

# Conduct Complaint Management System

## 2007 Year-End Report

April 09, 2008

### Report Summary

From the time of the release of the Conduct Complaint Management System (CCMS), to the present, the City has received a total of 345 conduct complaints, of which 202 (59.7%) have been resolved. The information provided throughout the remainder of this report represents complaint experience from system go-live in October of 2006 through December of 2007. There were 294 complaints submitted in that time period of which 65% have been resolved. This report does not focus on and does not include Equal Employment Opportunity (EEO) Complaints, as separate reports are provided to the City Council detailing EEO complaints.

While detailed information on complaint experience is below, generally, the largest numbers of complaints have been submitted against the Police Department and the most frequent allegation across complaints for all departments is misconduct. Most commonly, investigations have returned findings of exonerated, meaning that the allegation(s) in question were substantially correct, but the conduct of the employee was proper given the circumstance. The City has received very few complaints for departments outside of Police, Public Works, and Tacoma Public Utilities (TPU). While specific complaint information for Police and Public Works will be provided later in this report, this information is not included for TPU, as TPU complaints are forwarded to the Director's Office for resolution.

### Timeliness

This report will address three components of timeliness in the CCMS: the time that it takes the City Manager's Office to refer complaints to the appropriate department for investigation; the time that it takes departments to close the complaint in the system and, last, the time that it takes for the City Manager's Office to post the final outcome of the complaint for public view.

#### Referral

The median number of days from the time the City receives a complaint to its referral for investigation was 2 days. For comparison, the median referral for Police complaints and Public Works complaints was 1 day. In cases where referral does not happen as quickly it is often for one of the following reasons:

- There is not enough identifying information for a referral and additional clarification is needed from the complainant or through another source of information
- It is not referred to a department because it is forwarded immediately as a service request outside the system
- It is not referred to a department because the issue is for a separate organization or government

Department Record Closure

Each complaint record has two closures prior to availability for public view. First, after the conclusion of the Department’s investigation, the Department enters the resolution into the system for review by the City Manager’s Office. Below is a table that outlines how quickly these departmental resolutions were entered in the CCMS:

Table 1. Complaint Record Closed by Department	
Department	Median Days from Complaint Submission to Investigation Closure in CCMS
City Manager’s Office	4
Legal Department	31
Tacoma Fire	45
Tacoma Police	60
Finance Department	67
Risk Management (Workplace Violence)	71
Information Technology	80.5
Public Works	96
Library	100
<b>City-Wide Median</b>	<b>40</b>

Final Record Closure

After each resolution is entered by the department, the City Manager’s Office reviews the resolution text for readability, any included identities, or components that are unclear. After any questions, or re-drafting, the resolutions are posted to the website. As shown in Table 2 below, the median days from submission to final posting City-wide was 73 days. This overall posting timeline is influenced by the median timelines in both Police and Public Works, which take longer to investigate thoroughly due to the sensitive nature of complaints. For Tacoma Police Department complaints, there is an intermediary review of complaint outcomes by the City Manager, Police Chief, Internal Affairs Lieutenant, and CCMS Administrator. When each of these participants is comfortable with the response, a letter to the complainant is sent prior to posting on CCMS. The median timeline to final posting on the CCMS for Police Complaints was 129.5 days. During the reporting period, there were several complicated Public Works investigations that required discussion after initial posting and the median timeline for closure in Public Works was 165.5 days.

Table 2. Final Complaint Record Closure	
Tacoma Police	129.5 days
Public Works	165.5 days
City-Wide	73 days

