/Attitude	Unfounded	
	Improper Police Action	Exonerated	

Complainant alleged an officer continually follows him in public, issuing him summonses for open alcohol and harassing him. Complainant also alleges that the officer targets him because he is white. Investigators determined that the complainant frequents an area that local businesses and residents have identified as problematic due to the number of people hanging out drinking all day and that the involved officer had written over 50 open alcohol summonses at that location over the past year. No evidence of bias motivation was found.

Case #20-404i

Complainant	Black male	Officers	Caucasian male, African-American male
		Command	1 st Precinct
Allegations	Biased Policing	Pending	
	Illegal Search/Seizure	Pending	

Biased Policing	Pending
Illegal Search/Seizure	Pending

Complainant alleges he was racially profiled, harassed and threatened by two Suffolk County police officers during a traffic stop for an alleged traffic violation. Claimant also alleges illegal search and seizure of his vehicle.

Case #20-459i

Complainant	Black male	Officers Command	Caucasian female 5 th Precinct
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Allegations	Biased Policing	Pending
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Complainant alleges he was searched as a passenger in a vehicle because he is Black.

Case #20-468i

Complainant	Black males	Officers Command	Unknown 3 rd Precinct
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Allegations	Biased Policing	Pending
	Improper Police Action	Pending
	False Arrest	Pending

Received as a Notice of Claim. Claimants, allege wrongful action by members of the SCPD including harassment, discrimination, unlawful arrest, presentation of false instruments and failure to provide medical attention in the area of mental health.

Case #20-477i

Complainant	African-American female	Officers Command	Caucasian males 7 th Precinct
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Allegations	Biased Policing	Unsubstantiated
	Unprofessional Language/Attitude	Unsubstantiated

Complaint received via e-mail alleging officer would not explain why he pulled female motorist over, and spoke to her in a condescending manner. Complainant also alleged no one would take her complaint over the phone and that she was treated badly in both circumstances because of her race. Investigators found no evidence of bias intent after interviewing all involved parties.

Case #20-484i

Complainant	Hispanic female	Officers Command	Caucasian male 5 th Precinct
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Allegations	Biased Policing	Pending
	Unprofessional Language/Attitude	Pending

Complainant alleged that the officer who handled an accident she was involved in yelled at her and also told her she was not at fault in the accident, but then wrote the report putting her at fault. Complainant believes her ethnicity may have prompted the officer to behave in this manner.

Case #20-480i

Complainant	Black male	Officers	Caucasian males
		Command	3 rd Precinct
Allegations	Biased Policing	Unsubstantiated	
	Illegal Search/Seizure	Exonerated	
	Biased Policing	Unsubstantiated	
	Improper Police Action	Exonerated	

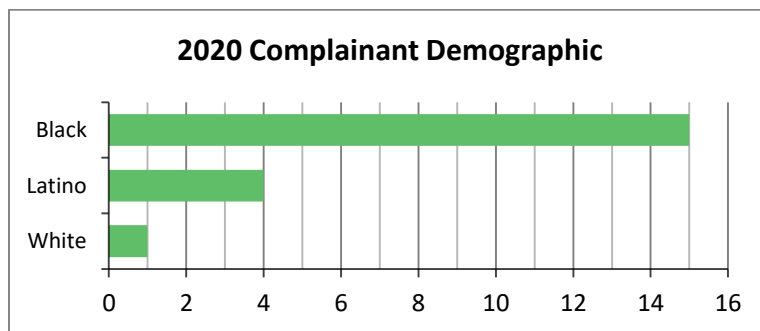
Complainant alleged that he was stopped by the police, issued traffic summons that were not warranted, and subjected to an unlawful search of his vehicle because he was a black male driving a nice car. Investigators determined that the complainant was issued several tickets for failing to stop at several stop signs, and that no evidence of bias motivation was present.

