ATTACHMENT 1

TYPE	AUTHORITY	SIGNATURE
DEPARTMENT GENERAL ORDER	TIMOTHY SINI POLICE COMMISSIONER	

SUBJECT/TOPIC/TITLE
ARREST OF NON-U.S. CITIZENS AND PERSONS WITH DUAL CITIZENSHIP

DISTRIBUTION	SECTION CREATED	DATE EFFECTIVE	DATE AMENDED
ALL MEMBERS OF THE DEPARTMENT			

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 4: TITLE: ARREST OF NON-U.S. CITIZENS AND PERSONS WITH DUAL CITIZENSHIP

I. PURPOSE

To provide procedures for processing arrests of non-U.S. citizens, for interacting with undocumented persons and for making notifications to federal and consular agencies.

II. POLICY

The mission of the Police Department is to provide and maintain a safe environment for every person in Suffolk County regardless of that person's residency or immigration status. If individuals believe that they cannot come forward to report a crime or that they cannot freely cooperate with law enforcement because of their immigration status, the mission of the Police Department and the safety of all residents is compromised.

Persons requiring police assistance should not be discouraged from approaching police officers out of fear of inquiry into their immigration status. Officers, therefore, shall not inquire about, or investigate, the immigration status of any victim, witness, potential witness, or person requesting or receiving police assistance. An exception to this requirement shall exist if: (a) the District Attorney's Office determines, and communicates to the Police Department in writing, that good cause exists to inquire about or investigate the person's immigration status; (b) the person has been arrested for and charged with a crime; or (c) as may be constitutionally or otherwise legally required during a criminal proceeding.

After an undocumented person has been arrested and charged with a criminal offense, that individual's immigration status becomes relevant when determining his or her ties to the community and to ascertain the likelihood that he or she will appear at future court proceedings. The Police Department is responsible for alerting federal immigration officials, the prosecuting attorney, and the judiciary when an undocumented person is arrested for a criminal offense listed in Appendix A of this Section. Additionally, the Police Department will notify federal immigration officials to evaluate whether immigration enforcement proceedings should be initiated if the undocumented person is engaged in criminal activity.

III. DEFINITIONS

A. Non-U.S. Citizen - A person who is not a United States citizen.

B. Dual Citizenship - A person who is a citizen of both the United States and another country. Such person, according to the United States Department of State, may be treated exclusively as a U.S. citizen when in the United States. Consular notification is not required even if the other country of citizenship is a mandatory notification country. A person who is not a United States citizen, but is a national/citizen of more than one other country, will be treated in accordance with the notification requirements applicable to each country.

C. LESC - Law Enforcement Support Center - Williston, Vermont.

D. INSQ - Inquiry search through Immigration database.

IV. REFERENCES

United States Department of State publication entitled "Consular Notification and Access."

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Determining Arrestee's Status

1. When processing an arrest for any offense listed in Appendix A of this Section, the arresting officer shall:

a. Determine if the arrestee has Limited English Proficiency and if so follow the procedures set out in

~~(1) If so, request an interpreter through the Communications Section, and~~

~~(2) If an interpreter is not available, utilize the Language Line service in accordance~~ Rules and Procedures Chapter 26, Section 5.

b. Query the arrestee regarding the arrestee's:

(1) citizenship, and

(2) birthplace

2. If an arrestee indicates that:

a. He or she was born outside of the United States, or

b. He or she is not a United States citizen, or

c. If his or her answer does not provide the arresting officer sufficiently detailed or reliable information for the officer to determine the arrestee's place of birth, the officer shall:

(1) Complete an Immigration/Customs Enforcement Inquiry Request, (form PDCS-6100-44, available online), and fax the form to Teletype in the Receiving, Dispatching and Teletype Unit. This will generate an INSQ search through the Immigration and Customs Law Enforcement Support Center (LESC). Including the arrestee's place of birth on this form will

optimize search results. If unable to determine the place of birth, enter, "unknown" in this field.

ICE will send the search results back to the Teletype Unit which will in turn forward the results to the requesting Officer, the Criminal Intelligence Bureau, the Chief of the Suffolk County District Attorney's Office Case Advisory Bureau, and to Probation ROR for arraignment.

