

2018

INTERNAL AFFAIRS ANNUAL REPORT





# INDIAN RIVER COUNTY SHERIFF'S OFFICE

## *Internal Affairs 2018-Annual Report*

*Sheriff Deryl Loar*

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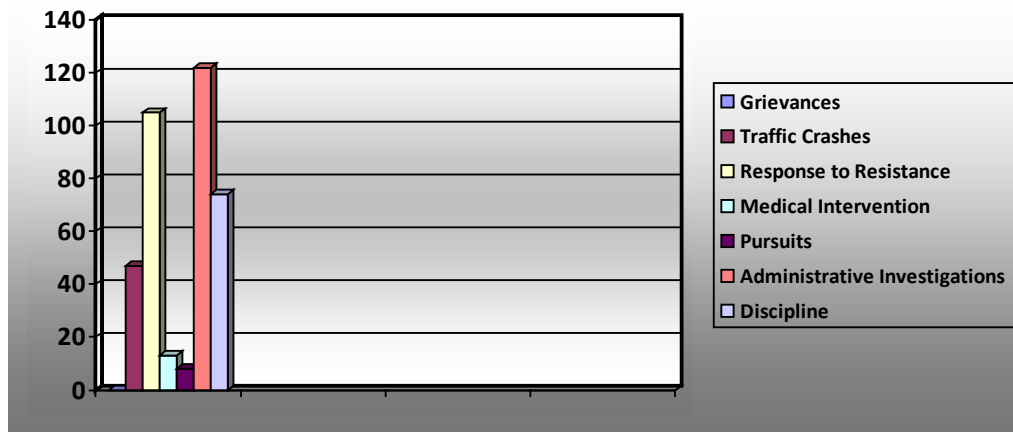
### Introduction

Pursuant to Agency policy, reviews and statistical reports are compiled concerning a wide variety of incidents involving Agency personnel. The primary categories of incidents are Grievances, Traffic Crashes, Response to Resistance, Vehicle Pursuits, Administrative Investigations, and Discipline. Discipline is a subcategory, which is applied in response to noted policy violations of the primary categories, but is also counted as a primary category for reporting and may include discipline for items not otherwise addressed through Internal Affairs assignment. *Data collection for Medical Intervention statistics began at the beginning of 2018. Medical Interventions include instances in which an Automatic Electronic Defibrillator (AED) or the deployment of Naloxone Hydrochloride Auto-Injector was utilized.* These incidents are analyzed to determine trends or to identify training needs. During 2018, the Internal Affairs Section received 295 reports, including both Law Enforcement and Corrections Bureaus concerning the below listed areas as follows:

➤ Grievances	00	(0 for 2017)
➤ Traffic Crashes	47	(45 for 2017)
➤ Response to Resistance	105	(159 for 2017)
➤ <i>Medical Intervention</i>	<i>13</i>	<i>(New Category)</i>
➤ Pursuits	08	(13 for 2017)
➤ Administrative Investigations	122	(129 for 2017)

In 2017, a total of 346 reports consisting of Response to Resistance, Discipline, Vehicle Pursuits and Traffic Crash reports were generated compared to the 293 generated in 2016.

*NOTE: In 2018, seventy (74) incidents resulted in disciplinary actions.  
(Refer to Analysis of Discipline chart below for more detailed information)*



### **Bias Based Profiling**

There were no reports of Bias Based Profiling for the year of 2018.

For the year of 2017, there was one (1) report alleging Bias Based Profiling, and after investigation, this complaint was Unfounded and no corrective action was required. For the year of 2016, there were no reports of Bias Based Profiling. The relative lack of reports or complaints of bias based profiling is reflective of the training Agency members receive in this area. This includes initial training through the Field Training Program and annual in-service training consisting of the following:

- proactive enforcement tactics
- officer/deputy safety
- courtesy
- cultural diversity
- laws governing search and seizure
- interpersonal communication skills.

The legal aspects of Bias Based Profiling are also an element of the Legal Update portion of annual in-service training. The training programs emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion and police interaction based on protected class status.

### **Grievances**

There were no Grievances filed for the year of 2018.

In the year of 2017, there were no Grievances filed. In the year of 2016, there were no Grievances filed.

## **Disciplinary Action Appeals**

There were two (2) Disciplinary Action Appeals filed for the year of 2018.

In the year of 2017 there were two (2) Discipline Action Appeals filed. In the year of 2016 there was one (1) Disciplinary Action Appeal filed.

The above appeals notwithstanding, the infrequent occurrences of Disciplinary Appeals in 2018 may be a reflection of, and attributed to, the validity of the Internal Affairs process and the proportionality of discipline imposed as it relates to the seriousness of the violations. The Internal Affairs Unit works closely with supervisors at the Bureau and Division level to ensure that all disciplinary investigations and discipline imposed at the Division level occurs in a manner that is consistent with policy, procedure and past practices.

