



Commission on Accreditation for  
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February 1, 2017

Mr. John Smythe  
Chief of Police  
Burlington Police Department  
Post Office Box 1358  
Burlington, NC 27215

Dear Chief Smythe:

CALEA Accreditation represents a commitment to professional excellence. The work of your organization toward attaining this internationally recognized credential is indicative of sound leadership, as well as practitioner support of adherence to standards.

The report accompanying this transmittal is provided only to the chief executive officer and represents observations and findings from the most recent standards-based review of the organization. It is important to review this document in its entirety with specific attention to any matter indicating compliance concerns, required policy/practice adjustments, or outcomes not reflective of the intent of standards. The Commission will use this document as the primary resource in considering your organization for accreditation. To that end, you or a qualified representative(s) should be prepared to address information contained in this report and respond to inquiries by Commissioners

The Burlington Police Department is scheduled for a Review Committee Hearing at the next Commission Conference in Mobile, Alabama on March 25, 2017. While the Commission does not require your attendance at this hearing, your participation helps ensure a comprehensive understanding of issues impacting your agency's candidacy. An Awards Banquet for successful organizations will occur in the evening following the Review Committee Hearing.

CALEA is *The Gold Standard for Public Safety Agencies* and we are honored to have your organization participate in this highly regarded process.

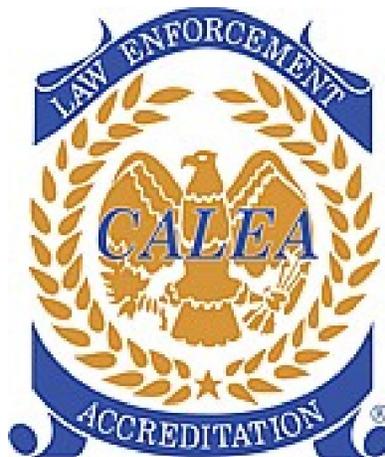
Sincerely,

A handwritten signature in black ink that reads "W. Craig Hartley, Jr." in a cursive script.

W. Craig Hartley, Jr.  
Executive Director



**Burlington (NC) Police Department**  
**Assessment Report**



**2016**

**Burlington (NC) Police Department  
Assessment Report  
October 31 – November 3, 2016**

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**A. Agency name, CEO and AM**

Burlington (NC) Police Department  
267 West Front Street  
Burlington, NC 27215

J. Jeffrey Smythe, Chief of Police  
Kimberly Biebel, Accreditation Manager

**B. Dates of the On-Site Assessment:**

October 31 – November 3, 2016

**C. Assessment Team:**

1. Team Leader: Mark A. Scott  
Chief of Police  
Americus Police Department  
119 S Lee Street.  
Americus, GA 31719  
229-591-3310
  
2. Team Member: James Fox  
Chief of Police (Retired)  
Newport News Police Department  
3905 SE 1st Avenue  
Cape Coral, FL 33904

**D. CALEA Program Manager and Type of On-site:**

John Gregory

Gold Standard, Eighth Re-Accreditation, C size (169 personnel; authorized 129 sworn and 40 non-sworn)

5<sup>th</sup> Edition Law Enforcement Advanced Accreditation, Manual Version 5.23

**E. Community and Agency Profile:**

**1. Community Profile**

The City of Burlington is located in Alamance County, North Carolina and is situated in the geographic center of the state. It is the principle city in the Burlington Metropolitan Statistical Area and has a population of approximately 51,000 residents. The 2010 MSA population was over 150,000. The primary employers within the city include textiles, retail, medical, and service related businesses. Two Interstate Highways pass through the city.

The City of Burlington operates under a council-manager form of government. The governing body consists of four council members, a mayor, and a city manager. The city manager, Hardin Watkins, is responsible for submitting and balancing the annual budget as well as the day to day activities within the municipality.

## 2. Agency profile

The Burlington Police Department has a long and rich history of policing, having served the citizens of Burlington for over 100 years. The agency has been accredited since 1989 and remains committed to the continual improvement and organizational development that is garnered by the process. The agency is organized into two Bureaus: Operations, and Support. Each Bureau is headed by a sworn officer with the rank of Assistant Chief.

## 3. Demographics

The demographic composition of the service area and agency are represented in the following table:

	Service Population		Available Workforce		Current Sworn Officers		Current Female Sworn Officers		Prior Assessment Sworn Officers		Prior Assessment Female Sworn Officers	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Caucasian</b>	25382	46	553997	66	105	86	13	11	111	90	16	13
<b>African-American</b>	16046	29	188390	22	11	9	1	1	10	8	2	2
<b>Hispanic</b>	10702	20	67199	8	4	3	1	1	2	2	2	2
<b>Other</b>	2622	5	35913	4	2	2	0	0	1	1	0	0
<b>Total</b>	54762	100	845499	100	122	100	15	12	4	100	20	16

The department is keenly aware of the under-representation of both women and minority officers and Chief Smythe has made the recruitment of women and minorities a primary focus for the department. The department is working to correct this through aggressive recruiting efforts aimed towards under-represented classes.

## 4. Future issues

- A. Minority Recruitment – Although the agency has made some progress in hiring minority officers, the agency demographics do not reflect the service population. The agency has changed its’ recruitment model and is no longer accepting only applicants who have already completed basic training. The department has committed to recruit candidates who have not yet become certified and pay them to attend the basic training academy.

- B. Policing in the 21<sup>st</sup> Century – The department is working to provide training to all personnel and to incorporate the principle of procedural justice into the culture of the police department. Chief Smythe fully embraces the concepts of Community Oriented Policing and is encouraging his personnel to get involved in community affairs and to seek positions on boards and committees that are working to improve the community.
- C. Building – The building that currently houses the police department was constructed in the 1980's and was designed to accommodate the 77 sworn officers on the force at that time. The department has grown to 169 sworn and civilian employees and the agency must improvise to provide space for office personnel and critical functions. The evidence function is particularly impacted by space limitations as the agency has had to convert closets and other areas that were not designed to be secure into evidence storage areas. The city is in the process of hiring a consultant to do a space needs assessment on the police facilities.
- D. Physical Fitness of Employees – The implementation of twice annual physical abilities assessments has had a tremendous impact on the sworn members of the department along with the implementation of a new shift schedule. The agency is working now to normalize the new procedures and allow employees time to adjust to the changes.