Analysis

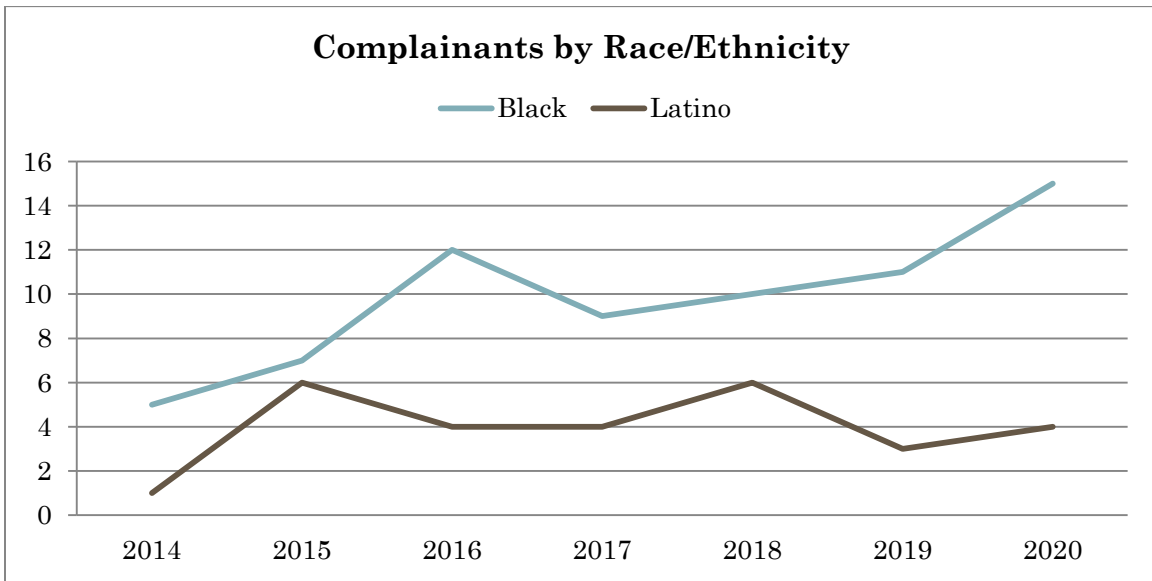
The Department analyzes Biased Policing allegations by reviewing the facts of each complaint, the demographics of the involved parties, and the geographic location of the underlying incident. These analyses have been conducted annually since biased policing was adopted as an allegation in 2014.

In 2020 Biased Policing complaints were again a very small subset of all misconduct complaints. As in previous years the majority of bias allegations closed in 2020 were found to be lacking any factual basis. An allegation of Biased Policing from a prior year was, however, substantiated in 2020 when information was developed that an officer refused to take a report based upon a complainant’s lack of English proficiency.⁷ That case is scheduled for a disciplinary arbitration.

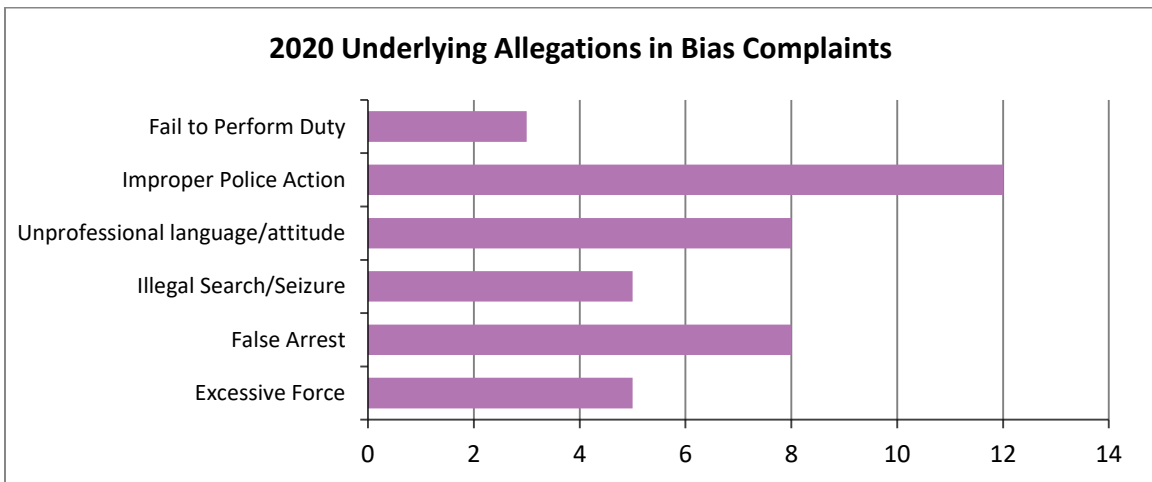
The majority of complainants in 2020 were Black/African-American, maintaining the increasing trend seen since 2017. The number of Latino complainants saw a slight increase from last year, but still has yet to exceed single digits in any year since inception.