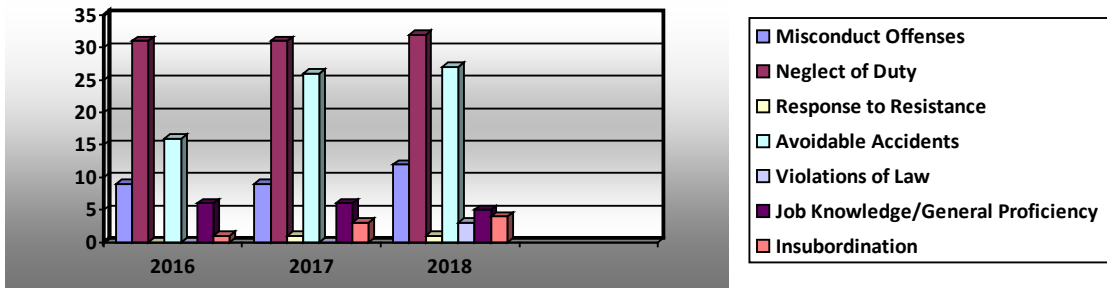
## **Discipline**

### **ANALYSIS OF DISCIPLINE ADMINISTERED (AGENCY WIDE)**

#### **Discipline by Type**

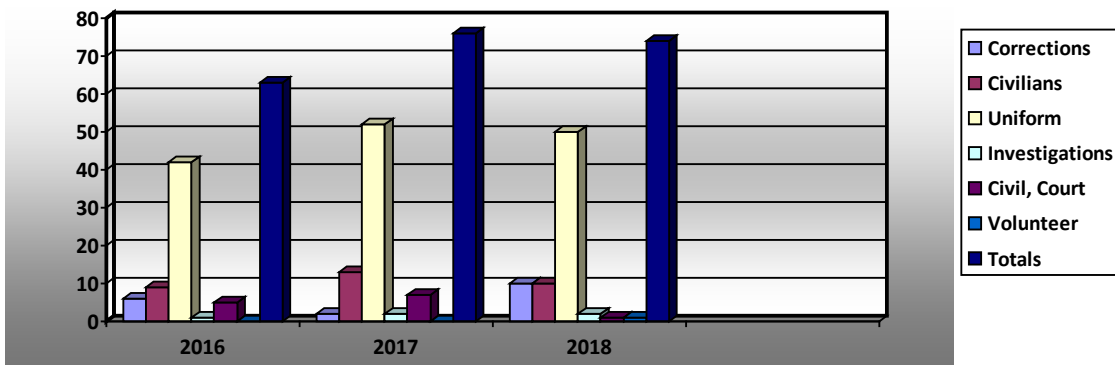
Offense Type	2016	2017	2018
Misconduct Offenses	09	09	12
Neglect of Duty	31	31	32
Response to Resistance	00	01	01
Avoidable Accidents: <i>Agency Owned Sheriff's Office Vehicles</i>	16	26	27
Violations of the Law	00	00	03
Job Knowledge/General Proficiency	06	06	05
Insubordination	01	03	04

The above chart indicates a relatively consistent level of sustained violations with subsequent issuance of discipline within all offense types. Disciplinary Action was administered for seventy-four (74) sustained instances occurring in 2018. In some instances, there were more than one sustained Agency policy violation for the same employee, which required the issuance of more than one disciplinary action. The year of 2018 was consistent with the previous year of 2017.



**Discipline by Component:**

Division	2016	2017	2018
Corrections	06	02	10
Civilians	09	13	10
Uniform	42	52	50
Investigations	01	02	02
Civil, Court	05	07	01
Volunteer	00	00	01
Totals	63	76	74



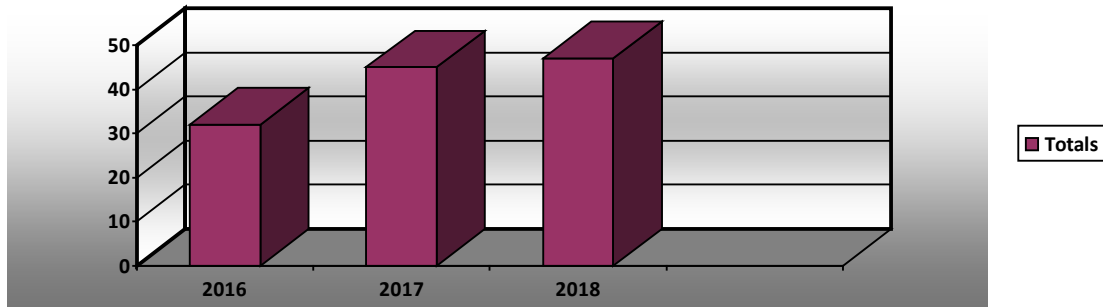
**Breakdown of Disciplinary Action Administered in 2018**

[Table 1. D.A.]

<b>Law Enforcement</b>	<b>Amount</b>	<b>Corrections</b>	<b>Amount</b>	<b>Civilian</b>	<b>Amount</b>	<b>TOTALS</b>
Letters of Counseling	43	Letters of Counseling	01	Letters of Counseling	04	48
Letters of Reprimand	01	Letters of Reprimand	00	Letters of Reprimand	02	3
Suspension 4 Hours	01	Suspension 4 Hours	00	Suspension 4 Hours	00	01
Suspension 8 Hours	03	Suspension 8 Hours	00	Suspension 8 Hours	01	04
Suspension 16 Hours	02	Suspension 16 Hours	03	Suspension 16 Hours	00	05
Suspension 24 Hours	01	Suspension 24 Hours	01	Suspension 24 Hours	00	02
Suspension 32 Hours	00	Suspension 32 Hours	04	Suspension 32 Hours	01	05
Suspension 40 Hours	01	Suspension 40 Hours	01	Suspension 40 Hours	01	03
Suspension 60 Hours	00	Suspension 60 Hours	00	Suspension 60 Hours	01	01
Disciplinary Transfer	01	Disciplinary Transfer	00	Disciplinary Transfer	00	01
Demotion	01	Demotion	00	Demotion	00	01
Termination	00	Termination	01	Termination	01	02
<b>TOTAL</b>	<b>54</b>	<b>TOTAL</b>	<b>11</b>	<b>TOTAL</b>	<b>11</b>	<b>76</b>

