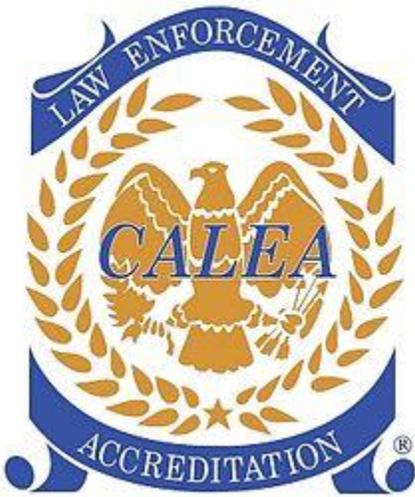


A REPORT ON CITIZEN AND POLICE INTERACTIONS

August 12, 2020



“In Partnership with our Community”

This report contains information regarding Citizen Complaints, Quality Control and Citizen Perception of their Police Department.

Mark A. DiLuzio
Chief of Police



HANDLING CITIZEN COMPLAINTS A 5 YEAR REPORT (2015-2019)

The City of Bethlehem is the 7th largest city in the Commonwealth of Pennsylvania. Bethlehem is located in both Lehigh and Northampton counties. We are the only City in Pennsylvania located in two different counties. The Bethlehem Police Department is the 8th largest police department in the state. Our budgeted strength is 154 sworn officers.

The Bethlehem Police Department is a progressive and diversified police force. Over the past five years, we have made great strides in increasing the number of minorities on the police department to fit the overall diversity of our city and the needs of our citizens. Please see the diversity breakdown of the department below.

BETHLEHEM POLICE DEPARTMENT DIVERSITY

BPD-2020	White	Black	Hispanic	Asian	Middle Eastern	Other
Male	125	5	12	0	2	0
Female	9	0	0	1	0	0
TOTAL (154)	134	5	12	1	2	0

The Bethlehem Police Department is a nationally and state accredited law enforcement agency. As indicated in prior police activity reports, that means that the Bethlehem Police Department utilizes the best and highest standards and procedures available at the present time. Why do we do this? The answer is simple; to provide the best professional service available to the citizens and visitors of Bethlehem and to be the best and most professional police department in the state.

One of those standards relates to the investigation of citizen complaints or allegations of misconduct against police officers. Any complaint or allegation filed directly or indirectly against a Bethlehem Police Officer is taken seriously and fully investigated by the Department. The complete protocol of how complaints are handled is listed in Police Directive 1.3.3, entitled “Allegations of Misconduct and Internal Investigations.”

As in any profession, complaints are sometimes made. Police Officers are human and humans are imperfect and sometimes do make mistakes. Most complaints or allegations of misconduct are filed by a citizen coming into Police Headquarters and submitting a written complaint with a Supervising officer. Some complaints are also received by email, phone and letter. A complaint can be filed anonymously. Anonymous complaints are difficult to investigate. Follow up conversations with the complainant are difficult to do because the preliminary information given is all you have. Either in person or anonymously, all complaints are investigated.

When a complaint is received by the Police Department, the complaint form entitled “Employee Misconduct Allegation Record” (PD-92) is immediately forwarded to the Professional Standards Division (PSD) for review, assignment and investigation. A complete copy is provided to the citizen filing the complaint.

If the complaint is one of a minor nature, the officer’s immediate supervisor is assigned the investigation. These types of allegations involve issues like the officer was rude, poor demeanor, officer failed to take any action, smoking etc. This supervisor conducts the investigation to establish if the officer’s actions were proper, and in compliance with department directives and procedures.

Misconduct allegations of a serious nature, like gross misconduct, use of excessive force, death, injury, violations of criminal law or violations of a highly sensitive manner are investigated by Supervisors in the Professional Standards Division; either a Captain, one of the two Sergeants or all depending on the nature of the investigation. Because of the serious nature of these violations, the District Attorney’s office is usually involved.

When a complaint is alleged against an officer, a supervisor always does the investigation. When an allegation is filed against a supervisor, the Office of the Chief of Police will assign the Deputy Chief, a Captain or Lieutenant to conduct the investigation depending on the seriousness of the investigation. Either minor or serious, all allegations are assigned and investigated by a Supervisor and/or our Professional Standards Unit.

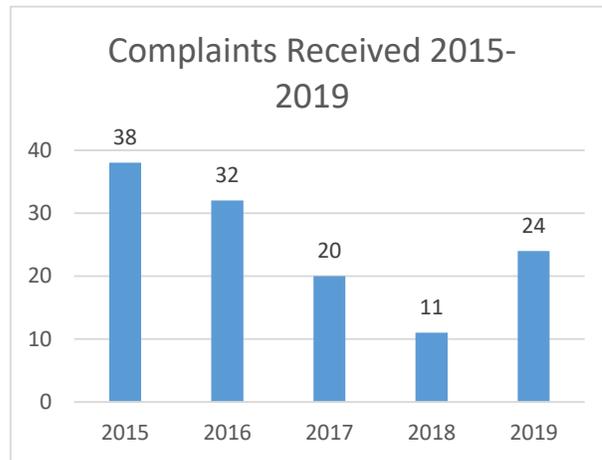
All complaints or allegations are tracked by PSD. When the investigation is complete and reviewed by PSD, all reports are forwarded to the Chief of Police and Deputy Chief for administrative review. A final disposition on the allegation will be made by the Office of the Chief and Deputy Chief after a thorough review of all reports, evidence and police body camera footage. When the administrative review is complete and a disposition rendered by the Chief’s Office, PSD will advise the complainant of the disposition of the investigation and its conclusion.

