2012 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 peculiar and unusually position of public trust and responsibility. The public and the Chief of 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 a 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 law. An exception to this category is minor Vehicle and Traffic violations (said violations will be handled as a category 2 complaint).

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

Non 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 the closing of the case file shall be noted therein.

For the 2012 calendar year, the Cornell University Police conducted a total of ten internal investigations. This is in comparison to ten internal investigations for the 2011 calendar year and twenty-two internal investigations for the 2010 calendar year.

All ten of these complaints involved sworn personnel.

There were no complaints involving non-sworn personnel.

Of these ten complaints, six were classified as category 1, four were classified as category 2 and no complaints classified as a category 3 complaints.

Of the ten complaints investigated, three were sustained, three unfounded, three were exonerated, and one was not sustained.

One complaint alleged sexual harassment.

One complaint alleged racial bias

A record of suspension was given as discipline in one of the complaints that was sustained. The officer involved in this particular incident was also suspended from some of his other ancillary duties within the department.

A written reprimand was given as discipline in another complaint that was found to have been sustained.

Verbal counseling was given as a result of another complaint that was sustained.

There does not appear to be any trends, policy or training issues in these complaints. It appears that our department complaint procedure is allowing us to sufficiently document and address all levels of complaints.