In all, seventy-four (74) Disciplinary Actions were administered during 2018. This is a decrease of one Disciplinary Action from the prior year of 2017 in which seventy-five (75) Disciplinary Actions were administered. This is an increase of twelve (12) Disciplinary Actions over the course of the previous year of 2016, in which sixty-three (63) Disciplinary Actions were administered. This increase was predominately due to the increase in sustained avoidable accidents involving Agency owned Sheriff's Office vehicles for the year of 2017.

**INDIAN RIVER COUNTY SHERIFF'S OFFICE EMPLOYEE TRAFFIC  
CRASHES**



There were forty-seven (47) traffic crashes involving Agency owned Sheriff's Office vehicles in 2018. Of the forty-seven (47) traffic crashes, seventeen (17) were determined to be unavoidable and thirty (30) were determined to be avoidable. The reported determined outcome for all crashes that occurred during 2018 are as follows:

- Animal 03
- Careless Driving 09
- Disregarded Other Traffic 01
- Markings
- Equipment Malfunction 01
- Following Too Closely 03
- Improper Backing 07
- Improper Turn 02
- Inattentive 15
- Over-Correcting/Steering 01
- Ran Off Roadway 01
- Ran Red Light 01
- Served to Avoid: 02
- MV, Person, Animal
- Weather Related 01

A more detailed account of contributing causes is available with the new implementation of the IAPro. As a result of the avoidable accidents, there were twenty-eight (28) Letters of Counseling issued. One member received a Letter of Reprimand as well as twenty-four (24) hours of Suspension. One member received four (4) hours of Suspension. Thirty (30) members whose crashes were avoidable attended a Remedial Driver's Training Course.

This equates to a 4% increase in total crashes for the year of 2018 from the year of 2017.

In the calendar year of 2017 there were forty-five (45) traffic crashes involving Agency owned Sheriff's Office vehicles. Of the forty-five (45) traffic crashes, nineteen (19) were determined to be unavoidable.

In the calendar year of 2016 there were thirty-two (32) traffic crashes involving Agency owned Sheriff's Office vehicles. Of the thirty-two (32) traffic crashes, fifteen (15) were determined to be unavoidable.

**2018 Response to Resistance Analysis**

During the 2018 reporting year, the Indian River County Sheriff’s Office Computer Aided Dispatch System (CAD) recorded 241,329 events for the Law Enforcement Bureau. Of those events, 4429 arrests were made and those arrests resulted in 68 Response to Resistance Reports, which accounted for 1.5% of the total arrests and a ratio of 1:65 arrests. The total percentage of arrests requiring response to resistance has increased by 0.3% from the previous year of 2017. This is a nominal increase.

During the 2017 reporting year, the Indian River County Sheriff’s Office Computer Aided Dispatch System (CAD) recorded 263,234 events for the Law Enforcement Bureau. Of those events, 4177 arrests were made and those arrests resulted in 51 Response to Resistance Reports, which accounted for 1.2% of the total arrests and a ratio of 1:81 arrests. The total percentage of arrests requiring response to resistance has increased by 0.5% from the previous year of 2016.

<b>Response to Resistance Incidents Compared to Arrests: Law Enforcement</b>				
<b>YEAR</b>	<b>Total Number of IRC SO Arrests</b>	<b>Number of Response to Resistance</b>	<b>% of Arrests when Response to Resistance is Used</b>	<b>Ratio</b>
<b>2016</b>	3593	42	1.17%	1:84
<b>2017</b>	4177	51	1.22%	1:81
<b>2018</b>	4429	68	1.53%	1:65

During the 2018 reporting year, 5582 inmates were processed through the Indian River County Sheriff’s Office Corrections Bureau. There were 37 Response to Resistance incidents documented in the Corrections Bureau, which accounted for 0.66% and a ratio of 1:150 inmates. The total percentage of incidents requiring response to resistance has decreased by 1.27% from the previous year of 2017.

During the 2017 reporting year, 5582 inmates were processed through the Indian River County Sheriff’s Office Corrections Bureau. There were 108 Response to Resistance incidents documented in the Corrections Bureau, which accounted for 1.93% and a ratio of 1:51 inmates. The total percentage of incidents requiring response to resistance has decreased by 0.47% from the previous year of 2016.

<b>Response to Resistance Incidents Compared to Arrests: Corrections</b>				
<b>YEAR</b>	<b>Total Number of Inmates Processed</b>	<b>Number of Response to Resistance</b>	<b>% of Arrests when Response to Resistance is Used</b>	<b>Ratio</b>
<b>2016</b>	5278	126	2.39%	1:41
<b>2017</b>	5582	108	1.93%	1:51
<b>2018</b>	5582	37	0.66%	1:150



The following table provides a statistical breakdown of Response to Resistance techniques used by members of the Indian River County Sheriff's Office for the years of 2016, 2017, and 2018.