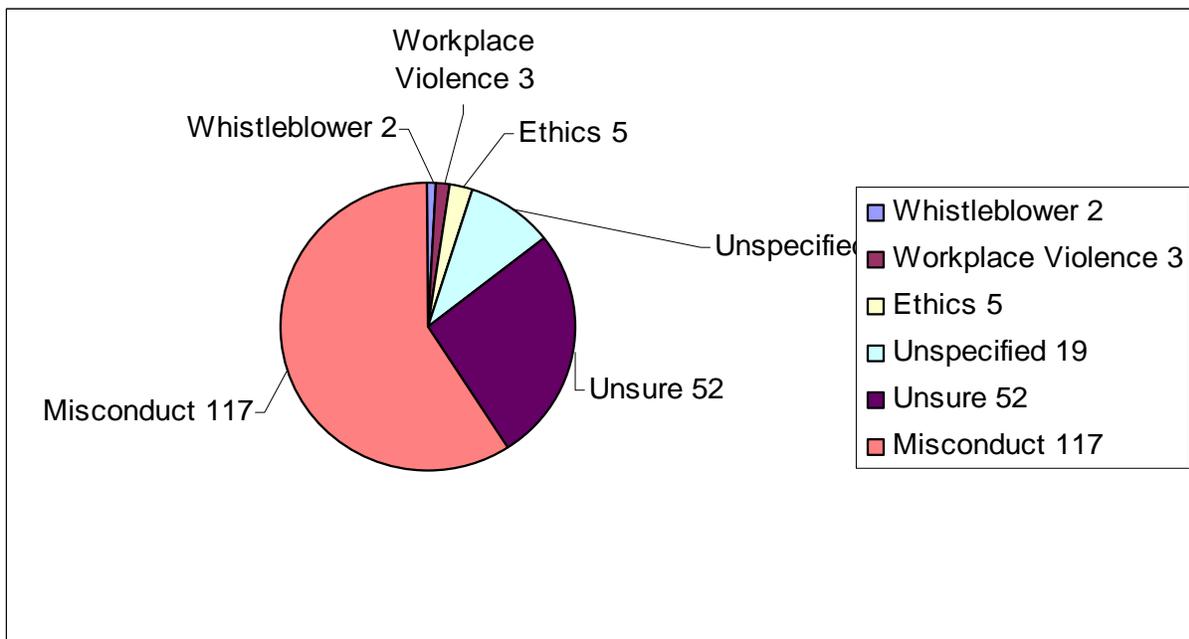
## Summary of Complaints

From the period of October 2006 through December 2007, there were a total of 294 complaints submitted in the CCMS system. In some cases, complaints were designated by multiple complaint types, so the numbers reflected in the charts below will exceed the number of total complaints for the period. The charts will designate the number of complaints received in each category and the resolution of the complaints by type. Because of the large number of complaints received by both the Police Department and Public Works Department, additional analysis is provided for each of those departments below.

### Complaints by Type

Because complaint types are verified through the investigation process, this report includes a summary of complaint types for the 194 resolved complaints. As was previously stated in the report summary, the most common complaints received in the CCMS are allegations of misconduct. Through 2007, there were 117 allegations of misconduct across all departments. The next most common classification is complaints designated as “unsure,” and it is important to note that while most complaints initially submitted as “unsure” are designated through the referral process, service complaints are also currently classified under the “unsure” heading. In addition, a single complaint may be categorized by more than one complaint type, and as a result, the total number of complaint types is greater than the number of complaints. Chart 1 below outlines all complaint types.