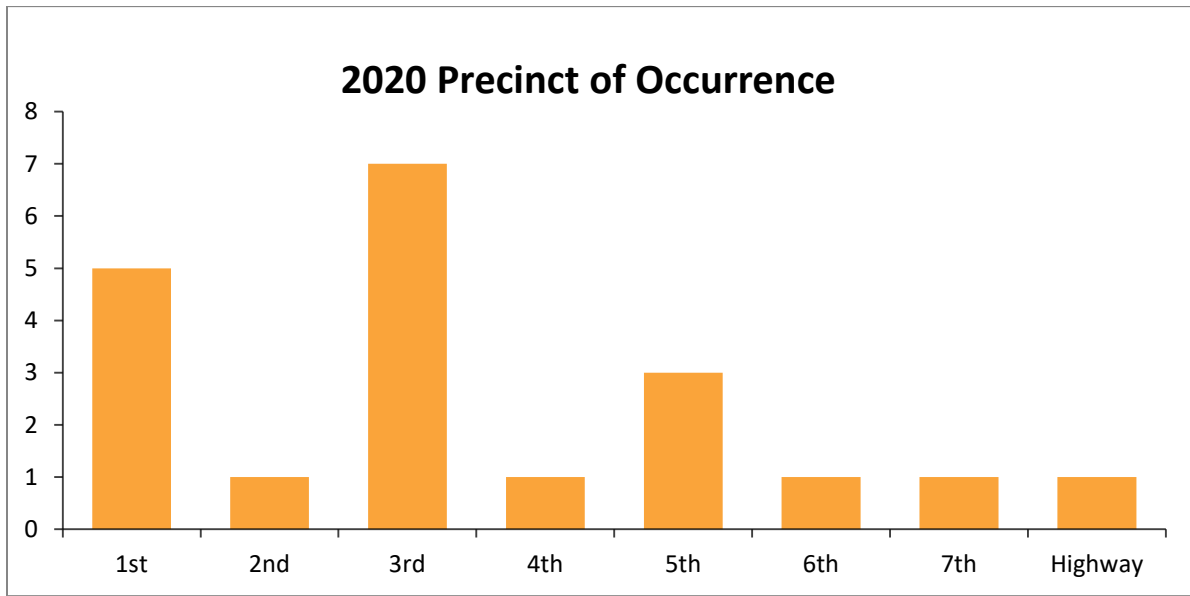
⁷ IAB Case #2018-864i



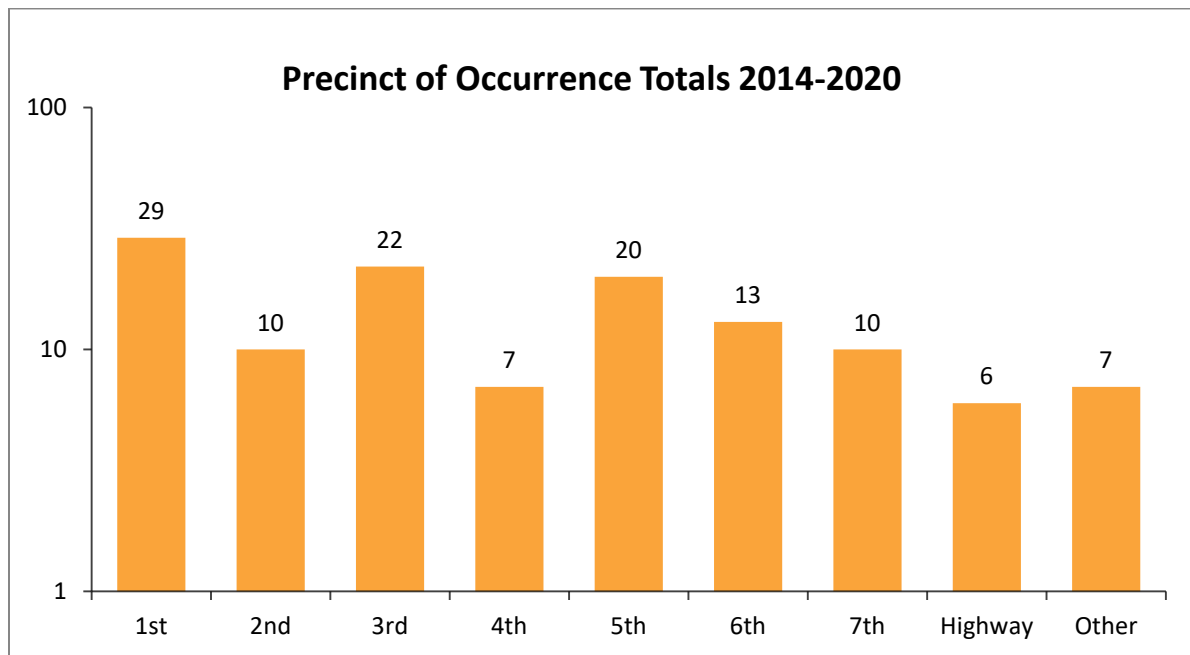
“Improper Police Action” and “Unprofessional Language/Attitude” again made up two of the top three underlying allegations in bias complaints. More than half of the Improper Police Action allegations were made by motorists who believed that they were pulled over and/or ticket because of their race.