**Response to Resistance by Force Type for Law Enforcement Bureau**

<b>Force Type</b>	2016	2016 Percentage	2017	2017 Percentage	2018	2018 Percentage
<b>Physical: Hands On</b>	08	19%	15	29%	31	45%
<b>Chemical: OC Spray</b>	01	2%	00	N/A	01	1%
<b>Impact Weapon</b>	03	7%	08	16%	04	6%
<b>K-9</b>	05	12%	03	6%	02	3%
<b>Taser</b>	25	60%	22	43%	27	39%
<b>Firearm</b>	00	N/A	03	6%	04	6%
<b>Restraint Chair</b>	00	N/A	00	N/A	00	N/A
<b>Totals</b>	42	100%	51	100%	69	100%

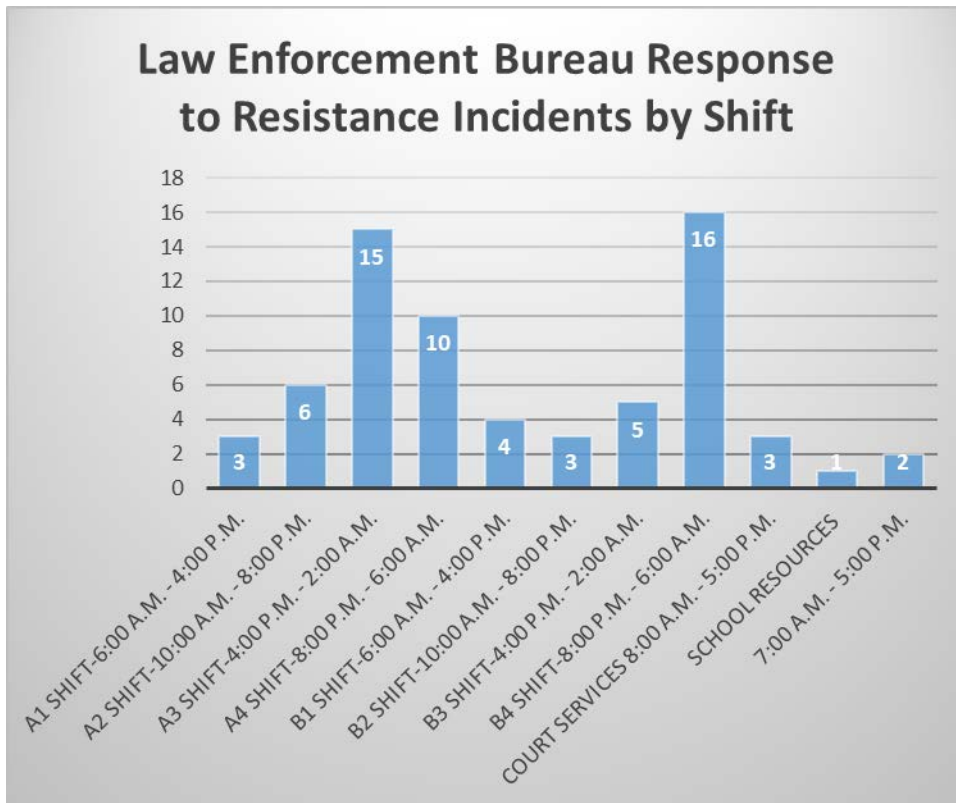
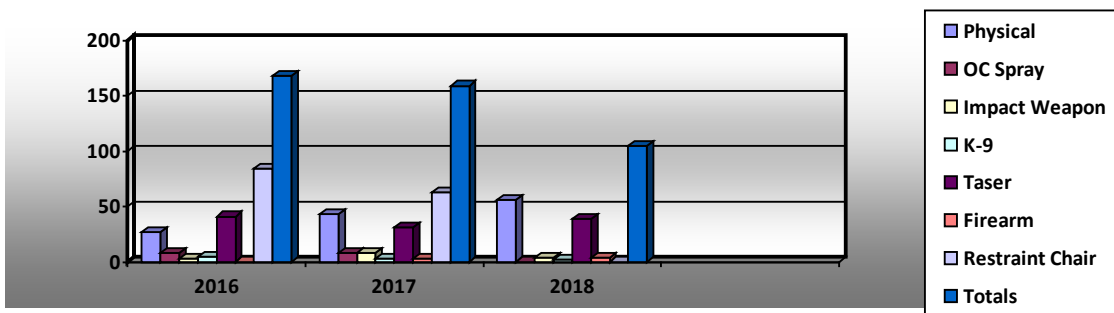
With regard to the Law Enforcement use of response to resistance for the year of 2018, physical force has risen as well as the use of the utilization of the Taser compared to the previous years of 2017 and 2016. The utilization of the Impact Weapon has exhibited a decrease of 50% over the year of 2018 compared to the previous year of 2017. The utilization of the K-9 has also decreased from the previous years of 2017 and 2016. The utilization of the firearm was consistent with the number for 2017, as one (1) was classified as an 'accidental discharge.' \*The Taser and the Chemical OC Spray was utilized in the same instance regarding two vicious dogs that were fighting. This accounts for the total instances being 68; however, the total at the bottom of the chart reflects 69 to account for the utilization of the Chemical OC Spray.\* The total percentage of arrests requiring response to resistance by Law Enforcement has increased by 33%. One of the contributing factors to the increase utilization of Physical / Hands-on and Taser weapons is the reoccurring in-service training emphasizing the advantages of utilizing intermediate weapons when suitable conditions exist. Another factor considered is the frequency of law enforcement encounters with persons suffering from mental health problems and/or substance abuse.

