Performance Audit

# Pittsburgh Bureau of Police

Report by the
Office of City Controller and the
Citizen Police Review Board

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May 2022

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CITY OF PITTSBURGH
**CITIZEN POLICE REVIEW BOARD**
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Board Chair Dr. Emma Lucas-Darby

May 2022

The Honorable Ed Gainey, Mayor of Pittsburgh
and Members of Pittsburgh City Council

Dear Mayor Gainey and Members of City Council:

The Office of the City Controller and the Citizen Police Review Board are pleased to present this performance audit of the **Pittsburgh Bureau of Police (PBP),** conducted pursuant to the Controller's powers under Section 404(c) of the Pittsburgh Home Rule Charter and a referendum passed by Pittsburgh residents in November 2020. This audit addresses the daily operations of the PBP, hiring practices, recruit training curriculum, officer-civilian interactions, the use of body-worn cameras, the Bureau's data software, behavioral health response strategies, and community policing practices.

## EXECUTIVE SUMMARY

The Pittsburgh Bureau of Police is the third largest law enforcement agency in Pennsylvania with over 900 sworn officers. In June 2020, a task force was established by the mayor to make recommendations for police reform following the killing of George Floyd in Minneapolis and subsequent nationwide protests. This audit aims to address local concerns surrounding racial disparities in law enforcement and make recommendations that will improve both public safety and community-police relationships.

Of the 7,872 arrests made in Pittsburgh in 2020, 65.3% of those arrested were Black and 31.6% were White. Compared to the city's demographic makeup, Black individuals were overrepresented in arrests by a factor of 2.9 and were the only racial demographic overrepresented, regardless of arrest category. These disparities were present across all age ranges but were most pronounced among those under 18, where 87.5% of those arrested were Black.

When examining the effects of the city's marijuana decriminalization ordinance, the auditors found that race is a significant factor in whether a person in possession of marijuana is given a citation or the more serious state charge – including when possession is a standalone charge. Marijuana possession made up 40.3% of all drug charges, and Black individuals made up nearly 85% of all marijuana arrests. Among arrests in which marijuana possession was the standalone charge, nearly 90% of those charged were Black. They made up 74% of those issued a citation for possession, or 11 points lower than their share of arrests for possession.

Current policy grants individual officers discretion in how to approach civilian marijuana offenses. This has established a scenario where outcomes are not uniform. Standard enforcement of the decriminalization ordinance must be a firm policy to avoid the drastic racial disparities currently being produced. (**Recommendation 14**) Similarly, City Council's recently passed "encounter-free traffic enforcement" ordinance is another opportunity for further study. Both the mayor's administration and PBP leadership should devote resources to examine its impact on both racial disparities and public safety **(Recommendations 12, 13)**.

In other cases, alternative responses to public safety incidents are warranted. The Office of Community Health and Safety's co-response model is in its early stages but may yield health-centered responses to behavioral health crises not necessarily requiring police intervention. In some cases, police supplement this health-centered approach well; for example, the use of Naloxone (often referred to by its brand name, NARCAN) by officers saved 128 lives in 2020 alone. The city administration should support the co-response model, which utilizes social workers to respond to low-level and behavioral health calls, as well as the use of Naloxone by officers, and other practices that recognize that public safety requires a holistic strategy beyond arrests to prevent crime (**Recommendations 19, 20**). The city administration should also begin working with the Department of Finance and the county to begin tracking revenue derived from fines and fees, including a full demographic breakdown showing which communities are most impacted (**Recommendation 15**).

In addition, police training – both for recruits and for current officers receiving continuing education – must prioritize communication and an understanding of the needs and concerns of the communities they interact with **(Recommendation 7)**. While de-escalation has been incorporated into the officer training curriculum, improvements in public trust between civilians and police hinge on these daily interactions. Adopting community advisory panels to interview recruits is one way to assess their temperament and how they interact with civilians to make informed hiring decisions (**Recommendation 1**).

The Bureau should commit to identifying officers driving these disparities and taking appropriate remedial actions. This effort should include a zero-tolerance policy against officer affiliations with hate groups and violent paramilitary associations, better disclosing the number of officers prone to excessive complaints and use-of-force incidents, and maintaining a Brady List to keep officers with credibility issues from testifying against defendants in court **(Recommendations 2, 3, 8, 16, 18)**.

The adoption of body-worn cameras (BWC) has provided greater oversight of officer-civilian interactions, and PBP leadership praised its benefits for training and remedying inappropriate officer responses to incidents. However, due to an unfair labor practice filed by the FOP in 2018, BWC compliance reviews have been suspended. As a relatively expensive program, adequate auditing procedures must be in place to ensure officers' full compliance with official policy and that the city is receiving the full benefit of every dollar spent. The Bureau's BWC policy should be revised to address the FOP's concerns and resume compliance reviews to ensure that all officers are activating devices at the right time, for the correct length of time, and without obstruction **(Recommendations 4, 5, 6**).

While the Pittsburgh Bureau of Police has made open data a priority, our audit agrees with the mayor's task force in the need to make more data available, particularly metrics surrounding interactions with civilians. The goal of public transparency is sometimes undermined by a disjointed collection of IT systems used by the Bureau, particularly those created by B-Three Solutions. To remedy this, the PBP has been in the process of adopting two new IT solutions, both initially provided by the county at little to no cost to the Bureau. This first is Inform RMS, a widely used public safety and administration software solution, and the second is IAPro, an early intervention software that uses metrics and applies an algorithm to alert commanders when an officer may be a risk to the department and in need of intervention. These systems are expected to fully phase out ineffective software developed by B-Three, expand the range of metrics that can be captured and analyzed, and reduce officer time spent on data entry.

Avoiding unnecessary trauma and loss of life is a moral obligation of the city, but there is a financial cost to taxpayers as well. In 2020 alone, the city paid nearly $2 million in settlements related to police misconduct. An effective early intervention system would better protect civilians while avoiding costly litigation that arises from violent encounters. The PBP anticipates fully transitioning to Inform RMS by the end of 2022, but it is unclear when IAPro conversion will be complete due to data integration issues involving B-Three. Fully implementing these IT solutions should be a top priority for the city administration and PBP leadership so the full spectrum of data on civilian-officer interactions can be disclosed on a real-time, public-facing dashboard (**Recommendations 9, 17**).

Our findings and recommendations are discussed in detail beginning on page 17. We believe our recommendations will provide more accountability and improve operation efficiency. We would like to thank the PBP staff for their cooperation and assistance during this audit, as well as the CPRB for their vital contributions and support.

Sincerely,

Michael E. Lamb                  Elizabeth C. Pittinger                  Dr. Emma Lucas-Darby
City Controller                    Executive Director, CPRB                Chair, CPRB

## INTRODUCTION

This performance audit of the **Department of Public Safety's Bureau of Police (PBP)** was conducted pursuant to section 404(c) of Pittsburgh's Home Rule Charter.

This audit was conducted jointly with Pittsburgh's Citizens Police Review Board (CPRB). This collaboration is the result of a referendum passed by the residents of Pittsburgh in 2021, which was in response to local concerns about police brutality after George Floyd was killed by police in Minnesota in 2020. This is the initial joint audit and examines the policies, procedures, and quantifiable outcomes produced by the Bureau of Police. The two previous PBP audits released in 2013 and 2020 by the City Controller's Office focused on policies, procedures, and practices of an officer's secondary employment.

## OVERVIEW

The PBP provides law enforcement and public safety services to city residents and visitors. The Bureau is the largest law enforcement agency in Western Pennsylvania (PA) and the third largest in the state with over 900 sworn officers. Leadership of the PBP is assigned to the chief of police, who is appointed by the mayor and approved by City Council. The chief works directly with the director of public safety, who oversees the PBP and the city's three other public safety bureaus.

Composition of the Bureau includes the chief's office and three branches: operations, investigations, and administration. Each branch is headed by an assistant chief that reports directly to the deputy chief of police.

The PBP headquarters is located at 1203 Western Avenue in Chateau on the north side of the city. The PBP is divided into six operational zones, described in greater detail later in the audit. There are also two substations, one located in Northview Heights and one Downtown where officers can access computers and write reports.

PBP Budget

According to the 2020 city operating budget, the PBP was allotted 899 uniformed officers and 163 civilian positions. The budget indicated one sergeant position was grant funded, bringing the total uniformed officer strength to 900. The total 2020 PBP budget was $114,787,000 and was used to cover the following expenses: salaries & wages, employee benefits, professional and technical services, property services, other services, supplies, and property.

Organizational Structure and Divisions

Figure 1 shows a summary of the 2020 organizational structure of the Bureau from the PBP Annual Report.

**FIGURE 1**
**2020**
**PBP Organizational Chart**

```
                              ┌─────────────────┐
                              │ Chief of Police │
                              └────────┬────────┘
                              ┌────────┴────────┐
                              │  Deputy Chief   │
                              └────────┬────────┘
         ┌───────────────────────────┼───────────────────────────┐
┌────────┴────────┐         ┌─────────┴────────┐         ┌────────┴─────────┐
│ Assistant Chief │         │ Assistant Chief  │         │ Assistant Chief  │
│  Investigations │         │    Operations    │         │  Administration  │
└────────┬────────┘         └─────────┬────────┘         └────────┬─────────┘
```

| Commander Major Crimes | Commander Narcotics & Vice | Commander Zone 1 | Commander Administration | Commander Support Services |
|---|---|---|---|---|
| Violent Crimes Unit/Group Violence Intervention | Narcotics & Vice | Commander Zone 2 | Training Academy | Warrant Office |
| Burglary/Pawn | Task Forces | Commander Zone 3 | Property Room | Telephone Reporting Unit |
| Auto Arson | Firearms Tracking | Commander Zone 4 | OMI | Courts Liason |
| Sexual Assalt Child Abuse Missing Persons | Graffiti | Commander Zone 5 | | Computer Operations |
| Witness Protection | | Commander Zone 6 | | Wellness |
| Crime Unit | | Commander Special Deployment Division | | Records Room |
| | | Community Outreach | | |

Source: 2020 PBP Annual Report

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Chief of Police

All PBP initiatives, goals, policies, and procedures are established under the chief of police. In July 2020, the Office of Strategy, Accountability, and Resiliency (OSAR) was created by the chief. OSAR helps promote and implement all PBP's new plans and organizational goals; develops and reviews policies and procedures; and conducts audits to ensure that all PBP employees are adhering to the rules, regulations, and procedural orders established by the Bureau.

In 2020, the police chief moved the Community Engagement Office (CEO) from the operations branch to under the chief's office so that the chief may be directly involved in its programs. The CEO develops and participates in programs that help address the needs of city neighborhoods. The goal of the office is to build strong relationships, based on trust and respect, between city residents and the PBP.

Crime analysis and intelligence are managed by the commander named to the chief of staff position. This includes the real-time crime center located at police headquarters. The center uses technology and resources to give officers instant information to prevent and solve crimes.

Administrative Branch

The administrative branch consists of three units: training academy, property room, and support services. The training academy is responsible for training all new recruits and active-duty officers with new equipment, tactics, and weapons. The property room is used to hold evidence that has been seized in a case. General supplies and equipment for the PBP are also stored and picked up at the property room.

Support services manages the warrant office, telephone reporting unit, courts liaison unit, computer operations unit, records room, and employee wellness office. Support services provides the clerical job duties for the PBP. This includes processing police reports and arrest paperwork, taking police reports over the phone, scheduling and handling court cases, and warrant activities. The computer operations unit is also part of support services. This staff works directly with the Department of Innovation and Performance (I&P) to resolve computer and software issues.

Investigations Branch

Detectives assigned to the investigations branch are responsible for investigating assigned cases and using their expertise and resources to support the needs of the operations branch and the mission and goals of the PBP. The investigations branch oversees major crimes and narcotics, vice, and firearms tracking and trafficking. In addition, the violent crimes unit, burglary/pawn unit, auto squad unit, fire investigations unit, the special victims' unit, witness protection unit, computer crimes unit are all part of major crimes. Narcotics and vice also investigate illegal drug activity, prostitution, nuisance bars, human trafficking, firearms tracing and trafficking, graffiti, fugitive apprehension unit and overseeing the federal task forces (US Marshalls, ATF, DEA, FBI and HIDTA).

Operations Branch

The operations branch is responsible for providing law enforcement service to all city neighborhoods. This consists of the visible police presence that interacts with the public on an everyday basis. The operations division is broken into six different geographic zones (listed below) strategically spaced throughout the city for more efficient policing, planning and oversight. All community outreach program work is performed by officers from the operations branch.

In 2020, all school crossing guard positions reported to the operations branch. However, the director of public safety moved all school crossing guard positions under the Department of Public Safety's Bureau of Administration in 2021. A review of school crossing guard positions was out of the scope for this audit.

Police Zone Coverage

The following figure shows the locations of the six operation branch stations and a map of the neighborhoods each station serves:

Zone 1: 1501 Brighton Road, 15212          Zone 4: 5858 Northumberland Street, 15217
Zone 2: 2000 Centre Avenue, 15219          Zone 5: 1401 Washington Blvd,15206
Zone 3: 830 East Warrington Avenue, 15210  Zone 6: 312 S. Main Street, 15220

**FIGURE 2**
**Police Zone Area Map**
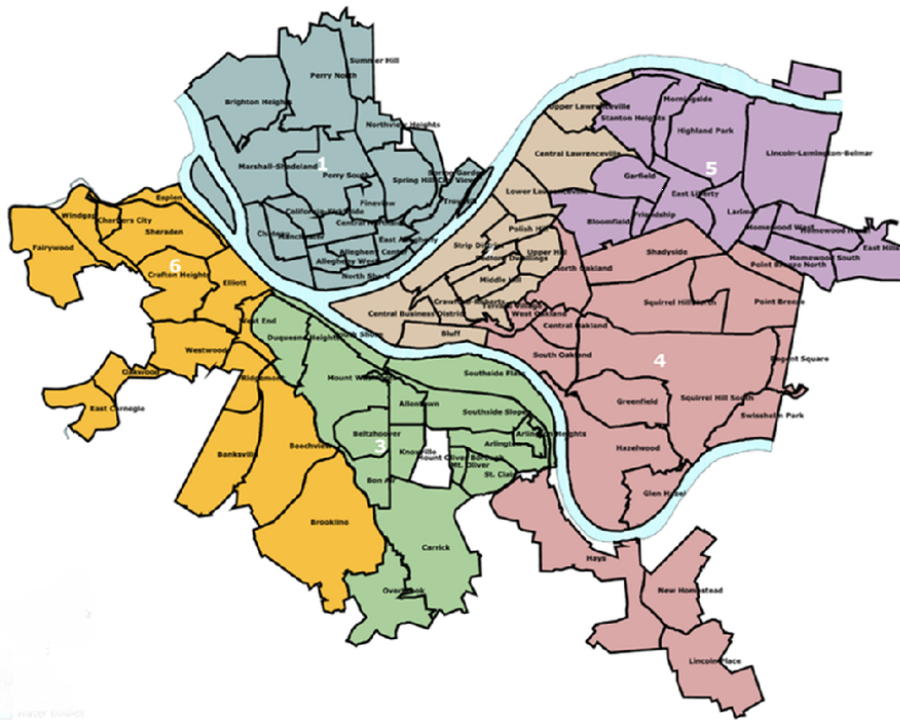


Source: PBP Website

Special Deployment Division

The operation branch's special deployment division consists of different support units with specially trained officers in a certain area of law enforcement. Listed below are the more common units in the special deployment division:

Explosive Ordinance Detachment (Bomb Squad): technicians trained in detecting, handling, and deactivating hazardous devices, explosives, and/or chemicals.

River Rescue Unit: works with the Emergency Medical Services SCUBA search and rescue team in responding to emergencies and enforcing laws on the city's three rivers.

Special Weapons and Tactics (SWAT): consists of police officers throughout the entire Bureau. They are involved in missions such as barricaded individuals, hostage situations, and dignitary protection. They also provide tactical support to local, state, and federal agencies.

Canine Unit: police officer handlers and dogs go through a three-month training academy program where they are taught to track down criminals, illegal drugs, weapons, explosives, and missing persons. In 2020, the PBP employed 17 handler and dog teams.

Mounted Unit: police officers on horseback are deployed during protests, riots, and large gatherings, giving officers a heightened view to see over large crowds.

Traffic Division: enforces traffic laws on the road, monitors school zones, performs traffic control during large gatherings, and volunteers at special events. The motorcycle unit also falls under the traffic division.

Commercial Vehicle Enforcement Unit: ensures all drivers and commercial vehicles on the road are following federal, state, and local laws using checkpoints and roving patrols.

Collision Investigation Unit: composed of officers with extensive crash reconstruction training. This unit investigates all vehicle crashes that involve critical injuries and death.

Special Response Team: A team of officers trained to maintain the safety and peace of participants and non-participants during a rally, protest, or event. The officers are trained in crowd control, civil rights protection, and responding to hazardous material events or other Homeland Security functions.

Tactical Negotiation Team: A team of officers that are highly trained in tactical negotiation and crisis intervention. The officers use communication skills and rapport to resolve hostage situations, threats of suicide and barricade incidents

Rank Structure

The chain of command of the PBP consists of the following: police chief, chief of staff, deputy chief, assistant chief of police, commander, lieutenant, sergeant, detective, and police officer.

All PBP police officers, detectives, sergeants, and lieutenants are members the Fraternal Order of Police, Fort Pitt Lodge No. 1 union. Command staff are not members. All staffing is based on rank structure. The police chief is appointed by the mayor and serves as the executive head of PBP. All other ranks are promotable under civil service guidelines.

The PBP also employs civilians in areas that do not require the authority of a police officer, Civilian employees are assigned jobs in crime analysis, dispatching, and administrative positions at various zones, units, and departments.

Shifts Schedule

All six police zones have the same three shifts that allow them to provide services 24 hours a day, seven days a week.  The three shifts starting times are as follows:

- Morning: 6:00 a.m. and 8:00 a.m.
- Afternoon: 2:00 p.m. and 4:00 p.m.
- Night: 10:00 p.m. and 12:00 a.m.

The contract agreement between the city and police union states that every officer on duty is required to work an eight-hour shift for five days in a row with two consecutive days off to follow. The first eight-hour shift could fall on any day of the calendar week.


## OBJECTIVES

1. Determine the demographics of PBP officers.
2. Evaluate the officer recruitment and hiring process.
3. Evaluate the police training academy curriculum.
4. Analyze the geographic distribution and demographic composition of arrests made.
5. Assess the impact of the city's marijuana decriminalization ordinance on arrests for marijuana possession.
6. Analyze complaints made against PBP officers.
7. Evaluate the policies, procedures, and practices for officer body-worn cameras.
8. Examine the status of the new Records Management System.
9. Assess approaches to behavioral health crises.
10. Assess PBP involvement with community outreach.
11. Make recommendations for improvement.

## SCOPE

The scope of this performance audit is for the entire calendar year of 2020. The pandemic began in Pittsburgh in March of 2020. The impact of the pandemic on arrest rates was outside the scope of this audit. To determine the impact of the city's marijuana decriminalization ordinance, the auditors examined the number of citations and arrests for marijuana possession from 2017 to 2020. The auditors also examined officer co-response strategies under development by the Office of Community Health and Safety, which is under the co-direction of the Department of Public Safety and Office of the Mayor, from its establishment in 2020 through January 2022.

## METHODOLOGY

The auditors had a video meeting using Microsoft Teams with the public safety director, public safety's assistant director of operations, PBP chief of police, and the executive director of the Citizen Police Review Board (CPRB) to discuss audit objectives.

Given the referendum vote, this was the initial joint audit conducted by the City Controller's office and the CPRB. To ensure equal engagement and input, audit meetings were held routinely with the executive director of the CPRB, for input, suggestions, and recommendations.

Meetings were held with the PBP staff via Microsoft Teams to discuss the roles of the community engagement office and crime analysis unit, and implementation of the new PBP records management system.

The auditors received a spreadsheet of the current PBP staff from the director of the city's Department of Human Resources and Civil Service. The spreadsheet was used to tally demographics and job assignments for all sworn officers in 2020.

Recruiting and hiring process information was taken from the PBP webpage and the police officer job posting from the city's online career center.

The auditors were provided a PBP training academy syllabus and statistics on the number of recruits who graduated the academy from the PBP training academy director. The Municipal Police Officers' Education and Training Commission of Pennsylvania (MPOETC) webpage was researched for information on their mandated training program for all Pennsylvania law enforcement agencies.

The Law Department provided information regarding city funds spent on lawsuits and judgments related to police misconduct allegations.

All officer use-of-force statistics were taken from the 2020 PBP annual report. All PBP incident and arrest statistics were compiled using datasets from the Western Pennsylvania Regional Data Center (WPRDC) website.

