

2019

INTERNAL AFFAIRS ANNUAL REPORT





INDIAN RIVER COUNTY SHERIFF'S OFFICE

Internal Affairs 2019-Annual Report

Sheriff Deryl Loar

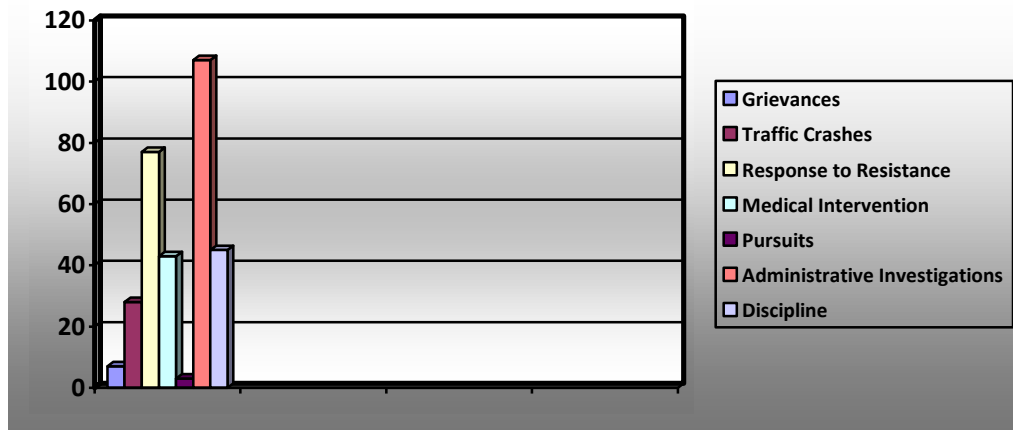
Introduction

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, Medical Intervention, 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. Medical Interventions include instances in which an Automatic Electronic Defibrillator (AED), Tourniquet, or the deployment of Naloxone (EVZIO) was utilized. These incidents are analyzed to determine trends, or to identify training needs. During 2019, the Internal Affairs Section documented 265 reports, including all aspects of Sheriff's Administration, Law Enforcement and Corrections Bureaus concerning the below listed areas are as follows:

➤ Grievances	07	(0 for 2018)
➤ Traffic Crashes	28	(47 for 2018)
➤ Response to Resistance	77	(105 for 2018)
➤ Medical Intervention	43	(13 for 2018)
➤ Pursuits	03	(08 for 2018)
➤ Administrative Investigations	107	(122 for 2018)

In 2019, 265 reports were generated. This is a 10% decrease from the year of 2018, in which a total of 295 reports were generated. In the year of 2017, 346 reports were generated.

*NOTE: In 2019, 45 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 2019.

For the year of 2018, there were no reports of Bias Based Profiling. 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. 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 seven (7) Grievances filed for the year of 2019. All seven (7) of the Grievances filed were from the Corrections Bureau.

Grievance (1-6): Six of the grievances referenced specifically, General Order 3510.15 Attendance and Leave, Section III, Subsection 6b, regarding discrepancies in payroll after Hurricane Dorian.

Upon review of the grievances, it was found that each requestor failed to comply with the Grievance Procedure policy by not engaging in an oral consultation with their first stop supervisor within ten calendar days of the occurrence of the action giving rise to the grievance as well as all requestors addressing their memorandums directly to the Captain of the Corrections

Bureau via the Chain of Command as opposed to their first step supervisor. In all six grievances, it was found that the provisions of General Order 3510.15 Attendance and Leave were applied correctly in each case and uniformly throughout the Agency and consistent with agency policy. The grievances were denied.

Grievance (7): This grievance was in reference to discrepancy in payroll regarding shift coverage.

Upon review of the grievance, and the requestor receiving clarification from the Finance Division, this required no further action as it was addressed at the primary level.

In the year of 2018, there were no Grievances filed. In the year of 2017, there were no Grievances filed.

Disciplinary Action Appeals

There were no Disciplinary Action Appeals filed for the year of 2019.

In the year of 2018, there were two (2) Discipline Action Appeals filed. In the year of 2017 there were two (2) Discipline Action Appeals filed.

The above appeals notwithstanding, the infrequent occurrences of Disciplinary Appeals in 2019 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.