**Response to Resistance by Force Type for Corrections Bureau**

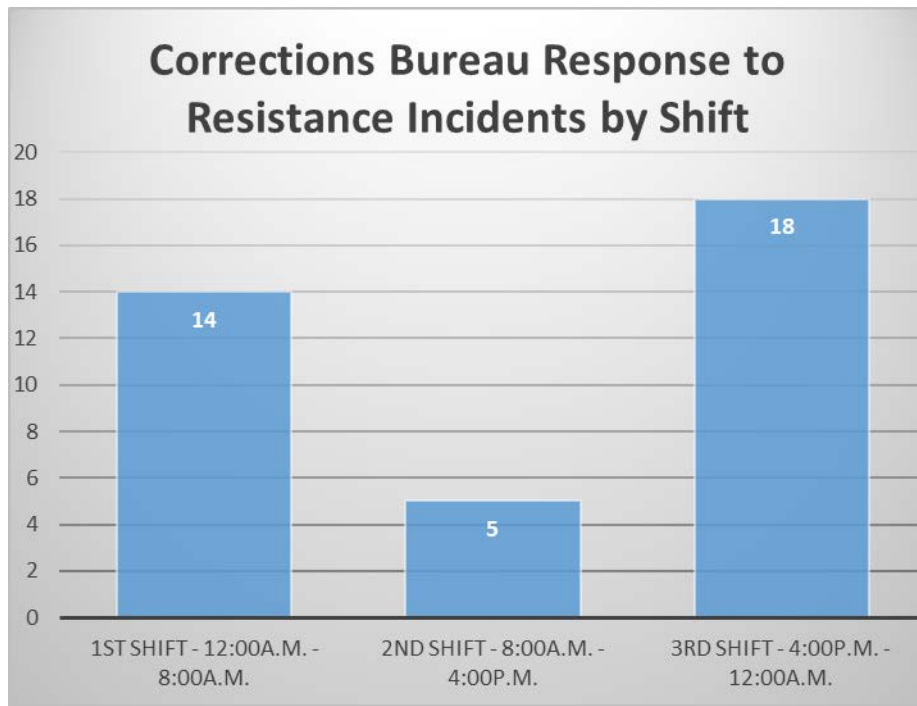
<b>Force Type</b>	2016	2016 Percentage	2017	2017 Percentage	2018	2018 Percentage
<b>Physical: Hands On</b>	19	15%	28	25%	25	68%
<b>Chemical: OC Spray</b>	07	5%	08	8%	00	N/A
<b>Impact Weapon</b>	00	N/A	00	N/A	00	N/A
<b>K-9</b>	00	N/A	00	N/A	00	N/A
<b>Taser</b>	16	13%	09	8%	12	32%
<b>Firearm</b>	00	N/A	00	N/A	00	N/A
<b>Restraint Chair</b>	84	67%	63	59%	00	N/A
<b>Totals</b>	126	100%	108	100%	37	100%

With regard to the Corrections use of response to resistance for the year of 2018, the utilization of physical force has slightly decreased. Chemical spray usage significantly decreased compared to the previous years of 2017 and 2016. The utilization of the Taser has slightly increased for the year of 2018 compared to the previous year of 2017. The fluctuations with inmate population coupled with inmates reported to be suffering from mental health and substance abuse is a contributing factor to the rise and fall in the use of the Physical / Hands-on force and Taser use within the Corrections facility during the year of 2017. The total percentage of arrests requiring response to resistance by Corrections members has decreased by 66%. With the implantation of IAPro and BlueTeam, the “Restraint Chair” category will only generate statistical data when the restraint chair is utilized in conjunction with a response to resistance.