(2) Indicate in the Personal Information section of the Arrest Worksheet, (PDCS-1086), the "residency status, citizenship, immigration status and INS number", to the extent available.

(3) Include a copy of the INSQ inquiry results, if available, with the arrest paperwork and forward to the court of arraignment. In any case the INSQ inquiry should be indicated in the online arrest processing system or arrest paperwork.

(a) Arrestees *shall not be* detained solely pursuant to a request from ICE to hold the arrestee - detention/custody of an arrestee shall *only* be conducted pursuant to criminal charge(s) filed against the arrestee by a member of this Department or other law enforcement agency (other than ICE). If ICE requests that an arrestee be detained, such detention shall only be conducted pursuant to a warrant or other lawful direction of a court obtained by ICE. If an arrestee is eligible to be released pursuant to an appearance ticket (conditioned on the posting of bail or not), an INSQ inquiry response requesting a hold on the arrestee shall not be a factor in the determination of:

- Whether or not the arrestee is released pursuant to an appearance ticket;

- Whether or not such release is conditioned upon the posting of bail; and,

- The bail amount, if such release is conditioned upon the posting of bail.

B. Consular Notification - ~~Arresting officers shall adhere to the following notification procedures when processing an arrestee who is not a U.S. citizen~~ Arresting officers shall ask all arrestees if they are a citizen of a foreign country:

1. ~~Determine the arrestee's country of origin.~~ If the arrestee ~~has~~ is LEP, the arresting officer will follow the procedures set forth by Rules and Procedures Chapter 26, Section 5.

2. If the arrestee is a citizen of another country the arresting officer shall contact the Communications Section to determine if the arrestee's country of origin is on the mandatory notification list (Appendix B). The Communications Section supervisor shall make note of any consular notification in the Communications Section Confidential Log.

3. If the foreign national's country ***IS*** on the mandatory notification list, the arresting officer will notify the desk supervisor, or officer in charge of the precinct, who in turn shall:

a. Notify the country's nearest consular officials, without delay, of the arrest.

b. Advise the arresting officer of the date, time and name/title of the consular official receiving such notification and any instructions given.

c. The arresting officer shall advise the arrestee that, "Because of your nationality, we are required to notify your country's consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you are entitled to communicate with your consular officers. You

are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things."

4. If the foreign national's country ***IS NOT*** on the mandatory notification countries list, the arresting officer shall:

a. Offer, without delay, to notify the arrestee's consular officials of the arrest, by telling the arrestee, "As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular officers here in the United States of your situation. You are also entitled to communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?"

b. If the foreign national asks that consular notification be given, the arresting officer shall contact the desk supervisor or Officer in Charge, who then shall:

(1) Notify the foreign national's nearest consular officials, without delay, of the arrest.

(2) Advise the arresting officer of the date, time and name/title of the consular official receiving such notification and any instructions given.

(3) Advise the Communications Section Supervisor so that the matter may be annotated in the Communications Section Confidential Log.

5. All actions taken concerning consular notifications must be documented on the Arrest

Worksheet (PDCS 1086m) ~~arrestee's Prisoner Activity Log (PDCS-2032).~~

6. Pursuant to U.S. State Department guidelines a consular officer may visit a foreign national from their country that is in police custody. In the event a personal visit is made, the appropriate entry must be recorded on the arrestee's Prisoner Activity Log (PDCS-2032).

C. Contact Numbers -

1. Law Enforcement Support Center (LESC): 802-872-6020 (24 hrs/7days)

2. ICE Communications Desk: (646) 230-3200

3. Probation ROR: 853-5115; Probation Supervisor 853-5007, Fax - 853-4032

4. Suffolk County District Attorney's Office Case Advisory Bureau: Fax - 853-5892

D. Responsibilities of the Criminal Intelligence Bureau (CIB) - The Criminal Intelligence Bureau shall evaluate all INSQ responses received and perform any necessary follow-up investigation in conjunction with ICE personnel. CIB shall prepare and maintain a database to catalog all INSQ responses that they receive from Teletype.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Undocumented Persons, Arrest of - 16/4
Dual Citizenship, Arrest of Persons With - 16/4
Foreign National, Arrest of - 16/4
Immigration/Customs Enforcement Inquiry Request - 16/4
INSQ - 16/4
LESC - 16/4
Non-U.S. Citizen, Arrest of - 16/4

