

CITIZEN POLICE REVIEW BOARD

Notes for Public Hearing on Police Conduct

May 6, 2010

- This hearing is an opportunity for people to express to you their impressions of Pittsburgh police.
- All complainants who were moved by the Board to the “Rude & Discourteous” class were individually invited by letter.
- Advertisements, flyers, and word-of-mouth informed the general public.
- The Board set the date for this hearing at its regularly scheduled Board meeting on March 23, 2010.
- The last hearing of this nature was 9/18/2006.
- Pre-registration was available to speakers.

The attached worksheets quantify the allegations received in the top four categories of complaints for the calendar period of 2006 through 2009.

- 2006: Unbecoming conduct and unbecoming conduct toward the public represented 66 % of the top four categories. The top four categories represented 87 % of all allegations in 2006.
- 2007: Unbecoming conduct and unbecoming conduct toward the public represented 74 % of the top four categories. The top four categories represented 82 % of all allegations in 2007.
- 2008: Unbecoming conduct and unbecoming conduct toward the public represented 78 % of the top four categories. The top four categories represented 80 % of all allegations in 2008.
- 2009 PRELIMINARY: Unbecoming conduct and unbecoming conduct toward the public represented 77 % of the top four categories.

The City Code requires the CPRB to refrain from an active investigation when the actions of the officers involved in the incident are under criminal investigation. Upon disposition of criminal culpability or charges, the CPRB may resume an investigation of the incident.

Criminal conduct by a police officer will generally be considered misconduct but police misconduct is not always criminal conduct. Neither is conduct that is designed to assert compliance of involved parties and control of an incident, though the harsh nature of those tactics can easily be construed as offensive.

Most complaints received by the CPRB related to unbecoming conduct toward the public involve coarse, profane, or uncivil language, often delivered in an intemperate manner. Some complain of physical outbursts, including striking or kicking at property in control of the detainee.

Unbecoming conduct generally refers to conduct that reflects poorly on the Bureau of Police, undermines public confidence in the Bureau’s operations, tends to diminish public

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respect for Bureau members or compromises the morale, efficiency and effectiveness of Bureau operations.

Criminal behavior by police officers is intolerable. In 2004, the Confidence in Law Enforcement Act was enacted (CILEA).

- CILEA requires that law enforcement powers be suspended when an officer is charged with any crime that carries the potential of more than one year of incarceration.
- This coincides with police certification standards in Pennsylvania which preclude certification of any person having a “Disqualifying criminal offense – A criminal offense for which more than 1 year in prison can be imposed as punishment.” (Misdemeanor 2 and above – reference attached)

The Bureau expresses expected standards of conduct throughout its General Orders, most specifically stated in the:

- Code of Ethics
- Mission Statement
- Values Statement
- Oath of Office
- Standards of Conduct
- *(confidential copies provided to members only – PBP documents – not public documents)*

The most notable deviations from acceptable police conduct are often publicized through local media. Some examples are included in this briefing for Board members. From the Board’s intake experience, unbecoming conduct is perceived frequently by those accessing the CPRB’s service. Additionally, we receive a high volume of feedback contact when an incident occurs that involves suspected misconduct by the police.

For pre-registered speakers who are complainants, a copy of their case summary is provided to CPRB Members only. These summaries are part of the respective investigative file and are not public documents.

Each speaker has been promised three minutes. This may be extended at the discretion of the presiding Board members.

Interaction between the members and speakers is at the sole discretion of the presiding members.

An official record of this hearing will be created and available for public inspection.

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Pre-registered speakers:

1. Joseph S.

2. Thomas C.

3. James H.

- Each speaker has been promised three minutes.
- You have the discretion to extend that time and/or engage in discussion with the speaker.
- Speakers will **not** be sworn.
- This is an informational hearing and opportunity for known aggrieved parties and the general public to share their experience and/or opinion with you.
- The hearing will be recorded and the record available for public review.