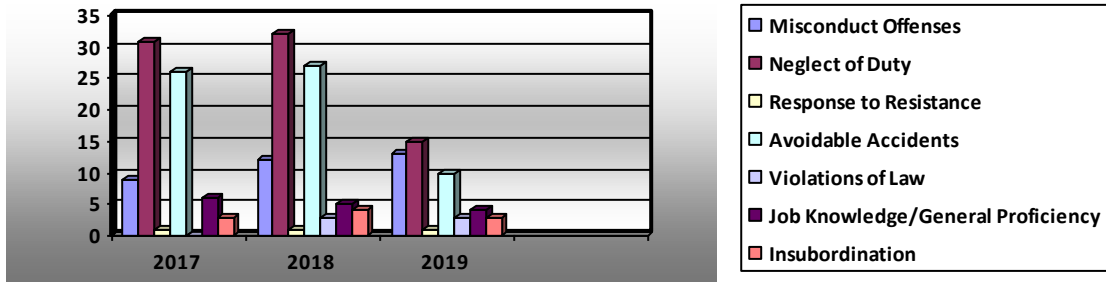
ANALYSIS OF DISCIPLINE ADMINISTERED (AGENCY WIDE)

Discipline by Type

Offense Type	2017	2018	2019
Misconduct Offenses	09	12	13
Neglect of Duty	31	32	15
Response to Resistance	01	01	01
Avoidable Accidents: <i>Agency Owned Sheriff's Office Vehicles</i>	26	27	10
Violations of the Law	00	03	03
Job Knowledge/General Proficiency	06	05	04
Insubordination	03	04	03

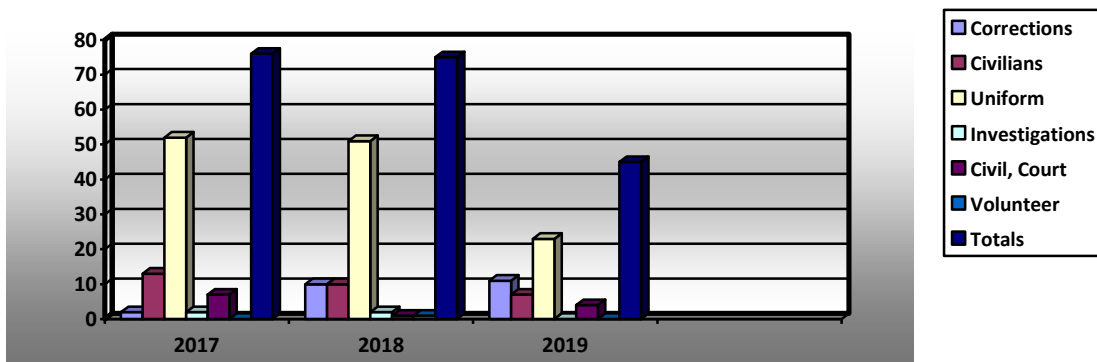
The above chart indicates a relatively consistent level of sustained violations with subsequent issuance of discipline within all offense types. Disciplinary Action was administered for 45 sustained instances occurring in 2019. In some instances, there were more than one sustained Agency policy violation for the same employee, which required the issuance of more than one disciplinary action. The year of 2019 shows a decrease of 56% concerning the issuance of

disciplinary action with regards to the member involved Avoidable Accidents. The year of 2018 was consistent with the previous year of 2017. Members involved in an Avoidable Accident are subject to progressive discipline and at minimum, four (4) hours of remedial drivers' training. Internal Affairs is aware that remedial training is reactionary to the incidents.



Discipline by Component:

Division	2017	2018	2019
Corrections	02	10	11
Civilians	13	10	07
Uniform	52	51	23
Investigations	02	02	00
Civil, Court	07	01	04
Volunteer	00	01	00
Totals	76	75	45



Breakdown of Disciplinary Action Administered in 2019

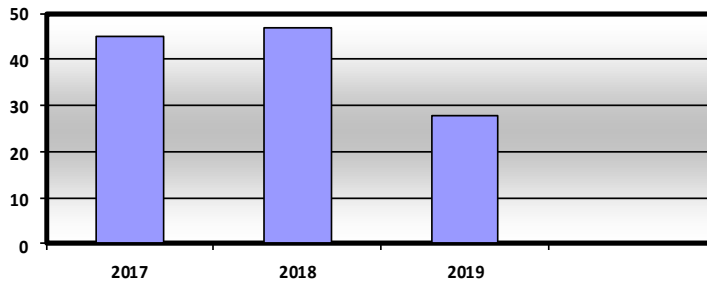
[Table 1. D.A.]