The PBP Manual of Procedural orders was used to review the following policies analyzed in the audit: body-worn cameras, police officer training, use-of-force, and uniforms and equipment.

The Office of Municipal Investigations (OMI) provided the auditors with information on the PBP candidate background check and officer complaint filing processes. OMI also supplied the 2020 officer allegation database.

All questions regarding officer uniform and equipment were summarized in an email by the property room sergeant in conjunction with the PBP quartermaster.

Other documents and sources reviewed by the auditors include the 2020 PBP operating budget; contract between the city and Fraternal Order of Police, Fort Pitt Lodge No. 1; Allegheny County record management contract; and the Federal Bureau of Investigation (FBI) website.

Documentation regarding the Bureau's Naloxone policy was provided by the deputy chief. The Office of Community Health and Safety (OCH&S) manager provided the auditors with information about the office's co-responder program.

# FINDINGS AND RECOMMENDATIONS

**Pittsburgh Community Task Force for Police Reform**

In June 2020, in response to local and nationwide protests following the killing of George Floyd by Minneapolis Police, the mayor named 17 individuals to sit on a task force for police reform. The stated goal of the task force was to "lay out a blueprint for real and sustained change and reform for the Pittsburgh Bureau of Police, generating recommendations for concrete suggestions and people-orientated solutions that will make Pittsburgh a safe and healthy place for all of our citizens, especially for members of our Black community". In October 2020, the task force issued its report, identifying eight key areas for reform as follows:

1. Eliminating Racial Disparities
   - Pittsburgh Bureau of Police and the City of Pittsburgh should gather and analyze more data on routine police actions, in as rigorous a way as possible; subject these data to regular and comprehensive analysis; and use that analysis to locate the explanations or source of disparate outcomes.
   - Obtain an independent partner to develop an internal and public-facing data platform of enforcement activities.
2. Officer Wellness
   - Increase communication and partnership between PBP and the City of Pittsburgh's Department of Human Resources in order to more effectively serve public safety officers, employees, and their families.
   - Create new and modify existing programs to support a culture of community policing.
3. Reimagining Policing
   - Expand partnerships to handle non-serious crime responses with the goal of moving as many of these responsibilities to others or through hybrid police-social service response models.
   - Partner with County entities, including 9-1-1 and neighboring municipalities, and non-PBP police departments (for example Pittsburgh Public Schools) to reduce over-policing and disparate police actions.
4. Recruitment, Training, Education and Hiring
   - Reform hiring practices to ensure that law enforcement better reflects Pittsburgh demographics, promotes a "guardian mindset," fosters an ongoing commitment to 'community policing', and increases language proficiency, cultural sensitivity, and support for people with disabilities and the LGBTQIA+ community.
   - Establish 'Recruitment Coaches' to help cadet candidates navigate through the hiring process.
5. Relations with Pittsburgh's Fraternal Order of Police
   - Encourage Municipal Police Officers Education and Training Commission (MPOETC) to exercise its authority to more frequently revoke licenses for certain types of misconduct; expand the PA Confidence in Law Enforcement Act to require termination for non-felony misconduct; and amend Act 111 to include a public policy exception to enforcement of arbitration awards.

- Demand increased age, gender, and race diversity in the selection of arbitrators by MPOETC.
6. Transparency and Accountability
    - Institute an office within the mayor's administration to track, analyze, and present data and use this data to inform police policy and reduce over policing of minority communities.
    - Implement an officer bystander intervention program to build a culture of zero tolerance for inappropriate use of force; reduce the number of officers who have been charged with or exhibit consistent patterns of misconduct who return to PBP.
7. Use-of-Force Changes Needed to Pittsburgh Bureau of Police Policy
    - The four overarching general principles denoting the sanctity of every human life should appear clearly and directly in PBP Use of Force policy, even if current language might imply the same ideas. The general principles are outlined in the report.
    - Ensure transparency on use of force policies. Attempt de-escalation before force can be used, unless doing so would be futile or endanger the officer or others; PBP must require officers to intervene to stop another officer from using excessive force and require reporting of all use of force.
8. Use of Tear Gas, Rubber Bullets, "Flash-Bang" Devices and Other Less Lethal Methods of Crowd Control
    - Using tear gas, rubber bullets, flash-bang devices, pepper spray, "bean bag" rounds, and other "less-lethal" weapons for crowd control must be significantly curtailed and used only in life-threatening situations until such time as the next steps below are carried out and completed. If the independent organization described below does not formulate viable recommendations and issue a public report within six months of its formation, a moratorium will go into effect on using the PBP tactics described above. Such moratorium will remain in effect until such time as the independent organization completes its work.
    - The City of Pittsburgh will act to immediately bring in an independent organization to conduct an investigation of PBP's use of "less-lethal" weapons against demonstrators, as well as the use of kettling (crowd-control technique), review current PBP policies, procedures and training.

The full report includes 137 recommendations for improvements. The specific components of these recommendations can be found in the [task force's report](#).

In May 2021, the PBP administration launched a webpage for the public to see their responses to the task force's recommendations and to monitor progress on changes made. That page can be found [here](#). Many of these recommendations served as a basis for the topics explored throughout this audit.

**Staffing**

There were 958 sworn uniformed police officers and 31 new recruits at the end of the 2020 calendar year. In addition, the PBP had 65 civilian employees. Table 1 shows the distribution of all sworn officers across the chief's office, operations, administration, and investigative branches.

The total number of officers presented in Table 1 exceeds the 900 uniform positions listed in the 2020 city's operating budget. Given the uncertainty as to how many new hires there will be each year, the PBP budget does not apply a numerical figure to first-year officers and recruits. During 2020, some of the first-year officers and police recruits completed their training and were added to the PBP distribution table.

**TABLE 1**

| 2020 PBP Staff by Division | |
|---|---|
| **CHIEFS OFFICE** | |
| **Chief Office** | |
| Police Chief | 1 |
| Commander | 3 |
| Lieutenant | 1 |
| Sergeant | 3 |
| Detective | 5 |
| Police officer | 2 |
| **Deputy Chief Office** | |
| Deputy Chief | 1 |
| Sergeant | 1 |
| Police officer | 1 |
| **Crime Analysis and Intel** | |
| Sergeant | 4 |
| Lieutenant | 1 |
| Detective | 20 |
| Police officer | 4 |
| **TOTAL** | **47** |
| **OPERATIONS BRANCH** | |
| **Assistant Chief Office** | |
| Assistant Chief | 1 |
| Police officer | 1 |
| **Zone 1** | |
| Commander | 0* |
| Lieutenant | 3 |
| Sergeant | 10 |
| Detective | 8 |
| Police officer | 76 |

TABLE 1 (Continued)

| | |
|---|---|
| **Zone 2** | |
| Commander | 1 |
| Lieutenant | 3 |
| Sergeant | 10 |
| Detective | 7 |
| Police officer | 80 |
| **Zone 3** | |
| Commander | 1 |
| Lieutenant | 3 |
| Sergeant | 10 |
| Detective | 7 |
| Police officer | 96 |
| **Zone 4** | |
| Commander | 1 |
| Lieutenant | 3 |
| Sergeant | 8 |
| Detective | 7 |
| Police officer | 68 |
| **Zone 5** | |
| Commander | 1 |
| Lieutenant | 3 |
| Sergeant | 10 |
| Detective | 7 |
| Police officer | 83 |
| **Zone 6** | |
| Commander | 1 |
| Lieutenant | 3 |
| Sergeant | 9 |
| Detective | 6 |
| Police officer | 64 |
| **Special Deployment Division** | |
| Commander | 1 |
| Lieutenant | 3 |
| Sergeant | 7 |
| Police officer | 80 |
| **Northview Heights Substation** | |
| Sergeant | 1 |
| Police officer | 3 |
| **TOTAL** | **686** |

**TABLE 1 (Continued)**

| ADMINISTRATIVE BRANCH | |
|---|---|
| **Assistant Chief Office** | |
| Assistant Chief | 1 |
| Commander | 1 |
| Lieutenant | 1 |
| **Warrant Office** | |
| Commander | 1 |
| Lieutenant | 1 |
| Sergeant | 5 |
| Police officer | 16 |
| **Computer Operations** | |
| Sergeant | 1 |
| Police officer | 4 |
| **Property Room** | |
| Sergeant | 1 |
| Police officer | 4 |
| **OMI** | |
| Sergeant | 1 |
| Detective | 4 |
| Police officer | 2 |
| **Training Academy** | |
| Lieutenant | 1 |
| Sergeant | 3 |
| Police officer | 10 |
| **Long Term Leave** | |
| Police officer | 2 |
| **Compensation** | |
| Detective | 1 |
| Police officer | 4 |
| **TOTAL** | **64** |
| INVESTIGATIONS BRANCH | |
| Assistant Chief | 1 |
| **Major Crimes** | |
| Commander | 1 |
| Lieutenant | 2 |
| Sergeant | 10 |
| Detective | 85 |
| Police officer | 3 |
| **Narcotics Vice** | |
| Commander | 1 |

**TABLE 1 (Continued)**

| | |
|---|---|
| Lieutenant | 2 |
| Sergeant | 6 |
| Detective | 47 |
| Police officer | 3 |
| **Total** | **161** |
| **RECRUITS** | |
| **Total** | **31** |
| **TOTAL (PBP)** | **989** |

Source: Department of Human Resources

*Zone 1 commander position was vacant on spreadsheet

**CHART 1**
**2020 PBP Staff**
**by Gender**



PBP Employees by Gender

14%

86%

■ Male (846)
■ Female (143)
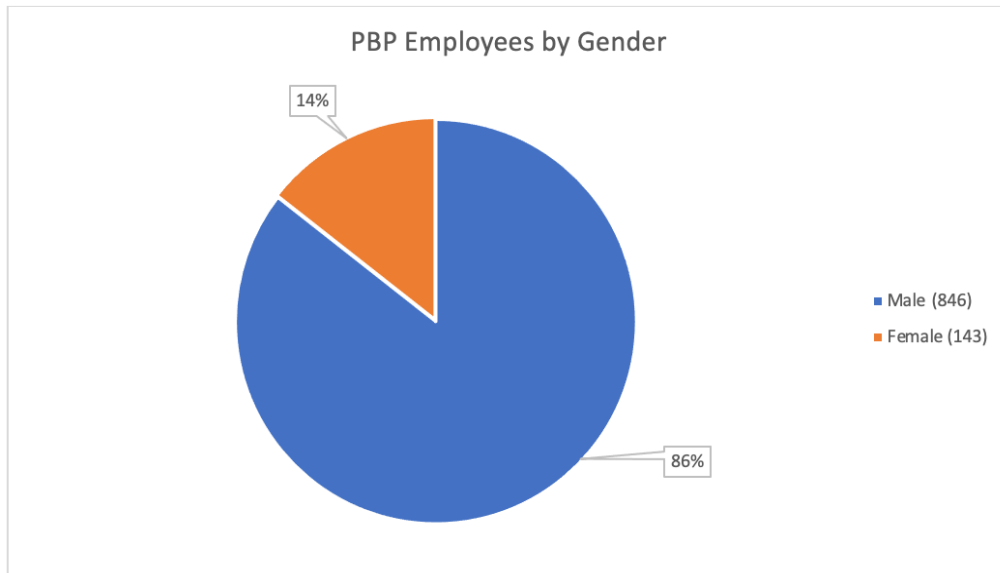
Source: Department of Human Resources

**CHART 2**
**2020 PBP Staff**
**by Race or Ethnicity**

PBP Employees by Race or Ethnicity



- White (825)
- Black/African-American (111)
- Hispanic or Latino (12)
- Asian (7)
- American Indian or Alaskan Native (3)
- Declined to Answer (5)
- Unknown (23)
- Two or More Races (3)
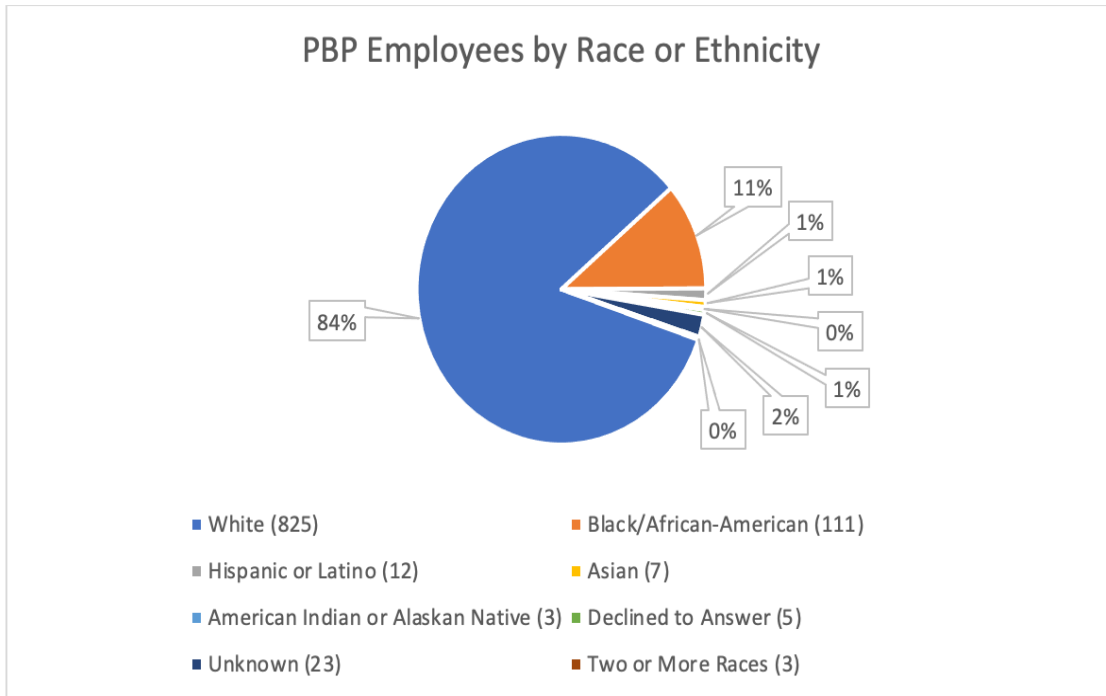
Source: Department of Human Resources

Of the 825 white police officers, there were 714 males and 111 females. Black officers consisted of 88 males and 23 females. All 12 Hispanic or Latino officers were males. Asian officers consisted of six males and one female. American Indian or Alaskan Native officers consisted of two males and one female. Three males were of two or more races. Three males and two females declined to self-report race or ethnicity. Of the 23 officers of an unknown race, 18 were male and 5 were female.

**Officer Recruitment**

The PBP webpage includes a "become a police officer" link that provides: an overview of what the PBP does, information on the application process, pre-employment test preparation, a link to apply for the job, police salary and benefits listing, promotional opportunities, upcoming recruiting event locations and times, and police officer job testimony videos.

The PBP offers the *JoinPGHPolice* mentoring program on their webpage for those interested in becoming a police officer. Seven veteran police officers are involved in the mentoring program to answer questions about career opportunities and the hiring process for those interested.

College job fairs, police zone open houses, and social media are some of the other outlets the PBP uses to recruit new police officers.

**Officer Hiring Process**

The PBP has a rigorous officer recruitment process that requires numerous steps for a candidate to complete before they are considered for employment. The Department of Human Resource and Civil Service will notify each candidate via mail or email which decisions were made after completing each step of the process. Below is a flowchart followed by a detailed summary of each step in the hiring process.

**FIGURE 3**
**PBP Hiring Process Flowchart**

Meet General and Education Application Requirments → Pass Written Exam → Pass Fitness and Reading Exam → Polygraph Test

Oral Background Interview with PBP Selected Team ← OMI Creates a Candidate Executive Summary Report that is sent to PBP Chief and Team for Review ← OMI Comprehesive Background Check (6 Weeks Long) ← Urine and Hair Sample Drug Test

Candidate Offered Employment Upon Condition of Passing a Medical Exam and Psychological Assessment → Candidate is Notified of Final Offer of Employment → Candidate Scheduled for PBP Training Academy

Source: PBP website

General Requirements

According to the employment application online, those applying to be a PBP officer must meet the following requirements:

- 18 years of age or older
- United States citizen
- Have a current and valid driver's license
- Must be or become a resident of an area within a 25-mile air radius of the City-County Building prior to employment and remain a resident within that radius during the entire time of employment

The 25-mile radius residency requirement for all police officers was established by a PA Supreme Court ruling in May 2017, when the court held that residency is subject to collective bargaining. Prior to this date, all PBP officers were required to live within the city limits like all other city employees.

Education Requirements

At the time of job application submission, all applicants must have completed 30 semester credits (or 45 quarter credits) at a college, university, technical, or trade school or they will be disqualified for the position. All credits must be transferable to a college and can be applied towards **any** degree, certificate or license.

All applicants must have completed 60 semester credits or 90 quarter credits at a college, university, technical, or trade school by the time their name reaches the top of the civil service eligibility list. Applicants who do not meet this requirement can request a one-year civil service education deferment if the civil service eligibility list has not been exhausted or expired.

Semester credits may be substituted by active military duty with an honorable discharge. The Department of Human Resources and Civil Service will waive 60 semester hours if the applicant has at least four years of active military duty and waive 30 semester hours if the applicant had at least two years of full active military duty.

Semester credits may also be substituted with the Act 120 basic training certification earned from the Municipal Police Officers' Education and Training Commission of Pennsylvania (MPOETC). Act 120 is the minimum curriculum and training standards for municipal police officers established by MPOETC. Act 120 certification is required in order to be employed as a Pennsylvania municipal officer. All Pennsylvania law enforcement agencies are required to use MPOETC curriculum to train recruits and the program is also offered to students at colleges and universities. The training program includes written exams and a physical fitness test.

The Department of Human Resources and Civil Service will waive 60 semester credits if the applicant is Act 120 certified or certified by an equivalent agency from another state with **at least** two years of full-time, paid policing experience. With the above requirements and **less than** two years of full-time, paid policing experience, 45 semester credits will be waived.

Testing Requirements

All candidates who meet the general application and education requirements are scheduled and notified by mail to take the written examination. A passing score on the written exam is 75%. Candidates with a passing score who are veterans are eligible to receive 10 extra points in addition to their final score. Candidates who pass the written test are placed on the eligibility list for 18 months. All candidates are ranked on the eligibility list by month tested and order of written examination scores (highest to lowest). All candidates from the current month's eligibility list will proceed to the next step in the hiring process before any candidate who passed the written examination during a later month.

When the candidate's name is reached on the eligibility list, they are mailed a candidate processing packet with a deadline date. The candidate completes the candidate processing packet, which asks for additional information, such as financial, criminal and civil history, drug use, and social media habits. All packets must be completed and returned by the due date in order to be scheduled for the MPOETC fitness exam and reading test.

The fitness exam is a four-part test consisting of a 300-meter run, bench press (% of bodyweight), 1 minute of sit-ups, and a 1.5-mile run. MPOETC physical test scores are based on gender and age average standards formulated by the Cooper Aerobics Institute. The candidate must score in the 30th percentile in each test to attain a passing score.

The Nelson Denny Reading Test is a standardized test used by schools for the purpose of screening incoming students on their current level of reading. There are two parts to the exam: a vocabulary test and a reading comprehension test. MPOETC requires candidates to achieve a 9th grade reading level on the Nelson Denny Test.

Due to time constraints, Office of Municipal Investigations (OMI) staff will conduct preliminary background investigations simultaneously with the start of the candidate's fitness test. OMI will run the candidate's name through numerous databases to check their criminal, driving, and credit history. The candidate's background is also checked at the prothonotary's office, warrant office, and on social media sites.

All candidates are subject to a polygraph exam following successful completion of the fitness and reading tests. The polygraph exam is conducted by an OMI employee, police staff, or an outside contractor. The pre-polygraph exam starts with an interview where the candidate is asked to answer various questions based on information provided on their packet and the OMI database search results. After the interview, the candidate is attached to a polygraph instrument and asked to answer a nine-question standardized test to determine if certain questions result in any significant reactions.

According to the OMI director, the polygraph exam may include questions about the candidate's criminal history, if they have ever had affiliations with hate groups, explanations about prior assaults or threats toward individuals, or questionable social media posts. The director of OMI stated that exam results alone have never disqualified a candidate for the police officer position.

After completion of the polygraph exam, the candidate is instructed to take a urine and hair sample drug test at UPMC Mercy OccuNet. Candidates who test positive on the drug tests are disqualified.

**Finding:** New recruits are screened for affiliations with hate groups or questionable past statements using background checks, social media review (e.g., Facebook, Twitter), and a polygraph exam. Any negative response can disqualify a candidate.