## **5. CEO Biography**

Jeffrey Smythe was appointed Chief of Police on May 1, 2013. Prior to his appointment Chief Smythe served as the Chief of Police for Show Low, Arizona, beginning in 2008. His prior law enforcement service includes the Arizona State University and the Scottsdale, AZ, Police Departments.

Chief Smythe earned a Master's Degree in Educational Leadership from Northern Arizona University, and a Bachelor's Degree in Justice Studies from Arizona State University. He is a graduate of the Northwestern University School of Police Staff and Command, and is a graduate of the FBI National Academy.

## **F. Public Information Activities:**

Public notice and input are a corner stone of democracy and CALEA accreditation. This section reports on the community's opportunity to comment on their law enforcement agency and to bring matters to the attention of the Commission that otherwise may be overlooked.

### **a. Public Information Session**

The public information session was held on November 2<sup>nd</sup> at 1800 hours in the Burlington City Council chambers. The session was advertised in the local news

media, posted in public areas and published on social media. There were approximately twenty people in attendance, including the Mayor Pro Tem, two city council members and a member of the local school board. There were fourteen citizens present and all elected to speak during the hearing. All comments were very supportive of the police department. One of the speakers was the president of the local chapter of the NAACP. He commended the police department for their commitment to the community and to their transparency. He stated that he had recently read through a book published by the USDOJ on how to implement Community Oriented Policing and that the Burlington Police Department was doing everything suggested in the manual.

b. Telephone Contacts

The agency provided an open telephone line for public comment on November 2<sup>nd</sup> between the hours of 1400 and 1600. The number and timeframe were included in media advertising of the onsite. Eleven persons called during the call in period to provide comments about the police department. All eleven of the callers supported the police department and their bid for reaccreditation. Callers included five representatives from neighboring law enforcement agencies, a local news reporter who praised the department's willingness to work with her, a member of the local PAC, one area resident, a member of the local NAACP chapter, a member of the Chamber of Commerce and the director of the local Basic Law Enforcement Training Academy.

c. Correspondence

Assessors received one email from a local citizen who stated that he was praying for the department and a letter from an area Chief of Police supporting the department.

d. Media Interest

There was no local media coverage of the onsite, although one local reporter did attend the public hearing to offer comments about the department.

e. Public Information Material

The agency posted notice of all accreditation activities in the lobbies of public buildings, on the city and department web sites, and on social media. Notice was also sent to two area newspapers and four local television stations.

f. Community Outreach Contacts

Assessors attended roll call meetings, rode with patrol officers, and spoke with citizens while out in the community. The agency also scheduled interviews with eleven different community leaders and citizens. All of the comments concerning the agency were positive, stressing community involvement, professionalism and caring. All of the officers interviewed during ride alongs were very professional

and very knowledgeable about the accreditation process and about agency policies and procedures.

## **G. Essential Services**

### **Law Enforcement Role, Responsibilities, and Relationships and Organization, Management, and Administration. (Chapters 1-17)**

The Burlington Police Department has jurisdiction over law enforcement incidents within the corporate city limits. There is one concurrent jurisdiction agreement with neighboring Guilford County for a business which has been annexed into the City of Burlington. The agency has mutual aid agreements with surrounding agencies and provides contractual law enforcement services to the Alamance-Burlington School District for School Resource officers and the Alamance Municipal Board of Alcoholic Control (ABC Board). By contract the agency assigns officers to work for the ABC board processing alcohol license applications and providing security and investigative services to the board.

The Burlington Police Department is divided into two Bureaus, Operations and Support. Each Bureau is commanded by an Assistant Chief and is tasked with clearly defined responsibilities and has clear lines of supervision. Employees at all levels of the agency are given the authority to accomplish their assigned mission and are held accountable for their actions through the chain of command. The agency's administrative reporting system is designed to require participation from a variety of personnel at all levels of the department.

The authority and responsibilities of the Chief of Police are enumerated through a combination of state law, city directive and agency directives. Command authority flows through clearly delineated ranks which are depicted on an organizational chart. Agencies policies and procedures are contained in a written manual which is made available electronically on the department's computer network. The agency is in the process of reviewing and completely revising the operations manual. As directives are revised, the agency provides copies to members of the community who may have expertise in the subject area or may be directly affected by the revision for review and comment.

The department's planning and research function is carried out through a combined effort of the senior command staff. The agency has a five year strategic plan that was developed through a series of seven public meetings in different areas of the city, where the department solicited input from citizens on what were their areas of concern and what they wanted to see as goals for the police department. At the request of representatives from the Hispanic community, one of the meetings was held in Spanish. The department also had two internal meetings which were attended by over 80 employees to solicit their input. Overall, over 230 people collaborated to generate the department's strategic plan, which is based on eight foundational pillars. The

department then generated specific goals and action steps designed to either create or enhance the eight foundations. Members of the command staff are assigned to ensure accountability for each goal and the agency has set a calendar for completion of each step.

Procedures for the preparation and implementation of the department's budget are established by a combination of state law and local directives. Responsibility for the preparation and administration of the department's budget is vested in the Chief of Police. Assistant Chief Kerns typically chairs a budget team each year that solicits budget requests from organizational components. The team prioritizes the requests and provides a proposed budget to Chief Smythe, who makes his own revisions and then presents the completed budget request to City Manager Watkins. Procurement procedures and monthly budget reports are clear and detailed.

### **Bias Based Profiling**

Prohibitions against biased-based profiling are included in agency directives and in state law. North Carolina Statutes require that information on race and gender is documented for all field interviews and traffic citations in an electronic database. The data is forwarded to the state and entered into a statewide database which is available for public review. The agency received no citizen complaints of biased based profiling during this reporting period. Annual analyses are conducted of traffic and field contact information and no indicators of biased based profiling were noted in the reviews. Agency personnel receive state mandated annual training on cultural diversity issues and annual roll call training on agency policy. Statistics on traffic enforcement activities are depicted in the following tables.

