

17 May 2016

The Honorable Major Jonathan Rothschild
And Members of the City Council
City of Tucson
255 West Alameda Street
Tucson, Arizona 85701

Subject: Citizen Police Advisory Review Board (CPARB) 2016 Annual Report

The Board would first like to express the honor we feel in serving the citizens of Tucson and working with the Tucson Police Department (TPD) to strengthen the bonds between our City's police officers and the community. The Board has found TPD leadership to be excellent partners who respond to our inquiries with precision and promptness. We are also grateful for the hard work provided by the City Clerk's Office who enable us to function efficiently. Last, the Board wishes to call attention to the wonderful work former Independent Police Auditor, Tristy Terwilliger, provided this Board and the citizens of Tucson. Her dedication to the goal of improving community-police relations was inspiring and her insights invaluable.

In keeping with previous years, national attention has focused on the nature of policing with the term "community-policing" becoming mainstream. The Department of Justice's recent "consent decree" placed on the City of Chicago demonstrates the continuation of the national focus on police tactics and racially biased policing. The Board feels TPD has taken this national focus seriously and see TPD as part of the vanguard among police departments in developing policies and procedures that strengthen community-police relations. To increase our knowledge and effectiveness, the Board heard presentations by TPD on the following issues:

- Body cameras
- Fair & Impartial Police Training
- Rapid DNA Testing
- Homeland Security
- Traffic Stop Demographics
- Overview of the Internal Affairs Process/Procedures
- 21st Century Policing

In addition to presentations from TPD, we also heard presentations from:

- the Civil Service Commission regarding overturning TPD discipline recommendations
- the Tucson Police Foundation regarding possible fundraising opportunities

- the Independent Police Auditor and her takeaways from attending the National Association of Civilian Oversight of Law Enforcement's annual conference.

In addition, the Board has become more proactive by having its members attend TPD training seminars. The response by TPD has been generous and welcoming. The trainings attended were the TPD Academy's "Fair & Impartial Policing" and "Use of Force & Decision Making." The Board members who attended were impressed by the seriousness and forthrightness with which TPD trainers discussed the subject of subconscious bias and its effects on officer conduct.

Further, the Board established a subcommittee tasked with discussing possible policies that TPD or the City could adopt to improve community-police relations as well as ways of getting CPARB to have a greater community presence. The Board has developed a pamphlet explaining the role of CPARB and providing guidance on how to make a citizen complaint. We plan to distribute the pamphlet in community settings such as libraries and community centers.

Most recently, the Board had the opportunity to meet with TPD Chief Magnus. We are excited about his previous achievements in Richmond, California and look forward to working with him in improving community-police relations.

It is in the above context that the Board offers the following findings and recommendations:

Findings:

1. The Tucson Police Department's Internal Affairs (now Professional Standards) Department's investigative process strives to ensure its investigations are fair and thorough. However, improvements can and should be made.
2. The Tucson Police Department continues to be under-resourced, limiting its ability to improve on its dual mission of protecting the public and strengthening its bonds with the public it serves.
3. Despite budgetary strain, TPD remains committed to accomplishing its dual mission. TPD has numerous ongoing initiatives aimed at reaching out to youth in the community (i.e., officer volunteer work at various YMCAs), concerned citizens (i.e., Coffee with a Cop, officer attendance at Neighborhood Association meetings), and continuing to operate from an organizational culture that stresses the importance of strong community-police relations.
4. Recently, the Independent Police Auditor resigned from her position and, as a result, the position has been left vacant.
5. The Board has been without a member representing Ward 2 since the start of 2016.