Chart 1. Complaints by Type



### Complaints by Department

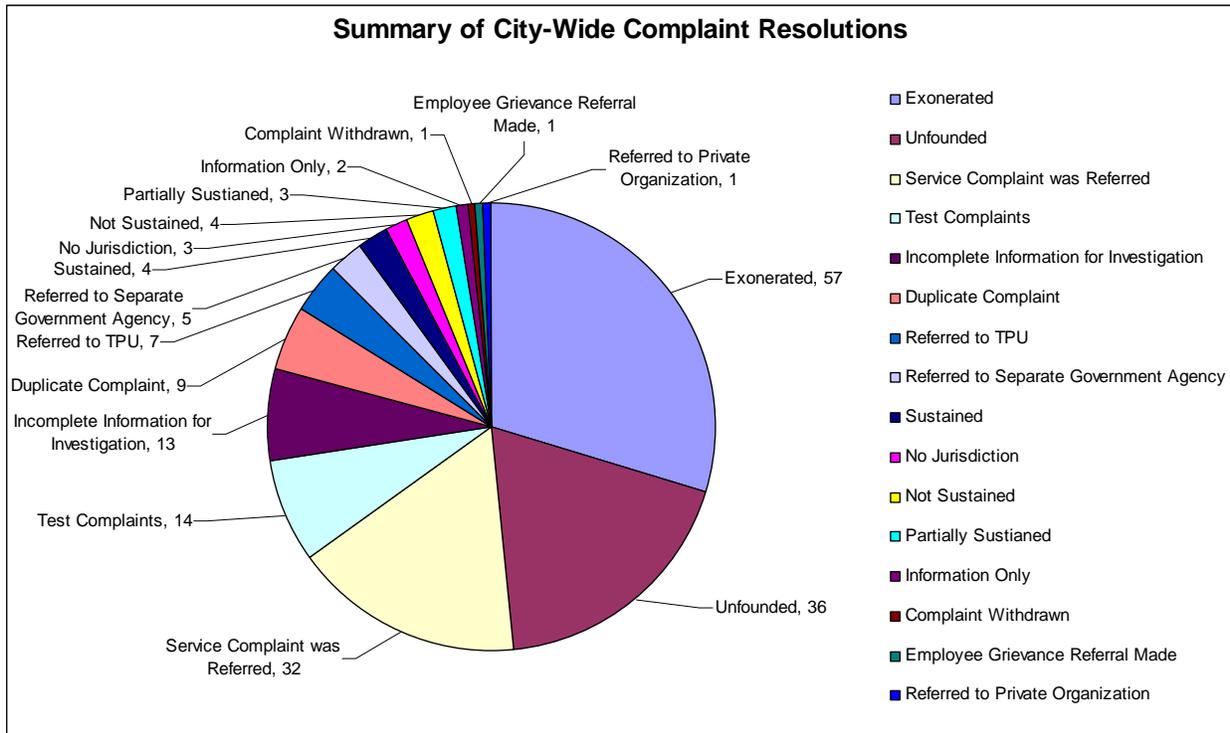
The complaints in this period received by Police, Public Works and Tacoma Public Utilities constituted 73.4% of complaints. The table below provides a complete breakdown of the total complaints by department and the number of complaints resolved, under investigation, and pending assignment.

Department	Total Complaints Received	Complaints Resolved	Complaints Under Investigation	Complaints Pending Assignment
Legal	1	0	1	0
I.T.	1	0	1	0
Library	1	0	1	0
HRHS	2	0	1	1
PAF	2	0	2	0
CEDD	3	0	3	0
Finance Department	3	2	1	0
LESA	3	1	2	0
City Council	4	1	3	0
City Manager's Office	6	5	1	0
Fire Department	8	5	3	0
Outside Agency	11	10	1	0
Non Specific	33	25	4	4
Public Works	34	18	16	0
Tacoma Public Utilities	41	13	28	0
Tacoma Police Department	141	114	25	2
City-Wide Total	294	194	93	7

### City-Wide Complaint Resolution

Sixty-five percent of the complaints, or 194, submitted between system go-live and December of 2007 have been resolved. The outcomes of these complaints are summarized below. In the first year, there were two main problems with the resolution data in the CCMS. Initially, as departments learned to use the system, they would often forget to designate the outcome in the system. In only one case was the outcome of such a complaint sustained, and it was corrected by Information Technology. Second, we have adjusted complaint outcome language over the first year to best reflect experience. As the City has resolved complaints, the resolution outcomes have been customized to reflect experience and provide greater consistency.

Chart 2. Summary of City-Wide Complaint Resolutions



As was identified in the report summary, most commonly investigations have returned findings of exonerated, meaning that the facts or actions alleged were substantially correct but that the conduct of the employee was proper given the circumstance. The next most common outcome was unfounded, meaning that the allegation(s) in question could not be confirmed or were inaccurate or untrue. When the outcome is stated as Service Complaint- Referral Made, this outcome also addressed requests for service that were accidentally mis-directed to the CCMS. A complete glossary of complaint type definitions is included as an attachment to the report. In the cases where a complaint was not investigated, it was for one of the following reasons:

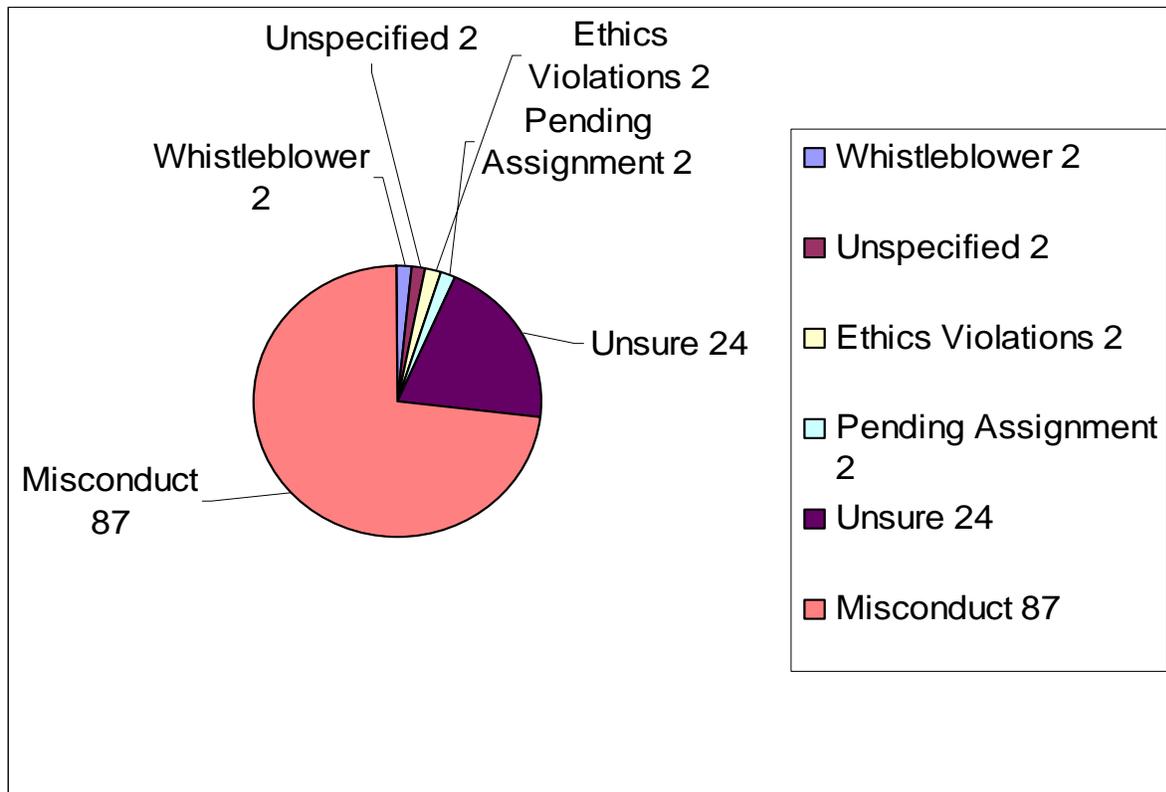
- The complainant was not responsive
- An anonymous complaint did not provide enough information for an investigation
- The nature of the complaint did not necessitate an investigation

As was stated in the report summary, this report includes a higher level of detail for both Police Department and Public Works complaints. At the request of the Citizen Review Panel, additional data has been collected regarding more detailed complaint types that exist per Police Department procedures. However, this degree of detail is only available for the Police Department section.