All complaints or allegations of misconduct are taken seriously by the Police Administration. If a complaint is substantiated, that officer faces disciplinary action and re-training to correct what he or she is doing wrong. If the violation is criminal in nature, the District Attorney’s office is involved in the internal investigation. Disciplinary actions for violations of department directives range from mandatory re-training to written reprimands in an officers personal file, suspension without pay, discharge and arrest. During my 7 year tenure as Chief of Police, 11 officers have either resigned or have been discharged or have been arrested for serious misconduct.

An annual summary report of all citizen complaints is maintained by PSD and forwarded to the Office of the Chief of Police each year for review. The Bethlehem Police Department holds its officers accountable for their actions on duty and off duty. Being a police officer is a 24 hour a day job and under our departmental standards, we expect our officers to be professional and a role model in their communities.

GENERAL COMPLAINT DATA – A FIVE YEAR STUDY

Complaints Received concerning Bethlehem Police Officers 2015 - 2019



NOTE – Over a 5 year period, 125 total complaints/allegations were received. In that 5 year period, we saw a **10.6 % overall decrease in complaints.**

2015 – 2019 CITY 911 CALL VOLUME & COMPLAINTS

YEAR	911 CALLS	NON-EMERGENCY CALLS	TOTAL CALLS
2015	44,131	155,207	199,338
2016	40,872	148,416	189,288
2017	38,871	144,966	183,837
2018	31,144	111,187	142,331
2019	61,471	NC 911 DOES NOT COUNT	unavailable
TOTAL	216,489 calls		

***NOTE** - In a 5 year period, BPD officers responded to 216,489 **911** calls. 125 Complaints were filed by citizens. **That is a .057% citizen complaint rate.** Of those 125 complaints, 9 were found to be sustained. **That is a rate of .004%.**

***NOTE** – In a 5 year period, BPD officers made **13,650 arrests.** 125 Complaints were filed. That is a **.91% complaint rate.** Of those 125 complaints, 9 were found to be sustained. That is a rate of **.065%**

PAST YEAR - 2019 CALL VOLUME & ARRESTS

Total 911 call volume for 2019 - **61,471** calls
 (*24 complaints out of 61,471 calls..... .039 % complaint rate)
 Average calls per month in 2019 - **5123** calls

NATURE OF COMPLAINTS / ALLEGATIONS FILED

An officer can have a complaint filed against him or her for a variety of reasons. Complaint topics range from allegations that the police officer damaged personal property, to use of force allegations, to complaints of being targeted by police and racial profiling. The Bethlehem Police Department considers any and all complaints / allegations a serious matter. The majority of complaints that police receive are in two categories: Disputes with Police and Rude or Unprofessional behavior. Over 5 years, these two categories account for 72.8% of all complaints.

A **Dispute with the police** can be any situation where the citizen wants the Officer to do something and the officer does not do it. Examples can range from “I want my neighbor arrested,” “I want this vehicle moved.” In these cases, the citizen wants the officer to do something that the officer cannot and that leads to a dispute over the action or in-action.

Rude or unprofessional conduct occurs when a citizen believes the officer’s conduct, actions, facial expression or words were rude, in-appropriate or unprofessional.

Use of Force complaints involve just that. A citizen believes the level of force used by the officer was not appropriate for the situation. With the use of police body cameras, these complaints and others, can be analyzed to verify if the officer’s actions were in compliance with the department directive on use of force. Over 5 years, use of force complaints accounted for 12.8% of all complaints.

Racial profiling is also a serious allegation. These allegations involve a complaint that a certain officer did a certain action because of the race of a certain person. In 5 years, we had one citizen file a PD-92 alleging racial profiling.

Complaints about being **targeted or harassed** usually involve an allegation that an officer gave a ticket or made an arrest because the officer and citizen had prior contact and that the officer does not like the person.

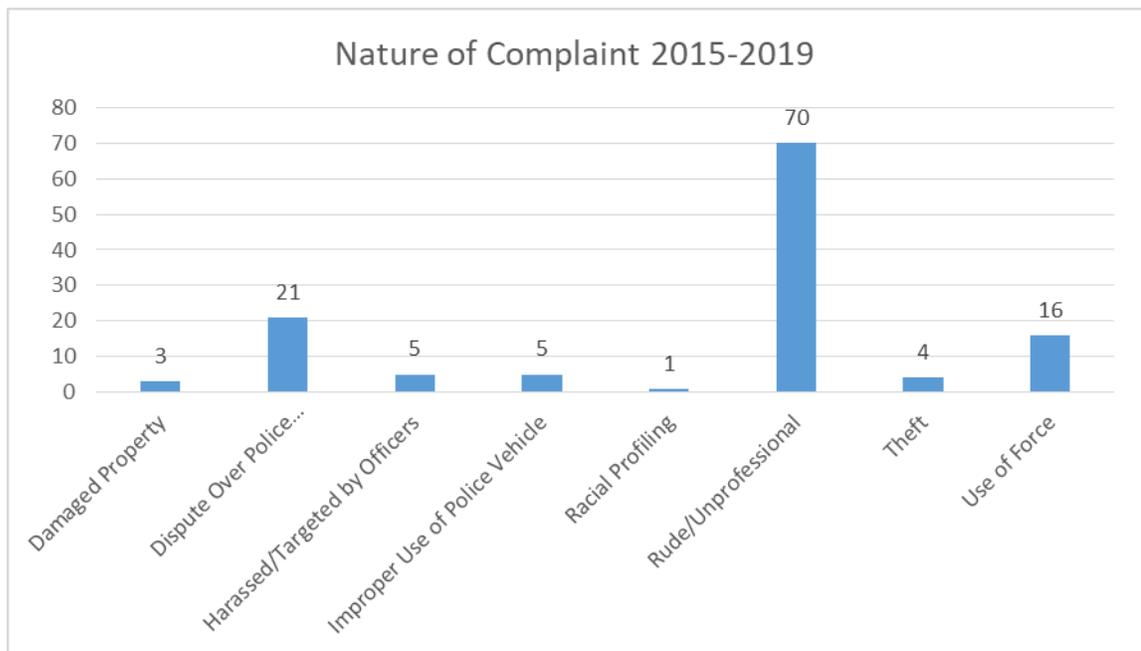
The rest of the categories involve complaints or allegations that an officer **damaged personal property**, an officer drove his Police vehicle improperly and theft. Damaged property complaints involve any action by the officer during a call that results in damage to personal property. This may involve damage to a cell phone, clothing, etc., that occurred during an arrest or physical action.

