2008 Internal Investigations Report

It is the policy of the Cornell University Police to accept all complaints of alleged employee misconduct; to conduct a fair and impartial investigation of the complaint; to determine whether the complaint is valid or invalid; and, where indicated take appropriate action. Law enforcement personnel, like all citizens, are protected by the guarantees of the United States Constitution. However, as law enforcement personnel they are in a peculiar and unusual position of public trust and responsibility. The public and the Chief of the Cornell University Police have the expectation that employees will give an honest reply to questions which are directly related to the performance of their official duties and/or their fitness to serve in a position of public trust.

Definitions

Category 1: A complaint that alleges failure to supply services that meet the expectations of the complainant although laws, policies and procedures have been followed. Another example of a category 1 complaint may allege acts of rudeness, discourtesy, unprofessional conduct, sarcasm directed towards another person, poor attitude, or a rude and insulting demeanor.

Category 2: A complaint that alleges misconduct by an employee in failing to follow policies and procedures. Some examples of Category 2 complaints are insubordination, inattention/neglect to duty, intoxication, and minor V&T laws.

Category 3: A complaint that alleges that an employee committed an act that violated the law. An exception to this category is minor Vehicle and Traffic Law violations (said violations will be handled in Category 2).

Sustained: The allegation is found to be factual and is substantiated by competent evidence.

Not Sustained: Insufficient evidence exists to prove or disprove the allegation.

Unfounded: The allegation is not supported by the facts or is a false allegation.

Exonerated: The allegation is factual and did occur, however, the involved employee acted lawfully and properly within the bounds of policy and acceptable conduct.

Closed: The current investigation of the allegation is terminated without conclusion. The reason for closing the case file shall be noted therein.
For the 2008 calendar year, the Cornell University Police conducted a total of twenty-one internal investigations. This is in comparison of only six internal investigations for the 2007 calendar year.

The increase in the number of internal complaints can be attributed to our new departmental Article 25, calling for the formal documentation of all complaints made in regards to our department members.

Eighteen of the complaints involved sworn personnel and three of the complaints involved non-sworn personnel.

Of these twenty-one complaints, nineteen were classified as Category 1, one classified as Category 2 and one classified as Category 3.

Six of these complaints were sustained, six exonerated, five were unfounded and four were not sustained.

Breakdowns are as follows:

<table>
<thead>
<tr>
<th>Category 1</th>
<th>Category 2</th>
<th>Category 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Sustained</td>
<td>1 Sustained</td>
<td>1 Unfounded</td>
</tr>
<tr>
<td>4 Not Sustained</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Exonerated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Unfounded</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

As a result of these complaints, two civilian student part time employees resigned rather than face discipline procedures. One sworn full time employee received a written reprimand and five sworn full time employees received verbal counseling. It should be noted that some of these complaints involved more than one employee.

None of these complaints involved allegations of racial profiling. One complainant alleged to have been stopped by our officers due to a political expression of sexual orientation that was written on their vehicle. This complaint was unfounded, as the officers had only stopped by the already vehicle because it appeared disabled at the time, discovered that the complainant was lost, and escorted the complainant to their desired destination.

There do not appear to be any trends, policy issues or training issues in these complaints. It appears that our new complaint procedure is allowing us to more accurately document and address even low-level complaints.