APPENDIX A

120.01: Reckless assault of a child by a child day care provider (E Felony)
120.02: Reckless assault of a child (D Felony)
120.03: Vehicular assault in the second degree (E Felony)
120.04: Vehicular assault in the first degree (D Felony)
120.04-a (4): Aggravated vehicular assault (C Felony)
120.05: Assault in the second degree (D Felony)
120.06: Gang assault in the second degree (C Felony)
120.07: Gang assault in the first degree (B Felony)
120.08: Assault on a peace officer, police officer, fireman or emergency medical services professional (C Felony)
120.09: Assault on a judge (C Felony)
120.10: Assault in the first degree (B Felony)
120.11: Aggravated assault upon a police officer or a peace officer (B Felony)
120.12: Aggravated assault upon a person less than eleven years old (E Felony)
120.13: Menacing in the first degree (E Felony)
120.18: Menacing a police officer or peace officer (D Felony)
120.25: Reckless endangerment in the first degree (D Felony)
120.55: Stalking in the second degree (E Felony)
120.60: Stalking in the first degree (D Felony)
120.70: Luring a child (E Felony)

121.12: Strangulation in the second degree (D Felony)
121.13: Strangulation in the first degree (C Felony)

125.10: Criminally negligent homicide (E Felony)
125.11: Aggravated criminally negligent homicide (C Felony)
125.12: Vehicular manslaughter in the second degree (D Felony)
125.13: Vehicular manslaughter in the first degree (C Felony)
125.14: Aggravated vehicular homicide (B Felony)
125.15: Manslaughter in the second degree (C Felony)
125.20: Manslaughter in the first degree (B Felony)
125.21: Aggravated manslaughter in the second degree (C Felony)
125.22: Aggravated manslaughter in the first degree (B Felony)
125.25: Murder in the second degree (A-I Felony)
125.26: Aggravated murder (A-I Felony)
125.27: Murder in the first degree (A-I Felony)
125.40: Abortion in the second degree (E Felony)
125.45: Abortion in the first degree (D Felony)

130.25: Rape in the third degree (E Felony)

130.30: Rape in the second degree (D Felony)
130.35: Rape in the first degree (B Felony)
130.40: Criminal Sexual Act in the third degree (E Felony)
130.45: Criminal Sexual Act in the second degree (D Felony)
130.50: Criminal Sexual Act in the first degree (B Felony)
130.53: Persistent sexual abuse (E Felony)
130.65: Sexual abuse in the first degree (D Felony)
130.65-a: Aggravated sexual abuse in the fourth degree (E Felony)
130.66: Aggravated sexual abuse in the third degree (D Felony)
130.67: Aggravated sexual abuse in the second degree (C Felony)
130.70: Aggravated sexual abuse in the first degree (B Felony)
130.75: Course of sexual conduct against a child in the first degree (B Felony)
130.80: Course of sexual conduct against a child in the second degree (D Felony)
130.85: Female genital mutilation (E Felony)
130.90: Facilitating a sex offense with a controlled substance (D Felony)
130.95: Predatory sexual assault (A-II Felony)
130.96: Predatory sexual assault against a child (A-II Felony)

135.10: Unlawful imprisonment in the first degree (E Felony)
135.20: Kidnapping in the second degree (B Felony)
135.25: Kidnapping in the first degree (A-I Felony)
135.35: Labor trafficking (D Felony)
135.50: Custodial interference in the first degree (E Felony)
135.65(2)(b): Coercion in the first degree (D Felony)

140.17: Criminal trespass in the first degree (D Felony)
140.25: Burglary in the second degree (C Felony)
140.30: Burglary in the first degree (B Felony)

145.12: Criminal mischief in the first (B Felony)