Improper use of a police vehicle are those complaints that a citizen files when they observe a police officer driving improperly. This may concern driving to a call in emergency mode or just plain driving around town. In these cases, the in-car dash video system is very helpful.

Allegations of **theft** involve the loss of personal property. They range from missing cell phones, keys, cash or jewelry that a citizen claims he or she had in their possession. An intoxicated person arrested may claim that police took his cash or a wristwatch when they arrested him. Police videos such as police body cameras, in-car dash cameras and department cameras are very helpful in these investigations.

NATURE OF COMPLAINTS 2014 – 2019

Complaint	2015	2016	2017	2018	2019	TOTAL
Damage property	1	1	0	1	0	3
Dispute w/ Police	6	2	6	1	6	21
Harass/Targeted	0	5	0	0	0	5
Improper Use Vehicle	2	1	1	0	1	5
Racial profiling	1	0	0	0	0	1
Rude/Unprofessional	23	18	12	6	11	70
Theft	2	0	0	2	0	4
Use of Force	3	5	1	1	6	16
TOTAL	38	32	20	11	24	125



Findings & Dispositions of Complaints 2015 - 2019

The majority of complaints filed against officers failed to show that the officer acted or performed contrary to department regulations or state law. Police body cameras, city surveillance cameras, in-car dash cameras and even videos from citizens were very important in the investigation of these complaints and allegations.

Just because a complaint is alleged does not mean it is true. As in our criminal justice system, an individual is innocent until proven guilty. The same is true for police officers. Of the 125 complaints filed in 5 years, 9 or 7.2% were sustained. 92.8% of complaints were unsubstantiated, meaning the officer was found to have followed policy or the complainant made up an allegation against an officer.

Some complaints are simple misunderstandings about how an officer handled a call. Many citizen's knowledge of Police policy is from what they view on TV or read on social media. What they want the police to do and what in reality the police can do may be completely different. These complaints can simple be handled by a Supervisor speaking with the citizen and reviewing what the issues are.

False allegations do occur. When an allegation is investigated and found to be false, the internal investigation is usually then reviewed by the District Attorney's Office and criminal charges of Unsworn Falsification (Pa. C.S. Title 18, Sec.4904) can be filed against the individual for the false statements to Police. During my tenure as Chief, several individual have been charged with this.

All legitimate complaints filed against a Bethlehem Police Officer will be investigated and taken seriously. The filing of false allegations against a Bethlehem Police Officer is also a very serious matter. False allegations will be not tolerated and will be prosecuted like any other criminal offense.

After an investigation is complete, a complaint or allegation can be resolved in four ways. It can be **Sustained, Not Sustained, Exonerated or Unfounded**. Below are the definition of each of these results as utilized by this department.

DEFINITIONS :

Sustained: The alleged act did occur, and there was deviation from Department directives or other misconduct.

Not Sustained: The investigation failed to produce a preponderance of evidence to prove the allegation.

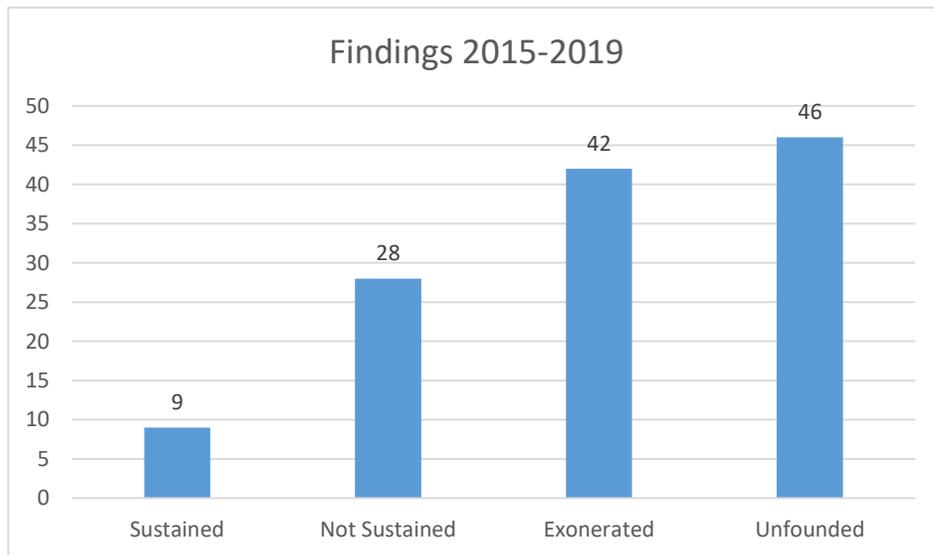
Exonerated: The alleged act did occur, but the officer's actions were legal, justified, proper, or in conformity with the law and Department policy and procedure.