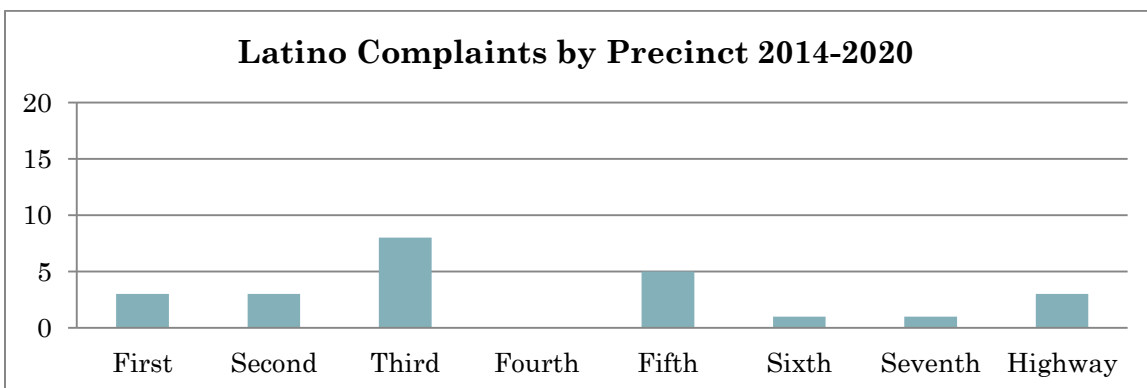
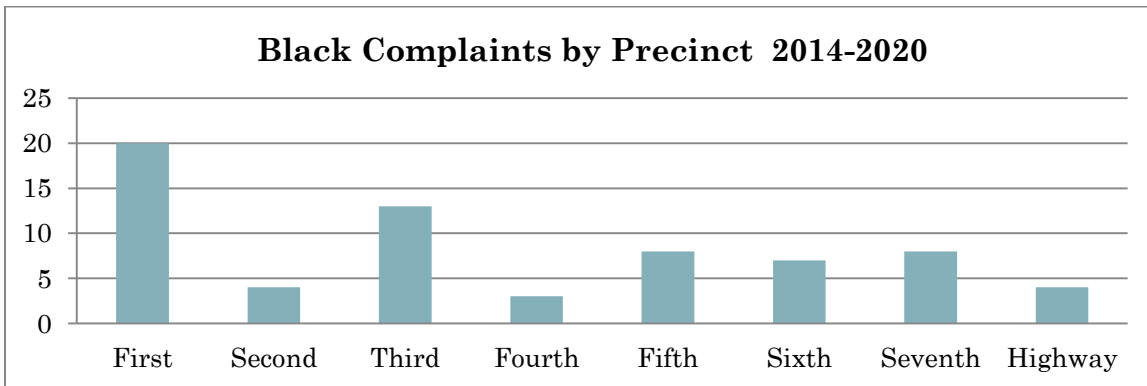
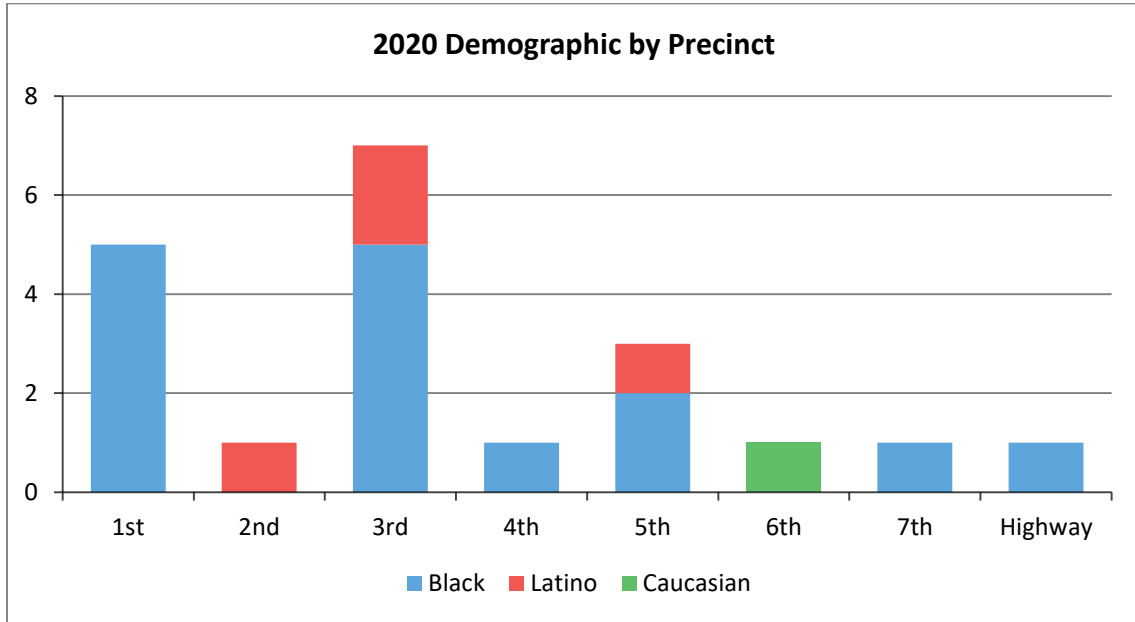
Most of the 2020 Biased Policing complaints were lodged in the 3rd Precinct, which received two more complaints than last year.