150.05: Arson in the 4th degree (E Felony)
150.10: Arson in the 3rd degree (C Felony)
150.15: Arson in the second degree (B Felony)
150.20: Arson in the first degree (A-I Felony)

160.05: Robbery in the third degree (D Felony)
160.10: Robbery in the second degree (C Felony)
160.15: Robbery in the first degree (B Felony)

195.07: Obstructing governmental administration in the first (E Felony)
195.08: Obstructing governmental administration by means of self-defense spray device (D Felony)

195.17: Obstruction of governmental duties by means of a bomb, destructive device, explosive, or hazardous substance (D Felony)

215.11: Tampering with a witness in the third degree (E Felony)
215.12: Tampering with a witness in the second degree (D Felony)
215.13: Tampering with a witness in the first degree (B Felony)
215.15: Intimidating a victim or witness in the third degree (E Felony)
215.16: Intimidating a victim or witness in the second degree (D Felony)
215.17: Intimidating a victim or witness in the first degree (B Felony)
215.51: Criminal contempt in the first degree (E Felony)
215.52: Aggravated criminal contempt (D Felony)

220.18: Criminal possession of a controlled substance in the second degree (A-II Felony)
220.21: Criminal possession of a controlled substance in the first degree (A-I Felony)
220.28: Use of a child to commit a controlled substance offense (E Felony)
220.41: Criminal sale of a controlled substance in the second degree (A-II Felony)
220.43: Criminal sale of a controlled substance in the first degree (A-I Felony)
220.44: Criminal sale of a controlled substance in or near school grounds (B Felony)
220.48: Criminal sale of a controlled substance to a child (B Felony)
220.77: Operating as a major trafficker (A-I Felony)

230.05: Patronizing a prostitute in the second degree (E Felony)
230.06: Patronizing a prostitute in the first degree (D Felony)
230.19: Promoting prostitution in a school zone (E Felony)
230.25(2): Promoting prostitution in the third degree (D Felony)
230.30: Promoting prostitution in the second degree (C Felony)
230.32: Promoting prostitution in the first degree (B Felony)
230.33: Compelling prostitution (B Felony)
230.34: Sex Trafficking (B Felony)

235.22: Disseminating indecent material to minors in the first degree (D Felony)

240.06: Riot in the 1st degree (E Felony)

240.55: Falsely reporting an incident in the second degree (E Felony)
240.60: Falsely reporting an incident in the first degree (D Felony)
240.61: Placing a false bomb or hazardous substance in the second degree (E Felony)
240.62: Placing a false bomb or hazardous substance in the first degree (D Felony)
240.63: Placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall (D Felony)
240.75: Aggravated family offense (E Felony)

241.05: Harassment of rent regulated tenant (E Felony)

255.26: Incest in the 2nd degree (D Felony)
255.27: Incest in the first degree (B Felony)

260.25: Endangering the welfare of an incompetent or physically disabled person in the first degree (E Felony)
260.32: Endangering the welfare of a vulnerable elderly person, or an incompetent or physically disabled person in the second degree (E Felony)
260.34: Endangering the welfare of a vulnerable elderly person, or an incompetent or physically disabled person in the first degree (D Felony)

263.05: Use of a child in a sexual performance (C Felony)
263.10: Promoting an obscene sexual performance by a child (D Felony)
263.11: Possessing an obscene sexual performance by a child (E Felony)
263.15: Promoting a sexual performance by a child (D Felony)
263.16: Possessing a sexual performance by a child (E Felony)
263.30: Facilitating a sexual performance by a child with a controlled substance or alcohol (B Felony)

265.01-a: Criminal possession of a weapon on school grounds (E Felony)
265.01-b: Criminal possession of a firearm (E Felony)
265.02 (2) through (8): Criminal possession of a weapon in the third degree (D Felony)
265.03: Criminal possession of a weapon in the second degree (C Felony)
265.04: Criminal possession of a dangerous weapon in the first degree (B Felony)
265.08: Criminal use of a firearm in the second degree (C Felony)

