



POLICE DEPARTMENT

"AN INTERNATIONALLY ACCREDITED AGENCY"

Anthony W. Shepherd
Chief of Police

1287 HEBRON RD. • HEATH, OHIO 43056 • (740) 522-2141 • FAX (740) 522-6365

Annual Report



For The Year 2010



COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES



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Administrative Reports For The Year 2010



COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES

Complaints Against Employees 2010



A total of eight complaints were lodged against a department employee in 2010. All of the complaints concerned full-time officers.

Of the complaints three were in regards to officer courtesy. These complaints were not sustained.

Two complaints for reckless driving were not sustained.

One complaint alleged improper enforcement action when an officer did not make an arrest the complainant felt he should. The officer was exonerated as the incident was a proper use of his discretion.

A resident issued a complaint that every time an African-American friend visits her from Columbus they are pulled over by the Heath Police. The resident however could provide only one instance with sufficient detail to investigate. The friend in question was stopped for erratic driving and then provided directions because they were lost. The resident was invited to provide more information and we would gladly investigate. No further contact came from the resident and the complaint was not sustained.

The last complaint was against an officer for not providing transportation when the complainant ran out of gas. The complainant called 911 requesting a ride because he needed to buy food for his family. He was contacted and advised on how to contact the appropriate agency that would provide support in these instances. This complaint was unfounded.

All complaints were investigated and reviewed according to policy and procedure. No trends or patterns were detected by this review.

An unfounded complaint is one found to have no basis to the allegation. A complaint not sustained is when there is no corroborating evidence to uphold the allegation. A sustained complaint is when the investigation revealed evidence to support the allegation. Exoneration is total relief of any guilt or blame on the part of the accused employee.

The five year average on citizen complaints is at nine per year. The yearly totals were: 2006=4, 2007=6, 2008=13, 2009=14, and 2010=8.



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Review of Agency Practices for the Year 2010 Prohibition of Bias Based Policing

By Lt. John Mason

General Order 0154 strictly forbids bias based profiling by officers of this department. By definition, bias based profiling is the selection of individuals for enforcement measures based solely on a common trait of a particular group such as race or gender.

Officers of this department rely on strict adherence to articulable reasonable suspicion and probable cause. Our mission and values statements guide us in our endeavor to always do the right thing.

The department does not collect data on the race of all occupants in a stopped vehicle. We do however record the race on any citations issued to the driver and/or occupants. The race of an individual is not recorded for all field interviews unless a card is submitted. These cards are provided to the officer for use in the field to record information, but are not required.

State statutes and the local courts control all asset seizure and forfeitures. Any seizure made by an officer of this department must be in accordance to General Order 0105 (Search and Seizure) as well. General Order 0154 also prohibits bias based profiling regarding asset seizure and forfeiture and seizure. All property forfeitures for this department are approved by or prepared by the Licking County Prosecutors Office.

A review of citizen complaints was conducted for 2010 and one complaint contained an allegation of a bias based practice. The reporting person was relaying third party information which was investigated and not sustained. The reporting person was contacted again and invited to provide more information, or to have a complainant come forward, but has not at this time. In 2008 a citizen's survey was conducted and no complaints or allegations of bias were found in any returned replies. A new survey will be conducted in 2011. A review of our Personnel Early Warning System was also conducted and no problems identified.

The prohibition against bias based profiling is in General Order 0154 as stated above. This general order is covered for new officers during the stops and approaches section of the Field Training Program. Our Mission, Vision, and Values statements reinforce this message. Annual training including different legal aspects of the issue is conducted as part of the in-service training program that includes Ethics and Conducting Professional Traffic Stops.

After conducting a review of our training documentation and the citizen complaint review, I find the current practices are sufficient. The department will continue this training and review procedure to insure that prohibited practices do not occur, and that proper discipline will take place in any instance it may be discovered.



Pursuit Analysis 2010



| DATE | TIME | INITIAL COMPLAINT | SUPECT ACTIONS | PURSUIT TERMINATION |
|-------------|-------------|------------------------------------|--|--|
| 2/28/2010 | 2103 | Operation of an ATV on the Roadway | High Speed, Heavy Snow, No Headlights, Passenger | Crash (no injury), apprehension without incident |
| 3/12/2010 | 1640 | High Speed | High Speed, Reckless | Stopped and fled on foot, apprehended by takedown |
| 9/25/2010 | 0156 | Speed, Marked Lanes | High Speed, Reckless, OVI Residential area | Eventually stopped and then apprehended |

The total number of pursuits in 2008 was six compared to five in 2007 and six in 2006. The year 2009 review found four pursuits which are right at the current average. For 2010 there were only three vehicle pursuits so the five-year average is 4.8 per year. Team sergeants conducted debriefings and their findings were forwarded to the Lieutenant and Chief. No injuries to innocent persons and only one instance of damage to realty. The damage was caused by the suspect driving through yards of three homes prior to stopping. No violation of policy was noted and no corrective measures needed.