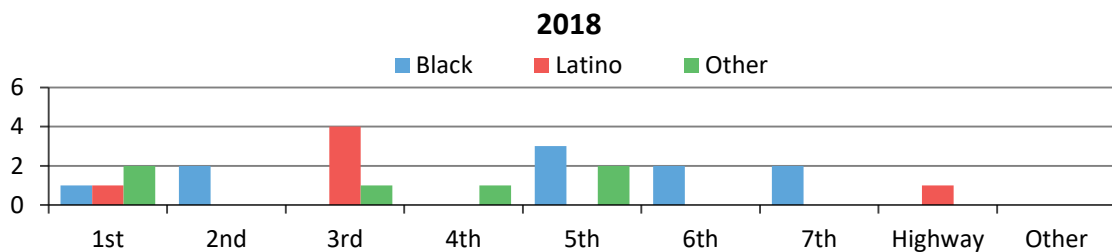
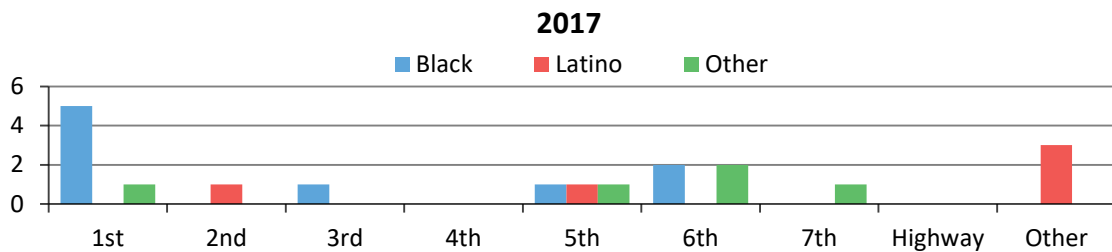
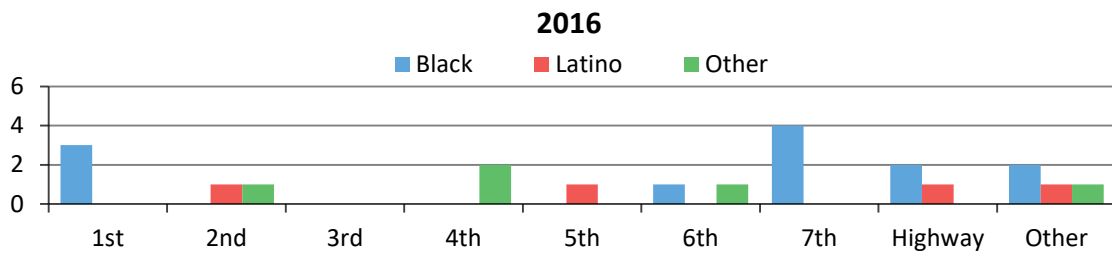
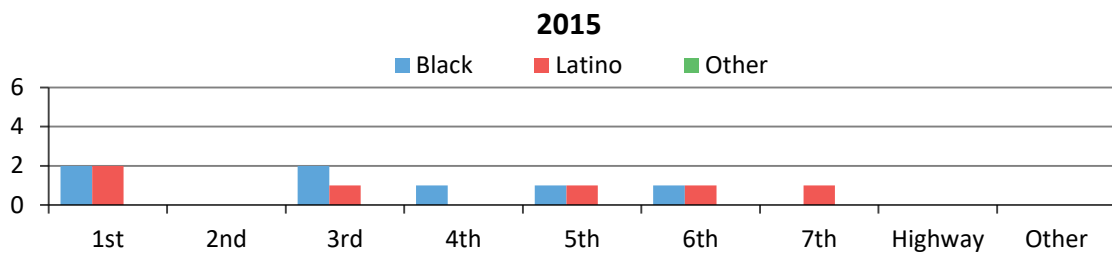
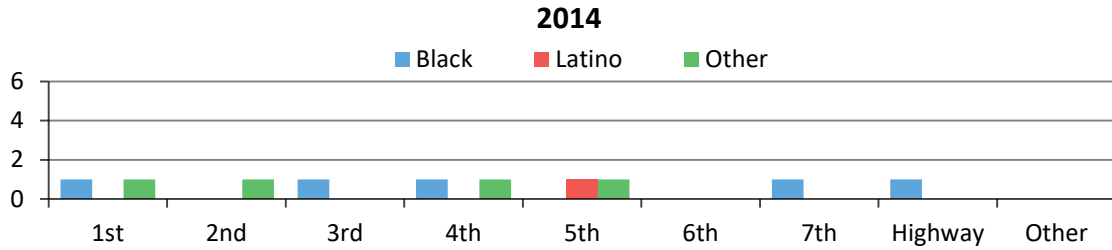
The 1st Precinct received the second highest number of Biased Policing complaints in 2020 and has the most of any Precinct in total since inception.