Traffic Warnings and Citations--2013

<b>Race/Sex</b>	<b>Warnings</b>	<b>Citations</b>	<b>Total</b>
Caucasian/Male	1921	1218	3139
Caucasian/Female	1547	1122	2669
African-American/Male	1490	899	2389
African-American/Female	1175	856	2031
Hispanic/Male	370	572	942
Hispanic/Female	204	379	583
Asian/Male	41	24	65
Asian/Female	21	23	44
OTHER	34	46	80
<b>TOTAL</b>	<b>6803</b>	<b>5139</b>	<b>11942</b>

Traffic Warnings and Citations --2014

<b>Race/Sex</b>	<b>Warnings</b>	<b>Citations</b>	<b>Total</b>
Caucasian/Male	1676	1257	2933

Caucasian/Female	1325	1071	2396
African-American/Male	1271	935	2206
African-American/Female	1114	818	1932
Hispanic/Male	407	545	952
Hispanic/Female	243	307	550
Asian/Male	22	18	40
Asian/Female	21	20	41
OTHER	45	36	81
TOTAL	6124	5007	11131

Traffic Warnings and Citations --2015

Race/Sex	Warnings	Citations	Total
Caucasian/Male	1667	923	2590
Caucasian/Female	1223	704	1927
African-American/Male	1345	873	2218
African-American/Female	1102	813	1915
Hispanic/Male	335	478	813
Hispanic/Female	206	263	469
Asian/Male	41	14	55
Asian/Female	14	15	29
OTHER	30	22	52
TOTAL	5963	4105	10068

**Use of Force**

The authority and powers of sworn personnel are imparted through state law. Agency directives incorporate state law into most of the guidelines governing constitutional issues, including use of force. The agency uses a standardized form to document use of force incidents and requires officers to provide medical assistance to suspects who are injured and in all incidents requiring the use of a weapon. The agency requires a report for soft hands control techniques through the use of non-lethal and lethal weapons and counts each application of force as an individual incident. Consequently, a single arrest of a violent suspect typically results in multiple documented force incidents. Looking at the number of documented arrests that involved a use of force, the number of incidents is consistent for the three year period and depicts a very low percentage of force encounters compared to the total number of arrests. Officers used a reportable level of force during just 1% of all custodial arrests over the three year period.

There were four excessive force complaints filed with the agency in 2015, and none in the preceding two years. Two complaints resulted from empty hand strikes administered during attempts to arrest violent suspects and the officers were

exonerated. One incident resulted from a female who stated she was assaulted during an arrest. Statements from witnesses corroborated the officer's statement and the complaint was ruled unfounded. The final complaint resulted from a handcuffed offender who attempted to headbutt an officer escorting him to a patrol unit and then spit on the officer. The officer then punched the handcuffed suspect. The complaint was sustained and the officer resigned in lieu of termination.

The agency demonstrated compliance with all requirements for training and proficiency on weapons. Training Director, Allyson Norton, Sgt. Shelly Katkowski and Ofc. Graham Sappington provided a tour of the agency's training facilities and described the types of situational based training they have recently started using to teach officers how to differentiate between different force options and select options that best fit the actions and abilities of a violent suspect.

Use of Force

	2013	2014	2015
Firearm	0	2	0
ECW	29	20	26
Baton	0	0	0
OC	2	4	2
Weaponless	94	59	57
Total Uses of Force	125	85	85
Total Use of Force Arrests	58	51	64
Complaints	0	0	4
Total Agency Custodial Arrests	4280	3787	3717

### **Personnel Structure and Personnel Process (Chapters 21-35)**

Agency personnel are allocated based on workload analyses, which are conducted within each of the different organizational components. Patrol personnel are assigned to shifts based on documented calls for service. The Patrol Division works ten hour overlapping shifts which are designed to provide additional personnel during peak activity times. There is also a flex shift which works solely during peak activity periods. This shift is currently not being utilized due to manpower shortages. The agency has a reserve officer program which utilizes paid part-time officers who must commit to working at least twelve hours a quarter. Reserve officers receive the same required training and have the same uniforms, equipment and authority as full time officers.

The city utilizes a salary schedule based on comprehensive job descriptions with salary ranges clearly delineated for each job classification. One third of all city job descriptions are reviewed and updated annually, and are available to all employees through the agency's computer network. The agency's leave, salary, and compensation guidelines are clear and well defined. Full time employees are provided with a full insurance and retirement benefits program. The agency supplies uniforms and equipment and issued items are tracked by computer. A city benefits coordinator assists all city employees

with issues related to fringe benefits, insurance and retirement. Collective bargaining is prohibited by state statute.

### Grievances

The agency's grievance procedures are spelled out through department policy. There were two grievances filed in 2013. One grievance involved a complaint by an officer that a coworker was creating a hostile work environment. The grievance was resolved by the employee's immediate supervisor. The second grievance involved a complaint about the way that merit raises were distributed. This complaint progressed through the chain of command and was resolved by the Assistant Chief of Police. There were no other grievances filed.

Grievances	2013	2014	2015
Number	2	0	0

### Disciplinary

The agency's rules of conduct are contained in the SOP manual which is issued to all personnel. The Burlington Police Department utilizes a progressive discipline policy for all divisions. Complaints are documented in the Guardian Tracking software system. Documentation was provided illustrating the progressive nature of the disciplinary process, from verbal warnings through written action plans, training and ultimately termination.

The agency has an employee recognition program for both sworn and civilian employees. Overall there were many more commendations made than disciplinary actions taken during this reporting period.

	2013	2014	2015
Suspension	1	2	2
Demotion	0	0	1
Resign In Lieu of Termination	1	0	1
Termination	0	0	0
Other	3	1	5
Total	5	3	9
Commendations	24	10	8

The procedures for employee performance reviews are established by the city and utilized by all departments. The review process encourages employees to set goals and to focus on personal growth and development within their jobs. Supervisors are encouraged to act as a coach and are required to conduct performance review conferences with employees at least once per year.