Next, the candidate's case is assigned to a field investigator from OMI who will conduct a comprehensive background investigation. The investigation period encompasses the preceding ten years. The field investigator will contact the candidate's previous employers, landlords, military supervisors (if applicable), and three personal references. Neighborhood canvasses are performed of the candidate's current and past residences. Polygraph admissions and packets are reviewed and compared to make sure there are no gaps or missing information. This may require the field investigator to contact other police departments or government agencies. The comprehensive background investigation portion of the hiring process takes approximately six weeks. Some examples of candidate background issues that may disqualify a candidate from obtaining PBP employment include: criminal felony convictions, domestic violence, restraining orders, history of perpetrating verbal/physical/mental abuse, use of derogatory stereotypes in jokes or daily language, violations of prohibitions against legally possessing a firearm, driving while under the influence, multiple speeding tickets, drug use, dishonorable discharge from the military, or poor employment history.

OMI will create an executive summary report for each candidate using the information found. Executive summary reports are reviewed by the chief of police and their selected review panel consisting of police staff.  The PBP website states that an executive summary report is "...comprehensive to include specific categories identified as being primary to the selection process." Some information is non-identifiable on the report to prevent discrimination and political hiring including the candidate's name (instead identified as a number on the report), gender, and race.

Next, candidates are invited to a panel interview with the selected team that reviewed their executive summary report. The first portion is an interview conducted blindly with identifying information removed from the candidate's file. All identifying information is provided to the panel during the second portion of the interview and the candidate is asked question related to their background investigation.

After the interview, the candidate will either receive a conditional offer of employment or be decertified. All decertified candidates will receive a letter stating who they may contact to be informed of the reasons why they were decertified.

**Finding:** To avoid the opportunity for political hiring or discrimination, candidates are only identified by number in hiring reports.

The candidates conditional offer of employment is dependent on the candidate passing a psychological assessment and a medical examination. The psychological assessment has two parts: a written examination and an interview with a civil service psychologist. If the candidate

successfully completes the psychological assessment and a medical examination, they are notified of a final offer of employment. The candidate will then be scheduled for a police uniform fitting and a start date for the PBP training academy. The entire hiring process takes the candidate an estimated 9-12 months to complete, from the written examination to acceptance into the PBP training academy.

Validity of Polygraph Examinations

The validity of polygraph results has been disputed by the scientific community, including the National Research Council, American Psychological Association, and National Academy of Sciences. Most employers are prohibited from using polygraphs as part of the hiring process under the Employee Polygraph Protection Act, and in 1998, the Supreme Court upheld state and federal policies that made polygraph results inadmissible in court. Given that OMI was unable to identify any applicants denied solely based on their polygraph results, its usefulness appears limited at best.

Community Advisory Panels as a Police Hiring Tool

In 2020, Schenectady, New York adopted an alternative approach to evaluating police applicants. As part of the city's vetting process, all new police recruits and hires appear before a six-member community advisory panel. The purpose of the panel is to assess truthfulness, body language, behavior under stress, overall responses to questions, and ability to interact with members of the community. The panel is comprised of community leaders who serve voluntarily. To date, all members appointed by the police chief have been members of minority ethnicities. The panel's feedback is weighed just as heavily as other components of the hiring process.


**RECOMMENDATION 1:**

PBP and OMI administration should eliminate the use of polygraph tests in the hiring process. In its place, the mayor's administration should work with the PBP to adopt a community panel interview process for all new police applicants before they are accepted as a recruit. Appointments to the panel should be made independently of the PBP and prioritize the representation of impacted minorities. The panel's recommendations should be weighed as heavily as other stages of the hiring process.



Screening for Affiliations with Extremist and Hate Groups

In a 2017 joint bulletin from the FBI and Department of Homeland Security titled "White Supremacist Infiltration of Law Enforcement", the intelligence community reported that white supremacist extremist groups were responsible for more fatalities than any other category of domestic terrorists from 2000-2016. Furthermore, in 2006, the FBI reported that "...white supremacist leaders and groups have historically shown an interest in infiltrating law enforcement". Successful recruitment poses a risk to both the public and law enforcement

personnel given that these actors have access to sensitive information, which can lead to investigative breaches.

Following the attack on the U.S. Capitol on January 6, 2021, an ABC News investigation found that at least 52 active or retired military, law enforcement, or government service employees were among the over 400 arrested, prompting greater focus on government agencies' efforts to screen for these affiliations. Examples of prominent paramilitary groups include the Proud Boys, Oath Keepers, and Three Percenters, all of which were involved with inciting the January 6 attack as well as dozens of violent incidents nationwide.

Yet the Brennan Center, a nonprofit law and public policy institute, reported in 2020 that few law enforcement agencies have policies explicitly prohibiting officers from affiliating with these groups, instead relying on anti-discrimination and social media policies to impose discipline for questionable behavior. The PBP most recently updated its social media policy in 2020 to prohibit on-duty or off-duty expressions of discrimination or violence on any forum, following an OMI complaint regarding one officer's online communications.

As reported in the previous section, the city's policy to screen for affiliations with violent extremist or hate groups largely rests on polygraphs and background checks for new recruits.

Definitions as provided by the Center for Policing Equity:

- **Hate Groups** - any person or group that advocates, incites, or supports criminal acts or criminal conspiracies or promotes hatred or discrimination toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals protected by law.
- **Paramilitary Groups** - any person or group that advocates the overthrow of the U.S. government or any state, municipal, tribal, or other government by force or violence or any unlawful means.

**Finding:** In 2020, the PBP updated its social media policy to prohibit on-duty or off-duty expressions of discrimination or violence from PBP employees.

While some officers terminated for these affiliations have challenged the actions on First Amendment grounds, the courts have largely upheld their dismissals. The FBI's 2006 assessment summarized the current judicial precedent: "Although the First Amendment's freedom of association provision protects an individual's right to join white supremacist groups for purposes of lawful activity, the government can limit the employment opportunities of group members who hold sensitive public sector jobs, including jobs within law enforcement, when their memberships would interfere with their duties." This philosophy is already reflected by PBP Orders 11-3 (Unbiased Policing) and 68-03 (Social Media Accounts), which regulate the conduct of officers whose statements and actions, whether on-duty or off-duty, may jeopardize the integrity of impartial law enforcement.

**RECOMMENDATION 2:**

In consultation with the Law Department, the current Department of Public Safety and PBP administration should establish a clear policy against current and future employee affiliations with hate groups or paramilitary groups, with an exception for contacts legitimately made to infiltrate an organization within the line of duty. It should establish a clear mitigation plan when those affiliations are found, on a case-by-case basis, including termination of an officer when necessary.

Those found to be in violation should be included on the department's Brady List, which tracks officers with a history of credibility issues to avoid putting them on the stand when testifying in a prosecution case (see recommendation 18). The nature of affiliations by all officers should include on-duty or off-duty communications, social media postings, tattoos, or display of insignia associated with those groups. It should also include a duty to report when one PBP employee knows of another employee's violation of this policy.

The Bureau and city residents would benefit from a new or amended policy that explicitly prohibits PBP personnel from joining, advocating for, or associating with hate or paramilitary groups. An explicit policy would set a public understanding that these affiliations do not align with the Bureau's core values and that those in violation will be held accountable, strengthening community trust.

**RECOMMENDATION 3:**

City administration should require OMI staff to conduct periodic and random social media checks of active-duty officers to monitor compliance with this policy and ensure that OMI has the necessary personnel to conduct such a policy. All PBP employees should be aware that OMI staff will continue social media checks after they are employed and that content in violation of PBP policy can be grounds for disciplinary action or termination.

PBP Recruitment Statistics

The auditors wanted to evaluate the number of police candidates still available for hire for the 2020 class at different stages of the recruitment process. In addition, the audit team wanted to determine the reason why each candidate was disqualified from advancing to the next stage in the process. All information was requested and received from the Department of Human Resources and Civil Service. In 2020, there were 179 candidates who passed the written examination and were mailed candidate processing packets. Ninety-Four (94) of those candidates filled out the packets and returned them in order to take the MPOETC reading and fitness exams. Seventy-eight (78) candidates took and passed the MPOETC exams.

Only 36 (46.2%) of the candidates who completed the MPOETC exams were accepted into the March 2020 training academy class. The Department of Human Resources and Civil Service noted that this was due to a variety of reasons. Some candidates did not show up for polygraph and drug tests, some failed drug tests, some were not selected by panel of a PBP command staff, some had questionable background information, and some were not recommended by a psychologist(s) or did not successfully complete the medical exam. Exact numbers for each reason they were not accepted were not provided.

In addition, officers with prior disciplinary actions who have been reinstated are required to retake the training academy curriculum as a corrective measure. In 2020, two reinstated officers were retrained, bringing the total 2020 PBP training academy roster to 38.

**Police Officer Training Academy**

Newly appointed hires who are attending the Act 120 basic police officer training academy are called police recruits. The PBP academy training curriculum taught to recruits is certified by the Municipal Police Officers' Education and Training Commission (MPOETC). The training usually takes a recruit 32 weeks (8 months) to complete. Any recruit who is hired into the academy who is already Act 120 certified is eligible to attend an accelerated classroom training, at the PBP's discretion, which lasts approximately 10 weeks. The training curriculum must be completed and passed prior to all PBP law enforcement duties.

PBP Training Academy Curriculum

The required MPOETC curriculum is 919 hours of classroom training broken down into five different modules that includes 27 written exams, 6 practical skill evaluations, and 40 hours of various scenarios and exercises. All areas of training must be passed. In modules 1-3, the recruit must receive an 80% cumulative score in each module's written exams to proceed to the next module. The recruit only gets one chance at getting a passing score. Failure to do so will result in the recruit's removal from the PBP training academy. According to Order 71 from PBP Manual of Procedural Orders, "The City of Pittsburgh and the Bureau of Police are under no obligation to allow the basic police recruit to retake and pass the basic police training course, whether in part or its entirety."

In module 4, the recruit must receive an 80% average on all the written exams. In addition to the written exams, the recruit must also pass a practical skill checklist for each module 4 topic. The practical skills checklist is different from Modules 1-3 because the recruit may repeat the test one time upon failure. A second failure in that same skills checklist or a failure in the second skills checklist will result in the recruit's removal from the PBP training academy.

Modules 1-4 must be completed before the recruit can begin module 5. Module 5 involves scenario exercises. The recruit's performance is based on different criteria such as decision making, communications, and use-of-force standards. Manual Procedural of Order 70-01 states that "the recruit must obtain an overall rating of satisfactory performance at the end of the scenario exercises to pass Module 5. If the overall performance is unsatisfactory, the basic

police recruit will have an overall failure." However, the MPOETC will review all unsatisfactory ratings and determine if the recruit can have another chance to complete module 5.

Upon successful completion of all 5 modules, the recruit must pass the MPOETC certification exam at the training academy in order to qualify for Pennsylvania Act 120 Certification. A minimum score of 72% or higher is required to pass the examination.

Shown below is the current MPOETC curriculum offered by the PBP training academy as taken from MPOETC webpage.

**FIGURE 4**
**PBP Training Academy Curriculum**

Municipal Police Officers' Education and Training Commission
2020 Basic Police Syllabus (20190712)

| Curriculum Sections | Classroom | Practical | Total Hrs | Test # | # Questions | Module |
|---|---|---|---|---|---|---|
| **MODULE 1** | | | | | | |
| **01. Introduction to the Academy** | | | 6 | | | |
| a. Academy Mission | 1 | | | N/A | | |
| b. Academy Objectives | 1 | | | N/A | | |
| c. Academy Rules and Regulations | 1 | | | N/A | | |
| d. Learning and Study Skills | 2 | | | 1 | | |
| e. Role and Function of MPOETC | 1 | | | 1 | | |
| **02. Introduction to Law Enforcement in PA** | | | 28 | | | |
| a. History and Principles of Law Enforcement | 2 | | | 1 | 50 Q | |
| b. Ethics and Moral Issues | 8 | 4 | | 1 | | |
| c. Community Oriented Policing and Problem Solving | 8 | | | 1 | | |
| d. PA Criminal Justice System | 2 | | | 1 | | |
| e. Report Writing & Notes | 4 | | | 1 | | 1 |
| **03. Laws and Criminal Procedures** | | | 119 | | | (200) |
| a. Constitutional Law | 2 | | | 2 | | (250) |
| b. Authority and Jurisdiction | 2 | | | 2 | 50 Q for T2 | |
| c. Criminal Law | 36 | | | 2 & 3 | 20 Q-OB T3 | |
| d. Criminal Procedure and Laws of Arrest | 24 | 8 | | 4 | 50 Q | |
| e. Search and Seizure | 24 | 8 | | 5 | 50 Q | |
| f. Admissions and Confessions | 2 | | | 6 | | |
| g. Civil Laws | 4 | | | 6 | 10 Q | |
| h. Liquor Laws | 1 | | | 6 | | |
| i. Use of Force in Law Enforcement | 8 | | | 7 | 20 Q | |
| **MODULE 2** | | | | | | |
| **04. Juveniles** | | | 8 | | | |
| a. Juvenile Law and Justice | 8 | | | 8 | 10 Q | |
| **05. Human Relations** | | | 17 | | | |
| a. Perceptions of Human Behavior and Communications | 10 | | | 9 | | |
| b. Cultural and Religious Considerations | 3 | | | 9 | 30 Q | |
| c. Personal Bias and Procedural Justice | 4 | | | 9 | | |
| **06. Responding to Special Needs** | | | 22 | | | |
| a. Behavior Management and Crisis Intervention | 6 | 2 | | 10 | | |
| b. Recognizing Special Needs | 8 | | | 10 | 30 Q | 2 |
| c. Mental Illness | 6 | | | 10 | | (176) |
| **07. Homeland Security** | | | 18 | | | (220) |
| a. Overview of Homeland Security | 4 | | | 11 | | |
| b. Citizenship Issues | 2 | | | 11 | 30 Q | |
| c. Assessing and Responding to Threats of Terrorism | 4 | | | 11 | | |
| d. ICS/NIMS | 6 | 2 | | N/A | | |
| **08. Vehicle Code Enforcement** | | | 64 | | | |
| a. Vehicle Code and Enforcement | 40 | | | 12 & 13 | 50 Q for T11 | |
| b. DUI Enforcement and Prosecution | 24 | | | 12 | 20 Q-OB T12 | |
| **09. Crash Investigation** | | | 27 | | | |
| a. Crash Investigation & Scene Management | 16 | 6 | | 14 | 50 Q | |
| b. Hazardous Materials and Environmental Crimes | 5 | | | 14 | | |
| **MODULE 3** | | | | | | |
| **10. Patrol Procedures and Operations** | | | 105 | | | |
| a. Overview of Patrol Procedures | 2 | | | 15 | | |
| b. Patrol Activities and Incidents | 24 | | | 15 | 50 Q | |
| c. Vehicle Stop Techniques | 8 | 14 | | 15 | | 3 |
| d. Crimes in Progress | 8 | | | 16 | | (216) |
| e. Crowd Control and Civil Disorder | 2 | | | 16 | | (270) |
| f. Domestic Violence | 8 | | | 16 | 50 Q | |
| g. Gangs and Transient Criminals | 8 | | | 16 | | |
| h. Disguised Weapons | 5 | | | 17 | | |
| i. Active Assault | 6 | 16 | | 17 | | |
| j. Ethnic Intimidation & Bias Crimes | 2 | | | 17 | 50 Q | |
| k. Radio Procedures | 2 | | | 17 | | |

**FIGURE 4 (Continued)**

| Curriculum Sections | Classroom | Practical | Total Hrs | Test # | # Questions | Module |
|---|---|---|---|---|---|---|
| **11. Criminal Investigation** | | | 53 | | | |
| a. Crime Scenes and Evidence Collection | 10 | 8 | | 18 | 30 Q | |
| b. Interview and Interrogation | 8 | 4 | | 18 | | |
| c. Identification of Suspects | 2 | | | 19 | | |
| d. Crimes against People | 2 | | | 19 | | |
| e. Crimes Against Property | 1 | | | 19 | | **3** |
| f. Injury and Death Cases | 2 | | | 19 | | **(216)** |
| g. Sexual Offenses and Human Trafficking | 4 | | | 19 | 50 Q | **(270)** |
| h. Crimes Against Children | 4 | | | 19 | | |
| i. Crimes Against the Elderly and Care-Dependent People | 4 | | | 19 | | |
| j. Technology & Social Media | 2 | | | 19 | | |
| k. Surveillance | 2 | | | 19 | | |
| **12. Drug Law Enforcement** | | | 14 | | | |
| a. Controlled Substance, Drug, Device and Cosmetic Act | 2 | | | 20 | | |
| b. Drug Identification | 8 | | | 20 | 30 Q | |
| c. Clandestine Labs | 4 | | | 20 | | |
| **13. Case Presentation** | | | 16 | | | |
| a. Courtroom Testimony and Demeanor | 10 | 6 | | 21 | 10 Q | |

| MODULE 4 | | | | | | |
|---|---|---|---|---|---|---|
| *Module 4 consists of classroom instruction and practical skills instruction. Completion of each Volume requires that the cadet successfully pass both the academic tests associated with classroom instruction and successfully demonstrate practical skills as evaluated on the corresponding skills checklist. Failure of a skills evaluation results in dismissal from the academy.* | | | | | | |
| **14. Operation of Patrol Vehicles** | | | 40 | | | |
| a. Emergency Vehicle Operation | 20 | 20 | | 22 | 10 Q | |
| *Successful completion of Driving Skills Checklist* | | | | | 20 PRAC | |
| **15. Physical and Emotional Readiness** | | | 84 | | | |
| a. Health and Wellness | 4 | | | 23 | | |
| b. Emotional Health, Stress Management, and Resiliency Training | 8 | | | 23 | 20 Q | |
| c. Physical Fitness Training and Testing Requirements | | 72 | | N/A | | |
| *Successful completion of Final Physical Fitness Assessment* | | | | | 20 PRAC | |
| **16. Defensive Tactics** | | | 66 | | | |
| a. Tactical Self Defense | | 58 | | 24 | 10 Q | |
| b. Less Lethal Weapon Familiarization | 3 | 5 | | 24 | | **4** |
| *Successful completion of Defensive Tactics Performance Evaluation* | | | | | 20 PRAC | **(168)** |
| **17. Firearms** | | | 124 | | | **(210)** |
| a. Handgun | 6 | 68 | | 25 | | |
| b. Shotgun | 2 | 16 | | 25 | 20 Q | |
| c. Introduction to Patrol Rifle | 4 | 20 | | 25 | | |
| d. Stress Shooting Course | | 8 | | N/A | | |
| *Successful completion of all Firearms Skills Checklists* | | | | | 20 PRAC | |
| **18. Emergency Response Training** | | | 40 | | | |
| a. First Aid, CPR, and AED | 8 | | | 26 | | |
| b. Opioid Overdoses and Management | 2 | | | 26 | 20 Q | |
| c. Tactical Medicine | 6 | 24 | | 26 | | |
| *Successful completion of Basic CPR/AED and First Aid Certification* | | | | | 20 PRAC | |
| **19. Handling Arrested Persons** | | | 28 | | | |
| a. Mechanics of Arrest, Restraint and Control | 8 | 8 | | 27 | | |
| b. Transporting Prisoners | 4 | | | 27 | 10 Q | |
| c. In-Custody Risks | 4 | 4 | | 27 | | |
| *Successful completion of Handling Arrested Persons Performance Evaluation* | | | | | 20 PRAC | |

| MODULE 5 | | | | | | |
|---|---|---|---|---|---|---|
| **20. Scenarios and Practical Exercises** | | | 40 | | | **5** |
| a. Final Scenarios (Each cadet must complete all required scenarios) | | 40 | | | | |
| *Successful completion of Final Scenarios is required for Graduation* | | | | | | |
| **Total Time** | **498** | **421** | **919** | | | |

Source: MPOETC website

In addition to the MPOETC training, the PBP also requires new recruits to complete 366 hours of training specific to the bureau's own policies and procedures.

Order 70-01 from PBP Manual of Procedural Orders states that "All Basic Police Recruits shall receive the required number of hours of training in such subjects and materials as is mandated by the Commonwealth of Pennsylvania and any additional training in subjects and materials that are prescribed for and related directly to his/her duties with the Pittsburgh Bureau of Police as mandated by the Chief of Police."

De-escalation Training

In recent years, law enforcement agencies have focused more on de-escalation training due to the number of high-profile controversial deadly encounters between officers and citizens. De-escalation training teaches officers and recruits strategies and techniques on how to defuse potentially violent situations. Using such tactics as time, distance, positioning, communication skills, additional personnel, and specialized units can reduce the tension and successfully resolve a situation without the use-of-force. De-escalation techniques have shown to be effective at lowering use-of-force incidents, citizen complaints, injuries, and lawsuits while improving community relations.