Law Enforcement	Amount	Corrections	Amount	Civilian	Amount	TOTALS
Letters of Counseling	18	Letters of Counseling	03	Letters of Counseling	07	28
Letters of Reprimand	01	Letters of Reprimand	05	Letters of Reprimand	00	6
Suspension 4 Hours	02	Suspension 4 Hours	00	Suspension 4 Hours	00	02
Suspension 8 Hours	04	Suspension 8 Hours	01	Suspension 8 Hours	00	05
Suspension 16 Hours	00	Suspension 16 Hours	01	Suspension 16 Hours	00	01
Suspension 24 Hours	01	Suspension 24 Hours	00	Suspension 24 Hours	00	01
Suspension 32 Hours	00	Suspension 32 Hours	00	Suspension 32 Hours	00	00
Suspension 40 Hours	02	Suspension 40 Hours	01	Suspension 40 Hours	00	03
Suspension 60 Hours	00	Suspension 60 Hours	00	Suspension 60 Hours	00	00
Disciplinary Transfer	00	Disciplinary Transfer	00	Disciplinary Transfer	00	00
Demotion	00	Demotion	00	Demotion	00	00
Termination	00	Termination	00	Termination	00	00
TOTAL	28	TOTAL	11	TOTAL	07	46

In all, forty-five (45) instances which required Disciplinary Actions were administered during 2019. There was a decrease with regard to the Disciplinary Actions administered to the Uniform/Law Enforcement. This decrease was predominately due to the decrease in sustained avoidable accidents involving Agency owned Sheriff's Office vehicles for the year of 2019. There was a 41% decrease for the year of 2019 from the prior year of 2018, in which seventy-five (75) Disciplinary Actions were administered. In the prior year of 2017, seventy-six (76) Disciplinary Actions were administered.

**Totals do not include open investigations.*

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



There were twenty-eight (28) traffic crashes involving Agency owned Sheriff's Office vehicles in 2019. Of the twenty-eight (28) traffic crashes, eighteen (18) were determined to be unavoidable and ten (10) were determined to be avoidable.

The reported outcome for all crashes that occurred during 2019 are as follows:

- Animal 02
- Careless Driving 02
- Equipment Malfunction 01
- Failed to Keep in Proper Lane 01
- Failure to Yield 02
- Improper Backing 02
- Improper Turn 01
- Inattentive 10
- Over-Correcting/Steering 01
- Ran Red Light 02
- Reckless Driving 03
- Weather Related 01

As a result of the avoidable accidents, there were nine (9) Letters of Counseling issued. One member received twenty-four (24) hours of Suspension. All ten members whose crashes were avoidable attended a Remedial Driver's Training Course.

This equates to a 40% decrease in total agency traffic crashes for the year of 2019 from the year of 2018.

In the calendar year of 2018 there were forty-seven (47) traffic crashes involving Agency owned Sheriff's Office vehicles. Of the forty-seven (47) traffic crashes, seventeen (17) were determined to be unavoidable and thirty (30) were determined to be avoidable.

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.

2019 Response to Resistance Analysis

During the 2019 reporting year, the Indian River County Sheriff's Office Computer Aided Dispatch System (CAD) recorded 253,613 events for the Law Enforcement Bureau. Of those events, 4174 arrests were made and those arrests resulted in 39 Response to Resistance Reports, which accounted for 0.93% of the total arrests and a ratio of 1:107 arrests. The percentage of arrests requiring response to resistance has decreased by 43% from the previous year of 2018.

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. This is a nominal increase.

Response to Resistance Incidents Compared to Arrests: Law Enforcement				
YEAR	Total Number of IRC SO Arrests	Number of Response to Resistance	% of Arrests when Response to Resistance is Used	Ratio
2017	4177	51	1.22%	1:81
2018	4429	68	1.53%	1:65
2019	4174	39	0.93%	1:107

During the 2019 reporting year, 5476 inmates were processed through the Indian River County Sheriff's Office Corrections Bureau. There were 38 Response to Resistance incidents documented in the Corrections Bureau, which accounted for 0.69% and a ratio of 1:144 inmates. The total percentage of incidents requiring response to resistance has increased by 0.02% from the previous year of 2018. This is a minute increase.

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 1:151 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 1:52 inmates.

Response to Resistance Incidents Compared to Arrests: Corrections				
YEAR	Total Number of Inmates Processed	Number of Response to Resistance	% of Arrests when Response to Resistance is Used	Ratio of UOF instances per population
2017	5582	108	1.93%	1:52
2018	5582	37	0.66%	1:151
2019	5476	38	0.69%	1:144

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 2017, 2018, and 2019.

Response to Resistance by Force Type for Law Enforcement Bureau

Force Type	2017	2017 Percentage	2018	2018 Percentage	2019	2019 Percentage
Physical: Hands On	15	29%	31	45%	13	33%
Chemical: OC Spray	00	N/A	01	1%	0	N/A
Impact Weapon	08	16%	04	6%	05	13%
K-9	03	6%	02	3%	03	8%
Taser	22	43%	27	39%	14	36%
Firearm	03	6%	04	6%	04	10%
Restraint Chair	00	N/A	00	N/A	00	N/A
Totals	51	100%	69	100%	39	100%

With regard to the Law Enforcement use of response to resistance reports for the year of 2019, physical force has decreased, as well as the utilization of the Taser compared to the previous year of 2018. All other areas are relatively consistent with the previous years of 2018 and 2017. The total percentage of arrests requiring response to resistance by Law Enforcement has decreased by 43%. This decrease may be attributed to the reoccurring in-service training.