The agency's early warning system is tracked through Guardian software and is based on a set series of triggers that are automatically monitored by the software. Triggers include use of force incidents, pursuits, employee discipline, and attendance issues. When the software identifies an employee who has met the trigger threshold it automatically sends a notification to that employee's supervisor who must respond by entering a resolution into the system.

### Recruitment and Selection

The agency uses a clearly defined process for screening and selection of candidates for employment. Applications are received through the internet, utilizing Neogov Software. HR Hiring Specialist, Angela Satterfield, screens all online applications to select those that meet minimum qualifications. Qualified applicants are interviewed by an oral review board and given cognitive and reading comprehension tests. Candidates are provided with a summary of the application process which graphically depicts the steps in the hiring process and provides answers to frequently asked questions. Candidates who meet hiring criteria are given a conditional offer of employment and scheduled for a polygraph exam, a psychological assessment, and for an interview with the chief and executive staff.

Sworn Officer Selection Activity in the Past Three Years

Race/Sex	Applications Received	Applicants Hired	Percent Hired	Percent of workforce population
Caucasian/Male	545	19	3.5%	31.3%
Caucasian/Female	345	6	1.7%	35.1%
African-American/Male	199	2	1.0%	9.7%
African-American/Female	155	2	1.3%	12.2%
Hispanic/Male	49	1	2.0%	3.9%
Hispanic/Female	33	1	3.0%	3.6%
Other	11	0	0	4.2%
Total	1337	31	2.3%	100%

### Training

Responsibility for the training function is assigned to a civilian Training Director, Allyson Norton, who currently supervises two sworn training officers, Sgt. Shelly Katkowski and Ofc. Graham Sappington. The training director receives guidance from a training committee composed of all lead instructors in specialty areas, two general instructors, city risk management and the fire department training chief. Basic training leading to certification as a police officer is provided by state training academies. Upon completion of mandate training, new officers are required to complete an eight week field training program which places the new officer with two different FTO's during the

training cycle. New civilian employees are provided with orientation training by the city and receive on the job training within the department

Annual retraining consists of a combination of 24 hours of state mandated training courses and agency specific in-service training. State mandated courses are conducted by in-house instructors utilizing lesson plans provided by the state. Two agency instructors typically attend "train the trainer" sessions provided by the state and then return with the mandated training material to share with the other agency instructors. The agency is required to document this mandated training on state forms. Training on ethics in law enforcement and on cultural diversity issues is typically included in annual state training mandates.

The Burlington Police Department has two primary training facilities in addition to classroom space at police headquarters. The department's physical fitness training facility is well equipped with aerobic and strength training equipment as well as open floor space for subject control training and for conducting the agency's bi-annual Police Officer Physical Abilities Test (POPAT). Implementation of a fitness standard was one of Chief Smythe's primary goals when he took over as head of the department. The agency formed a committee composed of officers and members of the city's HR and Risk Management Departments to look at possible fitness testing instruments. The POPAT was already in use as a standard for completion of the State of North Carolina Basic Law Enforcement Training Program and was selected as a natural fit for assessing the ability of current officers to perform the physical tasks necessary for the job of police officer.

Once the testing method was selected, officers were given a two year period to prepare for the test. Personnel are allowed to work out on duty and are encouraged to meet with department fitness instructors to develop personal training and healthy diet plans. The test consists of two sections. The first simulates a suspect apprehension scenario and must be completed in six minutes or less. The second simulates a subject rescue scenario and must be completed in three minutes or less. Officers who cannot meet the minimum standard but can complete the test in less than double the required time are allowed to remain on active duty, but are placed on a Fitness Improvement Plan and given thirty days to retake and pass the test. Officers who either cannot complete one or both parts of the test or are only able to complete it in more than twice the required time are removed from active duty and assigned to work with a fitness instructor until they either improve their time enough to go on a regular improvement plan or fully meet the standard.

Interviews with sworn personnel indicate that there has been some resistance to the implementation of minimum fitness standards and that some officers left the agency rather than attempt to meet the standards. However, the overall attitude towards the new standards appears to be positive and the team heard several success stories of officers losing significant amounts of weight and improving their overall health.

## Promotions

Responsibility for the agency's promotional process is primarily assigned to the Professional Standards Unit under Capt. Brian Long. The department has two non-competitive ranks for sworn employees above an entry level officer. The ranks of POII and Master Police Officer (MPO) are based on educational achievement and tenure. Officers wishing to be promoted to these two ranks must provide proof of eligibility and apply for consideration.

The ranks of sergeant and above are competitive ranks. Qualifications for sergeant and lieutenant are outlined by agency directives and all candidates for promotion are given written notice of the elements of the promotional process. Capt. Long works with a Promotional Board to coordinate the promotional process with the responsibility for oversight of the process resting with the chief of police. The Promotional Board develops written exams and assessment center materials in-house, utilizing outside assessors to evaluate candidates in assessment centers. At the conclusion of the process, candidates are scored and ranked on a promotional list that is good for one year.

The process for sergeant was being conducted at the time of the assessment and there were thirteen candidates participating in the process. Once a promotional list is established, the Chief of Police and command staff will interview candidates from the list whenever a supervisor position becomes available and select a candidate. The promotional process for Captain and above is administered by the chief and command staff.