The PBP academy director told the auditors that society is under the misconception that there needs to be separate standardized de-escalation training class for all police officers. The training academy has always included aspects of de-escalation training in their classwork. However, the PBP recently implemented an eight-hour de-escalation class and a two-hour online class for new recruits.

**Finding:** PBP training academy incorporates de-escalation training into all aspects of their curriculum as well as offering new targeted classes.

Field Training Program

All recruits are put on a six-month probation period after graduation from the PBP training academy. During this probation period, all probationary officers are required to complete the field training program. This program comprises on-the-job training under the guidance of a field training officer (FTO). An FTO is a veteran officer who meets all FTO certifications as taught by the PBP training academy. The field training program is approximately 13 weeks long and divided into three phases for officers with no prior police experience.

**Finding:** Probationary officers in the field training program do not count as manpower when PBP is determining their staffing levels.

During field training, the probationary officer will be assigned to various zones and shifts with different officers to get accustomed to the job. All probationary officers are required to document their training experiences in a field training manual. The field training manual must be completed before the probationary officer can proceed to their initial assignment.

Each FTO is required to fill out a "Field Training Daily Observation Report for each of their probationary officers.  These reports have guidelines and criteria used to evaluate the officer's job performance. All observation reports are reviewed by the field training supervisor to

determine the probationary officer's progress, strengths and weaknesses, and if additional training is needed. Observation reports are based on a one through five grading scale. A probationary officer must score at least a three (meets PBP standards) in all evaluated areas of the reports to pass the field training program. A score of one or two requires remedial training by the FTO. After 13 weeks, the probationary officer is recommended or not recommended for assignment. Recommendations are made by the FTO during the final phase of the field training program.

All FTO recommendations, observation reports, and the probationary officer's field training manual are reviewed by the field training supervisor and training academy director. After review, the training academy director will recommend to the chief of police whether the probationary officer needs additional field training or is ready for their initial assignment. The chief of police will make the final determination whether the probationary officer is ready for duty, needs additional training, or is to be dismissed from the program.

Immediately following successful completion of the field training program, all probationary officers are assigned to a police zone and begin their shift the next day.

Officers with Prior Police Work Experience

During field training, a probationary officer with prior police work experience may only have to attend four weeks of field training, if the FTO believes they can handle working independently. However, for this to happen, the following stipulations must be met:

- Score grades of a four (above standards) or a five (exceeds standards) in all their daily observation reports.
- Take a competency test and score 84% or higher. Failure of the test will result in the probationary officer completing the rest of the 13 weeks training.

Statistics of Training Academy and Field Training Graduating Recruits 2016-2020

The training academy director provided the auditors with the number of recruits on the initial academy roster for each class from 2016-2020. Also provided was the number of recruits in each class who did not complete the academy and field program and the reason why.

Table 2 shows how many new recruits graduated and did not graduate from the entire training program from 2016-2020.

**TABLE 2**

| | 2016-2020 PBP New Recruit Training Graduation Rate from Training Academy and Field Training Program | | | |
|---|---|---|---|---|
| Year | Number of Training Academy Classes | Number of Recruits on Initial Roster | Number and Percentage of Recruits that Completed Training | Number and Percentage of Recruits that did not Complete Training |
| 2016 | 2 | 70 | 64 (91.4%) | 6 (8.6%) |
| 2017 | 2 | 74 | 69 (93.2%) | 5 (6.8%) |
| 2018 | 3 | 99 | 87 (87.9%) | 12 (12.1%) |
| 2019 | 3 | 98 | 86 (87.8%) | 12 (12.2%) |
| 2020 | 1 | 38 | 34 (89.5%) | 4 (10.5%) |
| **TOTAL** | **11** | **379** | **340 (89.7%)** | **39 (10.3%)** |

Source: PBP Training Academy

**Finding:** Over this five-year period (2016-2020), 89.7% of all new police officer recruits graduated from PBP training academy and completed the field training process.

From 2016-2020, there were 20 recruits who withdrew during the training program for personal reasons, 18 failed the required tests (MPOETC, scenario/tactics) and 1 recruit was fired for violating PBP policy (cheating on tests, unexcused class absenteeism, etc.). Table 3 shows the three main reasons police recruits did not complete the required training.

**TABLE 3**

| 2016-2020 Reason New Recruits Did Not Complete Required Training | |
|---|---|
| Reason Recruit Did Not Complete Training | Number and Percentage of Recruits |
| Withdrew for personal reasons | 20 (51.3%) |
| Failed PBP training academy written tests or scenario/tactics | 18 (46.1%) |
| Fired for PBP policy infractions | 1 (2.6%) |
| **TOTAL** | **39 (100%)** |

Source: PBP Training Academy

Continuous Training for Police Officers

Active-duty officers are also required to complete 12 hours of MPOETC continuous education (in-service training) each year. In-service training is completed either online or in a classroom setting at the PBP training academy, and the curriculum changes yearly. According to MPOETC website, the 2021 in-service training consists of the following topics: legal updates, juvenile justice, child victims of human trafficking, and recognizing and responding to individuals with special needs. Each topic is worth three credits when completed.

In addition, the PBP conducts firearm/less lethal training, taser training, and defensive tactics on an annual basis, and CPR certification and FEMA training on a biannual basis. Officers are given remediation and retraining as needed and deemed appropriate by their supervisors.

Equipment Inventory for New Recruits

New recruits are given an initial set of uniform clothing and equipment while in the training academy. Issuance is handled by the academy staff and equipment is centrally held in the PBP warehouse. The set includes: 10 shirts, 6 pants, 2 ties, 1 winter coat with liner, one 1 dress hat with rain cover, 1 raincoat, 1 traffic vest, 1 ballistic vest with inner and outer firearm carries, 1 trouser belt, 1 duty belt, 1 cannister of oleoresin capsicum spray ("pepper spray") with holder, 1 pistol holster, 1 magazine pouch, 1 tourniquet, 1 helmet, 1 gas mask with carrier, 1 taser with holster, 1 portable radio with accessories, and 1 body worn camera with accessories.

The primary firearm authorized by the PBP to be carried with their service uniform is a handgun. Officers have the option to carry an additional handgun as a back-up while on duty Some officers can also carry a patrol rifle if they successfully complete the required rifle training and qualification process.

Officers are required to purchase their own firearms and baton. Training academy director told the auditors that officers purchase handguns from any licensed firearm dealer for around $400-$450. Patrol rifles can range from $900-$2,000 depending on make and model. Most officers purchase firearms from Markl Supply in Ross Township, PA due to the fact they are a law enforcement supplier and offer a discount price to officers. Batons are purchased in PBP property room for around $100 depending on the model.

Every officer is given a yearly allowance of $900 to subsidize care and maintenance of their uniform. Each year the city also provides every officer six shirts, four pants, and one piece of duty gear to replace worn items. Ballistic vests are replaced by the city every five years. Any item damaged in the line of duty without negligence can be replaced if an officer submits a Lost/Damage Equipment Form. The uniform and equipment set costs the PBP an estimated $3,389.78 per recruit, including body armor and a ballistic helmet.

Upon retiring or resigning from the Bureau, officers must return their equipment to the property room in accordance with PBP Order 32-1, Section 4.0. Returned equipment is recorded on an inventory sheet and any missing items are documented. The personnel and finance division may then issue cost recovery from that officer for missing items. Serviceable equipment is

returned to the academy for reissue, while worn or obsolete items are stripped of police insignia and disposed of.


**Body-Worn Camera (BWC) Policy**

Order 69-03 of the PBP Manual of Procedural Orders outlines the Bureau's policy concerning body-worn cameras. The BWC equipment and storage technology is provided by Axon Enterprises, an Arizona-based company. Under the contract, the city is to pay $10,910,579 for services running from 12/12/19 through 12/31/24. The contract also covers taser equipment.

According to the property room administrator, body-worn cameras have been the most beneficial piece of equipment adopted by the Bureau in recent years for multiple reasons. First, they can provide an accurate and unbiased record of events for the courts during litigation and legal proceedings. They also serve as a "coaching tool" for front line supervisors to help officers improve their responses in various situations. Finally, they can be used to document misconduct when it occurs and hold the subject officer accountable.

**Finding:** Order 69-03 of the PBP Manual of Procedural Orders is currently under review by the administration and is expected to be updated to address an unfair labor practice charge filed by the FOP, as described later in this audit.

Any PBP personnel who will use BWC must first receive training from the training academy. Unless it is unsafe or unreasonable to do so, officers are required to activate their BWC prior to arrival on scene when any of the following occur:

- Responding to in-progress crimes
- Pursuits whether vehicle or pedestrian
- Traffic and subject Stops
- All searches or pat-downs of persons and all searches of vehicles and property. Officers should also capture verbal or written consent for the search absent a warrant or probable cause to conduct said search.
- Upon issuance of Miranda warnings, the response by the person receiving the warnings and any subsequent conversation.
- Use-of-Force Incidents
- Critical Incidents
- Warrant Services (Arrest or Search)
- Detention, Arrests (Summons or On-View), including issuance of Traffic and Non-Traffic Citations (Investigations relating to same)
- Interviews of witnesses and victims, unless they object, although there is no legal requirement for an officer/supervisor to turn off the BWC at the request of a citizen. Members should use reasonable discretion when deciding to film a victim/witness statement. (i.e., a sexual assault victim who may feel the recording to be unnecessarily intrusive, process a confidential source of information. However, nothing in this policy would prevent an officer/supervisor from activating or re-activating their BWC should they feel it necessary.)

- Interviews with suspects or persons who may be reasonably developed as suspects through the course of an interview.
- Conversations with members of the public where the officer has reason to believe that the citizen may become confrontational, antagonistic, or hostile.
- When performing a suspect identification (i.e., "Show-up"). A reasonable effort should be made to capture the suspect prior to and following identification to establish the suspects clothing and other physical identifiers at the time of the identification.
- Vehicle inventories.
- Crowd management procedures
- Ordered by a supervisor
- If an officer believes it appropriate or necessary to create a video record, they may do so.

Personnel must continue to record until the encounter has ended or until they have left the scene. On-duty plainclothes officers may be exempt from wearing BWC, if permitted by their supervisor, which is decided on a case-by-case basis.

Personnel are prohibited from duplicating, copying, or possessing BWC recordings for any personal archive, or allowing non-sworn personnel to view recordings without permission from their supervisor. An exemption is made for government employees involved in the investigation and/or prosecution of a criminal case related to the digital evidence. The District Attorney, Law Department, and OMI are authorized to interact with PBP evidence and are also included in this exemption. When a complaint is filed against PBP personnel, a supervisor must review the BWC from the incident and notify OMI of the video's existence.

After returning to their station, officers place the BWC equipment in a docking station, where they are recharged. At the same time, the data that has been captured is digitally encrypted, uploaded to the Bureau's Digital Evidence Storage system and stored on a cloud-based server. Only authorized digital evidence administrators are permitted to oversee the maintenance, retention, duplication, and purging of BWC recordings.

The recording is assigned one of 24 categories, and an officer or supervisor may flag a recording so it can be stored beyond the standard 30-day retention length.

Data Retention

Data collected by BWC is considered exclusive property of the PBP. The retention length for recordings varies based on assigned categories, after which they are purged. However, there are certain scenarios in which this retention length may be lifted:

- Incidents that may result in the filing of summary, misdemeanor, or felony charges.
- Incidents that can foreseeably become the subject of civil litigation against the PBP.
- When the Law Department issues a litigation hold directive.

In those cases, recordings must be retained until the case is adjudicated or until there is a court order. The following scenarios may also subject the recording to retention beyond the standard 30-day length:

- When an officer on the recording, supervisor, OMI, or Law Department requests its preservation, or when it may be needed in a future criminal, civil, administrative, or disciplinary proceeding. It must be retained until its destruction is authorized by the requester.
- When an individual who is a participant in the recording requests its preservation for use in a criminal or civil proceeding. The request must be made in writing to the Chief of Police for criminal proceedings or the Law Department for civil proceedings and include the date, time, and location of the recording and the names of the parties involved. In the case of a civil proceeding, the recording must be retained for a minimum of two years from the incident and not destroyed without permission from the Law Department.
- If the recordings are the subject of a subpoena, court order, or request for pretrial discovery/inspection, copies must be given to the requester.
- If the PBP receives a request for a recording under the state's Right-to-Know Law, it must be retained until the Bureau receives a final decision pursuant to the request.

The PBP provided a retention schedule for various categories of recordings, as shown below:

**TABLE 4**

| BWC Footage Retention Lengths | |
|---|---|
| **Category** | **Retention Duration** |
| Uncategorized | 90 days |
| Accident | 3 years |
| Accidental Recording | Until manually deleted |
| Administrative Hold | Until manually deleted |
| CEW Firing Logs | 5 years |
| CIT Calls/Commitments - Non-Arrest | 90 days |
| CMV Inspection | 1 year |
| Critical Incident | Until manually deleted |
| Drug Violation | 2 years |
| DUI | 2 years |
| FCSSR | 90 days |
| Felony | 7 years |
| Homicide | Until manually deleted |
| Interview | 1 year |
| Misdemeanor | 2 years |
| Officer Injury | 1 year |

**TABLE 4 (Continued)**

| BWC Footage Retention Lengths | |
| --- | --- |
| **Category** | **Retention Duration** |
| Other | 90 days |
| Parades/Rallies/Marches/Protests | 90 days |
| Pending Review | 90 days |
| Search Consent | 90 days |
| Summary | 1 year |
| Traffic Stop | 1 year |
| Training Videos | 1 year |
| Use-of-force | 2 years |
| Vehicle Inventory | 1 year |

Source: PBP staff

Protecting Civilian Privacy

Police officers using BWC must inform individuals present that their oral/video communications will or have been captured as soon as reasonably practical.

Order 69-03 also outlines situations where recording is discouraged "unless exigent circumstances exist":

- Conversations with confidential informants or undercover police officers.
- Conversations with Bureau members or employees.
- In the intake area of the Allegheny County Jail after the prisoner is accepted for incarceration (i.e., once an officer has secured their weaponry and has been granted access into the "search room").
- Operational strategies and tactics, unless a supervisor reasonably feels a record of intent needs to be created for court purposes.
- Situations where nudity is involved.

Compliance with Police Bureau BWC Policy

Issues pertaining to BWC compliance typically involve devices being activated at the right time, for the appropriate length of time, and receiving proper categorization. Pennsylvania Act 22 of 2017 sets regulations regarding the use of BWC to receive state grant funding.

Due to the volume of BWC recordings, it is not feasible to review each call for service to ensure that a BWC device was activated and captured the entire incident. Instead, PBP policy states that commanders must review a "sufficient number" of BWC recordings each month to ensure compliance.

In February 2018, the FOP filed an unfair labor practice regarding BWC policies and these reviews were discontinued. However, pursuant to General Order 69-3, recordings in connection with subject resistance reports (i.e., use-of-force) must still be reviewed. Case number

PF-C-18-27-W under the Pennsylvania Labor Relations Board documents the details of the FOP's charge, which alleges that the city failed to "bargain over the impact of the BWC Order on discipline and privacy, as well as other terms and conditions." The case document also included the following issues levied by the FOP:

- The BWC policy prohibits officers from viewing footage regarding a critical incident to assist in the recollection of events, violating the discovery process. (City policy did not allow officers to view footage.)
- The city order mandates that BWC must be used in any interaction with the public, but it is unclear when an officer may use discretion to decide when interactions require the use of BWC.
- There are no limits on the city's ability to review footage, which may result in an increase in the total number of disciplinary actions.

The Board's ruling required the city to immediately begin bargaining with the FOP on the impact of Order 69-03, and the policy is currently under review to comply with the board's decision.

**Finding:** The FOP filed an unfair labor practice against the Bureau's BWC policy. As a result of this charge, monthly compliance reviews have been discontinued. However, recordings in connection with subject resistance reports or use-of-force complaints must still be reviewed.

Under Section 6.4, officers are required to document the existence of a BWC recording in their reports. Currently, officers are not required to justify why footage was not activated in a situation where it should have been.

According to the Department of Justice's Body-Worn Camera Technical Training and Assistance initiative, routine, and independent compliance audits are a key component of any effective BWC program. Without a process to ensure that noncompliance with BWC policy is corrected, institutional disregard for proper procedure is likely to set in, wasting taxpayer funds on a costly program. An example of a rigorous and independent compliance audit of a BWC program is the 2018 report from the Scottsdale, Arizona, City Auditor. That audit evaluated recordkeeping and compliance with BWC policies.


## RECOMMENDATION 4:

In its review of Order 69-03, PBP administration should update the BWC policy to address the FOP's complaints and other ambiguities in order to resume monthly compliance reviews. In its update, the policy should: clearly specify which public interactions require officers to activate BWC devices; state the number or percent of recordings that must be reviewed by supervisors each month; and require officers to document why the BWC was not activated in interactions that fall under the policy.

## RECOMMENDATION 5:

Using data from monthly compliance reviews, the PBP administration should make compliance and non-compliance rates available to the public.


## RECOMMENDATION 6:

PBP and OMI administration should explore the possibility of transferring BWC compliance audit responsibility to an independent agency, such as the Citizen Police Review Board.


**Use-of-Force Policy**

PBP Manual of Procedural Order 12-06 defines use-of-force as "the amount of effort required by police to compel compliance from a person." There are two use-of-force categories defined by the PBP: deadly force and non-deadly force.

Deadly force is defined under Order 12-06 as "force which under the circumstances in which it is used, is readily capable of causing death or serious bodily injury."  An officer's discharge of a firearm is a deadly force.  All other uses of force not considered deadly are labeled non-deadly forces. Some examples include the use of batons, OC spray (pepper spray), kinetic-energy projectiles (tasers), pointing a firearm at a subject, and physically removing a peacefully resisting demonstrator resulting in an injury that requires medical treatment.

There are always situations that will require police officers to use force to make an arrest, or to protect themselves or others. However, PBP officers are required to use de-escalation techniques to obtain voluntary compliance or arrest a citizen before using any type of force. Officers determine whether to use de-escalation or use-of-force based on training and prior field experience. The PBP forbids any use-of-force that is excessive. PBP policy defines excessive force as "force which exceeds the level that a reasonable officer might reasonably believe, at the time of the incident, is necessary under the circumstances of a particular incident." The only time excessive force is justified is when an officer reasonably believes it is necessary to make an arrest, gain compliance, or protect themselves and others from physical harm. All chokeholds, carotid and neck restraints are prohibited uses of force and officers will be disciplined by the PBP accordingly.

Deadly Force Justification

Deadly force is justified and necessary when in compliance with PA crime codes, statutory provisions, and PA or federal court decisions. PBP policy states that under Title 18, Chapter 5, Section 508, subsection (a) of the Pennsylvania Crimes Code, deadly force is lawful and justified only when an officer believes that:

- The action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury, or when they reasonably believe that:
  - o Such force is necessary to prevent the arrest from being defeated by resistance or escape; and
  - o The person to be arrested has committed, or attempted, a forcible felony or is attempting to escape and possesses a deadly weapon, or otherwise indicates that the person to be arrested will endanger human life or inflict serious bodily injury unless arrested without delay.

Use-of-Force Procedures

The following procedures apply to all PBP officers that are required to use force during an incident:

Deadly Force

- Identify themselves as law enforcement and warn of his/her attempt to use deadly force.
- Render first aid, if needed, and request assistance from the Bureau of Emergency Medical Services
- Contact communications and shift supervisor about the incident and request assistance to secure the scene. Shift supervisor will then contact emergency operating center by police radio and have them notify PBP command and major crimes supervisor, and Allegheny County Police Department that a deadly force incident has occurred.
- If Allegheny County Police Department will not investigate incident, shift supervisor is required to contact PBP violent crimes unit to respond to and conduct the deadly force investigation.
- Not discuss a deadly force incident with anyone except on-scene supervisor, investigators, PBP union representatives and attorney.
- Submit a written subject resistance report form and weapons discharge report form.

Non-deadly Force

- Render first aid if needed and request assistance from the Bureau of Emergency Medical Services. Submit a written subject resistance report form.
- A verbal report to supervisor.

**Finding:** PBP policy requires every officer in the field that uses force during an incident, either deadly or non-deadly, to submit a separate subject resistance report form.

If any use-of-force against a person causes injury, the person shall be examined by a health care provider prior to interrogation or processing. A person requiring a hospital treatment, is guarded at the hospital by PBP officers, and not allowed any visitors unless authorized by the major crimes or zone commander. All treatment refusals are documented as well.