No trends or patterns were detected that indicate a change needed in policy or procedure.



Response to Resistance Report 2010

| | | | | | | |
|-----------------------------------|--------------------|-----------------------|---------------------|------------|---------|--------|
| <u>Type of Force</u> | Open Hand 9 | Chemical Agent 0 | Baton 1 | Taser 3 | Firearm | Canine |
| <u>Alcohol/Drug Use Suspected</u> | 5 | | 1 | 3 | | |
| <u>Under Mental Stress</u> | 1 | | | | | |
| <u>Forced Was Used to:</u> | Effect Arrest 7 | Control Prisoner 6 | Defend Officer 1 | | | |

There were eight incidents reported each year in 2002-2004 but only four in 2005. For the year of 2006 incidents rose again to nine. A significant drop in the use of force occurred in 2007 so a thorough review of incident reports indicating resistance was conducted. Only three response-to-resistance reports were filed and the review held this number to be accurate. The year of 2007 can be considered an anomaly as it is below the average of 7.4 since 2002.

In 2008 sixteen incidents required reports to be filed, well above the average. In nine instances where force was used the subjects were suspected of being under the influence of alcohol and/or drugs. In four instances the subject was believed to be under mental stress. There was no reported use of force against a minor or juvenile subject and one reported use of a taser was against a biting canine. Possibly 2008 may be proved as an exception by future analysis as we continue our annual reporting.

For 2009 only ten incidents required a response to resistance report be filed and is closer to the average. In 2011 there were eleven incidents reported.

The number of incidents in relation to total number of arrests is still relatively small.

All incidents were reviewed per procedure and substantiated as proper applications of force. There were no trends or patterns identified by this review that would require further action.

Analysis of Grievances for the Year 2010



| Date | Subject | Status | Comment |
|------|---------|--------|---------|
| | | | |
| | | | |
| | | | |
| | | | |

There were no grievances filed in the year 2010. Four grievances were filed in 2009, two more than 2008. The Chief denied all four grievances and was overturned in only one case. That one grievance however could not be resolved at the Chief's level and required action by the Mayor. The other three grievances were not taken to the Civil Service Commission or arbitration and simply closed due to lack of further action by the employee.



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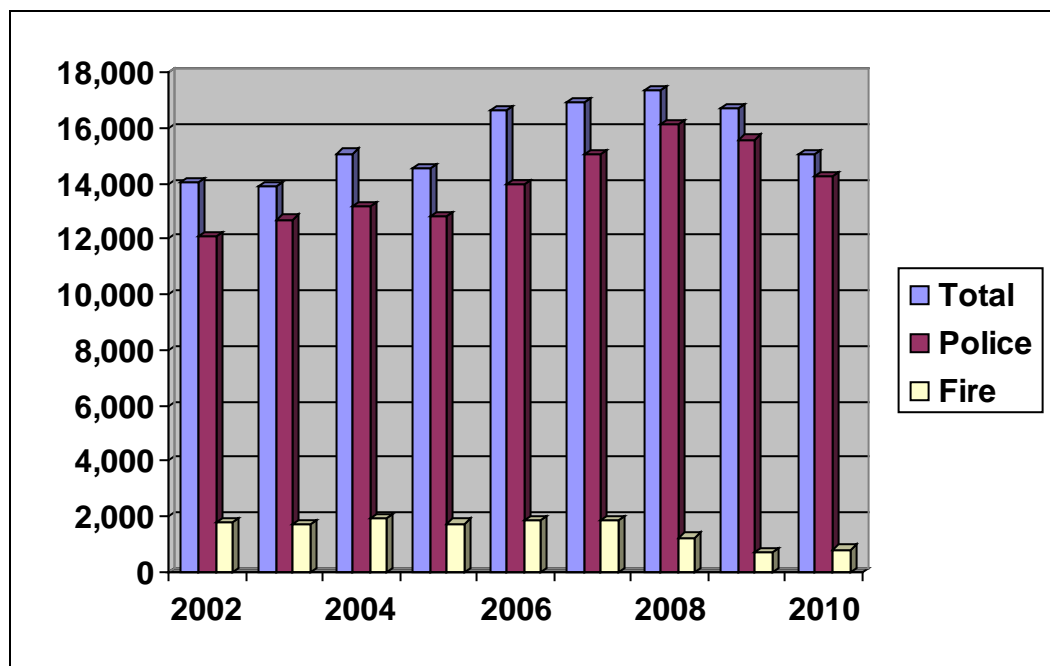
Crime Analysis