## Police Department Complaints

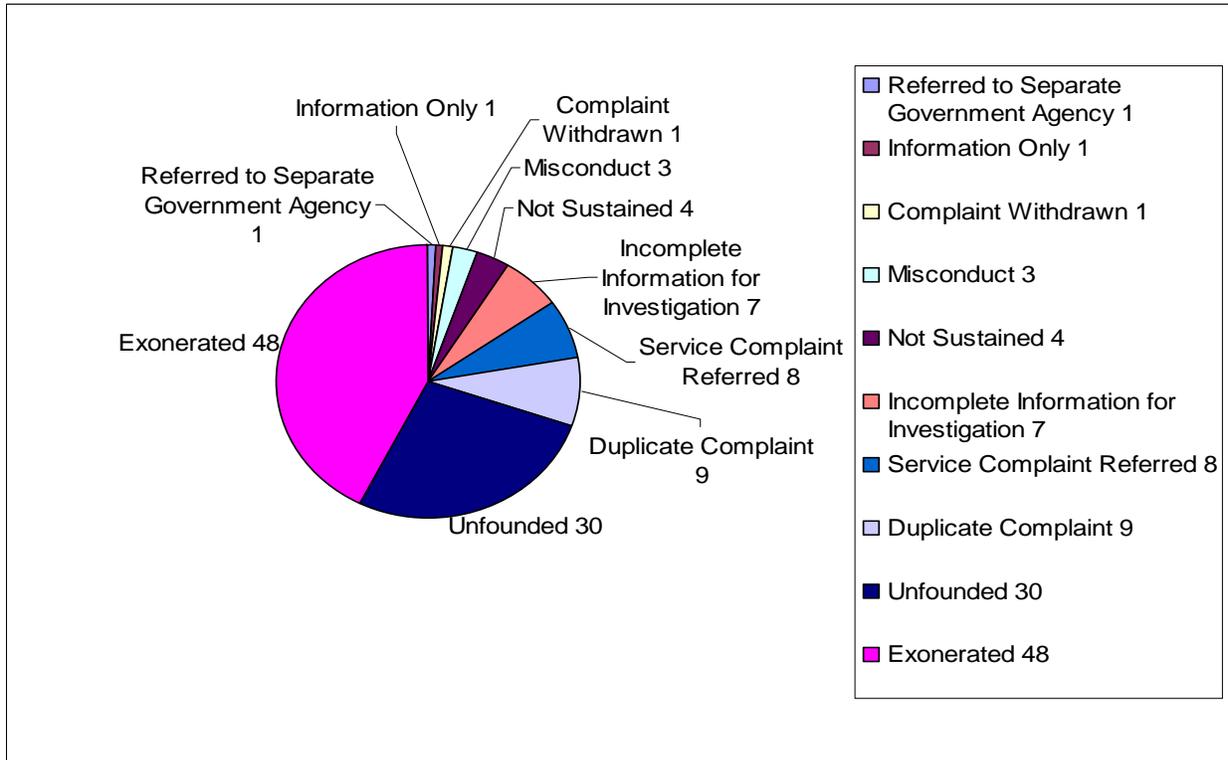
The Tacoma Police Department received 141 complaints from October of 2006 to December of 2007. Of the 141 complaints received, 116 (82.2%) have been resolved, 25 (21.3%) are currently under investigation, and 2 (1.7%) are pending assignment. As shown in Chart 3 below, 87 (75%) of the 116 resolved complaints were categorized as misconduct. The remaining complaints were designated the following by the complainants: 24 unsure (20.6%); two ethics (1.7%); two whistleblower complaints (1.7%); and two unspecified complaints (1.7%). As previously noted, a single complaint may be categorized by more than one complaint type, and as a result, the total number of complaint types is greater than the number of complaints.

Chart 3. Police Department Complaints by Type



Currently, the investigations of 116 of the 141 Police Department complaints or 82.2% have been completed. The outcomes displayed in Chart 4 on the following page are as follows: 48 (41.3%) were exonerated; 30 (25.8%) were unfounded; nine were duplicate complaints (7.75%); eight (6.8%) were referred as service complaints; and seven (6%) lacked sufficient information for an investigation.

Chart 4. Police Department Complaint Resolutions



The CCMS tracks only a high level designation for each complaint. At the request of the Citizen Review Panel, City Staff is collecting additional data to designate under which section of the Police Department’s Manual of Rules and Procedures (MRP) each complaint alleges violation. In many cases, a single complaint alleges violation of multiple MRP sections. Most commonly, complaints allege violation of the MRP section on unsatisfactory performance. An example of an unsatisfactory performance complaint is a citizen alleging that the police department did not investigate using proper police procedure.

The Table below details all of the allegations categorized by MRP Section.