Duty to Intervene

Officers are required to safely intervene verbally or physically in any situation when they believe another officer is using force that is not in compliance with PBP policy, procedures, and training. All intervening officers are required to immediately notify their supervisor of the situation, then submit a written report through their chain of command to the chief of police documenting their observation. Under no circumstance is any officer permitted to harass or intimidate the officer who intervened and reported the use-of-force policy infraction.

**Finding:** PBP policy requires all officers to intervene in the situation, notify supervisor, and submit written reports when force not in compliance with PBP policy, procedures, and training is observed in the field.

Training

All sworn PBP officers are required to participate in annual continuous education training on use-of-force, deadly force, de-escalation, and duty to intervene. Each officer is required to be recertified annually in the following areas: weapons use (Taser, OC spray, impact weapons etc.) arrests, empty hand and defense techniques. According to the training academy director, all recertifications are verified annually by academy staff and are stored electronically. Depending on the course, some training may also include an additional paper record filed at the training academy.

**RECOMMENDATION 7**:

Requiring all officers to participate in annual continuous education training on use-of-force, deadly force, de-escalation, and duty to intervene is an excellent practice. The PBP administration should continue to require all officers to participate in this annual continuous training. This practice ensures that the most recent best practices are being followed.

Policy Review

Each officer is required to submit a written subject resistance report (SRR) at the end of their shift after using force in an incident. If an officer had to use force on two different citizens during an incident, two written SRRs are submitted. Secondary employment officers involved in use-of-force incidents can wait until their next regular shift to fill out a report unless an arrest was involved.

All SRRs are used in conjunction with the officer body worn camera footage recorded during the incident to determine if an officer was compliant with the use-of-force policy. All SRRs are reviewed by the shift supervisor and duty location commander, then forwarded to the assistant chief of administration branch for final review. The assistant chief of administration will decide whether the officer was compliant with PBP policies and procedures. In an event of non-compliance, the officer will be disciplined.

According to the 2020 PBP annual report, there were 439 use-of-force incidents resulting in 1,042 documented police reports. Note that there are always more documented reports than number of incidents because some incidents consist of more than one subject and/or officers on scene. Subject resistance incidents were comprised of 540 civilians, of which 182 citizens and 102 officers were injured during the incidents. Of the two incidents that required the discharging of a firearm: one white male was uninjured, and one Black male was fatally wounded.

**Finding:** In 2020, there were 439 use-of-force incidents. Subject resistance incidents involved 540 civilians; 2 incidents required the discharging of a firearm.

Use-of-Force Statistics by Type

The Crime Analysis Unit presents use-of-force statistics each year in the PBP annual report. The type of forces used by officers and demographics of each incident is displayed in Table 5 and 6 respectively.

Types of force used by officers are presented in the annual report using a five-tier system by the severity of the force. PBP use-of-force policy does not consider Tier 1 a force and does not require a written subject resistance report. Each officer can document multiple types of force used on a report. As a result, the totals displayed in Table 5 exceeds the 1,042 documented use-of-force reports.

- Tier 1: Officer Presence, Verbal Commands
- Tier 2: ODET (restraint for drug removal), Other (grab, push, pull), Forcible Handcuffing, Road Spikes
- Tier 3: OC Spray, Takedown, Max Restraint, Kick, Punch, Strike
- Tier 4: Neck Restraint, Impact Weapon, Police Canines, Taser
- Tier 5: Intended Discharge of Firearm

**TABLE 5**

| Type of Force Used by PBP Officers in 2020 | |
|---|---|
| **Severity of Force Used** | **Number of Forces Reported by Officers** |
| Tier 1 | 1,891 (53.7%) |
| Tier 2 | 1,063 (30.2%) |
| Tier 3 | 475 (13.5%) |
| Tier 4 | 88 (2.5%) |
| Tier 5 | 5 (0.01%) |
| **TOTAL** | **3,522** |

Source: 2020 PBP Annual Report

**TABLE 6**

| Race | Number and Percentage of Civilians | Number and Percentage of Males | Number and Percentage of Females |
|------|-----------------|-----------------|-----------------|
| Demographics of Civilians Involved in Use-of-Force Incidents in 2020 | | | |
| White | 189 (35%) | 137 (36.1%) | 52 (32.5%) |
| Black | 330 (61.1%) | 226 (59.5%) | 104 (65.0%) |
| Hispanic | 12 (2.2%) | 11 (2.9%) | 1 (0.6%) |
| Other | 9 (1.7%) | 6 (1.6%) | 3 (1.9%) |
| **TOTAL** | **540 (100%)** | **380 (100%)** | **160 (100%)** |

Source: 2020 PBP annual report

## RECOMMENDATION 8:

In the annual report, the PBP administration should display a frequency distribution of officers by the number of use-of-force incidents they were involved in (e.g., 0, 1-2, 3-4, 5+). Use of force incidents should also be disaggregated by race and gender of civilians. This could show which officers are prone to using excessive force.

**Verification of PBP Crime Statistics**

The automated police report system (APRS) is the software used by police officers to input crime incidents. APRS was developed by B-Three Solutions in 2006 and is currently still maintained by the software company. Order 40-19 of the PBP Manual of Procedural Orders states that officers will use APRS to complete all crime incident reports when the system is available. APRS is available at the police zones, marked vehicles, and police headquarters. In the event the system is down, officers will complete handwritten reports. Once the system is operational, all handwritten reports must be recreated in APRS per policy. Officers need to complete their reports by the end of their shift. All completed APRS reports are reviewed by police lieutenants, sergeants, and commanders of their zones.

After review, APRS crime reports are transferred into an investigative database called Polreps, which is used by the PBP records room staff. The records room staff will review and verify that the information in each crime incident report is correct. Crime incident reports are coded to meet uniform crime reporting (UCR) standards. Uniform crime reporting codes were created by the Federal Bureau of Investigation for crime statistic reporting purposes. All valid crime incident reports are then loaded into a database called RMSprod. This is the PBP database of records and is used for public data requests. An officer is required to fill out a supplemental report when information about the incident changes. The updated report goes through the same process listed above.

**Finding:** The PBP records room staff are responsible for verifying officer crime reports and coding them to FBI uniform crime reporting standards.

PBP Crime Statistics Presented to the Public

The public can access PBP crime statistics from three different sources: PBP's annual report, PBP's interactive violence dashboards, and the Western Pennsylvania Regional Data Center (WPRDC).

PBP-verified crime data are shown in the PBP annual report. PBP annual reports have been available to the public dating back to 2009. The report shows a vast number of PBP crime statistics on incidents and arrests. Non-crime data is also presented in the annual report, such as PBP staffing demographics, police litigations, number of officer disciplinary actions, etc.

All information in the report is gathered, analyzed and presented by the PBP crime analysis unit. The unit uses automated queries to pull crime information from the RMSprod database (UCR coded). Crime statistics presented in the annual report are fluid. The data represents a snapshot of events at the time the data is queried.

UCR crime codes can change. For example, a documented aggravated assault arrest could change to a homicide arrest if the victim dies as a result of the assault at any point in time.

The crime analysis unit also sends UCR program crime data to the Allegheny County Department of Human Services (DHS). DHS uploads the information into their data warehouse to create interactive violence dashboards for the public. The dashboards show PBP crime statistics presented in tables, charts, and figures on the PBP webpage.

WPRDC datasets can be accessed via a link on the PBP webpage and can be used by organizations interested in tallying their own Pittsburgh crime statistics. WPRDC datasets include a 30-day incident blotter and archive, number of arrests, and non-traffic citations. WPRDC datasets were created by B-Three Solutions in collaboration with the Department of Innovation and Performance (I&P). B-Three built city data pipelines that transfer the crime data from PBP's incident database to the WPRDC datasets. The data transfer occurs nightly, which allows city residents to view crime incidents that occurred in their neighborhood the following day. According to I&P, the data transfer occurs before the incident has been reviewed and finalized by the PBP records room. Therefore, all WPDRC data should be understood as a "snapshot" of day and time the officer responded to the call and wrote the initial report.

**Finding**: Western Pennsylvania Regional Data Center (WPRDC) crime statistics available to the public on the PBP website are only accurate at the time they are published. Crime data can change as the information goes through further PBP investigations and the court process.

**Records Management System Implementation**

In September 2018, TriTech Software Systems merged with three other software companies, creating CentralSquare Technologies. CentralSquare provides public safety and

administration software solutions in areas such as 911, computer aided dispatch, records management, mobile applications, correction facility operations, finance, and HR/payroll.

One of their popular solutions, developed by TriTech Software Systems, is a public safety records management system (RMS) called Inform RMS. The system allows law enforcement agencies to create, customize, update, and submit reports efficiently in the field or at the station.

Allegheny County Record Management System

In February 2018, Allegheny County Emergency Services (ACES) entered into a $2.9 million agreement with TriTech Software Systems for the purchase and licensing of the Inform RMS system, including applicable interfaces, software, equipment, and training. The county's term of the agreement ends dependent upon the system's go-live date. All maintenance and support services end three years after the go-live date.

ACES offered law enforcement agencies throughout the County an opportunity to participate in the project in 2017. The PBP submitted a list of software modules needed in a meeting with ACES and CentralSquare in 2017 and met with both parties in May 2018 to discuss the design and optimization. However, negotiations were never fully completed until the PBP's newly created Office of Strategy, Accountability, and Resiliency (OSAR) took over the project in the summer of 2020. OSAR determined it was time to phase out the APRS system with the new Inform RMS, due to the software's added efficiency and cost savings.

In August 2020, the Public Safety Director signed a memorandum of understanding with ACES allowing the project to start moving forward. The PBP was added to the contract on 4/21/21.

Costs

The Inform RMS project is completely funded by ACES, a major cost savings for the PBP. ACES agreed to pay $471,747.59 towards the acquisition, development, implementation, and maintenance of PBP's Inform RMS. This covers all expenses related to creating modules, data conversion, training, records management, and project management. Annual subscription and maintenance fees of $34,180.59 are also paid by ACES. The PBP also receives new software updates at no cost if requested by other local law enforcement agencies under contract. The only additional costs the PBP may incur are if they decide to add future software that was not agreed upon by other agencies in the original contract. For example, the PBP is interested in a LEJIS 2-way interface (state and national database searching) that is not an item in the contract. The PBP was quoted a price of $8,300 for this additional module.

The PBP lieutenant-in-charge of the project stated if the PBP had to pay for all costs associated with the Inform RMS, it would still be far less than the current rates the city pays for the maintenance of their automated police report system.  The city's current contract with B-Three Solutions does not show a breakdown of the support services associated with the reporting system. Nonetheless, the city is under a $1,709,321 contract with B-Three Solutions until 12/31/22. Under the agreement, B-Three Solutions is to provide support services for all city software systems where I&P staff cannot perform the required tasks.

**Finding:** The cost-sharing arrangement between the PBP and Allegheny County Emergency Services would eliminate the PBP's reliance on B-Three Solutions.

RMS Training

CentralSquare staff is required by the contract to provide Inform RMS training to the PBP staff. As of September 2021, CentralSquare staff are training a PBP team to create, modify, and troubleshoot their own Inform RMS reports.

The PBP project manager reported that the team will have five different training workshops including teaching PBP employees how to design and customize work forms and data modules. A group of PBP employees will be trained to be an 'RMS trainer'. As a result, certified PBP employees will be able to train an entire police zone or department on how to use the new system.

In addition to training, PBP in conjunction with I&P and B-Three Solutions, are transferring all PBP data from APRS to the Inform RMS system.

**Finding:** B-Three Solutions based APRS is expected to be fully phased out and replaced with the new Inform RMS system in 2022.

System Benefits

An immediate benefit for end users will be the automation of report entry. Under APRS, each type of report must be entered manually. Inform RMS allows officers to automatically transfer over information from one report to another report, significantly reducing officers' workload and time spent on data entry. According to a team member on the Inform RMS project, time spent on a police report may be reduced from three hours to one hour.

According to the PBP, the new system also improves searchability throughout records, a feature that is limited and flawed under the current APRS. Since the system is integrated throughout the 911 call center and participating police departments in the county, any keyword entered by a 911 dispatcher or officer in another municipality can be searched and retrieved by PBP officers. For example, PBP officers will be able to search for a suspect matching a certain description and, if the same description was entered by another police department in the county, it would appear in the search results.

As mentioned, the Bureau will also have greater control over system customizations through end user trainings, unlike the current APRS which has required the Bureau to contract out any needed modifications to B-Three Solutions, wasting time and money. In addition, police inventory, which is now done manually, will automatically be barcoded, eliminating the need for a separate application.

APRS uses outdated uniform crime report coding. Inform RMS provides national incident-based reporting system (NIBRS) coding and reporting which allows an officer to add more information about the crime. For example, APRS allows the officer to report a robbery in a

garage, but Inform RMS allows the officer to report if the garage is attached or detached. More detail about NIBRS and crime coding is provided in further detail in the next section of audit.

Inform RMS Problems

There have been issues and delays in getting Inform RMS implemented on time. The initial project completion date was winter 2021 and has been postponed to May 2022. As of 12/13/21, the PBP project manager reported that the system's go-live time has been delayed to July 2022. Progress on the job has been slower than anticipated due to the lack of assistance from B-Three. PBP stated their staff does not have the technical knowledge and skills needed to complete all necessary data conversions from APRS to RMS. Over the course of the project, PBP has sent questions for B-Three related to the APRS and has either received delayed or no responses. PBP noted that B-Three's resistance could be due to the loss of work after APRS is phased out completely.

**Finding:** Completion of the Inform RMS project is behind schedule by almost a year due to data conversion from the old APRS system.

**Finding:** The PBP currently uses a wide variety of IT systems for case management and crime statistics, many of which do not "talk" to each other. The new RMS system would streamline the number of software systems officers that officers use and improve overall productivity.


## RECOMMENDATION 9:

The PBP administration should prioritize completion of the new Inform RMS system as soon as possible. Once the RMS system is implemented, PBP should create a public-facing dashboard to show how incidents, arrests, citations, traffic stops, pedestrian stops, and use-of-force incidents are distributed citywide alongside full demographics of civilians involved. It should also publish the rate of occurrence for any incidents involving searches that successfully lead to the discovery of illicit items or substances.


**Crime Reporting to Federal Government**

The PBP is one of nearly 18,000 law enforcement agencies that voluntarily participates in the uniform crime reporting program. This program was created in 1929 and provides a national picture and scope of crime in the United States. Participating agencies collect crime data and submit them to the FBI annually. The FBI will then compile the statistics and publish the data annually, as well as a preliminary semiannual report each winter.

Pennsylvania (PA) law enforcement agencies who participate in the UCR program send their crime data to the PA Uniform Crime Reporting Unit monthly. The state will then compile the data and send all submissions to the FBI.

The Uniform Crime Reporting (UCR) program consists of numerous data collections including crime incident and arrest statistics, number of law enforcement officers killed and assaulted (LEOKA), hate crimes statistics, and the national use-of-force data collection.

**Finding:** The PBP voluntarily participates in the FBI's uniform crime reporting program.

All incident and arrest data are collected by law enforcement agencies using summary reporting system (SRS) and the national incident-based reporting system (NIBRS).

The PBP currently uses the SRS system to report crimes. All crimes in the SRS system are divided by part one and part two offenses. Part one offenses consist of ten more serious crime categories: homicide, rape, robbery, and aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, human trafficking of commercial sex acts, and human trafficking of involuntary servitude. Part two offenses are an additional 21 offense categories including fraud, embezzlement, driving under the influence, and disorderly conduct. Agencies only provide arrest data not incident for part two crimes. Traffic offenses are not reported in the uniform crime reporting program.

NIBRS is a more enhanced incident and arrest reporting system. The reporting system captures more detail about each incident and arrest. NIBRS collects incident and arrest data within 24 offense categories made up of 62 different crimes. Each crime contains 58 different data elements. The arrestee and victim's age, sex, race, location of crime, and weapon used are examples of data elements used in NIBRS.

Due to its ability to provide more useful crime statistics for policing, the FBI mandated that all law enforcement agencies transition from SRS to NIBRS by January 1, 2021. The PBP initially relied on B-Three Solutions to devise a transition plan to move from SRS to NIBRS crime reporting but this never materialized. As a result, the PBP still uses outdated reporting. However, the Bureau is expected to use NIBRS under the new records management contract with ACES.

**Finding:** Due to system implementation delays, the PBP is not in compliance with the FBI's NIBRS requirement. The PBP will use NIBRS crime reporting once Inform RMS is fully operational.

Additional UCR data collection programs include the number of law enforcement officers killed and assaulted (LEOKA), hate crimes, and national use-of-force data collection. LEOKA data collection includes detailed information on the number of officers feloniously and accidentally killed in the line of duty, and officers assaulted or injured by firearms or knives. The PBP currently does not participate in this data collection due to their APRS software system's outdated reporting. The PBP stated they will start participating in this data collection once their Inform RMS goes live. PBP already participates in the hate crimes program, which is a collection of data on crimes that are motivated by bias toward race, religion, ethnicity, sexual orientation, or disability.

**Finding:** The PBP currently does not participate in law enforcement officers killed and assaulted (LEOKA) data collection due to their APRS software system's outdated reporting.

National Use-of-Force Data Collection

Use-of-force statistics show violent encounters between police and citizens. Their public disclosure aims to build community trust and hold officers accountable for unnecessary use-of-force.

The FBI created the national use-of-force data collection program in 2015 and began collecting data from law enforcement agencies on January 1, 2019. Until this initiative, the only source of national use-of-force statistics has been through independent crowdsourced efforts. According to the FBI, the collection and reporting of data includes any use-of-force that results in:

- The death of a person due to law enforcement use-of-force.
- The serious bodily injury of a person due to law enforcement use-of-force.
- The discharge of a firearm by law enforcement at or in the direction of a person not otherwise resulting in death or serious bodily injury.

Pittsburgh Bureau of Police is the largest police department in the state of Pennsylvania that participates in the reporting of the use-of-force data collection program. The PBP began participating in this program since 2020. An article from the Pittsburgh Post-Gazette on November 7, 2021, reported that the PBP is one of the only law enforcement agencies in PA to report these statistics to the FBI the first quarter of 2021. The FBI website shows that only 18 (1.2%) and 23 (1.5%) out of 1,563 law enforcement agencies in PA are enrolled and provided use-of-force statistics in 2020 and 2021, respectively. The number of officers employed by the participating agencies only represents 6% and 7% of the total sworn law enforcement officers in PA.

The FBI will not release each state's use-of-force statistics until totals from participating agencies represent 40% of the state's total officer population and derived from more than one agency. The FBI is required to achieve local participation that covers 60% of all law enforcement officers *nationwide* by the end of 2022 or else risks having the program shut down, cutting off the only government effort to track use-of-force statistics nationwide. As of December 2021, participation covered 57.15% of officers.

**Finding:** The PBP began participating in the national use-of-force data collection program in 2020 and is the largest police department in the state to do so.


## RECOMMENDATION 10:

The FBI's use-of-force database is an important resource for collecting use-of-force statistics nationwide. The PBP administration should be commended for doing so and continue participating in the program. After implementing the new Inform RMS system, the PBP should join the LEOKA program.

**Calls for Service**

Calls for law enforcement service originate from 911, alarms, police radio, and non-emergency calls. They are requested by citizens or initiated by officers themselves. The PBP annual report shows that officers responded to 227,877 calls for service in 2020.

One way of accessing police performance is looking at the "call for service" response time. Response time is defined as the time an officer is dispatched from 911 to the time arriving on scene. A faster response time can improve public perception, satisfaction with police services, officer productivity and accountability, and help clear more crimes. Currently, the PBP does not have a standard response time for "calls for service" like the city's Bureau of Fire.

Some law enforcement agencies establish minimum staffing levels in their policies to improve police performance. Using a minimum staffing approach could provide adequate police coverage at all times, backup when an officer may need it, and increase response time to service calls.

**Finding:** The Bureau of Police does not have a minimum staffing standard or minimum response times for police zones.

Establishing minimum manpower and response time standards requires a considerable amount of labor. It would require studying how officers are scheduled and whether manpower is adequate based on each zone's crime statistics. However, doing so would improve the efficiency of police operations and benefit city residents with faster response times based on quantitative data. Commissioning a study in partnership with a local university could be a cost-efficient strategy to collect the data needed.

**RECOMMENDATION 11:**

The PBP administration should commission a study to determine an appropriate manpower standard and response times for each police zone. The PBP administration should explore whether local universities can be utilized to undertake the project at a minimal cost to the city.

**Number of PBP Incidents**

An incident is defined by PBP as any reported crime or police action in which an officer produced a report. All PBP incidents reports are assigned a distinct criminal complaint report (CCR) number. Not all incidents involve an arrest.