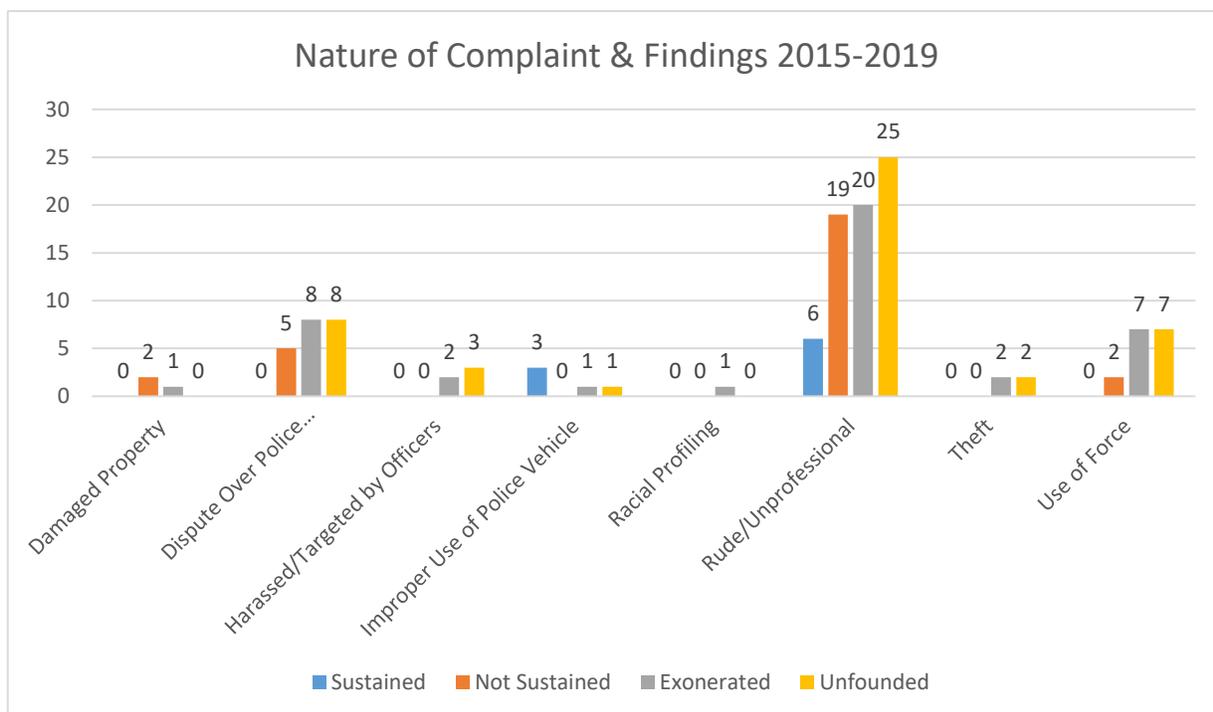
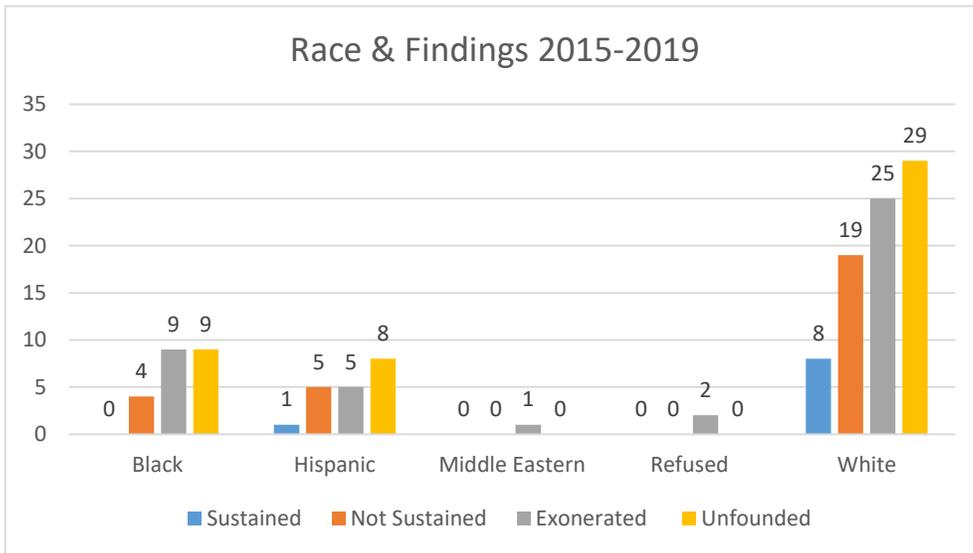
Unfounded: The alleged act did not occur, or when an anonymous complaint or allegation is made against an officer and no corroborative evidence exists.

5 YEARS – 2014 – 2019 FINDINGS / DISPOSITIONS

Year	Sustained	Not Sustained	Exonerated	Unfounded
2015	2	7	15	14
2016	2	4	9	17
2017	2	6	5	7
2018	1	2	8	0
2019	2	9	5	8
TOTAL	9	28	42	46

5 YEARS – 2014-2019 –FINDINGS / DISPOSITIONS





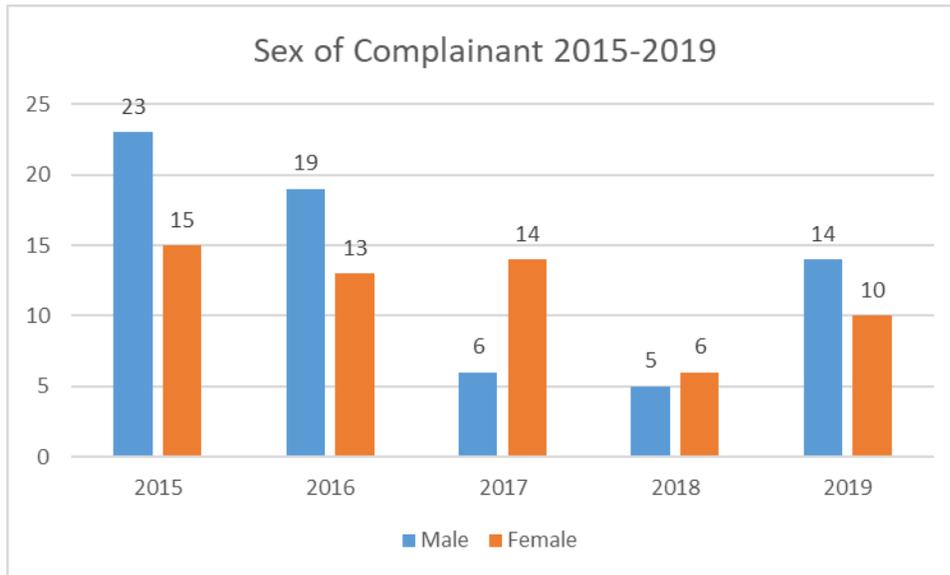
COMPLAINTS & DEMOGRAPHICS – GENDER, RACE & AGE