**Response to Resistance Totals to Include Law Enforcement and Corrections**

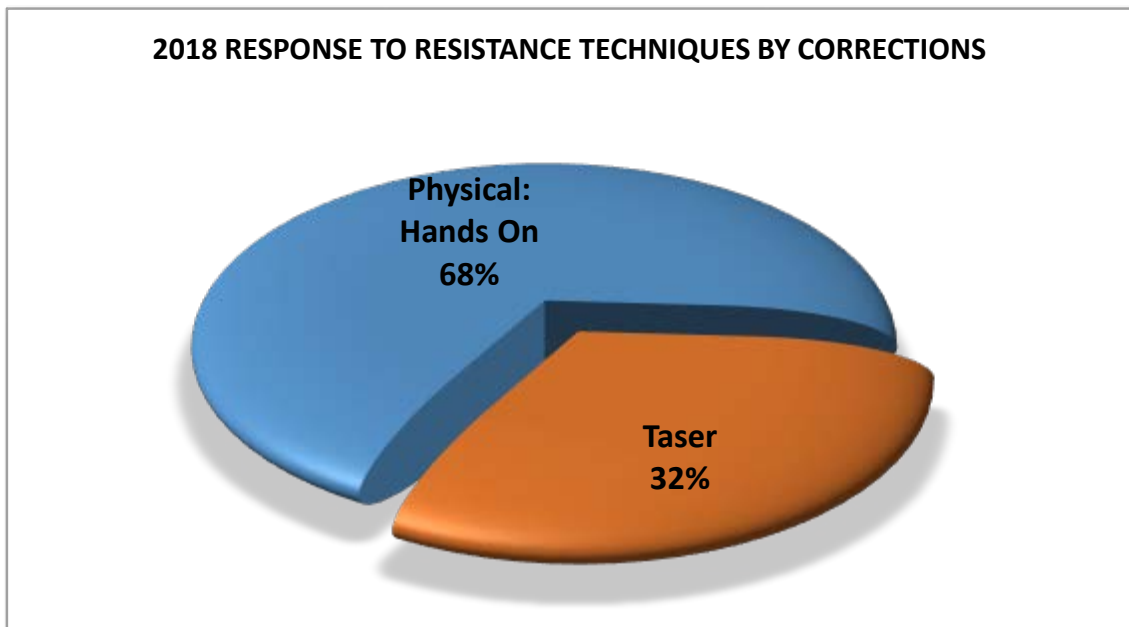
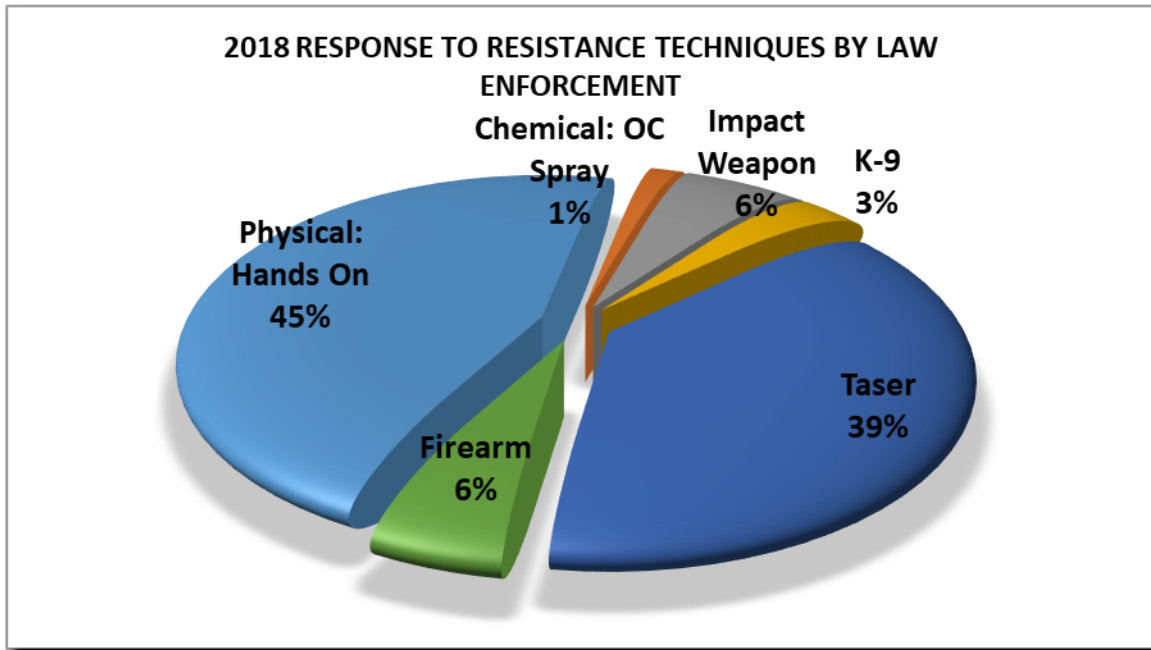


With regard to the shift data reflecting response to resistance incidents utilized by Law Enforcement, the A3 and B4 shifts have the highest recorded incidents. This can be attributed to many factors including the given timeframe of occurrences (predominately Friday/Saturday evenings and nights). It is generally recognized that drug/alcohol use increases during these times which is evidenced by an elevated number citizens frequenting alcohol-serving establishments, or consuming recreational drugs or alcohol at their residences. These issues increase the likelihood of officers encountering violent, intoxicated, confrontational, or armed offenders. These offenders are more frequently known to resist, fight, or flee from officers, which causes the Law Enforcement members to utilize the different levels of force to take control of these situations.