265.09: Criminal use of a firearm in the first degree (B Felony)
265.10: Manufacture, transport, disposition and defacement of weapons and dangerous instruments and appliances (D Felony)
265.11: Criminal sale of a firearm in the third degree (D Felony)
265.12: Criminal sale of a firearm in the second degree (C Felony)
265.13: Criminal sale of a firearm in the first degree (B Felony)
265.14: Criminal sale of a firearm with the aid of a minor (C Felony)
265.16: Criminal sale of a firearm to a minor (C Felony)
265.17: Criminal purchase or disposal of a weapon (D Felony)
265.19: Aggravated criminal possession of a weapon (C Felony)
265.35(2): Prohibited use of weapons (D or E Felony)

270.30: Unlawful fleeing a police officer in a motor vehicle in the second degree (E Felony)
270.35: Unlawful fleeing a police officer in a motor vehicle in the first degree (D Felony)

405.16(1): Aggravated unpermitted use of indoor pyrotechnics in the second degree (E Felony)
405.18: Aggravated unpermitted use of indoor pyrotechnics in the first degree (D Felony)

460.22: Aggravated enterprise corruption (A-I Felony)

470.21: Money laundering in support of terrorism in the fourth degree (E Felony)
470.22: Money laundering in support of terrorism in the third degree (D Felony)
470.23: Money laundering in support of terrorism in the second degree (C Felony)
470.24: Money laundering in support of terrorism in the first degree (B Felony)

490.10: Soliciting or providing support for an act of terrorism in the second degree (D Felony)
490.15: Soliciting or providing support for an act of terrorism in the first degree (C Felony)
490.20: Making a terroristic threat (D Felony)
490.25: Crime of terrorism (A-I Felony)
490.30: Hindering prosecution of terrorism in the second degree (C Felony)
490.35: Hindering prosecution of terrorism in the first degree

(B Felony)
490.37: Criminal possession of a chemical weapon or biological weapon in the third degree (C Felony)
490.40: Criminal possession of a chemical weapon or biological weapon in the second degree (B Felony)
490.45: Criminal possession of a chemical weapon or biological weapon in the first degree (A-I Felony)
490.47: Criminal use of a chemical weapon or biological weapon in third degree (B Felony)
490.50: Criminal use of a chemical weapon or biological weapon in second degree (A-II Felony)
490.55: Criminal use of a chemical weapon or biological weapon in first degree (A-I Felony)

~~**(Note: Please See Attached Exhibit)**~~

~~**Exhibit to Chapter 16, Section 4**~~
~~**(Arrest of Non-U.S. Citizens and Persons with Dual Citizenship)**~~

APPENDIX B

Mandatory Consular Notification Countries and Jurisdictions (Revised 9/10):

Albania
Algeria
Antigua and Barbuda
Armenia
Azerbaijan
Bahamas
Barbados
Belarus
Belize
Brunei
Bulgaria
China (including Macao and Hong Kong)
Costa Rica
Cyprus
Czech Republic
Dominica
Fiji
Gambia
Georgia
Ghana
Grenada
Guyana
Hungary
Jamaica
Kazakhstan
Kiribati
Kuwait
Kyrgyzstan
Malaysia
Malta
Mauritius
Moldova
Mongolia
Nigeria
Philippines
Poland
Romania
Russia
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Seychelles
Sierra Leone
Singapore
Slovakia
Tajikistan
Tanzania
Tonga
Trinidad and Tobago
Tunisia
Turkmenistan
Tuvalu
Ukraine
United Kingdom
Uzbekistan
Zambia
Zimbabwe

For more detailed instructions and legal material, see the Department of State publication *Consular Notification and Access*. The complete publication is available at:

www.travel.state.gov/consularnotification

Questions may also be addressed to:

Office of Policy Coordination and Public Affairs (CA/P)
Bureau of Consular Affairs
U.S. Department of State
2100 C St. NW, Room 4800
Washington, D.C. 20520
Telephone: (202)647-4415
Fax: (202)736-7559

Urgent after-hours inquiries may be directed to:
(202)647-1512 (State Department Operations Center)
Department members are advised to contact the Communications Section supervisor to verify whether the foreign national's country is on this Mandatory Consular Countries and Jurisdictions Notification list. Reminder: the above process is contained in Chapter 16, Section 4.VI.B. of the Rules and Procedures.