The following is a breakdown of “who” filed a complaint or allegation of misconduct. Bethlehem has an estimated population of 76,370 people. Our daily service population, which includes two major Universities, Industrial Parks, Arts zone and the WindCreek Casino Complex, increases our daily population to approximately 100,000 people.

Bethlehem is a diverse community. 59.4% of the population is White. 7.52% is Black. 28.65% is Hispanic. 3% is Asian and 5.5% is other. The 2018 poverty rate in Bethlehem is 15.8%. Females make up 51.4% of the population of Bethlehem while males make up 48.6% of the population.

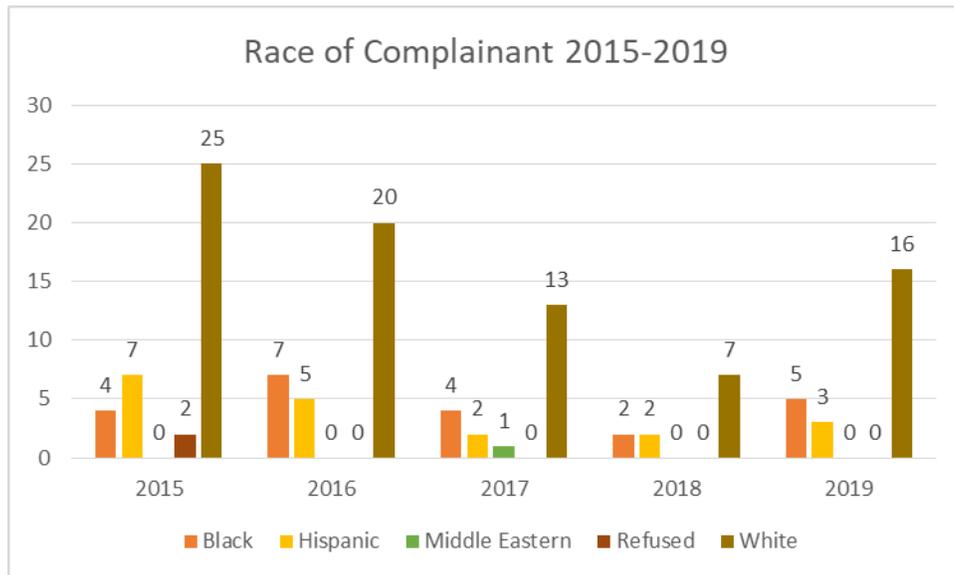
Gender of Citizens who filed Complaints

Year	Male	Female
2015	23	15
2016	19	13
2017	6	14
2018	5	6
2019	14	10
TOTAL	67 (53.6%)	58 (46.4%)



Race of Citizens who filed Complaints / Allegations

Year	Black	Hispanic	Middle Eastern	Refused	White
2015	4	7	0	2	25
2016	7	5	0	0	20
2017	4	2	1	0	13
2018	2	2	0	0	7
2019	5	3	0	0	16
TOTAL	22	19	1	2	16
%	(17.6%)	(15.2%)	(.8%)	(1.6%)	(64.8%)



YEAR	TOTAL ARRESTS	TOTAL USE OF FORCE	USE OF FORCE %
2015	3308	129	3.9%
2016	2675	104	3.8 %
2017	2527	128	5.0%
2018	2501	131	5.2%
2019	2639	143	5.4%
5 YR. TOTAL	13650	635	4.6%