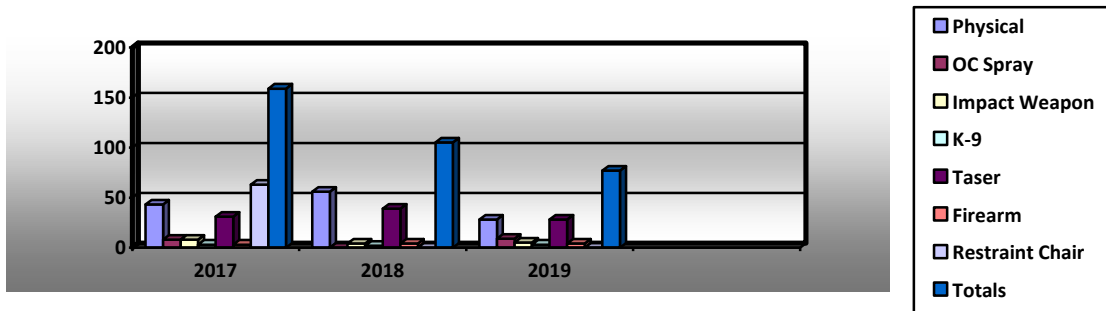
Response to Resistance by Force Type for Corrections Bureau

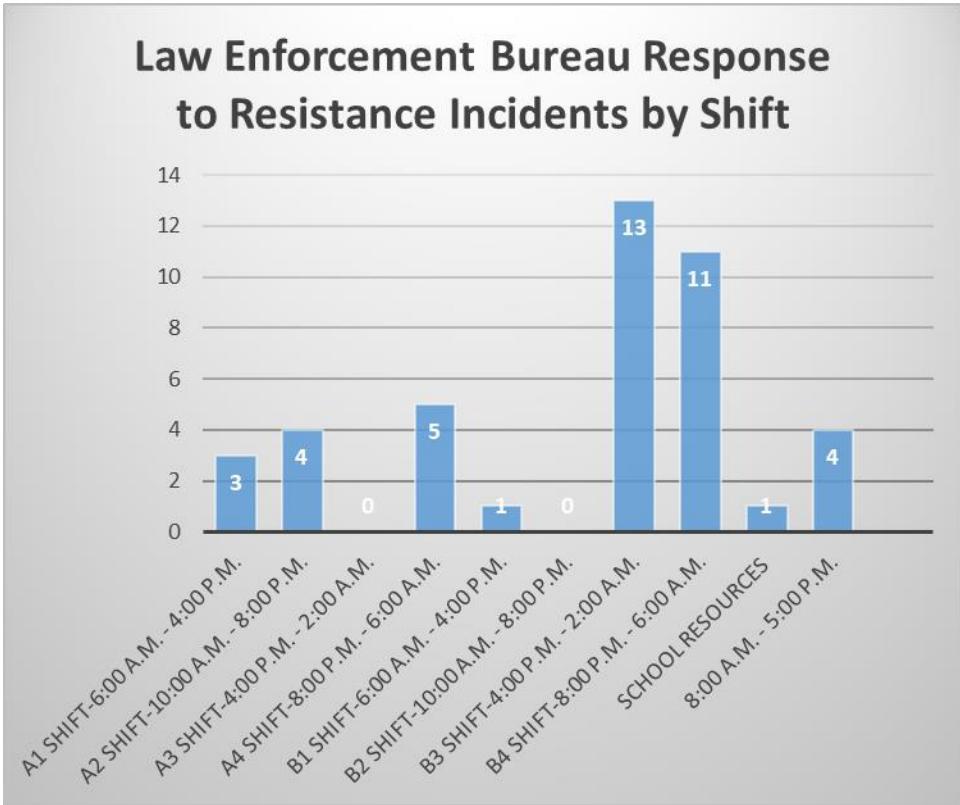
Force Type	2017	2017 Percentage	2018	2018 Percentage	2019	2019 Percentage
Physical: Hands On	28	25%	25	68%	15	39%
Chemical: OC Spray	08	8%	00	N/A	9	24%
Impact Weapon	00	N/A	00	N/A	00	N/A
K-9	00	N/A	00	N/A	00	N/A
Taser	09	8%	12	32%	14	37%
Firearm	00	N/A	00	N/A	00	N/A
Restraint Chair	63	59%	00	N/A	05*	N/A
Totals	108	100%	37	100%	38	100%

With regard to the Corrections use of response to resistance for the year of 2019, the utilization of physical force has shown a decrease of 40% compared to the previous year of 2018. Chemical spray usage has shown an increase from the year of 2018; however, relatively consistent with the year of 2017. The utilization of the Taser has slightly increased for the year of 2019 compared to the previous year of 2018. 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 have remained relatively consistent with the previous year of 2018.