Sworn Officer Promotions			
PROMOTIONS – 2014-2016			
	2014	2015	2016
<b>GENDER / RACE TESTED</b>			
Caucasian/Male	9	19	12
Caucasian/Female	3	2	0
African-American/Male	1	1	0
African-American/Female	0	0	0
Hispanic/Male	0	0	0
Hispanic/Female	0	0	0
<b>GENDER/ RACE ELIGIBLE AFTER TESTING</b>			
Caucasian/Male	9	8	8
Caucasian/Female	1	2	0
African-American/Male	1	1	0
African-	0	0	0

American/Female			
Hispanic/Male	0	0	0
Hispanic/Female	0	0	0
GENDER/ RACE PROMOTED			
Caucasian/Male	3	2	3
Caucasian/Female	1	2	0
African- American/Male	1	0	0
African- American/Female	0	0	0
Hispanic/Male	0	0	0
Hispanic/Female	0	0	0

### **Law Enforcement Operations and Operations Support (Chapters 41-61)**

The Burlington Police Department clearly incorporates the tenets of Community Oriented Policing into the day to day operations of the department and into all citizen contacts. Chief Smythe is building a culture of transparency and accountability to the community. The department provides 24-hour patrol coverage using overlapping ten hour shifts that are scheduled at four different start times. Patrol supervisors update officers with focus areas for the shift and assign them to their patrol zones. Patrol officers leave shift briefing and conduct pre-shift searches of their patrol vehicles.

The Community Relations Captain within the Operations Bureau commands the Traffic Unit. A sergeant and two motorcycle officers are assigned to the unit; though only one motorcycle is used for daily operations. Officers handle all hit and run investigations, perform enforcement and educational functions, work as many accidents as possible to assist patrol officers, work school zones in the morning and afternoons to monitor speed violations, and handle all traffic complaints from the community. Various traffic programs support the Governors Highway Safety Program, including Booze it and Loose It, Child Safety Week, Click it or Ticket, and Motorcycle Safety Week. Due to an increase in pedestrian fatalities, a special education program for pedestrians crossing streets was created and department personnel began providing visible reflective arm bands and vests to walkers. Programs are delivered in schools and other locations to educate students and the public on DWI, Distracted Driving, and Driver Education. Various speed monitoring devices are utilized for traffic enforcement. Two (2) non-sworn parking enforcement employees enforce parking violations downtown and in shopping centers.

The Criminal Investigation Division (CID) is under the command of the Support Bureau Assistant Chief and consists of Special Operations, Gang and Violent Crimes Unit, Special Victims Unit, (which includes Domestic Violence and Victim/Witness Assistance) and General Investigations Unit, (which includes Property and Persons Crimes). All criminal offenses reported to the Burlington Police Department are

forwarded to CID and Special Operations, Vice, and Narcotics for review and assignment. A case screening system is in place to provide effectiveness in case assignment, case management, and case disposition. Cases are assigned electronically via the unified electronic-case assignment log. A case status control system is utilized to track cases reviewed by supervisors and assigned to investigators. Upon review and evaluation, cases are assigned by priority to the various units within CID. Intelligence information is also used for case assignment.

The Investigation Division has an investigative checklist that is used in follow-up investigations. Polygraph examinations are used as a part of the investigative process. All polygraph investigators are trained and certified. To ensure effective supervision and case file management investigators are required to maintain logs for supervisory review and inspection. Investigators are required to contact the victim within five working days upon receipt of the case, and the investigator is required to file a report within 45 days after a case is assigned. All preliminary reports, supplemental reports, field contacts, and internal records data are stored within the departments computerized records system.

The Criminal Investigative and Special Operations Units both have technical investigative equipment. Each unit stores equipment in separate locations. An inventory of all equipment, and a log to track the use of equipment, is maintained in each location. All confidential informant information is kept in a secure location under the control of a sergeant at the Special Operations locations. Special funds for all Burlington Police investigative operations are kept and recorded by a sergeant in the Special Operations Unit. All investigative records are either secured in an electronic system, or maintained as paper files secured in locked filing cabinets. No evidence is kept in any investigative work location. Interview rooms in the investigative locations are in compliance with standards.

Procedures are in place to deal with habitual felons and serious offenders. Officers, upon apprehending a felon, are required to conduct a records check, which becomes a part of the investigative file. If an individual qualifies as a habitual felon or serious offender, the officer is required to contact and consult with the District Attorney's Office to obtain assistance with case prosecution.

An intelligence network and database are in place to support operations and investigations. The intelligence officer coordinates with all federal, state, and local law enforcement agencies and prepares reports and information to support investigations and event planning. The intelligence function has a responsibility to collect, evaluate, and disseminate information regarding groups suspected of involvement in criminal activity or terrorism. Task forces are utilized as a method to address issues and coordinate personnel, agencies, and others to investigate crimes, solve cases, apprehend criminals, and recover property. The task force approach is used, when needed, to address specific crime matters. They are well coordinated by the Assistant Chief of Support Operations.

The Special Operations Unit is located off-site from Police Headquarters. The Alamance Narcotics Enforcement Team (ANET) is a multi-jurisdictional team consisting of 16-18 investigators from Alamance County Sheriff's Office, Burlington, Gram, Elon City and Elon University, Gibsonville, Mebane, and Haw River Police Departments, along with the North Carolina Bureau of Investigations.

Complaints concerning vice activities, controlled substances, and organized crime activities are received through citizen contacts, Crime Stoppers reports, officer reports, and information from the Chief's Office. Reports are reviewed and examined by supervisors to determine the unit responsible for investigating the information. Information concerning minor complaints are reviewed and returned to other components, while more serious complaints are maintained in Special Operations for further investigation.

No evidence is maintained and no interview rooms are located within Special Operation. Confidential files are maintained within the unit and are secured and reviewed by the sergeant, who controls all confidential funds for investigative operations. Only four confidential informant files are active. All funds are well documented and properly audited. Technical investigative equipment is kept in a secure area controlled via a monitored check-out/check-in inventory log system. Good procedures are in place for covert, and raid operations. Polices are in place for planning and de-briefing.

Although a formal Juvenile Unit is not in place, juvenile issues are viewed very seriously through two components: Determining juvenile delinquency through the use of specifically designed programs, and conducting thorough investigations into alleged criminal offenses committed by juveniles and cases where juveniles are victims of crimes. Delinquency prevention programs include DARE, School Resource Officers (SROs), Bicycle Safety Programs, Gang Prevention and Intervention Programs, and Junior Police Academy (JPA). The responsibility for participating in or supporting a juvenile function is shared by all components and is not the responsibility of one single organizational component. Juvenile prevention and intervention is an agency priority and is an important part of Community Outreach, Prevention, and Involvement.