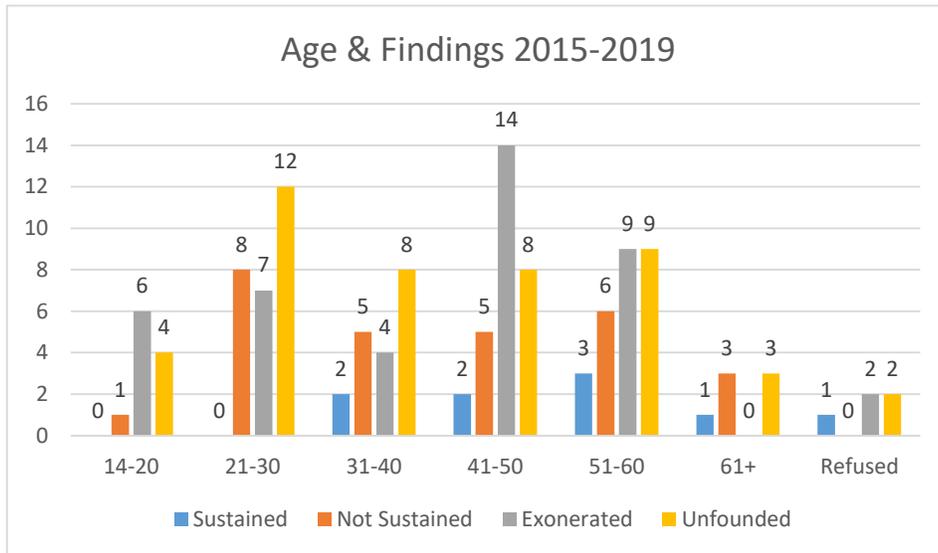
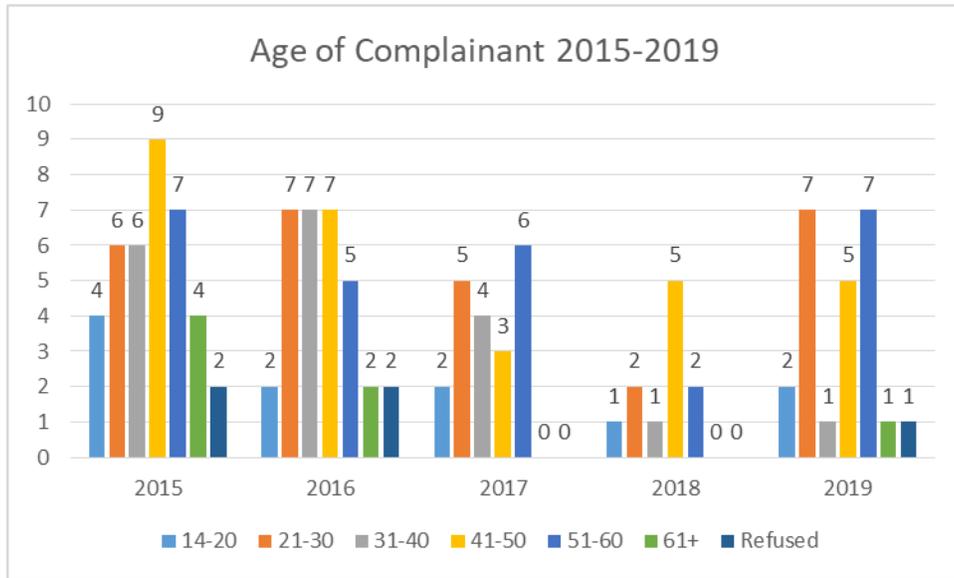
*Of 635 use of force actions by police in a 5 year period (2015-2019), 16 complaints were received and addressed. That is a rate of 2.5%..

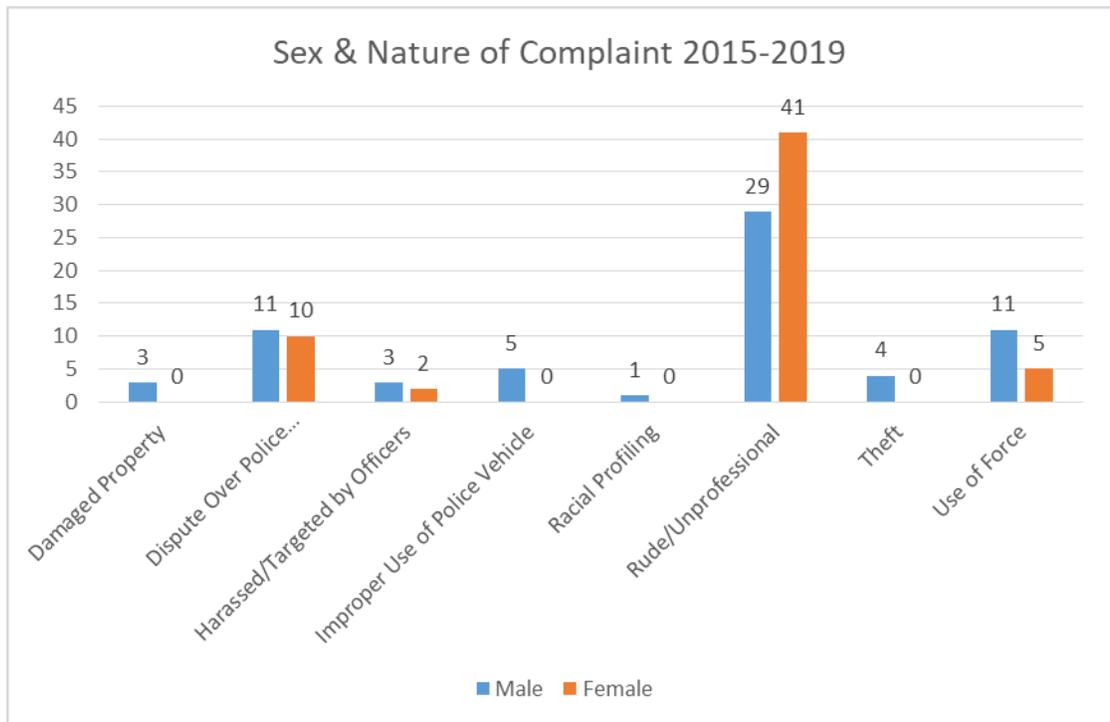
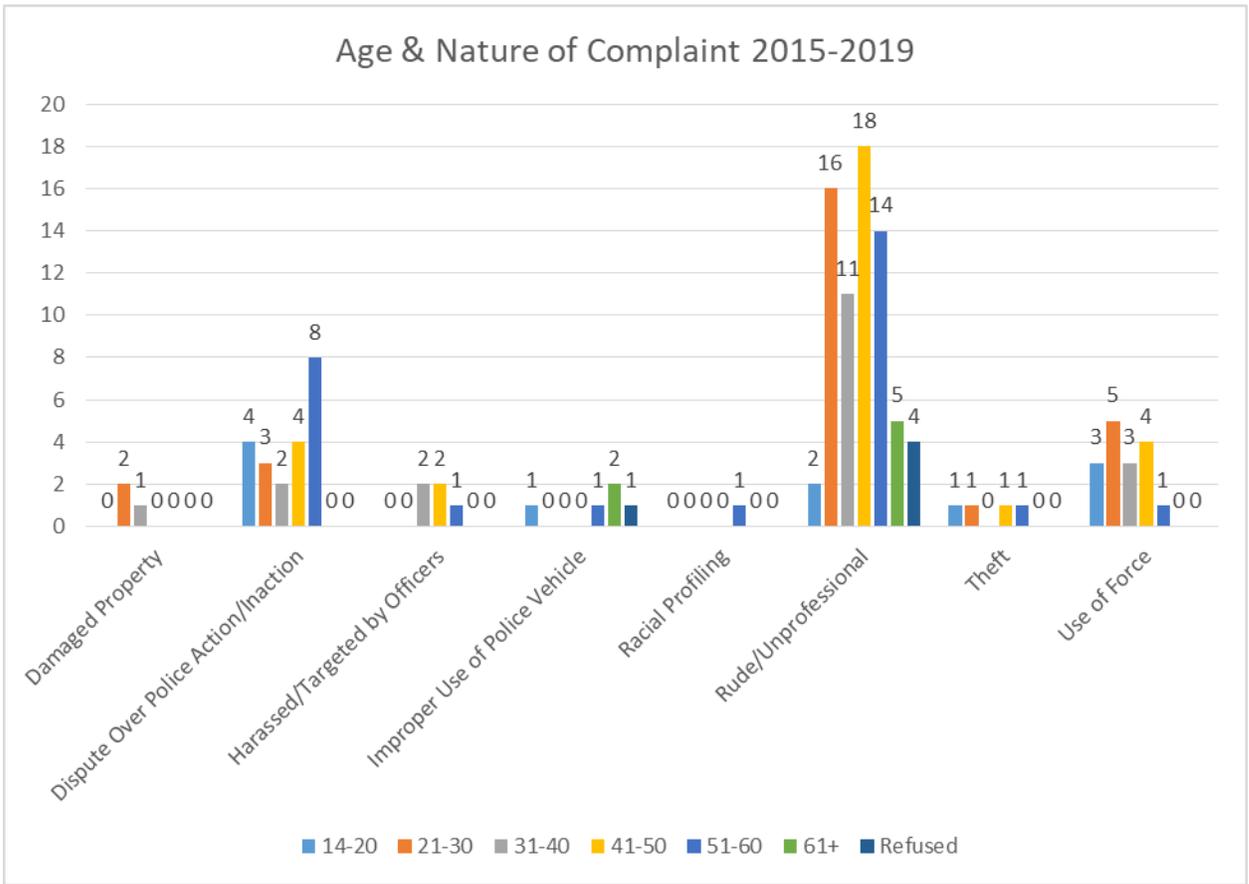
*Of 13,650 arrests by police in a 5 year period (2015-2019), 16 complaints were received and addressed. That is a rate of .12% .