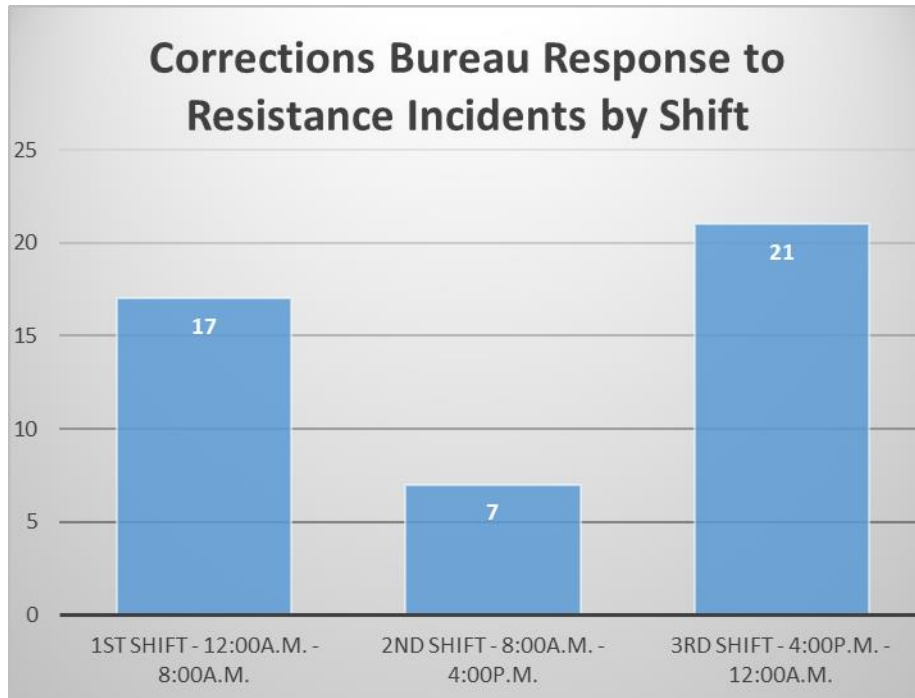
**Data in the Restraint Chair field data, due to its use in conjunction with a response to resistance, will populate. There were five (5) response to resistance instances, which required the added utilization of the restraint chair. There were fifty-five (55) use of restraint chairs (non-force related).*