For the Year
2010



COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES

CALLS FOR SERVICE 2010

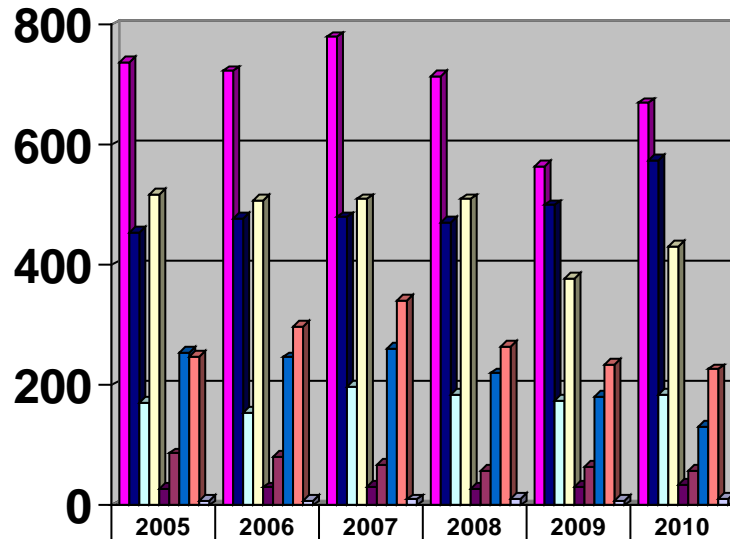


As a result of the fire department being dispatched by the County 911 center since May 22, 2008 the number of fire calls do not represent a true total of fire/EMS responses in this table.

Total calls for 2009 dropped to 16,683 and fire calls dropped dramatically to 733. As stated above many fire calls are now directly dispatched by the 911 center and the dispatchers did not document all fire calls with a call record. Police calls numbered 15,590 down only 540 from 2008. The drop may be partially accounted for in the drop in traffic enforcement actions taken in 2009 when cameras were deployed for a few months. The cameras were removed by a ballot measure in November.

The department documented a five year low in calls for service in 2010 at 15,067. This is 1,616 calls less than 2009. An extensive review of calls by their nature was conducted to determine what may have caused such a drastic change. It was discovered that officers logged 1,322 less business checks and 249 less registration checks in 2010. The business checks shortage is due to a change made in how the checks are documented. For example, officers checking businesses in the Southgate Shopping Center used to log each business separately as they were checked. Now the check of Southgate is logged as a single area check. I discovered the lower registration checks are due to an increase in the use of the mobile data computer to perform these checks. These types of checks are not documented in the CAD system as a call for service. Only a registration check called in and performed by a dispatcher will result in a call for service.

Traffic Analysis for the Year 2010



| | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---------------------------|------|------|-------|-------|------|-------|
| Total Accidents Called In | 737 | 723 | 780 | 715 | 566 | 670 |
| Non-injury Accidents | 456 | 477 | 480 | 473 | 500 | 575 |
| Private Property | 173 | 156 | 198 | 184 | 175 | 186 |
| Crash Reports Taken | 517 | 507 | 510 | 510 | 379 | 432 |
| %No Crash Report Taken | 29.8 | 30 | 32 | 29 | 33 | 36 |
| Injury Accidents | 87 | 81 | 68 | 58 | 66 | 59 |
| Intersection related | 255 | 247 | 262 | 220 | 183 | 133 |
| Accidents with Citation | 249 | 297 | 342 | 266 | 236 | 227 |
| Traffic Enforcement Index | 7.29 | 9.51 | 10.43 | 12.14 | 9.48 | 12.06 |

Accidents

In 2009 a nine-year low of reported accidents was set at 566 but the trend was broken in 2010 with an increase to 670. This number was still lower than 2005 through 2008 when the annual totals were all above 700. Injury accidents were at an eight-year low for 2008 (58) but rose in 2009 to 66 and dropped back to 59 in 2010.