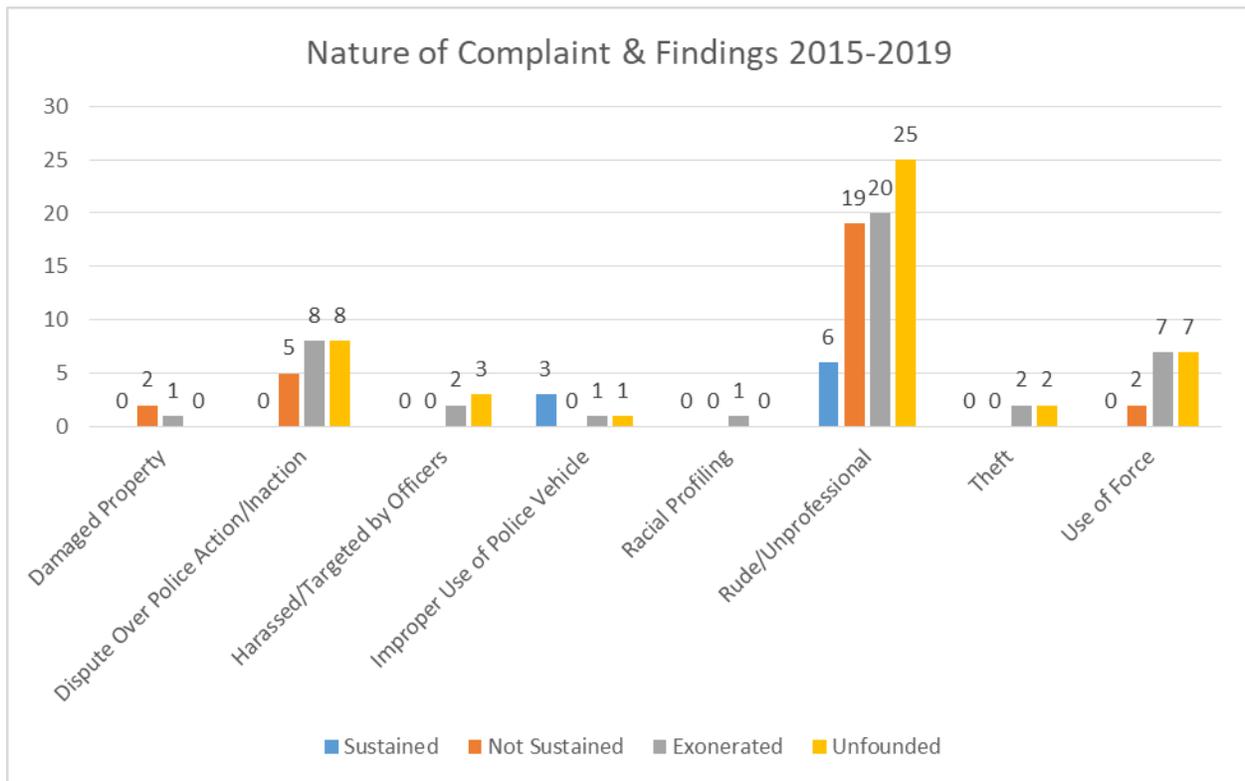
Age of Citizens who filed Complaints / Allegations

Year	14-20	21-30	31-40	41-50	51-60	61+	Refused
2015	4	6	6	9	7	4	2
2016	2	7	7	7	5	2	2
2017	2	5	4	3	6	0	0
2018	1	2	1	5	2	0	0
2019	2	7	1	5	7	1	1
TOTAL	11	27	19	29	27	7	5
%	(8.8%)	(21.6%)	(15.2%)	(23.2%)	21.6%	(5.6%)	(4.0%)

Juveniles (Parents) account for 8.8% of all complaints / allegations.
Adults accounts for 91.2% of all complaints / allegations.