Response to Resistance Totals to Include Law Enforcement and Corrections





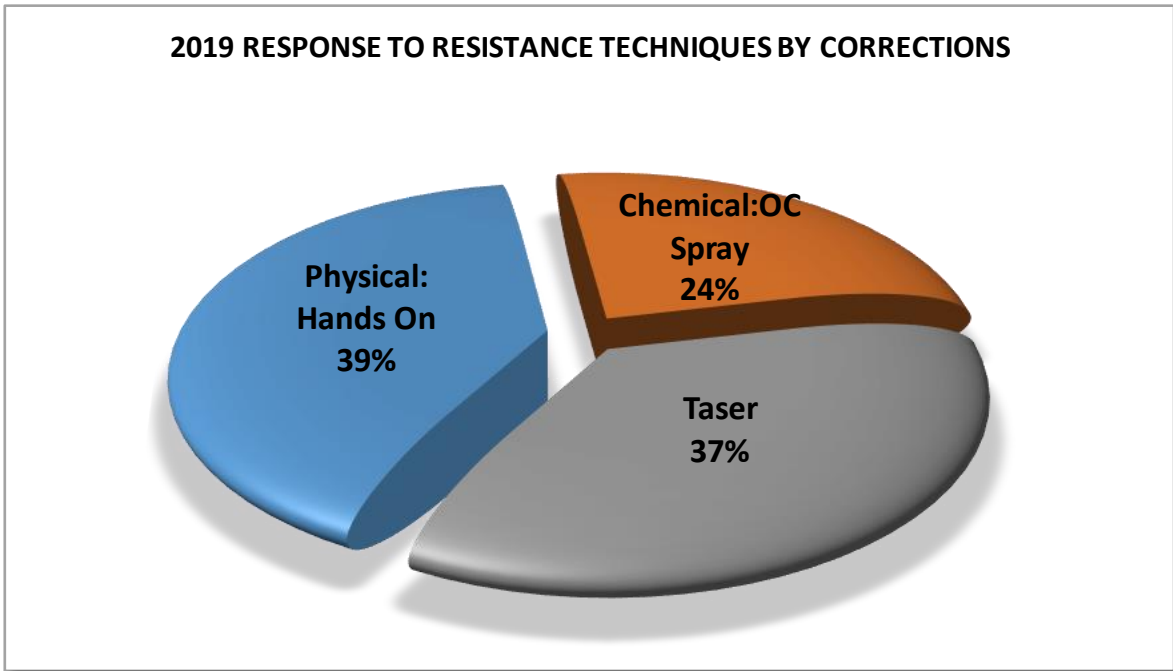
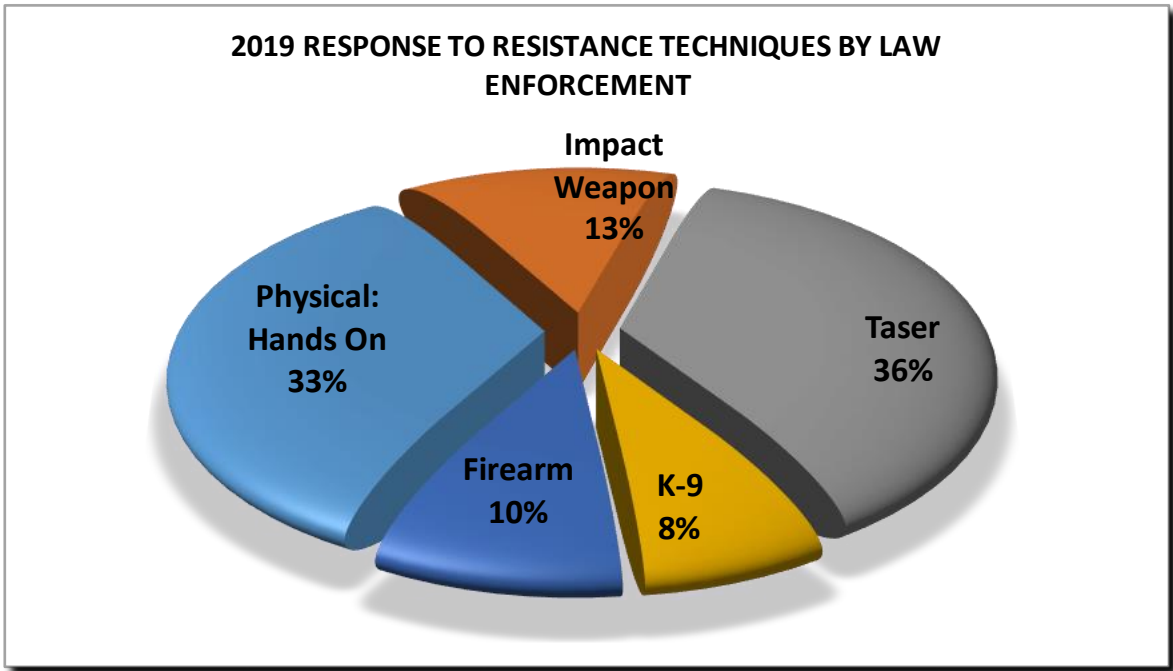
With regard to the shift data reflecting response to resistance incidents utilized by Law Enforcement, the B3 and B4 shifts have the highest recorded incidents. This can be attributed to many factors including the given timeframe of occurrences (predominately Friday/Saturday evenings and nights). It 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. Offenders exhibiting these variables are more frequently inclined to resist, fight, or flee from officers, which causes the Law Enforcement members to utilize a variety of levels of force to maintain control of these situations.



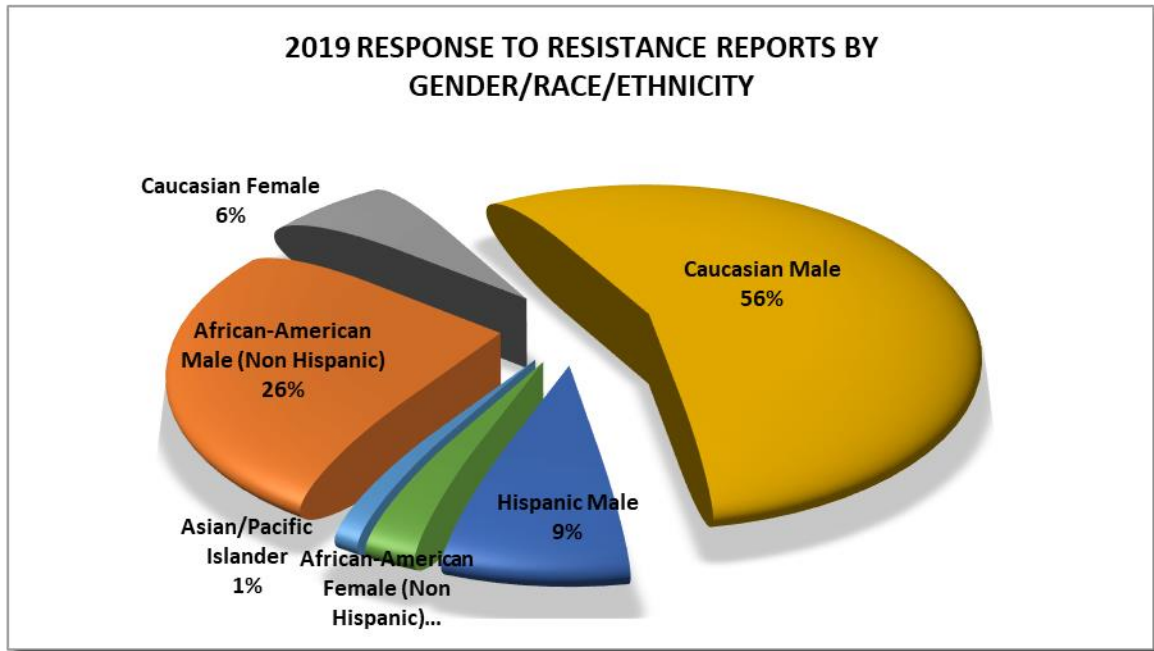
With regard to the shift data reflecting response to resistance incidents utilized by Corrections Bureau staff, the 1st and 3rd shifts have the highest recorded incidents. This can be attributed Law Enforcement conducting more arrests during these time frames involving offenders who are committing traffic 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 often inclined 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.