Department members are reminded if a foreign national's country is not on this Mandatory Consular Countries and Jurisdictions Notification list, they must still offer, without delay, to notify the person's consular officials of the arrest, using the statement contained in VI.B.4.a. of Chapter 16, Section 4 of the Rules and Procedures.

END

ATTACHMENT 2

Biased Policing Complaints 1/1/16-6/30/16

Internal Affairs Bureau

Biased Policing

The Department prohibits all of its members from engaging in biased policing, which is defined as:

> the selective enforcement or non-enforcement of the law, including the selecting or rejecting of particular policing tactics or strategies, based upon an individual's race, ethnicity, national origin, age, gender, religion, sexual orientation, or gender identity. Biased-based policing does not mean using any trustworthy information, relevant to the locality and timeframe, to identify a person of a particular race, ethnicity, national origin, age, gender, religion, sexual orientation, or gender identity in a reliable and recent suspect-specific description.[1]

The Department analyzes all biased policing complaints on a semi-annual basis, by reviewing the facts of each complaint, the demographics of the complainants and the involved officers, and the geographic location of the underlying incident. Identifying details have been removed in this report to comply with applicable privacy laws.

From January 1, 2016 to June 30, 2016 the Department received 12 complaints involving allegations of biased policing. Three of those complaints have been completed, and the results have been forwarded to the Department of Justice.

The Cases

Case #1.

This complaint arose from a call directly to IAB. The complainant, an African-American male, reported that, he was with his Caucasian friend at a gas station in Wyandanch. He alleges a police vehicle with two occupants stopped them and requested their identification. He is not sure of the race of the police officers or if they were in uniform or in plainclothes. He alleges that one officers mocked him as he flashed a gloved hand, and one of the officers directed a profanity at him during the encounter. The complainant believes that the stop may have been initiated because he is a black and his friend is white.

Department records indicate that the involved officers were both Caucasian males.

Allegations: biased policing, unprofessional language

[1] Rules and Procedures Chapter 1, §11 (D.G.O15-52, 11/02/2015)

Case #2.

This complaint was received via email directly to IAB. The complainant, a Caucasian male, alleged that he was arrested for Petit Larceny because of his heavy accent. He stated that the responding officer did not listen to his side of the incident because of his accent and only listened to the store security's side of the incident.

Department records indicate that the involved officer was a Caucasian female and the arrest occurred in the 2nd Precinct.

Allegations: biased policing, improper police action, false arrest

Case #3.

This complaint was made via telephone to the Highway Patrol Bureau. The complainant, a White male, reported that an African-American officer stopped him for speeding. When the officer interviewed him he heard the officer say say "nice fast car", and then "it must be nice to be white and have money". The complainant stated that he received two traffic tickets

Allegations: biased policing, unprofessional language

Case #4.

This complaint was received from the Human Rights Commission. The complainant, and African-American female, stated that she was arrested for harassment following a neighbor dispute. She alleges that she was falsely accused of harassment and stalking and treated in a discriminatory manner by the officer because of her race and color.

Department records indicate that the involved officers were two Caucasian males and the complainant was arrested in the 7th Precinct.

Allegations: biased policing, false arrest

Case #5.

This complaint was received via letter. The complainant, and African-American male alleges that he was arrested because two white police officers took the side of a person with whom he had a dispute, and who was also white.

Department records indicate that the complainant was arrested in the 1st Precinct.

Allegations: biased policing, false arrest

Case #6.

This complaint was lodged via telephone to IAB by the complainant's attorney. The complainant's attorney alleged that officers in the 4th Precinct were not properly investigating her client's criminal complaint because they held an anti-gay bias and also may have had a pre-existing relationship with the alleged perpetrators. A Notice of Claim was subsequently served on the Department.

Allegations: biased policing, failure to perform duty, unprofessional language

Case #7.