From July until November 2009 the city installed photo enforcement cameras for red light and speed violations. This controversial program resulted in a drop in the number of vehicles traveling in the city and also reduced the average speed of those traveling the city's main roads. The total number of accidents dropped measurably during this time frame but the program was defeated by a ballot issue in the election and discontinued.

Reported accidents and the number of Ohio crash reports (OH1) submitted will always vary. Officers responding can find the drivers do not require an OH1 report to be completed and exchange information (82 in 2009, 103 times in 2010). Other situations happen quite frequently such as no accident being found or the accident was another agency's jurisdiction.

As part of paperwork reduction officers were allowed to discontinue the practice of taking a crash report for all deer crashes. Most insurance companies no longer require a crash report for animal caused crashes and local law enforcement agencies have began taking fewer reports for deer crashes. There were 26 deer crash reports taken in 2008 compared to only 8 in 2009 and 7 in 2010.

Intersections related accidents accounted for 133 out of the 423 accidents reported using the OH1 in 2010.

Traffic Enforcement Index

The Traffic Enforcement Index was developed by the International Association of Chiefs of Police to measure the effectiveness of traffic enforcement programs in reducing accidents. It represents the number of traffic violation convictions for hazardous moving violations, in relation to the number of accidents involving personal injury and/or death. There was one fatal accident reported in 2009 and one in 2010.

The IACP has determined through research that a TEI of 25 in urban areas results in a most effective enforcement to accident ratio. For a rural area, a TEI of 15 is considered most effective. Using the index on an annual basis allows law enforcement agencies to evaluate the quality of their traffic enforcement efforts and establish effective patrol strategies.

$$\text{TEI} = \frac{\# \text{ Of Convictions For Hazardous Moving Violations (Heath 2009) } 711.39}{\# \text{ Of Accidents Involving Personal Injury/Death (Heath 2009) } 59} = 12.06$$

These numbers do not include photo enforcement violations.

As the formula above demonstrates the TEI for 2009 for the city was 12.06, a poor number for a rural or urban area, and the lowest since 2008. According to the number of injury/fatal accidents in 2010 (59) the department should have 885 convictions of hazardous moving violations to obtain a TEI of 15, and 1475 to obtain a TEI of 25.

25 (desired TEI) multiplied by 59 (total injury/fatal accidents) = 1475 (represents the number of HVM convictions needed to obtain the desired TEI).

1475 divided by .96 (conviction rate) = 1536 HVM (citations needed to obtain desired TEI). The conviction rate for HVM citations filed by our department remains around 96% in Licking County Municipal Court.

It takes an average of 2.5 man hours to make a traffic arrest according to research of national statistics, so;

1475 multiplied by 2.5 = 3688 man hours needed of unassigned time for traffic law enforcement.

432 (crash reports taken) multiplied by 2.5 = 1080 man-hours needed for accident investigation.

Add 3688 + 1080 = 4768 man-hours to obtain the desired TEI.

4768 divided by 2080 (the number of work hours in a year) = 2.29 officers on traffic duty at all times required to obtain the desired TEI.

Conclusions

These recommendations were made in 2010 to increase the TEI:

1. Implement the use of a Daily Activity Report towards each officer spending 30% of their time on traffic enforcement.
The DAR's were analyzed quarterly and the average time was over 30%.
2. Explore the changes in traffic design on SR79.
The engineering study of the roadway made recommended changes to the median and two intersections. The city has obtained grants and funding and has plans to implement the plan with ODOT and construction begins in June.
3. Ensure patrol officers are taking proper enforcement actions.
The percentage of accidents cited increased by 10% in 2009, but decreased by 10% in 2010.
4. Strongly encourage officers to take crash reports at every scene and issue a citation when fault can be determined.
The percentage of crash reports taken remained unchanged at about 70% for 2009 but dropped to 64% in 2010. We must re-direct our efforts here to ensure citations are being issued when appropriate.

Recommendations

Continue to monitor the time officers spend on traffic duties through use of the DAR and analysis. The department has established a goal for patrol officers to spend 30% of their shift on traffic patrol.

The city will pursue improvements to Hebron Road by installing a concrete median and re-aligning two intersections which will effectively limiting left-hand turns. This will take half of the year and the analysis of statistics during this time will have to be set aside from other years. During the last extended project on SR 79 traffic crashes and offenses decreased as motorists were slowed by the construction and sought out alternate routes of travel.

Officers are again encouraged to take crash reports at every scene and issue a citation when fault can be determined.