A Citizens Police Academy is in place and a Ride-A-Long program was instituted in the last three (3) years as functions dedicated to community involvement, outreach, and crime prevention. Programs include Coffee with a Cop, Faith Action ID, Public Safety Through Social Media, Junior Police Academy, Community Watch Groups, Community Policing, Volunteers in Police Services, and Crime Prevention. Although Community Policing is the responsibility of all patrol officers, specific employees are dedicated full-time to the Community Policing function. Volunteers in Police Services, coordinated by a bi-lingual civilian employee, connect with groups and community agencies including; the Juvenile Crime Prevention Council, the Alamance Partnership for Children, the Alamance Department of Social Services, the Alamance Health Department, Centro La Comunidad, Coalition for a Drug Free Community, and Cardinal Innovations. A retired

officer working part-time provides educational resources and programs, tours, speaking engagements to community groups and businesses on personal safety, preventing fraud, home security, violence in the workplace, loss prevention, security surveys, and deals with neighborhood problems. The Chief's goal is to partner with as many external organizations as possible.

The Junior Police Academy is a youth program and a crime prevention strategy. The mission is to provide at-risk middle school adolescents social skills with the intent to increase student productivity and community involvement. The cadets undergo a structured, well disciplined, four- (4) week training program, focusing on self-discipline, respect, responsibility, goal setting, building self-esteem, anger management, conflict resolution, decision making, substance abuse, gang prevention, and community service. Referrals to the Academy are received from school staff, SRO's, parents, and students. Candidates must be a rising seventh or eighth grader for the upcoming school year and are typically between 11-14 years old. Candidates and parents are interviewed to determine interest, commitment, and cooperation. The first week of the academy is conducted at an out-of-town location where the students are housed in dorms. The program has many outstanding alumni that return to speak with academy members. A young US Marine, who had graduated from the academy, presented to the assessors during the on-site.

### **Crime Statistics and Calls for Service**

The Burlington Police Department utilizes the department's computerized records management system to analyze crime data. Crime statistics are discussed during staff meetings and during shift briefings.

Calls for service remained relatively constant through this accreditation cycle, declining slightly from 92,501 calls in 2013 to 90,713 calls in 2015. The agency's overall crime statistics have shown a steady decline over the past three years with a decrease of 20% from 2013 to 2014 and 7% from 2014 to 2015. Property crime showed the greatest decrease, with persons crimes decreasing less dramatically by 10% over the three years. The number of homicides increased from zero to three to six.

**Burlington, NC Part One Crime Statistics**

	2013	2014	2015
Murder	0	3	6
Forcible Rape	20	22	16
Robbery	101	87	74
Aggravated Assault	235	210	223
Burglary	570	476	445
Larceny-Theft	2410	1872	1698
Motor Vehicle Theft	119	97	97

Arson	6	8	8
TOTAL	3461	2775	2567

### Vehicle Pursuits

Chief Smythe revised the agency's pursuit policy a few months before the onsite assessment. The revised policy restricts officers from initiating vehicular pursuits unless the suspect is believed to have committed a forcible felony. The previous policy allowed officers to initiate a pursuit for any felony, aggravated misdemeanors and traffic infractions which might constitute a danger to the public. Officers initiated an average of 12 pursuits annually in 2013 through 2015. Annual analyses showed that the majority of the pursuits were initiated for traffic offenses. Only 4 of the 35 reported pursuit incidents involved felony suspects. Chief Smythe expects the number of pursuits to decrease significantly over the next three years.

Vehicle Pursuits

PURSUIITS	2013	2014	2015
Total Pursuits	12	12	11
Terminated by agency	5	8	3
Policy Compliant	10	10	11
Policy Non-compliant	2	2	0
Accidents	3	0	0
Injuries: Officer	0	0	0
: Suspects	1	0	0
: Third Party	0	0	0
Reason Initiated:			
Traffic offense	10	11	6
Felony	1	1	2
Misdemeanor	1	0	3

### Critical Incidents, Special Operations and Homeland Security

A full-time police department Emergency Management Director oversees the All Hazard Plan and handles duties and responsibilities connected with unusual occurrences including, but not limited to, natural and manmade disasters, civil disturbances, mass arrest, hostage/barricaded person, acts of terrorism, and public health related emergencies. An Emergency Operations Center is located in the police department headquarters building. Threats to Burlington include straight-line wind storms, flooding, tornados, and ice storms. Two major interstates, 85 and 40, cut through the city. A railroad with many chemical cars also travels north and south. No major EOC activations occurred; however partial activations occurred due to ice storms. The Emergency Management Director is presently working on table-top exercises and training for an active shooter drill at one of the schools. ICS (Incident Command System) and NIMS (National Incident Management System) are used as models to manage incidents. The Training Division coordinates the annual *All Hazard Plan*

training, and provides training to new employees on NIMS and ICS. Procedures are in place for Bomb Threats, Civil Disturbances, Mass Arrests, Hostage/Barricaded Persons, Terrorism, Pandemics, Search and Rescue, and Hazardous Material Incidents.

The Support Bureau Assistant Chief is responsible for coordinating security for VIP visits. The Investigative Captain prepares operational plans for all visits. No VIP visits occurred during the reporting period. The Operations Bureau is responsible for coordinating all planned special events occurring in the city, unless otherwise directed by the Chief of Police. A regional Special Response Team handles tactical incidents and trains 16-hours monthly. The team is staffed with Burlington Police Department personnel along with members from Graham Police, Elon Police, Elon University Police, and Gibsonville Police. Two tactical medics from a rescue service are also team members.