The auditors used WPRDC incident database to count the number of incidents officers responded to in 2020. Every incident in the database contains a CCR number. As mentioned before, WPRDC data is only accurate as of the time published.

In 2020, officers responded to 34,589 incidents within the areas covered by the six PBP police zones and 260 outside the city limits.  "Outside the City" includes incidents that began within city limits but moved beyond. Chart 3 shows the number of incidents by each police zone.

**CHART 3**
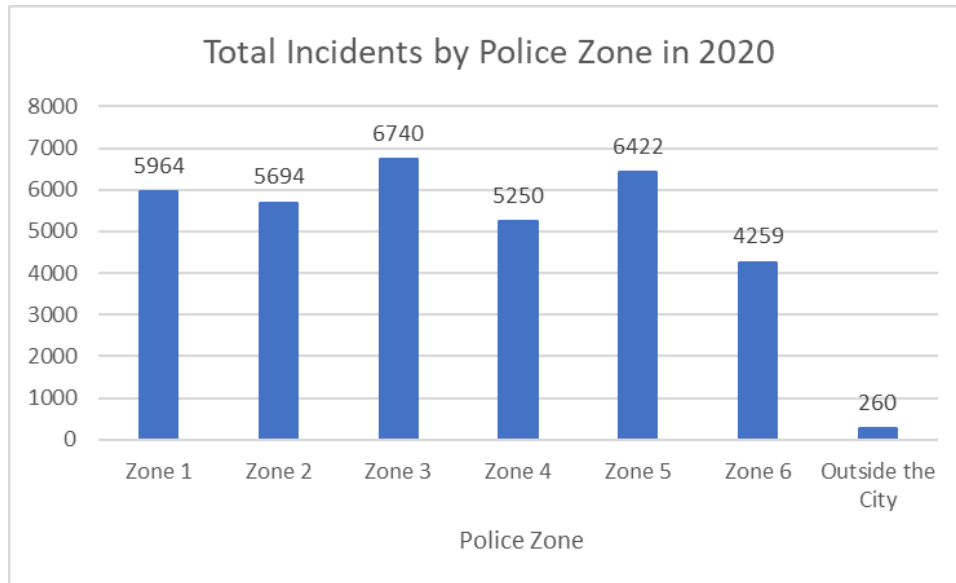


Source: Western Pennsylvania Regional Data Center

Database Offenses

There were 21,670 incidents in the database that were assigned a preliminary UCR code generated from the officer initial report. A full list of all 31 UCR codes can be found in the Appendix Exhibit B. There were 12,919 (37.4%) incidents in the database that did not have a UCR code. These incidents were traffic violations which are not counted as part of the UCR program, cases with an ongoing investigation, unfounded reports, and police reports that did involve a crime. Some examples of incidents that were not UCR coded include miscellaneous reports, overdoses, suicides and attempted suicides, gun shots heard in neighborhood, dead persons discovered, hit and runs, major traffic violations (reckless or careless driving), property found, drug investigations, accidental fires, aided cases (helping injured or sick), and bench warrants.

**Demographic Analysis of Arrests in 2020**

The auditors retrieved 2020 arrest data from the WPRDC. The spreadsheet included the arrest location and demographics of the individual arrested. According to the PBP's Crime Analysis Unit, the data only reflects preliminary information at the time of an arrest. Charges may be changed or dropped, and later evidence or witnesses may alter the circumstances surrounding an individual's arrest. The following data should be understood to only reflect this initial "snapshot" at the time of an arrest and is not updated as circumstances change. The impact of the pandemic on arrest rates was outside the scope of this audit.

**Finding:** There were a total of **7,872** arrests made by PBP officers in 2020. Of those:
- 74.3% were male and 25.6% were female, with gender unidentified in 10 arrests.
- 65.3% were Black, 31.6% were White, 1.1% were Hispanic, and 0.4% were Asian, with race or ethnicity unidentified in 1.5% of arrests.

2020 census data showed that Pittsburgh's population was 61.8% white alone (not Hispanic), 22.5% Black alone (not Hispanic), 6.5% Asian alone (not Hispanic), and 3.8% Hispanic.

If proportional to their city population, the number of Black individuals arrested in 2020 would be 1,771. Compared to the actual number of Black individuals arrested (5,141) they were overrepresented by a factor of 2.9.

**Finding:** Black residents were overrepresented in arrests by a factor of 2.9 as compared to their proportion of the city's population. They were also the only race overrepresented in total number of arrests.

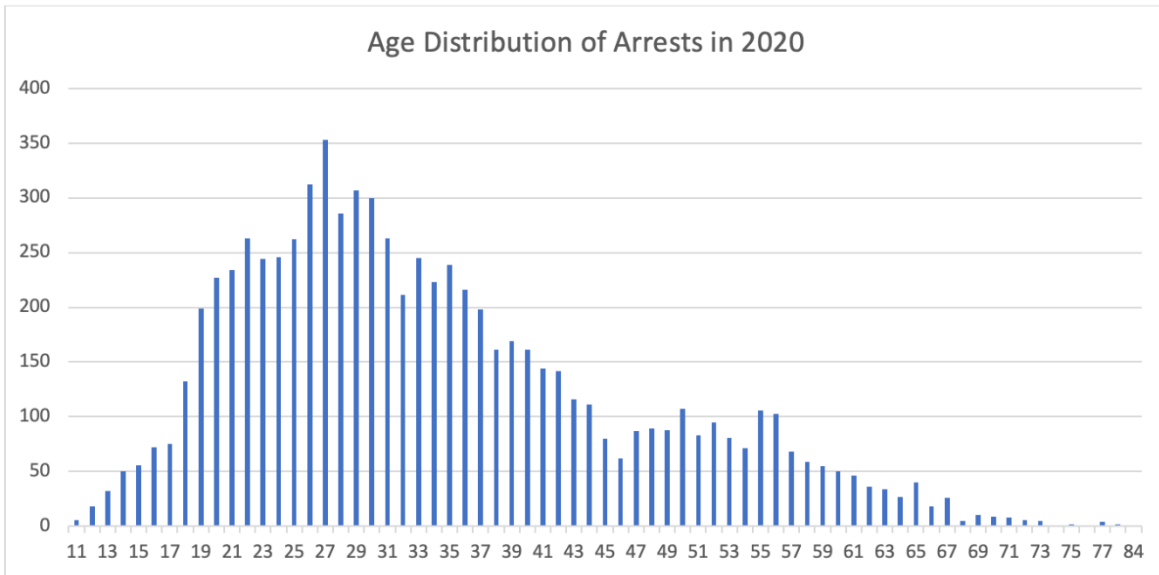Chart 4 shows arrests made in 2020 by race and gender.

**CHART 4**
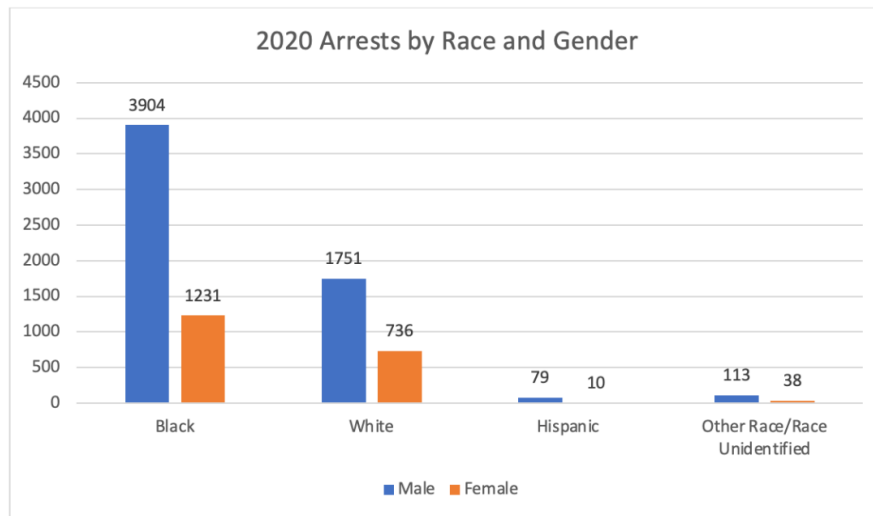


Source: Western Pennsylvania Regional Database Center

Chart 5 shows the distribution of arrests by age (all races) and Chart 6 shows the distribution based on age range and race.

**CHART 5**



Age Distribution of Arrests in 2020

Source: Western Pennsylvania Regional Database Center

**CHART 6**



2020 Arrests by Age and Race
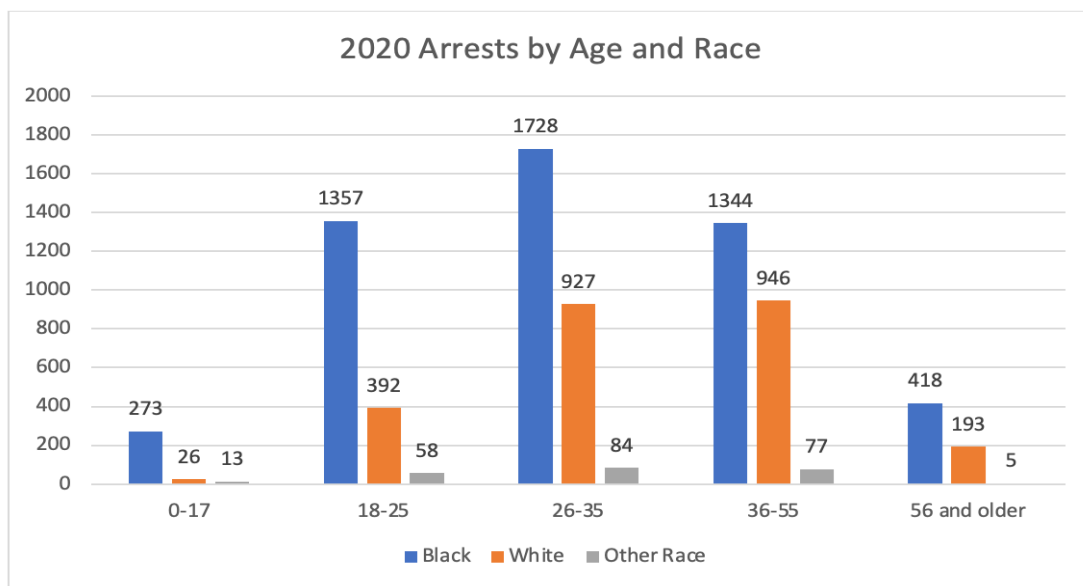
Source: Western Pennsylvania Regional Database Center

**Finding**: Racial disparities were present across all ranges. The disparity between Black and White arrestees was most pronounced among minors under the age of 18, where 87.5% of those arrested were Black.

Chart 7 shows the total number of arrests by police zone (or outside of city limits), and Chart 8 shows arrests in each police zone by race.

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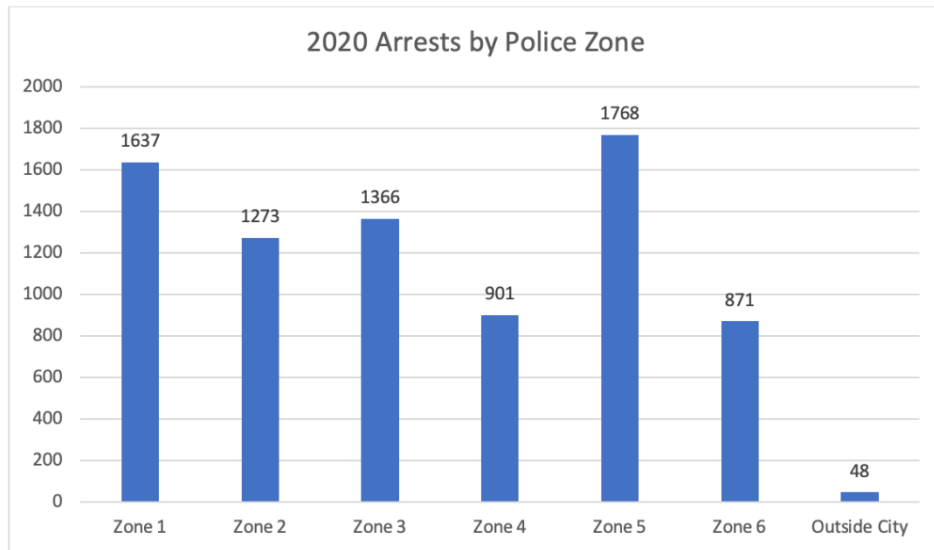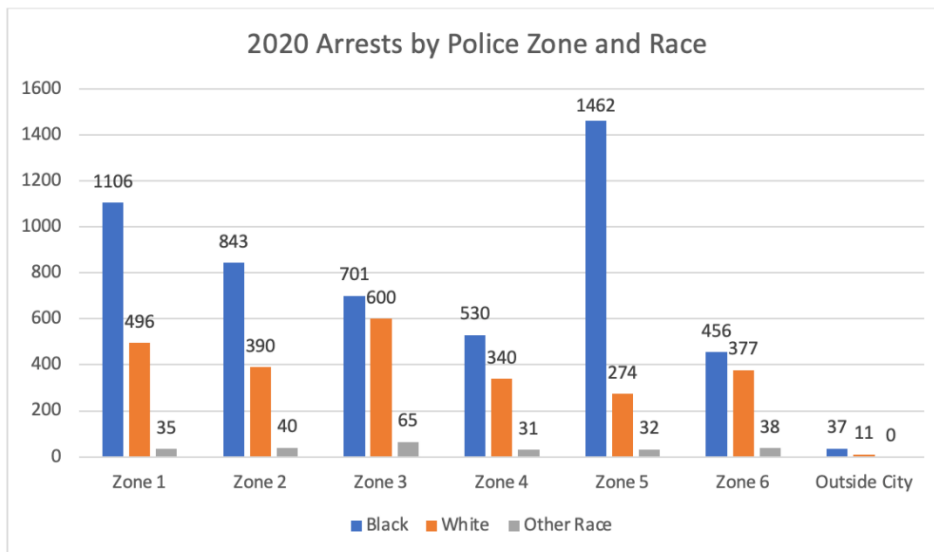**CHART 7**



2020 Arrests by Police Zone

| | |
|---|---|
| Zone 1 | 1637 |
| Zone 2 | 1273 |
| Zone 3 | 1366 |
| Zone 4 | 901 |
| Zone 5 | 1768 |
| Zone 6 | 871 |
| Outside City | 48 |

Source: Western Pennsylvania Regional Database Center

**CHART 8**



2020 Arrests by Police Zone and Race

| | Black | White | Other Race |
|---|---|---|---|
| Zone 1 | 1106 | 496 | 35 |
| Zone 2 | 843 | 390 | 40 |
| Zone 3 | 701 | 600 | 65 |
| Zone 4 | 530 | 340 | 31 |
| Zone 5 | 1462 | 274 | 32 |
| Zone 6 | 456 | 377 | 38 |
| Outside City | 37 | 11 | 0 |

Source: Western Pennsylvania Regional Database Center

Charges

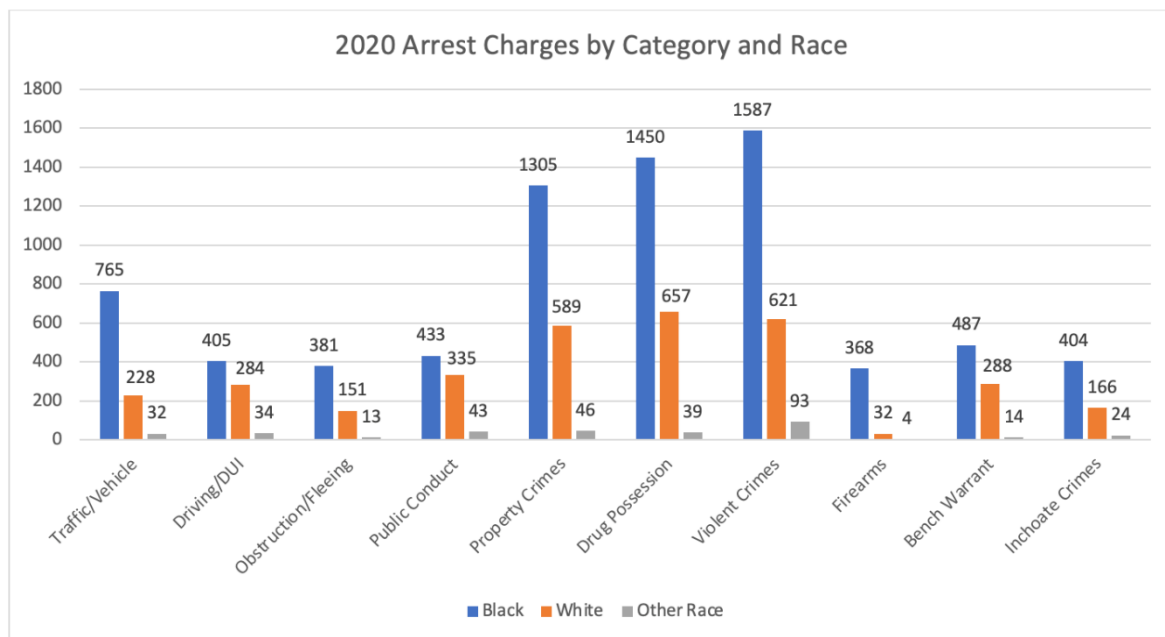The WPRDC data also included charges levied against the individual arrested. Note that an arrest often carries multiple charges based on the circumstances of the incident, so total charges will significantly outnumber the total number of arrests. The auditors grouped some of the most common charges into 10 categories, as follows. The full list of charges included under each category can be found in the Appendix Exhibit A.

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1.  <u>Traffic Violations</u>: includes minor traffic violations (e.g., exceeding speed limits, driving without headlights or brake lights, lacking appropriate registration)
2.  <u>Driving/DUI</u>: includes reckless/careless driving, driving under the influence of alcohol or substances, or accidents resulting in damage, personal injury, or death
3.  <u>Obstruction/Fleeing</u>: includes false reports, tampering with evidence, obstruction of law, resisting arrest, or escape
4.  <u>Public Conduct</u>: includes disorderly conduct, public drunkenness, and prostitution
5.  <u>Property Crimes</u>: includes burglary, robbery, theft, and arson
6.  <u>Drug Possession</u>: possession of an illegal substance (including marijuana)
7.  <u>Violent Crimes</u>: includes homicide, assault, involuntary manslaughter, rape, or sexual assault
8.  <u>Unauthorized Possession of Firearms</u>: includes those not authorized to possess, use, manufacture, control, sell, or transfer firearms; possession of firearm by a minor; or possession of firearm with altered number
9.  <u>Bench Warrant</u>: a warrant issued by a judge for the arrest of an individual
10. <u>Inchoate Crimes</u>: evidence that one has taken steps to commit a crime; includes criminal attempt, solicitation, conspiracy, and possessing instruments of crime

Based on the data, the auditors calculated how frequently an arrestee was charged with each of the 10 categories based on their racial demographics.

**CHART 9**



2020 Arrest Charges by Category and Race

Source: Western Pennsylvania Regional Database Center

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**TABLE 7**
**2020 Arrest Charges**
**by Category and Race**

| Charge | Total # Arrested | # Arrested Black | # Arrested White | Other/ Unknown |
|---|---|---|---|---|
| Traffic/Vehicle Violations | 1,025 | 765 (74.6%) | 228 (22.2%) | 32 (3.1%) |
| Driving/DUI | 723 | 405 (56.0%) | 284 (39.3%) | 34 (4.7%) |
| Obstruction/Fleeing | 545 | 381(69.9%) | 151 (27.7%) | 13 (2.4%) |
| Public Conduct | 811 | 433 (53.4%) | 335 (41.3%) | 43 (5.3%) |
| Property Crimes | 1,940 | 1,305 (67.3%) | 589 (30.4%) | 46 (2.4%) |
| Drug Possession | 2,146 | 1,450 (67.6%) | 657 (30.6%) | 39 (1.8%) |
| Violent Crimes | 2,301 | 1,587 (69.0%) | 621 (27.0%) | 93 (4.0%) |
| Firearms | 404 | 368 (91.1%) | 32 (7.9%) | 4 (1.0%) |
| Inchoate Crimes | 594 | 404 (68.0%) | 166 (27.9%) | 24 (4.0%) |
| Bench Warrants | 789 | 487 (61.7%) | 288 (36.5%) | 14 (1.8%) |
| TOTAL CHARGES | 11,278 | 7,585 (67.3%) | 3,351 (29.7%) | 342 (3.0%) |

Source: Western Pennsylvania Regional Database Center

**Finding:** In all eight categories of charges examined, arrests for Black residents were significantly disproportionate as compared to their makeup of the city's population (22.5%). They were also the only race overrepresented among arrests.