This complaint was received via telephone directly to IAB. The complainant, an African-American male, alleged that he was stopped while driving within the 6th Precinct area because he is Black. Complainant was arrested for D.W.I. by a white male officer. The complainant admitted that he tested over the legal limit, and he alleged no other wrongdoing.

Allegations: biased policing

Case #8.

This complainant was received via letter states from a Hispanic complainant. The complainant alleged that a white male officer gave false testimony against him at traffic court.

Allegations: biased policing, lying/false statement

Case #9.

This complaint was received via telephone to IAB. The complainant, a Black male, alleged that he was pulled over twice in one month by the same White officer on Sunrise Highway. The complainant alleged he was pulled over for no reason other than he was being profiled for being Black. He also alleged that the officer "talked down to him" and thinks he is "God" and can treat people poorly.

Allegations: biased policing, unprofessional language

Case #10.

This complaint was received via telephone to 911. The complainant, a Latino male alleged that he was pulled over n the L.I.E. in the 3rd Precinct area by a white, male Highway Patrol officer. The complainant alleged that the officer falsely accused him of using his cell phone while driving, and that he told him to remove the hood he was wearing because, "you all look alike". Complainant stated he feels racial profiling was used to pull him over and he was discriminated for being Hispanic.

Allegations: biased policing, unprofessional language

Case #11

This complaint was received via telephone to IAB. The complainant, a Latino male alleges he was stopped by plainclothes officers in an unmarked car. He alleges two white male officers searched the truck he was driving after handcuffing him. He alleges one officer stated to him, upon looking at his tattoos, "You MS, chico?" The complainant states that after the officers searched his truck and checked his sobriety, they uncuffed him and released him. Complainant believes he was profiled because he is Latino.

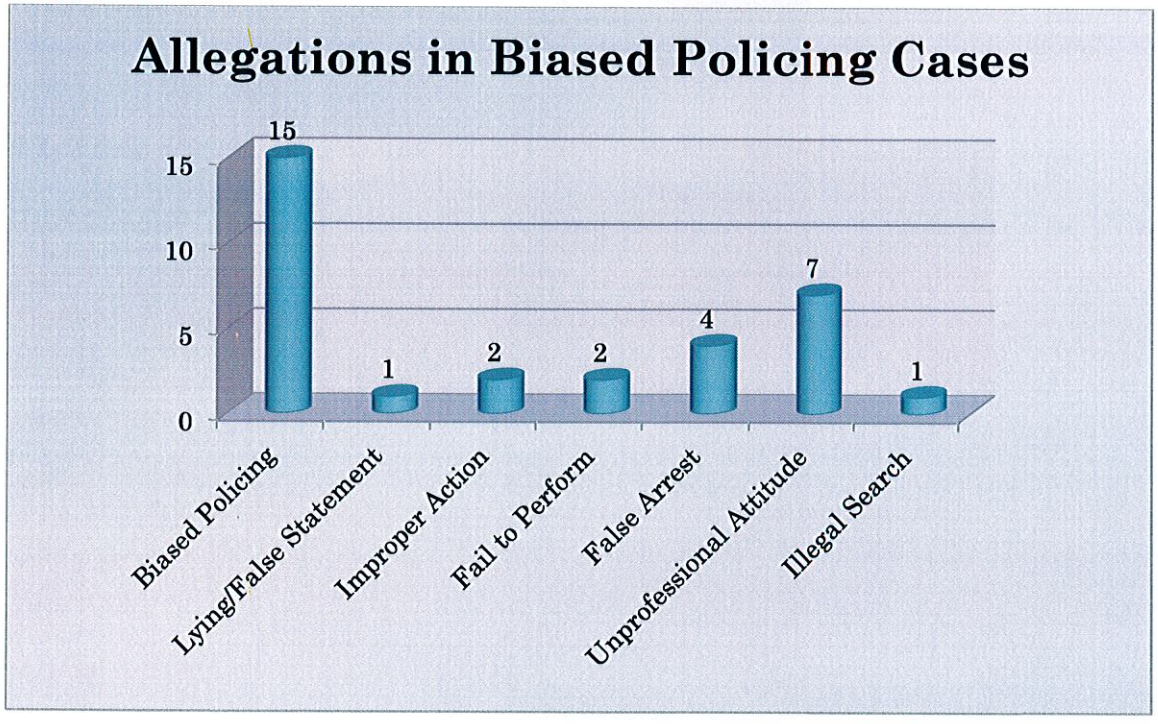
Allegations: biased policing, unprofessional language, improper police action, illegal search

Case #12

This complaint was received via telephone to IAB. The complainant, an African-American female, alleges she was racially profiled by a white male Highway Patrol Officer in the Second Precinct area. She alleges being followed for a while by the officer, being pulled over and being issued 4 tickets.