### **Internal Affairs and Complaints against employees (table)**

The Internal Affairs function is commanded by the Support Bureau Assistant Chief. Complaints are evaluated by a supervisor to determine the type, nature, seriousness and course of action. Complaints are received, documented, investigated, and promptly resolved through investigations conducted in a fair and equitable manner consistent with the Directives Manual, Human Resources, and the City Code. Class I complaints are more serious and include criminal conduct, corruption, excessive force, civil rights violations, death of person in custody, violence or threats in the workplace. Other circumstances, incidents, or investigations may be deemed Class I at the direction of the Chief. Class II complaints are minor arrest scenarios involving a complaint, violation of City Ordinance, failure to perform duties, unsafe performance, unprofessional conduct, tardiness, and insubordination. Supervisors investigate Class II complaints; Class I complaints are generally investigated by lieutenants selected by the Chief.

The department receives complaints in person, in writing, and over the phone by either the complaining party, aggrieved person, someone representing the complainant, a concerned citizen, witness, or from an anonymous source. Officers are notified of complaints filed against them. The timeframe for investigation completion is 30 days. Extensions are permitted only with the chief's approval. The Chief, or designee, can require an employee to submit to a photograph, participate in a line-up, submit financial disclosure statements, and/or submit to medical, psychological, or laboratory examinations. Conclusions for Class I investigations are forwarded to the Chief of Police. A completed Class II investigation is submitted through the employee's chain of command. All completed investigations are scanned into Guardian Tracking.

Complaints and Internal Affairs Investigations

<b>External</b>	2013	2014	2015
Citizen Complaint	23	39	61
Sustained	1	2	8
Not Sustained	5	9	14

Unfounded	5	7	11
Exonerated	12	21	28
<b>Internal</b>	4	2	6
Directed complaint	0	0	0
Sustained	3	1	2
Not Sustained	0	0	1
Unfounded	1	0	1
Exonerated	0	1	2

External complaints increased from 39 in 2014, to 61 in 2015, due to implementation of the new Guardian Tracking system, which required that all complaints are entered into the system. The majority of external complaints were for rudeness during a traffic stop. During the reporting period, 103 external complaints were received; 11 were sustained. Twelve internal, Class I level complaints, were received and investigated during the reporting period. Most resulted from search and seizure constitutional issues, and use of force. In 2015, two (2) of six (6) complaints received were sustained. One (1) was for use of force, and resulted in a resignation in lieu of termination; the other was for a hostile work environment, which resulted in a demotion.

## **Detainee and Court Related Activities; Auxiliary and Technical Services (Chapters 70-84)**

### **Detainee Transportation**

Agency policy covers prisoner searches pre- and post-transport, as well as at the beginning and end of each shift for damage, weapons, contraband, and evidence of tampering. Prisoner transport is preferably conducted in vehicles with transport barricades; however, procedures are in place for transporting prisoners in vehicles without barricades. Procedures are in place for an escape from custody during prisoner transport, for transporting sick or injured prisoners, and for hospital security and control should a prisoner require a hospital stay.

### **Temporary Detention**

No holding facility or court security function exists. Detainees are only temporarily detained for the booking and bonding process. The detention area is clean and secure and is monitored by dispatchers. A dedicated area exists within the facility for conducting alcohol breath testing. All weapons must be secured in a lockbox prior to entering the facility. Although no panic buttons exist in the area, officers are required to carry the issued portable radio, which is equipped with an emergency button. Face-to-face visual observation of detainees is required at least every 15 minutes when in Temporary Detention. Daily inspections are required by an on-duty patrol supervisor, or designee. Completion of a Secure Area Inspection Form is required to document the

inspection. The Operations Division Captain, or designee, conducts an administrative review of the Temporary Detention area at least once every three years. Officers are required to notify Communications whenever a detainee arrives and departs into and out of the detention area, to record the movement into CAD. Rings on tables within the detention area are used to secure detainees. Policy specifically outlines authorized use of the rings.

## **Communications**

The Communications Center is located in Police Headquarters. The center appears new and well equipped with the latest technology, including monitors displaying live-shots from cameras located in parks, major traffic intersections, and Housing Authority locations. Six consoles are set up within the Communications Center; however, only four are presently used, as a shift complement is generally three to four dispatchers working twelve-hour shifts. Alamance County is the primary Public Safety Access Point (PSAP), receives all 911 calls, and then transfers calls to the Burlington Communications Center, which is a secondary site that dispatches police and fire. The Burlington Police Department Communications Center is commanded by the Operations Bureau Assistant Chief and directed by a Civilian Manager. The facility is secure and access is restricted to authorized personnel. Duty rosters of working personnel and the Officer-in-Charge are provided to the Center daily. Emergency medical calls are dispatched by Alamance County. One dispatcher handles police calls, one handles fire calls, and a third handles driver, vehicle and person information requests from officers. Communications is currently utilizing an 800 Mhz Trunked Radio, Analog/Digital 5ste simulcast 28 channel system in partnership with Guilford County, City of Greensboro, and City of High Point. It is a regional 800 Mhz public safety radio system identified as Triad Regional Operating Network or TRON. The system allows for interoperability. All phones and radio communications for police, fire, and 911, are recorded via network storage. No private alarms are received or monitored in the Center. Generators provide emergency power to the Communications Center and Emergency Operations Center. Generators are also at the tower sites. Generators perform a self-test every Monday under full-load. Each console is equipped with Telecommunications Devices for the Deaf (TDD).

Emergency Action Plans for a variety of situations, including an Airport Emergency Plan, are located in the Communications Center. The backup site is located in the Alamance County Center; Burlington Communications employees are equipped with "jump bags" supplied with all required equipment in the event of an emergency evacuation.

## **Records**

The Professional Standards Captain is responsible for the Records function, which is responsible for all centralized records. Specialized components are permitted to maintain specific files. Access to specialized files is restricted to authorized personnel,

as defined by assignment. The Information Technologies (IT) Section is responsible for backup and storage of computer files. Daily back-ups occur on-site and off-site for data files, ensuring replication and backup. All necessary precautions are used to ensure the privacy and security of Central Records files.

Computerized records are password protected and have varying levels of access, based on employee assignment. Hard copy files are secured in locked cabinets in the Records Division. During normal business hours, Records personnel are available to retrieve and disseminate records to agency personnel and the public, as requested. The North Carolina State Records Law is used as a guide for records release.