To calculate the average number of charges levied against an arrestee, the auditors took a sample of 10% of each demographic group. Since nearly 97% of arrestees were either Black or White, only these two racial demographics were sampled.

**Finding:** Black and White arrestees received a similar average number of charges when placed under arrest. The average number of charges against White arrestees was 2.44, while the average number of charges against Black arrestees was 2.55, a 4.5% higher amount.

On December 28, 2021, City Council passed an ordinance implementing the "encounter-free traffic enforcement,", which was previously recommended by the Mayor's Community Task Force on Police Reform in 2020. This strategy aims to reduce potentially violent encounters between police and civilians by reducing vehicle stops for minor violations. Philadelphia implemented a similar reform by ordinance in 2021.

**RECOMMENDATION 12:**

Encounter-free traffic enforcement is an effective strategy to reduce racial disparities in arrests and civilian-officer encounters without negatively impacting public safety. The city administration should provide sufficient oversight of outcomes to ensure that the goals of this policy are met.

**RECOMMENDATION 13**:

After implementing the new Inform RMS system, the PBP administration should utilize its improved capabilities to make real-time data reports on racial disparities available to the public. Reports should include arrests (including relevant categories), vehicle stops, whether force was used, and demographics of the individual stopped and/or arrested.

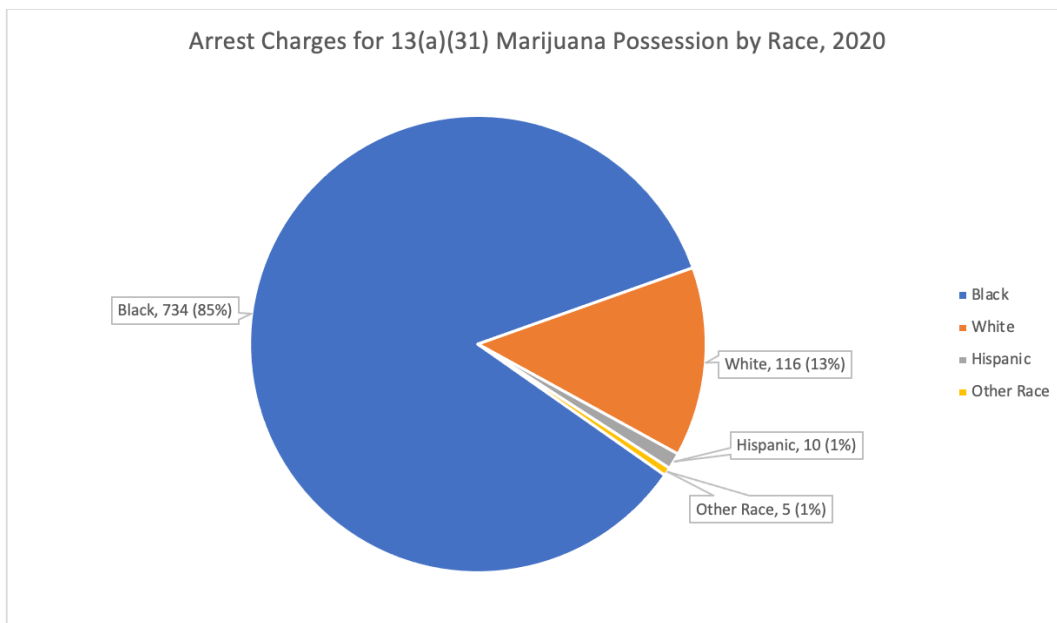Arrests and Citations for Marijuana Possession

In 2016, possession of small amounts of marijuana (defined as under 30 grams) was decriminalized in the City of Pittsburgh under Section 627 of the city code. The penalty for simple possession is a non-criminal citation as low as $25, or a maximum citation of $100 for those caught using it. However, the use of marijuana not medically prescribed remains a misdemeanor offense under 13(a)(31) of the PA Consolidated Statutes. Those caught possessing a small amount (also defined as under 30 grams) can be charged under this offense and sentenced to 30 days in prison, a fine of up to $500, or both. If an officer suspects that the marijuana in an individual's possession is over 30 grams, they may be charged under the state offense.

Furthermore, the city's decriminalization ordinance states that "officers retain the authority to enforce any applicable laws," and "it is Council's intent that police officers may undertake custodial arrests where there is probable cause to believe that a criminal offense other than simple possession of a small amount of marijuana has been or is being committed".

Charges for marijuana possession under state charge 13(a)(31) are included under the "drug possession" category examined in the prior section. The auditors found that marijuana possession made up 40.3% of all drug charges. Of those charged with marijuana possession in 2020, 84.9% were Black, 13.4% were white, and 1.7% were another race or unknown.
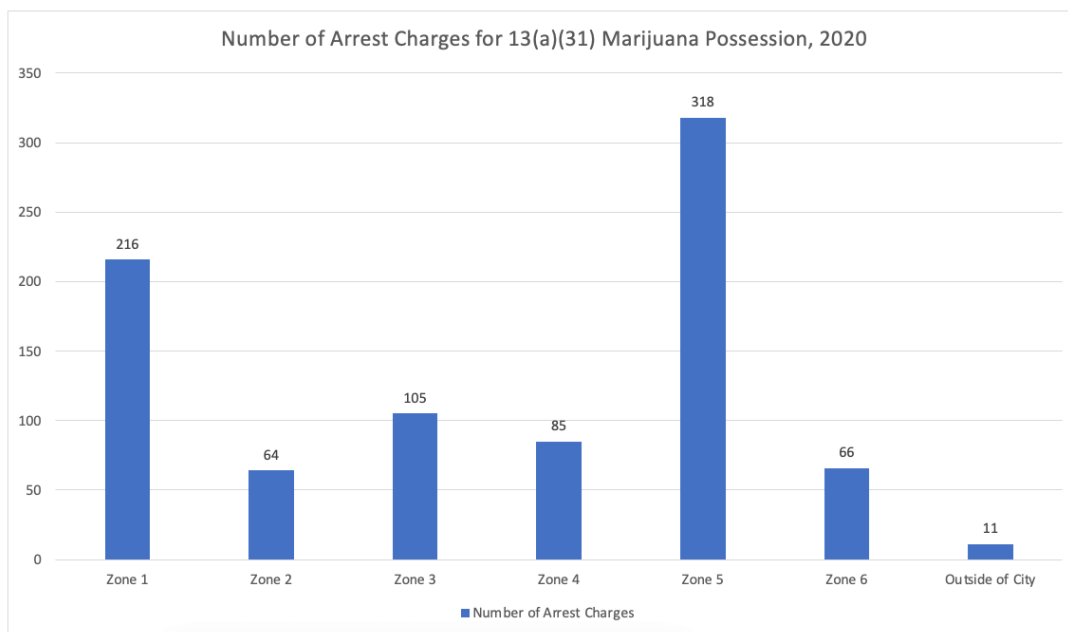
Chart 10 shows the number of charges for the state-level marijuana offense by race, and Chart 11 shows the same by police zone.

**CHART 10**

Arrest Charges for 13(a)(31) Marijuana Possession by Race, 2020

Black, 734 (85%)

White, 116 (13%)

Hispanic, 10 (1%)

Other Race, 5 (1%)

- Black
- White
- Hispanic
- Other Race

Source: Western Pennsylvania Regional Database Center

**CHART 11**

Number of Arrest Charges for 13(a)(31) Marijuana Possession, 2020

| Zone | Number of Arrest Charges |
|------|------|
| Zone 1 | 216 |
| Zone 2 | 64 |
| Zone 3 | 105 |
| Zone 4 | 85 |
| Zone 5 | 318 |
| Zone 6 | 66 |
| Outside of City | 11 |

■ Number of Arrest Charges

Source: Western Pennsylvania Regional Database Center

**Finding:** For those arrested in 2020, 40.3% of all drug charges were for marijuana possession. 865 people were charged with 13(a)(31) marijuana possession in 2020, with Black residents making up nearly 85% those charged.

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In a memorandum issued on December 6, 2016, PBP administration informed officers they had the option enforcing either Pennsylvania law or city summary offense Section 627 given that marijuana possession remains illegal under state and federal law. If following the city code, defendants could either 1) plead guilty and pay the associated citation ($25 for possession or $100 for smoking in public), costs ($49), and JCP judicial fee ($35.50), or 2) request a hearing.

Another memorandum issued on November 30, 2020, stated that when an individual is charged with state misdemeanor "small amount of marijuana" as a standalone charge, the case is usually settled at the preliminary hearing held at magisterial district courts by amending the charge to a summary "disorderly conduct" or by diverting the matter to counseling. Given that these cases generally do not proceed to trial, officers were directed to follow City Code Section 627 rather than filing the state misdemeanor charge. Effective January 1, 2021, officers were encouraged to use the following guidelines:

- The possession of marijuana remains illegal under Pennsylvania and federal law.
- The Pittsburgh Bureau of Police has the authority to investigate all criminal acts associated with the possession of marijuana, including the possession or use of marijuana as a probable cause, while enforcing applicable law.
- If at the conclusion of an investigation, a person is found to be either in possession of a small amount of marijuana or found to be smoking marijuana in a public space, the Officer opting to file charges will issue a non-traffic citation for violations of City Ordinance 627 instead of filing the charge 35 Pa. C.S.A. 780-113(a)(31) **if the following conditions are met**:

  o Person will not be charged with any other state or federal crime (i.e., DUI, possession of other drugs, possession with intent to deliver, etc.)
  o Person has no existing warrants
  o Person has proper identification

- An Officer filing charges will:

  o Issue the defendant a non-traffic citation for Section 627(b)(I) or 627(b)(ii) and enter the fines ($25 for possession or $100 for smoking in public), costs, and JCP. This will enable to the defendant to plead guilty and pay the citation or request a hearing.
  o Adults and Juveniles will be issued a citation and released.
  o Juveniles require that a parent be notified.
  o The defendant or parents of juvenile defendants can be deferred to the Allegheny County Department of Human Services for information about substance abuse treatment at 888-796-8226 or 412-350-3952.
  o Marijuana will be confiscated, packaged, and sent to the Property Room. A field test will not be required, and it will not be sent to the Crime Lab.
  o The Officer will obtain a C-Number from the Warrant Office, complete the applicable police reports, and file the Citation.
  o If a defendant requests a hearing, the Court Liaison will notify the Property Room to send the evidence to the Crime Lab for testing and will schedule a hearing date.

- The Warrant Office will review all arrests and summons where charges of 35 Pa. C.S.A. 780-113(a)(31) have been filed and determine whether a non-traffic citation should be issued instead of the misdemeanor charge.

**Finding:** Under current PBP guidelines, officers are encouraged to follow the city's decriminalization ordinance under Section 627 when certain conditions are met. However, due to marijuana possession's present illegality under state and federal law, officers have discretion to charge an individual with a misdemeanor offense under state law.

**Finding:** PBP administration has requested a formal policy to resolve the discrepancies between the city's decriminalization ordinance and state and federal law regarding small amounts of marijuana possession and public use. The November 30, 2020, memo was issued to provide guidelines to officers until a formal policy is put in place.

Of the 865 arrests in 2020 involving marijuana possession, 139 (16.1%) arrests included marijuana possession as a standalone charge. Of these 139 charged, 89.9% were Black.

Of the remaining 726 arrests for marijuana possession, 453 (50.3%) were in connection with traffic, vehicle, license, or registration violations, paraphernalia, tampering, bench warrant, public parks after hours, or possession (which may include other drugs). 273 (31.6%) arrests involved more serious charges, which may include violent crimes, DUI, or firearms violations.

**Finding:** Of marijuana-related arrests in 2020, 16.1% were standalone charges. Nearly 90% of those charged with marijuana possession without any other charges were Black.

## RECOMMENDATION 14:

To reduce racial disparities in the administration of the marijuana decriminalization ordinance, PBP should issue a formal policy providing guidance on when officers should follow the city code's decriminalization ordinance as opposed to the state offense. The policy should follow the guidelines set by the November 30, 2020, memorandum.

To examine the impact of the decriminalization ordinance, the auditors compared arrests and citations for marijuana possession from 2017-2020. 'Total Arrests' includes any arrest where state charge "13(a)(31) -- possession of a small amount of marijuana" was included as a charge against the individual. 'Total Citations' includes the city's summary offense 627.02(b)(1) - "possession of a small amount of marijuana".
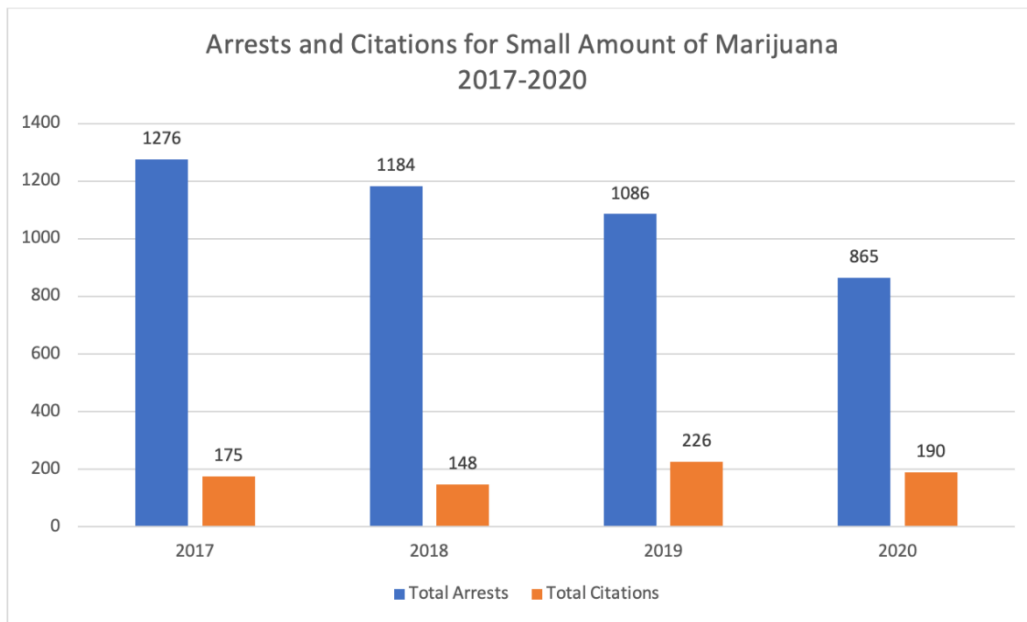
Table 8 and Chart 12 show the number of arrests and citations for small amounts of marijuana from 2017-2020.

**TABLE 8**

| Arrests and Citations for Small Amount of Marijuana 2017-2020 | | |
|---|---|---|
| Year | Total Arrests (State Charge) | Total Citations (City) |
| 2017 | 1,276 | 175 |
| 2018 | 1,184 | 148 |
| 2019 | 1,086 | 226 |
| 2020 | 865 | 190 |
| **TOTAL** | **4,411** | **739** |

Source: Western Pennsylvania Regional Database Center

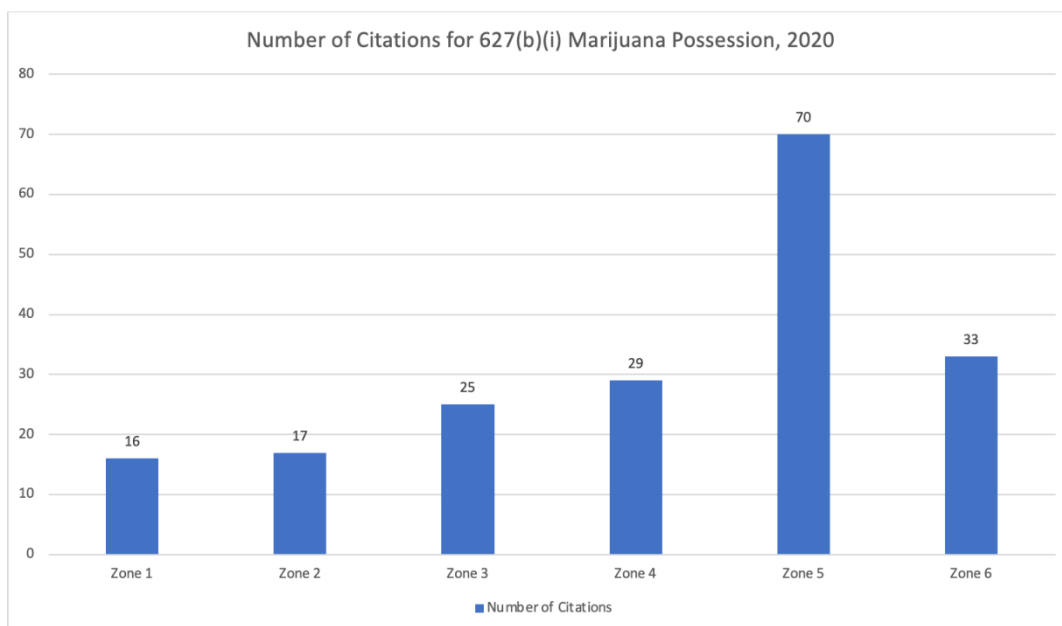**CHART 12**



Source: Western Pennsylvania Regional Database Center

**Finding:** Arrests for marijuana possession have declined each year since 2017, but total arrests for possession under the state charge still significantly outnumber total city citations.
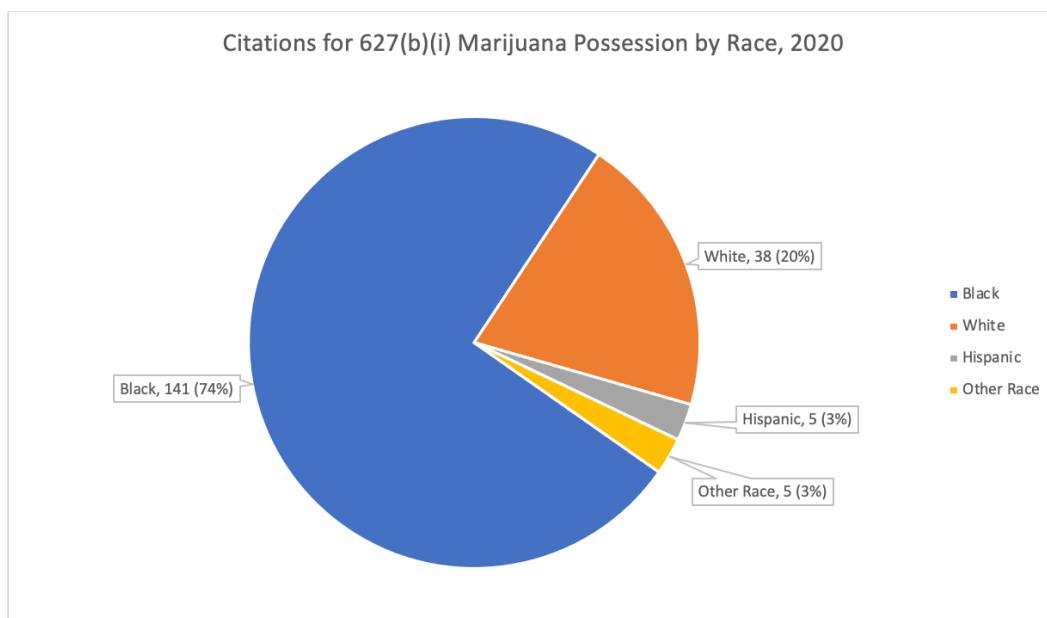
Chart 13 shows the total number of city citations for marijuana possession in 2020 by police zone, and Chart 14 shows the breakdown by race.

**CHART 13**



Number of Citations for 627(b)(i) Marijuana Possession, 2020

| Zone | Number of Citations |
|------|---------------------|
| Zone 1 | 16 |
| Zone 2 | 17 |
| Zone 3 | 25 |
| Zone 4 | 29 |
| Zone 5 | 70 |
| Zone 6 | 33 |

■ Number of Citations

Source: Western Pennsylvania Regional Database Center

**CHART 14**



Citations for 627(b)(i) Marijuana Possession by Race, 2020

- Black, 141 (74%)
- White, 38 (20%)
- Hispanic, 5 (3%)
- Other Race, 5 (3%)

■ Black
■ White
■ Hispanic
■ Other Race

Source: Western Pennsylvania Regional Database Center

**Finding:** Black residents continue to be disproportionately charged with marijuana possession, both in arrests (85%) and in citations (74%).