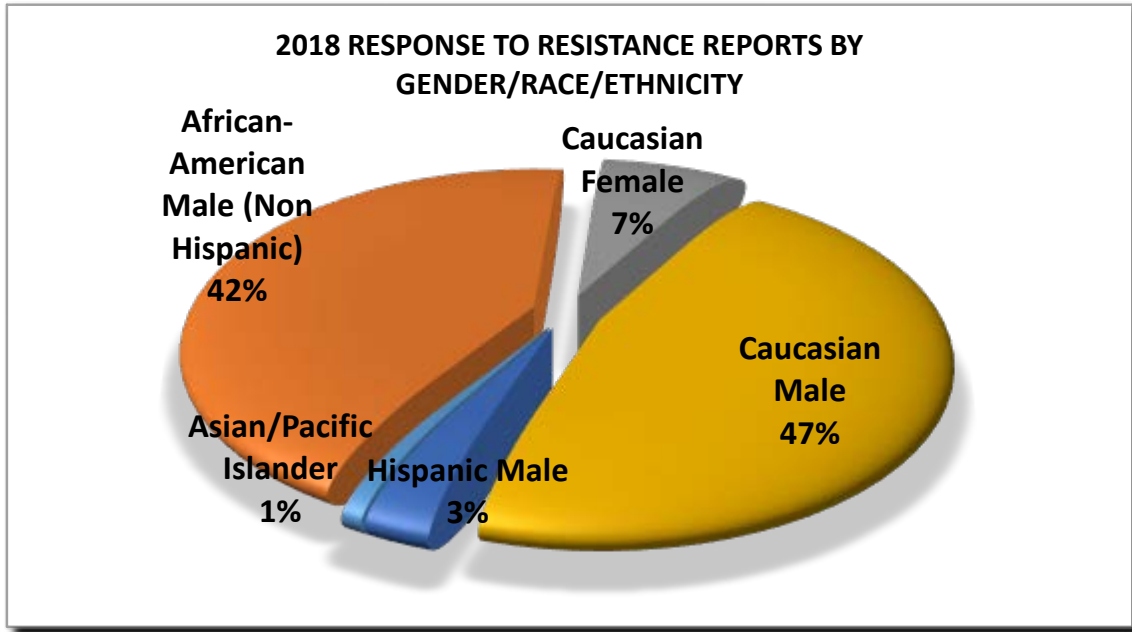


With regard to the shift data reflecting response to resistance incidents utilized by Corrections Bureau staff, the 1<sup>st</sup> and 3<sup>rd</sup> shifts have the highest recorded incidents. This can be attributed Law Enforcement conducting more arrests during these time frames involving offenders who are committing traffic violations, responding to calls for service in which offenders are violent, under the influence of drugs or alcohol and those offenders acting aggressive and hostile upon their arrival to the Indian River County Jail, during and after the booking process. These offenders are known to offer resistance, cause disturbances, and are often going through a detoxification period, which requires the Correction members to utilize different levels of force to take control of these situations.

**RESPONSE TO RESISTANCE TECHNIQUES**



The breakdown of the graphs above depicts the types of Response to Resistance techniques used by Law Enforcement and Corrections.



The above graph reflects the year 2018 Response to Resistance Reports by race, gender and ethnicity. Response to Resistance incidents occurring involved forty-seven (47%) Caucasian males and forty-two (42%) African-American males. Seven percent (7%) of the reports involved Caucasian females. Four (4%) of the reports involved Hispanic males and one Asian/Pacific Islander male.

The Indian River County population estimates are currently 154,383 with a growth rate of 1.98% in the past year according to the most recent United States census data. Of this population estimate in relation to the above graph, 87% are Caucasian, 9.5% are African-American, and 12.5% are Hispanic or Latino.

**Firearm Use**

During the 2018 reporting year, there were four (4) incidents where a firearm was utilized and each use was consistent with Agency policy and procedure. In 2017, there were three (3) incidents where a firearm was utilized and each use was consistent with Agency policy and procedure. In 2016, there were no use of firearm incidents.

The low usage of firearms is attributed to the Indian River County Sheriff’s Office training in several types of response to resistance. This provides members the tools needed to overcome resistance with the most minimal amount of force necessary as well as training in de-escalation techniques as it relates to responding to resistance.

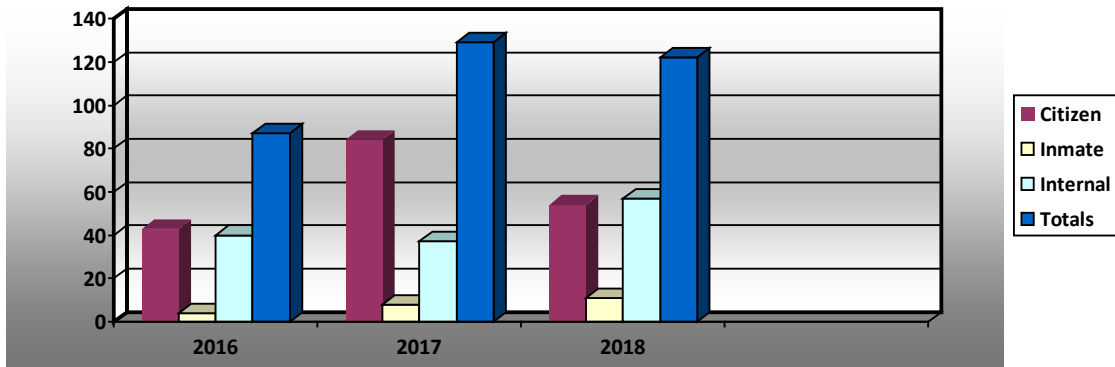
**Vehicular Pursuits**

In 2018 there were eight (8) pursuits documented by the Indian River County Sheriff’s Office.

**Administrative Investigations**

During the year of 2018, there were one-hundred and twenty-two (122) Administrative Investigations.