QUALITY CONTROL SURVEYS

Every year, as part of our efforts to continuously improve our service to the community, the Bethlehem Police Department mails out a brief 7 question customer service survey to citizens with whom the police had interactions. These interactions include simply reporting a crime or incident, or a person involved in either, or an automobile accident. This quality control measure helps us maintain the standards we strive for under CALEA and PLEAC Accreditation.

The survey consists of 7 easy questions. There is a self-addressed stamped envelope with the survey for the individual to mail the survey back to the department. This survey is both English and Spanish. These surveys and the results received are very important to us. We want to know how we are interacting with citizens and if citizens are happy with those interactions. This survey is a gauge by which we can rate what we do and what we can do better as police officers when dealing with the citizens in our community.

The survey also includes an invitation to make comments, recommendations and suggestions to the Bethlehem Police department. When an issue is raised by a citizen, either positive or negative, that issue is addressed with the officer who handled that call.

SURVEY NUMBERS 2018 – 6 / 2020

SURVEY YEAR	SENT	REC'D BACK	RETURN RATE	
2018	130	44	33.8%	
2019	154	54	35%	
1-6/2020	71	18	25.3%	
TOTAL	355	116	32.6%	

* Bench mark for a good survey is between 23% to 32%

2 ½ YEAR STUDY OF SURVEY RESULTS

The 7 questions asked in the survey are:

1-What was the nature of the contact?

Reported a Crime ___ Motor Vehicle Accident ___ Other ___

Q-1	Crime	MVA	Other
2018	16	19	6
2019	22	27	5
1-6/2020	7	5	4
TOTAL	45	51	15

2-Is this the first time you have spoken to a Bethlehem police Officer?

Yes ___ No ___

SURVEY YEAR	YES	NO
2018	16	26
2019	20	34
1-6/2020	5	11
TOTAL	41	71

*36.6% of people reported this was their first time.

*63.4% of people reported it was not.

3-Did the officer conduct himself / herself in a professional manner?

Yes ___ No ___

Q-3	YES	NO
2018	42	0
2019	53	0
1-6/2020	15	1
TOTAL	110	1

*99.0% of people reported officer was professional.

*.9% reported officer was not.

4-How would you rate the officer's appearance?

Professional / neat _____ satisfactory _____ poor _____

Q-4	PROFESSIONAL/NEAT	SATISFACTORY	POOR
2018	38	3	0
2019	52	1	0
1-6/2020	16	0	0
TOTAL	106	4	0

*96.3% of people reported officer's appearance was professional / neat.

*3.6% reported officer's appearance was satisfactory.

5-In general, how would you view your safety and security in our community?

Extremely safe/secure _____ generally safe/secure _____ Not safe/secure _____
 Extremely unsafe/secure _____

Q-5	EXTREMELY SAFE/ SECURE	GENERALLY SAFE/ SECURE	NOT SAFE / SECURE	EXTREMELY UNSAFE/UNSECURE
2018	13	25	2	0
2019	16	31	1	0
1-6/2020	7	7	1	0
TOTAL	36	63	4	0

*34.9% of people reported they felt extremely safe/secure.

*61.1% of people reported they felt generally safe/secure.

*3.8% of people reported they felt not safe/secure.

*OVERALL, 96.1% of people indicated they felt safe/secure.

6-Were the officers instructions / questions clear and understandable?

Yes _____ No _____

Q-6	YES	NO
2018	46	0
2019	52	0
1-6/2020	16	0
TOTAL	114	0

7-How would you rate the entire experience dealing with a member of the Bethlehem Police Department?
 Excellent & professional____ Above expectation____ As expected____ Expected more____
 Poor & disappointing____

Q-7	EXCELLENT AND PROFESSIONAL	ABOVE EXPECTATIONS	AS EXPECTED	EXPECTED MORE	POOR AND DISAPPOINTING
2018	32	6	4	0	0
2019	42	7	3	0	1
1-6/2020	13	2	0	0	0
TOTAL	87	16	7	0	1

78.3% of people reported their experience was excellent and professional.

14.5% of people reported their experience was above expectations.

6.3% of people reported their experience was as expected.

.9% of people reported their experience was poor.

OVERALL, 99.9% reported their experience was satisfactory with 92.7% indicating it was above and excellent.

COMMENTS AND CONCLUSION

In summary, I was motivated to prepare and submit this report, along with other reports (Annual Policing report and Use of Force report), to underscore the excellent Police Department and Community-Policing we have in Bethlehem and to answer questions about Bethlehem Police policy and Police Department functions.

A review of statistics provided in this report clearly show low incidents of citizen complaints relative to the large number of police calls handled by the department each year.

The statistics do not occur by accident. They are a direct result of the use of the best and most current policing standards and practices available today as evidenced by the department’s continued dual accreditation through CALEA and PLEAC.

As Chief of Police, I am very proud of our diverse Police Department, all our Police Officers and personnel, and the job they perform every day. I have always been transparent and I will continue to be transparent so that citizens are aware of how their police department performs and functions.

There can be no doubt, that even in today’s climate, we can all be very proud of our Police Department in the City of Bethlehem.

Mark A. DiLuzio
 Chief of Police