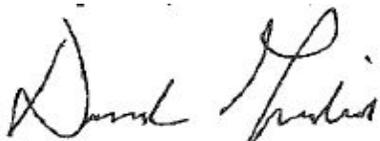
Recommendations:

1. Due to the reorganization decisions by Chief Magnus, TPD should be able to save the City of Tucson around \$14 million dollars. Chief Magnus has requested that half of this budgetary savings be allocated back to TPD for improvements to TPD's vehicle fleet and officer equipment. The Board urges Mayor and Council to approve this request.
2. The Board asks the Mayor and Council to ensure a qualified replacement is found for the vacant Independent Police Auditor (IPA) position as quickly as possible. Having an IPA ensures every investigation completed by Professional Standards (PS) has an independent set of eyes to evaluate it. Without an IPA, the vast majority of PS investigations will proceed without independent oversight. Further, the role the IPA has in enhancing the ability of our Board to effectively oversee TPD citizen complaint investigations cannot be overstated. In addition to informing the Board as to both the IPA's and PS's investigatory process, the revelation of the significant problem found in TPD's database for tracking officer complaints was discovered by the former IPA. The Board strongly urges the Mayor and Council to find a qualified replacement and to have that person report exclusively to the City Manager's Office.
3. As noted above, the database TPD uses to record and store citizen complaints lodged against officers is antiquated and prone to error. For example, when filling out a citizen complaint the current software does not require critical information to be filled out before the complaint is entered into the database. As a result, it is not always possible to get an accurate record of an officer's complaint history. The Board recommends the current software be replaced by a superior database program where complaints cannot be entered into the database without all pertinent information being inputted. This will ensure that supervisory officers receive accurate information when looking into possible troublesome complaint patterns by officers under their command as well as deciding disciplinary action when appropriate.
4. The Board echoes CPARB 2015 Annual Report's recommendation to implement body-worn cameras for TPD officers on patrol. The Board is aware of the storage expenses as well as other costs associated with such a decision. However, as demonstrated by cities across the country, failing to equip officers with this tool can be enormously costly both in litigation and the mistrust that can erode community-police relations. While understanding budgetary constraints, the Board asks the Mayor and Council to explore ways of finding the resources to purchase body-worn cameras, including possibly partnering with other cities to present vendors a larger volume of customers in return for a significantly reduced cost.
5. With regard to the investigative process by TPD's Professional Standards (PS), the Board feels the high turnover rate within PS makes it difficult for best practices to develop, as officers are assigned in and out of PS for a short amount of time. The Board recommends a captain-level officer oversee PS for a substantial duration to provide consistent leadership and effective best practices.

6. Related to the above recommendation, the Board urges Mayor and Council to alter current TPD policy and ensure all investigations into possible police misconduct fall under possible review by both the Independent Police Auditor and CPARB. Currently, if TPD designates an investigation as an "internal investigation" it cannot be reviewed by the only two sources of independent oversight. Civilian oversight should be provided across the board.
7. In keeping with the reforms found in President Obama's "Task Force on 21st Century Policing," the Board recommends the Mayor and Council provide the resources necessary for TPD to offer easily accessible data to the public that can point out or alleviate concerns of police bias. Such data should be posted on a highly visible city website and include instances of officer involved shootings, officer involved taser discharges, other use of force instances, vehicle searches vs. contraband finds, police stops vs citations, and other pertinent data aggregated by demographic and geographic information. Not only would this provide a valuable tool for identifying possible patterns of bias, but would also work to counter any false perceptions held by the public.
8. The Board is impressed with the training provided to TPD officers. However, for the benefit of individual officers and public perception, the Board recommends that a specific training seminar on "De-escalation Tactics" be provided to all officers. There are accredited private vendors that offer such training or the seminar could be created within TPD itself. Such training as been shown to lessen instances of officer use of force and such a seminar would reinforce the philosophy and practice of community-policing TPD strives to provide.
9. Last, the Board requests that the CPARB seat for Ward 2 be filled as quickly as possible.

Powerful examples abound demonstrating the critical importance of a prosperous city having strong community-police relations. The Board is aware of its important role and it is in this understanding that we present the above findings and recommendations, as we feel each represents an effective step toward strengthening the relationship between TPD and the People of Tucson.

Respectfully Submitted,



Derrick Goodrich
Chairperson, Ward 1
Citizen Police Advisory Review Board