Allegations: biased policing

Table 2016-1



Analysis

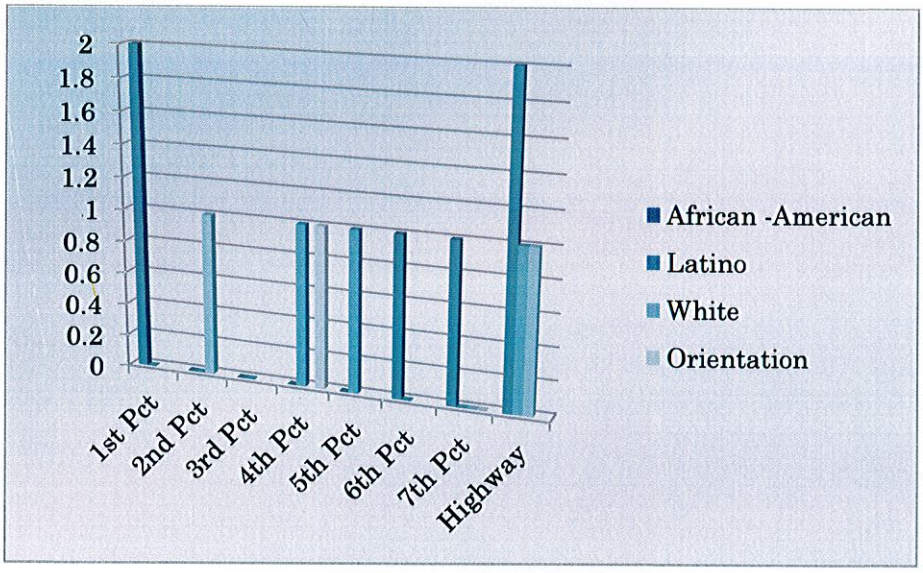
As Table 2016-1 indicates, a total of 32 allegations were contained in the twelve reported complaints. Five of the complaints involved more than one officer. Eleven of the involved officers were Caucasian males, one was a Caucasian female, one was an African-American male. Three of the complainants were Latino, seven were African-American, one was Caucasian and one alleged bias based on sexual orientation.

In all reported cases of race-based bias, the race/ethnicity of the involved officers differed from that of the complainant. The majority of involved officers were Caucasian males. This is consistent with the overall demographic of the Department.

The most prevalent race/ethnicity of complainants is African-American by a large margin. Of the additional allegations, unprofessional language/conduct is the most prevalent. Fully half of all complaints involve traffic stops.

Table 2016-2 tracks the distribution of complaints across geographic Precincts, according to complainant demographic.

Table 2016-2



The majority of complaints arose against Highway Patrol officers, and were not concentrated in any geographic region. The remaining complaints were evenly distributed geographically, with the exception of the 1st Precinct, which logged 2 complaints. As each Precinct encompasses numerous diverse communities it is difficult to identify any patterns regarding geographic data. However, year-end reports reports will plot Precinct totals chronologically in order to determine if identifiable trends exist.

Action Going Forward

As noted in the prior report, few conclusions can be drawn from such a small data set. The Department will use its annual IAB Report to make year-to-year comparisons, and track officers, precincts and complainant demographics chronologically. It will also compare disposition of cases completed in each calendar year. A crucial aspect of this review must involve the Department's Traffic Stop Data Analysis due to the high incidence of complaints emanating from vehicle stops. Without this analysis, and without reliable benchmarks, it is not possible to resolve traffic-based complaints on the basis of an involved officer's traffic stop activity.