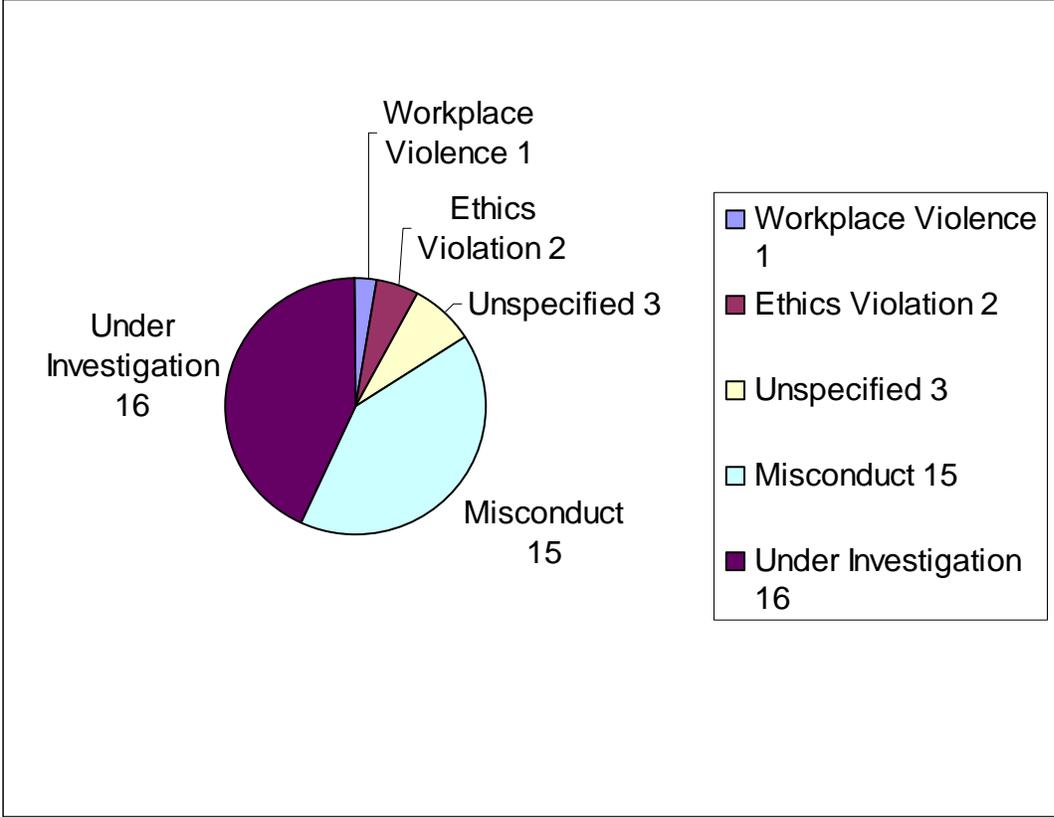
Table 4. Police Department’s Violation - MRP Section

Complaint Type	Number of Occurrences
Abuse of Process	1
Vehicle Operations	1
Pending Verification and Assignment	1
Compliment	1
Conformance to Laws	5
Truthfulness	6
Under Investigation	7
Biased Base Policing	8
Use of Force	27
Courtesy	53
Unbecoming Conduct	66
Unsatisfactory Performance	106