**Note that in some instances more than one deputy may be involved and be required to utilize varying levels of force on one subject.*

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 2019 Response to Resistance Reports by race, gender and ethnicity. Response to Resistance incidents occurring involved fifty-six (56%) Caucasian males and twenty-six (26%) African-American males. Six percent (6%) of the reports involved Caucasian females. Nine (9%) of the reports involved Hispanic males and one Asian/Pacific Islander male.

The Indian River County population estimates are currently 157,413 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, 86.9% are Caucasian, 9.5% are African-American, and 12.7% are Hispanic or Latino.

Firearm Use

During the 2019 reporting year, there were four (4) incidents where a firearm was utilized. Three (3) incidents where a firearm was utilized were consistent with Agency policy and procedure. One (1) incident is still open/active at this time, awaiting a Grand Jury Trial. 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.

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.

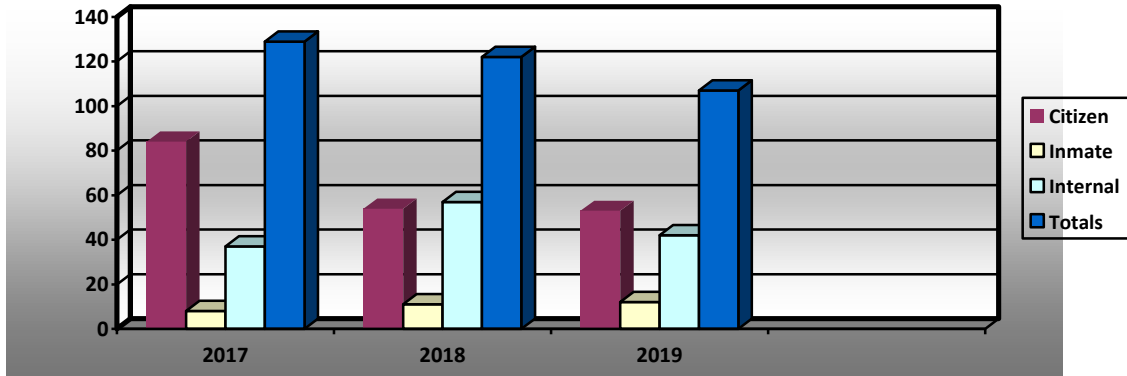
Vehicular Pursuits

In 2019 there were three (3) pursuits documented by the Indian River County Sheriff’s Office.

Administrative Investigations

During the year of 2019, there were one-hundred and seven (107) Administrative Investigations.

SOURCE	Citizen	Inmate	Internal Complaints (Supervisory, Employee, etc.)	Totals
2019	53	12	42*	107
2018	54	11	57	122
2017	84	08	37	129

