

# THE UNIVERSITY OF TEXAS AT ARLINGTON POLICE DEPARTMENT



## INTERNAL AFFAIRS ANNUAL REPORT 2023

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## **Introduction**

This report presents details on both citizen and internal claims of police misconduct, along with the results of those investigations for the UT Arlington Police Department (UTA PD) during the year 2023.

In Section I, the report outlines the role of the Internal Affairs function within the department. Section II provides a concise overview of the complaint process, while Section III offers a summary of the complaints received and processed in the year 2023.

## **Section I**

### **INTERNAL AFFAIRS FUNCTION**

The primary objective of the Internal Affairs function is to examine critical incidents involving officers and investigate complaints filed against both sworn and non-sworn employees within the department. Whether the complaints originate from citizens or department personnel, a comprehensive investigation is conducted to uphold the department's integrity.

The oversight and coordination of the Internal Affairs function are managed by the Assistant Chief of the Support Operations Division. The Support Operations function is situated at the UTA PD administrative offices located at 202 E. Border Street.

## **Section II**

### **COMPLAINT PROCESS**

In compliance with Texas law, complaints against police officers must be submitted in writing and bear the signature of the complainant. According to the policy of the UT System Office of the Director of Police (ODOP), any investigative actions leading to disciplinary measures must be concluded within 28 days of the incident. In exceptional circumstances, the Chief of Police for the respective component may authorize an extension beyond the 28-day limit.

For external complaints against police officers, the initial point of contact is any supervisor, who can furnish the Complaint Form (DP-42) to individuals wishing to file a complaint against a police employee. The DP-42 form is accessible on the UT System Police webpage at:

<https://utsystem.edu/offices/police/forms>

Complaints can be submitted through various channels, including mail, email, phone, or anonymously.

Upon receiving a complaint, a thorough review is conducted, and the case is assigned for investigation. The investigator will interview relevant parties and witnesses, collect pertinent data, and, depending on the nature of the allegation, employ investigative techniques such as photo line-ups, polygraph examinations, photographs, interviews, interrogations, videotaped surveillance, drug testing, checking medical records, and consultation with experts.

Upon completion, Internal Affairs investigation documents undergo scrutiny by the Support Operations Assistant Chief; and are then routed through the chain of command for a review of the findings.

**Complaint Classifications:**

Complaints will be categorized according to the gravity of the allegations, designated as either Class 1 or Class 2 complaints. Internal Affairs investigators will handle the investigation of Class 1 complaints. The investigation of Class 2 complaints, contingent upon their complexity, may be conducted by the supervisor of the involved officer or the Internal Affairs investigator, as decided by the Support Operations Assistant Chief of Police.

<b>Class 1 Complaints</b>
<u>General Categories</u>
Abuse of Authority
Criminal activity
Death of any person in police custody
Excessive Use of Force
Serious misconduct
<u>Specific Standards</u>
Abuse of Position
Abuse of Process/Withholding Evidence
Failure to Aid Fellow Officer Association
Attempts and Conspiracy
Conformance to Laws Departmental Reports, Truthfulness Dereliction of Duty
Detectable Level of Drugs
Disclosure of Information
Discrimination
Evidence/Property
Fitness for Duty
Fraudulent Employment
Harassment
Immoral Conduct
Insubordination
Interference with Cases
Interference with Judicial Process
Personal Involvement in Cases
Sexual Harassment
Theft/Unauthorized Use
Treatment of Persons in Custody
Unauthorized Arrest or Search
Unbecoming Conduct/Conduct
Prejudicial to Good Order
Inappropriate use of computers
Use of Force
Inappropriate use of Information Systems
Unlawful use or Possession of Drugs
Unauthorized Membership
Truthfulness

<b>Class 2 Complaints</b>
<u>General Categories</u>
Discourtesy
Failure to Take Prompt and/or Effective Police Action
Improper Police Procedures
Inappropriate Behavior
<u>Specific Standards</u>
Alcohol on University of Texas Premises
Attention to Duty
Citizen Complaints
Conflicting Orders
Courtesy
Criticism
Employment Outside Department
Failure to Respond
Fictitious Illness or Injury Repots
Financial disclosure
Gambling
Horseplay/Rough Play
Identification
Officer in Charge
Payment of Debts
Personal Appearance
Personal Business
Reporting Absence
Reporting for Work
Requests for Assistance
Responding to Calls for Service
Telephone and Address
Unauthorized Absence
Use of Alcohol on Duty
Use of Alcohol off Duty
Violation of Rules
Visiting Prohibited Establishment

**Determination of Complaint Conclusion:**

A single complaint may encompass multiple allegations, each of which is subject to investigation. The assigned investigator has the responsibility to report their findings on each allegation to the Chief of Police. Allegations can be classified into one of four conclusions:

- Sustained: The allegation is supported by sufficient evidence.
- Unfounded: The allegation is false, not factual.
- Exonerated: The incident occurred but was lawful, reasonable, and justified.
- Not Sustained: There is insufficient evidence to prove or disprove the allegation(s).

**Chain of Command Recommendations:**

In the event of a sustained allegation, the chain of command of the investigated employee will examine the facts related to the investigation and provide a recommendation for disciplinary measures. Following a thorough review of these recommendations, the Chief of Police makes the final decision on whether any disciplinary action is warranted. Subsequently, both the employee and the complainant are informed of the outcomes.

**Types of Discipline:**

- Written Reprimand: A formal written memorandum setting forth the infraction or performance issue and indicating that the reprimand has been approved by the Chief of Police. The officer shall be given the original and a copy shall be placed in both their IA and personnel file(s).
- Disciplinary Probation: A review period with terms and conditions.
- Suspension without Pay: Time off without pay for not less than one week for officers in an exempt status and not to exceed 30 days for any other officer.
- Demotion: A reduction from one salary group to a lower salary group.
- Termination from Employment: The officer is removed from the payroll.

An officer has the option to appeal the disciplinary decision and may proceed by adhering to the established departmental procedures within the appeal process.

**Performance Issues:**

Certain incidents may be categorized as performance issues rather than misconduct. In cases where incidents are identified as performance-related, the resolution involves meeting with the employee, pinpointing the specific performance issue, and establishing a course of action to address and rectify the matter. If deemed necessary, disciplinary action may be taken to address performance deficiencies.

**Section III**

**COMPLAINTS INVESTIGATED**

The data below offers details on citizen-initiated and internal complaints reported, as well as investigations completed by UTAPD in the year 2023. It's important to note that a single complaint may encompass more than one allegation.

The breakdown of administrative investigations is as follows:

**Complaint Classifications**

Class 1	4
Class 2	0

**Complaints (Both Summary Discipline & Administrative Investigations)**

**Outcome of Class 1 and 2 Allegations**

'Outside' Citizen Complaints	1	Exonerated	0
Internal 'Admin' Complaints	4	Not Sustained	1
Total Complaints	5	Sustained	3
		Unfounded	0
Total Employees Involved	5	Administratively Closed	0
		Total Allegations	4

The breakdown of discipline assigned to sustained allegations is as follows:

**Cumulative Disciplines Assigned**

Written Reprimand(s)	4
Suspension(s)	2
Termination(s)	0

If you have any questions regarding this report, the Internal Affairs process, or wish to discuss the performance of a UTAPD employee, please ask to speak to the Support Operations Assistant Chief at (817) 272-9693.