## Public Works Complaints

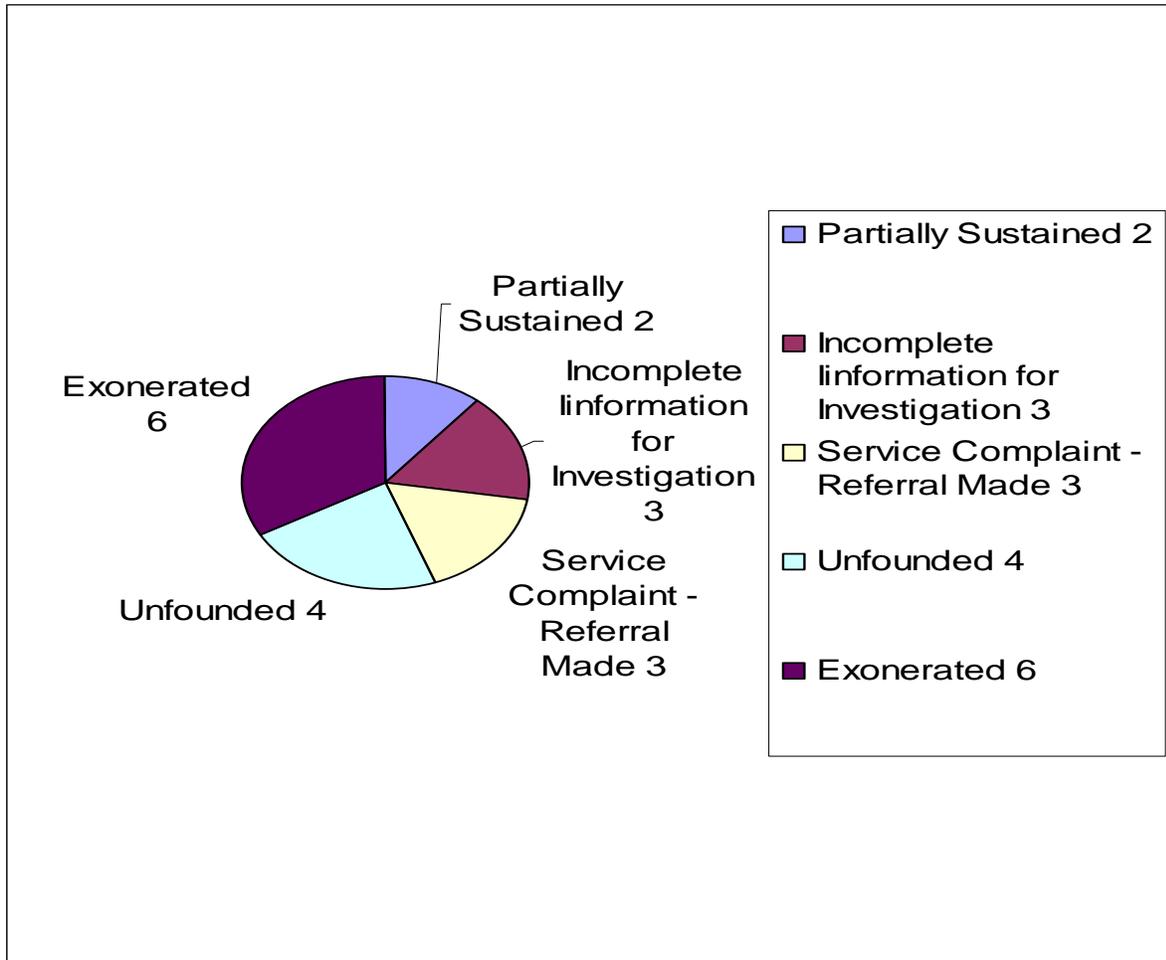
The Public Works department has received 34 total complaints. Of the 34 complaints received, 18 (52.9%) have been resolved and 16 (47%) are currently under investigation. As shown in Chart 5 below, 15 (78.9%) of the 19 resolved complaints were categorized as misconduct. Three (8.82%) were unspecified, and two (5.88%) were ethics violations. As previously noted, a single complaint may be categorized by more than one complaint type, and as a result, the total number of complaint types is greater than the number of complaints.

Chart 5. Public Works Complaints by Type



Currently, the investigations of 18 of the 34 Public Works complaints or 52.9% have been completed. The outcomes displayed in Chart 6 on the following page are as follows: 6 (33.3%) were exonerated, 4 (22.2%) were unfounded, and three (16.6%) were referred as service complaints.

Chart 6. Resolution of Public Works Complaints



**Public Utilization**

Though the number of complaints submitted to the CCMS has been moderate, there seems to be considerable interest in the system. In 2007, there were slightly more than 1,000 visits to the page in which individuals can log a complaint. There have been more visits, however, to view the outcomes of complaints that are posted on the website. There were nearly 1,400 visits with over 7,000 individual page views to the lists with the complaint outcomes. Below is a table that compares a sub-set of complaints submittals in 2006 and 2007. The number of complaints submitted in 2006 was slightly higher than that of 2007, but not significantly. In future reports, we will be able to use annual data to assess this more fully.

Table 5. Comparison of Complaints by Month: 2006 to 2007	
November, 2006: 26 Complaints	November, 2007: 15 Complaints
December, 2006: 11 Complaints	December, 2007: 8 Complaints
January, 2006: 17 Complaints	January, 2007: 18 Complaints

## Ongoing CCMS Development

Over its life the CCMS has been an effective tool for receiving complaints from the community and referring complaints to the appropriate departments. It appears also that there is high demand to view complaint and resolution summaries online. However, the referral and data analysis aspects of the system remain limited and the system is not integrated with other City applications. Because the system was developed internally, its maintenance is problematic.

For these reasons, last spring, Staff submitted a request to the Enterprise Applications Support Division to transfer and integrate the CCMS into the City's SAP system and to provide additional system capability. The City Manager's Office received notification on February 29<sup>th</sup> that the request had been added to the Division's work plan. The request will now be ranked with the other priorities by the City's Business Process Committee. In tandem, the City will also be considering the opportunities to purchase a Citizen Relationship Management program that could encompass the needs under the CCMS.