SOURCE	Citizen	Inmate	Internal Complaints (Supervisory, Employee, etc.)	Totals
2018	54	11	57*	122
2017	84	08	37	129
2016	43	04	40	87

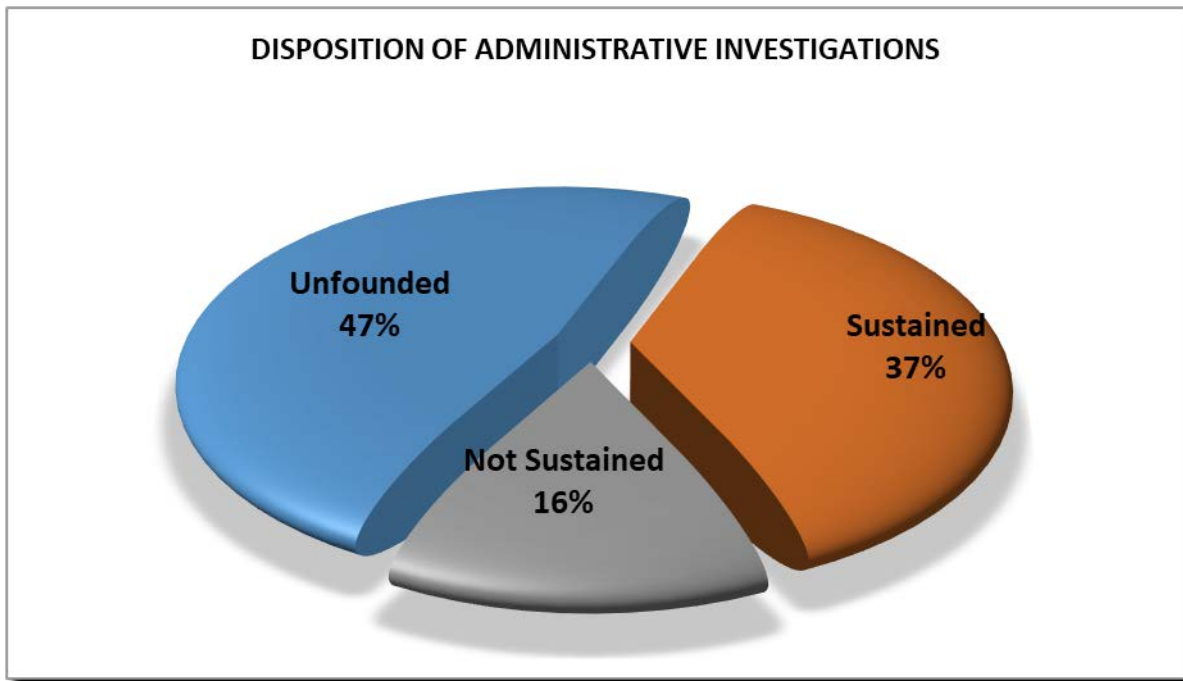


**ADMINISTRATIVE INVESTIGATIONS HANDLED BY COMPONENT**

Component	2016	2017	2018
LE Operations	22	29	37
Internal Affairs	59	94	67
Corrections	05	03	14
Investigations	00	00	03
Support Services	00	00	00
Judicial Services	01	01	00
Communications	00	02	01
Civilians	00	00	00
Sheriff's Admin.	00	00	00
Totals	87	129	122

The dispositions of those cases are as follows:

Disposition	2016	2017	2018
Unfounded	39	77	58
Sustained	33	30*	45*
Not Sustained	14	13	19
Policy Failure	00	00	00
Exonerated	01	09	00
Exceptionally Cleared	00	00	00
<i>Employee Resigned Prior to Completion of Investigation; however, allegations were Sustained</i>	00	02* <i>Number is included in Sustained Disposition*</i>	04* <i>Number is included in Sustained Disposition*</i>
Totals	87	129	122



A majority of complaints originated from citizens or supervisors regarding improper conduct by a subordinate and involved issues ranging from unprofessional conduct, courtesy, general proficiency, missed assignments, and neglect of duty offenses. Of the one-hundred and twenty-two (122) Administrative Investigations, 47% resulted in the allegations being Unfounded, 37% Sustained, 16% Not Sustained. There was a 5% decrease in the number of overall complaints received from the previous year of 2017; however, 84% of the 2017 cases were either not sustained, unfounded or exonerated versus 64% from 2016.

During the 2018 reporting year, the Indian River County Sheriff's Office Computer Aided Dispatch System (CAD) recorded 241,329 calls for service. During the 2017 reporting year, the Indian River County Sheriff's Office Computer Aided Dispatch System (CAD) recorded 263,234 calls for service. This is an 8% decrease in calls for service from the previous year.

During the 2016 reporting year, the Indian River County Sheriff's Office Computer Aided Dispatch System (CAD) recorded 252,438 calls for service. This resulted in an additional 4% increase in calls for service from the year of 2016 to 2017.

During the upcoming year of 2019, the Internal Affairs Unit will continue to ensure the integrity and accountability of the Sheriff's Office. We will diligently analyze Administrative Investigations and other Internal Affairs data to ensure compliance with departmental policies and procedures. This analysis will ensure expedience of services, protection to the community we serve, and member safety. We are dedicated to delivering our services in an efficient, courteous, and advantageous manner.