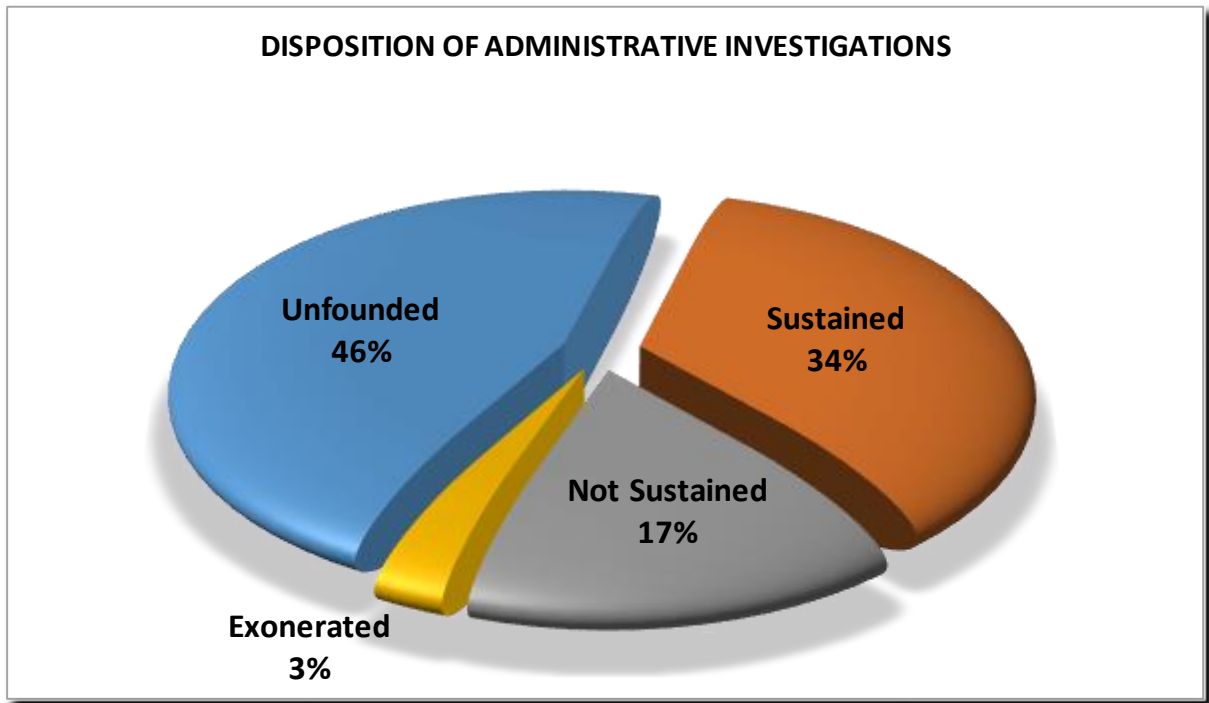


ADMINISTRATIVE INVESTIGATIONS HANDLED BY COMPONENT

Component	2017	2018	2019
LE Operations	29	37	20
Internal Affairs	94	67	76
Corrections	03	14	6
Investigations	00	03	01
Support Services	00	00	01
Judicial Services	01	00	03
Communications	02	01	00
Civilians	00	00	00
Sheriff’s Admin.	00	00	00
Totals	129	122	107

The dispositions of those cases are as follows:

Disposition	2017	2018	2019
Unfounded	77	58	48
Sustained	30	45*	37
Not Sustained	13	19	19
Policy Failure	00	00	00
Exonerated	09	09	03
<i>Employee Resigned Prior to Completion of Investigation; however, allegations were Sustained</i>	00	04* <i>Number is included in Sustained Disposition*</i>	03* <i>Number is included in Sustained Disposition*</i>
Totals	129	122	107



A majority of the complaints originated from citizens (or supervisors) regarding employee conduct ranging from unprofessional conduct, courtesy, general proficiency, missed assignments, and neglect of duty offenses. During the year of 2019, there were forty-two (42) Administrative Investigations. Ten (10) of Administrative Investigations indicated below are the result of first line supervisor generated interventions which resulted in Letters of Counseling, completed by the immediate supervisor. Of the 42 Administrative Investigations, 46% resulted in the allegations being Unfounded, 34% Sustained, 17% Not Sustained and 3% Exonerated. There was a 12% decrease in the number of overall complaints received in 2019 from the previous year of 2018. There was a 5% decrease in the number of overall complaints received in 2018 from the previous year of 2017.

During the 2019 reporting year, the Indian River County Sheriff's Office Computer Aided Dispatch System (CAD) recorded 253,613 calls for service. 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 5% increase in calls for service from the previous year of 2018.

The mission of the Internal Affairs Unit is to protect the public trust and to maintain the integrity and accountability of the Indian River County Sheriff's Office. The policy of the Internal Affairs Unit is to vigorously investigate and review all instances of alleged misconduct through, fair, and objective investigations. During the upcoming year of 2020, the Internal Affairs Unit will continue to ensure the continued confidence of the community by upholding the integrity of the Indian River County Sheriff's Office. The recently implemented BlueTeam reporting system is now being fully utilized in a highly effective manner by the line level deputies and supervisors alike. The implementation of BlueTeam has been highly successful. We will diligently analyze Administrative Investigations and other Internal Affairs data to ensure compliance with departmental policies and procedures. This analysis will continue to ensure expedience of services, protection to the community we serve, and employee safety. We are dedicated to delivering our services in an efficient, courteous, and professional manner.