The Case Numbering System uses the Computer Aided Dispatch System (CAD) to assign a number to every new transaction. The CAD number becomes the incident number. The Police Records Specialist issues and accounts for all traffic citation forms. Specific reports are received through the Record Division's "Teleserve" program in person or by phone, when the incident meets certain criteria. Records retention and purging follows the Municipal Records Retention and Disposition Schedule. During an interview and during an on-site walk-through of the Records Section, it was discovered that all sergeants have access to the Records Section after-hours, can retrieve any file, and release case files to officers. An officer was also observed obtaining a DWI file from the cabinet, defeating the purpose of records security. After a discussion with the Professional Standards Captain, procedural changes were implemented to restrict records access to Records personnel.

### **Property and Evidence**

The Identification/Evidence Control Unit is responsible for crime scene, property, and evidence function. One (1) supervisor and four (4) civilian Crime Scene Investigators (CSI) are assigned to the unit; all received specialized training in evidence collection, preservation and processing crime scenes. Several patrol officers are trained in evidence collection; however, CSI mostly has the equipment to process major crime scenes. A well-equipped vehicle with drying cabinets used for blood and other body fluid, is used for processing crime scenes on-site. A comprehensive policy is in place for DNA collection. Evidence items requiring analysis are packaged and transported to a State Lab.

Property and evidence rooms are located in police headquarters. Two (2) large vaults, the size of a small room, are used to store all firearms, drugs, money, and precious jewelry. Other items stored at headquarters are secured in two (2) additional large rooms. Shelving is used in each area to store and organize all items. Off-site locations are used to store large items, such as bicycles. An impound lot is located off-site adjacent to the firearms range. All storage areas are well organized, very neat, and clean. A bar coding system is utilized to manage all items. During the on-site, a mini-audit was conducted and all items were found to be in order. Various measures to ensure security are utilized including a proxy system, cameras, keys, and sensors. All

audits required by the standards were in compliance. The Identification/Evidence Control Unit supervisor did not change during the accreditation cycle; thus an inventory was not required. A purging policy in place; however, purging is often affected by court decisions and District Attorneys; thus most all storage areas are full to capacity.

#### **H. Standards Compliance Discussion:**

This section provides specific information on standards that were found to be not in compliance and standards found to be in compliance after on-site “adjustments” were made. Adjustments may include modifying agency policies and directives, creating documentation, and an alteration of the physical plant.

There was one issue identified in this area

##### 82.1.1 Privacy and Security of Agency Records. (M)

ISSUE: Assessors observed that patrol personnel had free access to agency files in the Central Records section during office hours, without checking with records clerks. It was also noted during interviews that patrol sergeants also had full access to all records after hours.

AGENCY ACTION: The agency issued a directive to all personnel during the onsite, limiting access to authorized personnel only to correct the deficiency.

#### **I. 20 Percent Standards:**

CALEA agencies must be in compliance with at least 80% of applicable other than mandatory (O) standards. The agency is free to choose which standards it will meet based on their unique situation.

The agency was in compliance with 100% of applicable other-than mandatory (O) standards.

#### **J. Future Performance / Review Issues**

There were no future performance issues related to specific standards.

**K. Table: Standards Summary:**

	<u>TOTAL</u>
Mandatory (M) Compliance	<u>322</u>
Waiver	<u>0</u>
Other-Than-Mandatory Compliance	<u>76</u>
Standards Issues	<u>1</u>
(O) Elect 20%	<u>0</u>
Not Applicable	<u>85</u>
 TOTAL	 <u>484</u>

**L Summary:**

This was an Advanced Accreditation Assessment of the Burlington, North Carolina Police Department. The department elected to participate in a Gold Standard Assessment for reaccreditation. A limited number of files were reviewed off site and were found to be complete and in good order. In consultation with agency personnel, the team determined that we would focus on four distinct areas:

1. Alamance Narcotic Enforcement Team

ANET is composed of officers from nine area agencies and the North Carolina Bureau of Investigation. The agency investigates all drug and vice complaints in the region and also participates in community partnerships with the local school systems, the regional medical center, and the Alliance for a Drug Free Community. The team met with drug agents and with community partners who spoke highly of the community involvement of the multijurisdictional narcotics team.

2. Hiring and Recruitment

The Burlington Police Department has a recruitment plan with clear and measurable goals of recruiting and hiring women and minorities to help bring the demographics of the department more in line with the service community. Chief Smythe has made a commitment to recruit and hire eligible candidates who may not be able to afford to pay their own way through recruit training and sponsor these candidates through the academy at the agency's expense. This change in recruiting practice should help the department to attract a more diverse group of candidates for employment.

3. Community Policing

Crime Prevention and Community Involvement are a top priority for the agency. The mission statement reflects that commitment *to improving the quality of life, in*

*partnership with our community, through fair and professional police services.* A lengthy history and a current commitment to community policing exists. Since Chief Smythe arrived, employees have embraced an all-encompassing theme of “Trust Through Transparency” and all are dedicated to fostering and strengthening relationships between the community, citizens, stakeholders, and the police. A body-worm camera program is in place to foster transparency.

#### 4. Succession Planning and Training

The department recently implemented mandatory physical fitness standards for all sworn employees. The test used is the same physical abilities test required of recruit officers before they can graduate from the academy. Although there was initial resistance from some officers, fitness instructors worked with personnel who were struggling with the fitness standards and at the time of the assessment, all sworn personnel had been able to pass the test. The agency has also made a commitment to providing career development and management training to all personnel to help them identify and reach career goals.

There were no issues that required attention on this assessment that were identified as an issue on the agency’s last assessment. Annual reports were submitted to CALEA on time and the assessment was not problematic. Compliance with applicable standards was documented through interviews with agency personnel, interviews with community members and observation of agency practices. Throughout the assessment it was clear that agency personnel have a firm understanding of proper practice and procedure and that the concepts of accreditation and community policing are ingrained in the organizational culture of the Burlington Police Department.



Mark A. Scott  
Team Leader

January 27, 2017