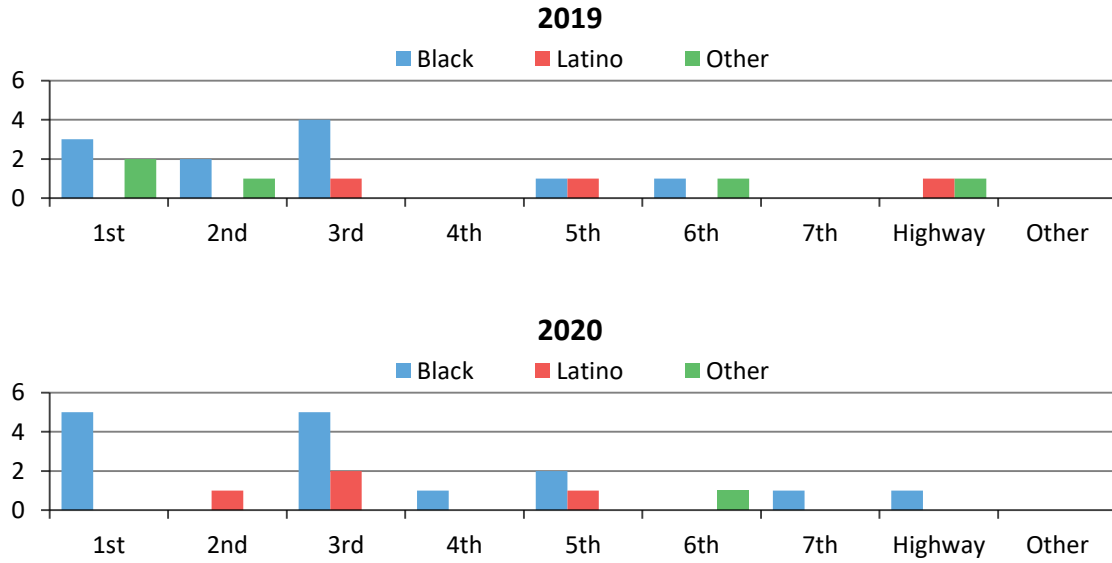


Only three demographics were represented in the 20 reported cases. Black complainants were in double digits for the third year in a row, and hit an all-time annual high in 2020.



Complainant Demographics over Time





Conclusion

The Department remains vigilant in tracking and analyzing Biased Policing complaints in order to gain insights on how its officers perform their duties and how their actions are perceived by the public. As the results of this year's analysis shows, very few trends have developed over the years other than the prevalence of Black complaints and their concentration in the First Precinct.