**Revenue from Fines and Fees**

The auditors requested from the Department of Finance the amount of revenue collected from citation fines and/or restitution to the courts. They reported that this revenue enters the city's financial system in the following funds:

- Restitution Trust Fund
- Confiscated Narcotics Trust Fund
- Auto Theft Trust Fund
- General Fund – Allegheny County Criminal Court
- General Fund – Magistrate Fines and Fees
- General Fund – Municipal Court

Because the city does not have its own court system, the county court system is responsible for collecting fines, fees, and returns the appropriate amounts to the city. According to the acting director of the Department of Finance, the department does not track funds specifically derived from PBP enforcement activities.

**RECOMMENDATION 15:**

The PBP administration should work with the county to explore options to begin tracking revenue derived from fines and fees and make that data publicly available on an online dashboard. The data should include as much demographic and geographic information as is feasible.

**Complaints Against Officers**

The Office of Municipal Investigations (OMI) handles complaints involving PBP employees. Any person, including other officers, who questions the appropriateness of an officer's conduct may file a complaint. Complaints can be anonymous or made by a third-party witness, but enough detail must be provided to corroborate the account. Complaints can be made in person, in writing, or over the phone. A properly filed complaint should contain the date of filing, complainant name and contact information (unless anonymous), description of the incident, and description or name of the accused employee(s).

OMI is required to conduct and complete a full investigation of every case within 120 days of receiving the complaint, assuming the full cooperation of complainants and witnesses. All complaints are physically and digitally stored by OMI with the accompanying paperwork. OMI only presents facts concerning investigations to the mayor and police chief but does not make disciplinary recommendations.

In addition, any individual, whether a city resident or not, may file a complaint with the Citizen Police Review Board (CPRB) if they suspect the officer's actions violate the PBP's code of conduct. If the evidence collected following a full investigation meets a minimum standard of proof, CPRB may choose to authorize a public hearing where the complainant(s) and subject

officer(s) provide testimony. Board members then vote to determine whether the complaint is substantiated or unsubstantiated. The CPRB may only issue non-binding recommendations to the mayor and police chief, and its scope is limited to findings of misconduct.

Number of Complaints Against PBP Officers

The auditors requested OMI's complaint database to count the number of complaints filed against officers in 2020. OMI's spreadsheet contains the following fields: the nature of the allegation, PBP's policy violated, OMI's case finding, date allegation received, and officer's place of work.

Only allegations for which OMI completed its process were counted for the analysis. Completed allegations are defined as any allegation that OMI assigned one of their four findings to (sustained, not resolved, exonerated, unfounded).

Many cases in the spreadsheet had allegations with no finding or two or more fields left blank and were left out of the analysis. The OMI director stated the blank fields are due to the Alpro software database's incapability to convert all information over to the excel spreadsheet. Allegations that included blank fields involved: officers that were initially entered as accused but were later determined witnesses, an initial determination that there was no complaint, an incident deemed low level and referred to a police zone commander, a complaint involving non-PBP police officers, a case still open, or a case not timely filed.

 Some cases in the spreadsheet involved more than one officer and/or allegation. In this situation, each allegation was counted separately.  For example, if a case involved three (3) officers all accused of one (1) count of use-of-force and one (1) count of misconduct, they were counted as six allegations.

After a review of the voluminous allegations in the spreadsheet, the auditors placed them in one of the five following categories:

**Misconduct:** Officers accused of violating the PBP standard of conduct policy. This includes conduct unbecoming and conduct towards the public, neglect of duty, devoting entire time to duty, non-performance of duties, obedience to laws and orders, prohibited associates, and truthfulness.

**Use-of-force:** Officers that allegedly punched, kicked, tackled or shoved a civilian, used forcible handcuffing, taser discharge, and used of a weapon excessively.

**Biased Policing:** Officers that have allegedly made decisions on the job based on personal prejudices rather than reason or personal experience.

**Law Enforcement Operations:** Officer complaints that involve towing abandoned vehicles, warrantless search and seizures (vehicle stops, pat downs, building searches), domestic violence cases, motor vehicle stops, taking police reports, statutory authority, SWAT protocol, arrests involving warrants or summons, non-traffic citations, and handling of prisoners.

**Property and Equipment:** Officers complaints involving the use, safety, and maintenance of firearms, uniform code violations, utilization of body worn cameras, operating radio communications, using personal social media accounts, and compliance

with written directives requiring all officers to wear face masks due to the covid-19 pandemic.

OMI completed investigations in 184 PBP cases that contained 474 allegations in 2020. Chart 15 shows the breakdown by allegation. There were 272 (57%) related to conduct, 101 (21%) law enforcement operations policy and procedure violations, 59 (13%) involving use-of-force, 29 (6%) accusations of biased policing, and 13 (3%) property and equipment policy infractions.

**CHART 15**
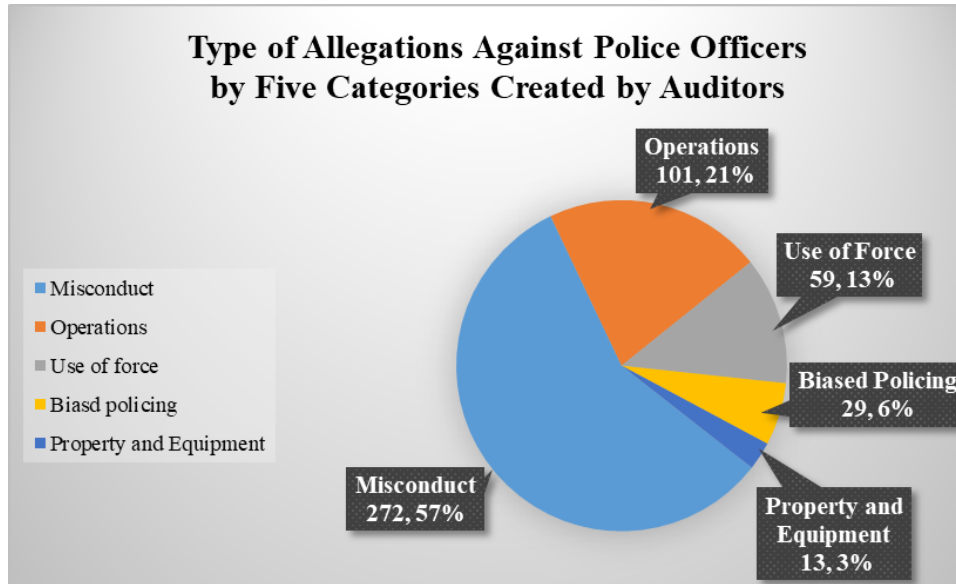


Source: OMI Database

Misconduct accounted for over half (57%) of all allegations made against police officers in 2020. The misconduct complaints most filed were conduct towards the public (119), neglect of duty (63), conduct unbecoming (38), obedience to orders and/or laws (35) and truthfulness (13).

**Finding:** More than half (57%) of all PBP allegations made to OMI were for violation of their standard of conduct policy.

Other complaints filed with OMI more than 10 times were grouped under law enforcement operations. They included warrantless searches and seizures (36), towing procedures (27) and motor vehicle stops (14).

It should be noted that these totals are different than number of cases and allegations presented on OMI's 2020 annual report. The annual report shows OMI investigated 186 cases containing 414 allegations. A possible reason for the discrepancy between both analyses is the annual report shows 25 cases still open. Over time many of these cases could have been assigned outcomes with multiple allegations. Also, some of the open cases may have been determined a non-complaint or transferred to a PBP zone for further investigation.

70

**RECOMMENDATION 16:**

      In the annual report, the PBP administration should display a frequency distribution of officers by the number of complaints made against them (e.g., 0, 1-2, 3-4, 5+ complaints). Data should also be disaggregated by the race and gender of complainants. Showing outlier officers who receive a disproportionate number of complaints would be one way for the PBP to improve transparency to the public.

Disposition of OMI Complaint Investigation

      OMI issues four different dispositions when they complete an investigation. Disposition categories are defined under OMI's policy 7-1 as follows:

> **Sustained:** The evidence available supports a finding that accountability standards have been violated.
> **Not Resolved:** The evidence is insufficient to prove or disprove that accountability standards have been violated.
> **Exonerated:** The accused employee followed all appropriate policies and procedures that apply to the circumstances under investigation.
> **Unfounded**: The facts alleged by the complainant are proven not to be true or accurate, the complainant has not made a prima facie allegation of misconduct and/or the complainant has announced their intention to withdraw the complaint.

      As stated earlier, OMI completed an investigation for 449 allegations in 2020. This resulted in 254 complaints (54%) unfounded, 130 complaints (27%) exonerated, 54 complaints (11%) sustained, and 36 complaints (8%) not resolved. Chart 16 shows the OMI disposition of complaints for all PBP officers in 2020.

**CHART 16**
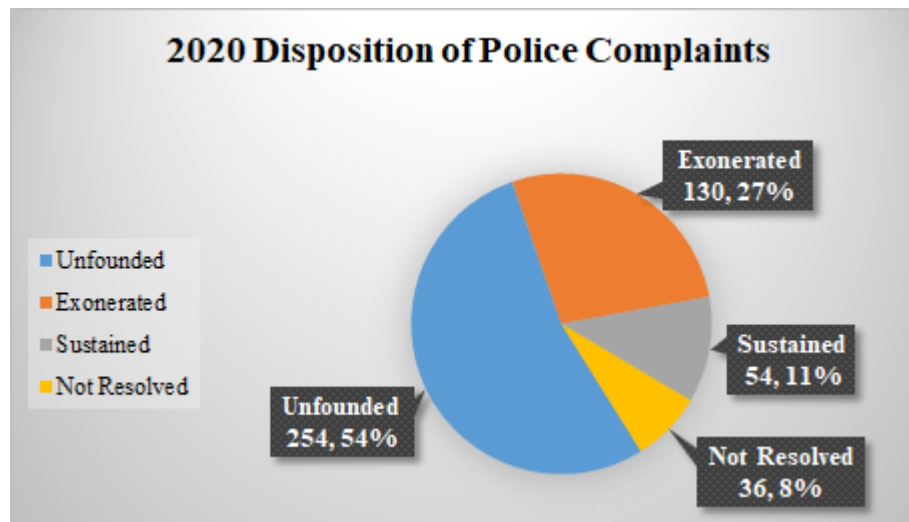


Source: OMI Database

**Finding:** OMI determined than more than half (54%) of all PBP allegations they investigated were unfounded in 2020. Only 11% of allegations made against police officers in 2020 were sustained.

**PBP Lawsuits**

In 2020, the city paid $1,964,000 in civil action settlements due to police misconduct. Out of the six settlement payments, four were caused by officers' use of excessive force. One of the city payments was a third and final installment from a $5,000,000 excessive force settlement in 2018 when a city resident was shot and paralyzed by a PBP officer. Table 9 shows settlement payments made in 2020.

**TABLE 9**

| Year of Claim | Reason for Lawsuit | Settlement Amount |
|---|---|---|
| **Number of PBP Settlements in 2020** | | |
| 2012* | Excessive force | $1,500,000 |
| 2015 | Failure to train regarding police pursuits | $392,000 |
| 2015 | Excessive force | $40,000 |
| 2017 | Excessive force | $16,000 |
| 2017 | Wrongful death/excessive force | $13,000 |
| 2017 | Illegal search/seizure of business property | $3,000 |
| **TOTAL** | | **$1,964,000** |

Source: Law Department
*3rd and final payment

**Finding:** In 2020, the city paid $1.96 million in settlements related to police misconduct.

**Early Intervention Systems and Disciplinary Data**

APro is a police internal affairs and early intervention software built and operated by CI Technologies. The software license was originally provided to the PBP by the county for one year, ending in February 2021. The PBP paid $17,000 for a one-year renewal of the license, after it ended in February, which included annual maintenance for the program's BlueTeam and EIPro components. According to the request for proposal submitted to the county by CI Technologies in June 2016, the software has three main components:

1. IAPro: case management, statistical reporting, early intervention
1. BlueTeam: report intake, chain of command routing, investigation support
2. EIPro: extends IAPro data to field-level supervisors, provides oversight of incidents to support accountability

As part of its early intervention system, the software tracks various metrics related to individual officers (e.g., use-of-force, excessive complaints, vehicle pursuits, firearm discharges). Using this data, it applies an algorithm to alert command staff that an officer may be a risk to the department and requires intervention.

PBP administration intended to adopt IAPro and fully phase out its current early warning system, PARS, operated by B-Three Solutions. However, the administration reported that the B-Three employee responsible for data integration no longer works with the Bureau and conversations were ongoing to include IAPro work as part of their service contract with B-Three.

**Finding:** The PBP's IAPro early intervention software has not been made operational due to data integration issues involving B-Three Solutions. It is unclear when the work will be complete.

The Mayor's Community Task Force on Police Reform noted in 2020 that public data regarding complaints against officers and resulting disciplinary actions are severely lacking. While the PBP's annual report includes a "disciplinary actions" page, details are sparse and do not show whether officers are being properly held accountable for misconduct. For example, it does not provide explanations as to why most complaints are unfounded, not resolved, or exonerated, which may damage public trust in the complaint process altogether.

In their response to the task force's recommendations, PBP administration repeatedly noted that the metrics gathered by IAPro would enable the Bureau to easily build front-facing dashboards that disclose complaint summaries, disciplinary actions, and use-of-force statistics to the public. However, at the time of this audit, it remains unclear when the new system will be fully operational.

An early intervention system paired with real-time data reporting on complaint investigations, disciplinary actions, and other critical metrics could be central to the Bureau's public accountability efforts. An effective early intervention system can also avoid costly litigation and settlements arising from officer misconduct, as well as preventing unwarranted loss of life.

## RECOMMENDATION 17:

PBP administration should prioritize the full implementation of IAPro as soon as possible, including end-user training. Using the data collected, the Bureau should disclose a full picture of complaint and disciplinary data as recommended by the Community Task Force on Police Reform in 2020.

## Brady List

Supreme Court case *Brady v Maryland* (1963) established the precedent that prosecutors have an obligation to disclose any exculpatory evidence favorable to the defendant found during an investigation. For the purpose of *Brady*, this includes evidence found by law enforcement officers and agencies. A later decision, *Giglio v US* (1972), expanded *Brady* by ruling that exculpatory evidence also includes information that may impeach the credibility of witnesses the prosecution may rely on, including officers. For example, if an officer has a history of untruthfulness, falsifying reports or planting evidence, racial bias, or a criminal history, it is considered relevant information and must be disclosed to the prosecution to preserve the integrity of a fair trial. If the police agency fails to do so and facts about the officer's credibility come to light, it may result in a mistrial.

Law enforcement agencies and prosecutors' offices often compile what is referred to as a "Brady List" to ensure compliance with these rulings. Officers with a history of credibility issues are included on the list with relevant details, and the file is given to prosecutors to determine whether an officer should be called on to testify during a trial. It is considered a best practice that prosecutors' offices and law enforcement agencies both maintain Brady Lists. The PBP confirmed to the auditors that they do not have one.

**Finding:** The PBP lacks a Brady List for officers.

In 2020, the Allegheny County Chiefs of Police Association and District Attorney published a model policy for Brady-Giglio disclosure requirements. The document, which can be found on the DA's website, establishes best practices for any local law enforcement agency seeking to develop a list. The document states that the rights of officers, privacy of personnel files, Criminal History Record Information Act and Right to Know requirements were all considered when developing the model.

## RECOMMENDATION 18:

Using the model policy developed by the Allegheny County Chiefs of Police Association and District Attorney, the PBP administration should implement, maintain, and regularly update a Brady List to be shared with prosecutors when necessary.

**Behavioral Health Responses**

In recent years, law enforcement agencies have begun adopting the use of crisis intervention and co-responder models to address incidents involving individuals experiencing mental illness and substance use disorders. These models involve coordination between 911, police, and health and human service providers to determine an appropriate response to individuals who may require specialized care. The use of de-escalation and crisis intervention to reduce distress in an individual is especially critical in these situations to protect the individual in crisis, bystanders, and first responders.

According to a 2015 study by the Treatment Advocacy Center, at least 1 in 4 people killed by police have untreated mental health illnesses, making them 16 times more likely to be involved in fatal police encounters.

Incidents that involve a potential behavioral or mental health crisis may initially be assessed by a dispatcher who receives a call and relays the relevant information to the responding officer. Otherwise, officers must use their discretion and police academy training to determine if an individual is in crisis.

Co-Responder Programs

PBP Order 40-15 outlines the Bureau's policy for responding to incidents involving mental health crises. In these scenarios, a Crisis Intervention Team (CIT) may be required. More recently, the PBP has been working with the Office of Community Health and Safety (OCH&S), which is under the co-direction of the Department of Public Safety and the Office of the Mayor, to expand the city's co-response strategy.

The Stop the Violence Trust Fund was established in late 2020 for the purpose of supporting programs that prevent violence and criminal activities. The establishing statute permits the funds to be used for OCH&S to support salaries, supplies, materials, professional services, equipment, and other services. Annual funding is indexed to a set percentage of the PBP's budget; in 2021, it was set to five percent and will rise gradually to 10% in 2026.

In July 2021, the PBP and OCH&S were awarded a $1.2 million grant from the US Bureau of Justice Administration to establish an effective co-responder model, called the Crisis Response and Intervention (CRIT) program. With that funding, OCH&S has received technical assistance from the University of Chicago and Police Research Association to update the Police Bureau's CIT program training and identify how to implement the co-responder model more effectively.

Under the CRIT program, the OCH&S has also begun to build a co-responder team consisting of behavioral health and community resource experts to be deployed alongside officers when a behavioral health crisis is assessed. At the time of this audit, the office has hired three community social workers (CSWs), a social work manager, and continuum of support manager, with plans to hire an additional three CSWs.  While this new co-responder team's scope is still under development, it is anticipated that they will work with victims of crime to access resources and support, as well as provide on-scene response to nonviolent calls for

individuals requiring social supports. Examples might include mental and behavioral health calls, neighbor nuisance disputes, neglect, and/or defiant youth.

As part of the CARES Act, Allegheny Health Network (AHN) received the HUD Emergency Solutions Grant, some of which has been dedicated to developing its own co-responder pilot program in police zones 1, 2, and 5. If successful, the pilot program has the potential for citywide deployment. OCH&S has partnered with AHN to provide training and subject matter to OCH&S's co-responder team.

It is expected that OCH&S's co-responder team will work collaboratively with the AHN team by calling them in when they are not already dispatched and assessing the needs of individuals on the scene. Initially, the team will respond to calls with PBP officers as a partner but may respond to incidents independent of officers as the program develops. Under the current vision, AHN will serve as the PBP's primary co-response team with the OCHS team providing scene triage and management. The OCH&S noted that a key goal is to not duplicate the existing efforts of local community organizations providing post-traumatic event response (e.g., STOP the Violence Fund), instead building on and supporting their work while filling in resource gaps.

**Finding:** A co-responder model for responding to mental health crises is currently under development by the OCH&S in collaboration with the PBP and Allegheny Health Network.


## RECOMMENDATION 19:

The deployment of a co-responder model to de-escalate behavioral health crises is a good strategy to reduce potentially violent encounters between police and civilians. The PBP should continue to support efforts made by the Office of Community Health and Safety and Allegheny Health Network to build an effective co-response strategy in the city.


First Responder Use of Naloxone Within City Limits

In responding to the opioid crisis, the Bureau has provided training to officers on the use of nasal Naloxone (more commonly known by brand name Narcan) and has made kits available for officers to administer to overdose victims. After administering it to a victim, officers are required to complete a Naloxone administration form.

The PBP provided a report from the Pennsylvania Overdose Information Network documenting each Naloxone administration in Pittsburgh by law enforcement agencies in 2020. It should be noted that administrations represent incidents, not victims, as an individual may receive more than one Naloxone administration from more than one responding agency during an incident. For example, one victim may receive a Naloxone administration from the PBP in January, then the same person receives another administration from Allegheny County police during a later month. The individual may also receive multiple doses of Naloxone per administration. In 2020, there were 149 Naloxone administration incidents involving 148 individuals and 204 doses delivered.

Table 10 shows the number of Naloxone administrations and doses given to victims by all law enforcement within the city limits in 2020. Table 11 shows the survival rate of all victims who received by PBP Naloxone administrations.

**TABLE 10**

| Naloxone Administration within City Limits in 2020 | | |
|---|---|---|
| **Administering Agency** | **Number of Administrations** | **Number of Doses** |
| Pittsburgh Bureau of Police | 139 | 190 |
| Department of Corrections | 5 | 8 |
| Allegheny County Police | 3 | 4 |
| Highmark Health Police | 2 | 2 |
| **TOTAL** | **149** | **204** |

Source: Pennsylvania Overdose Information Network

**TABLE 11**

| Survival Rate of all Victims who Received PBP Naloxone Administration within City Limits in 2020 | |
|---|---|
| **Did the Victim Survive?** | **Total Number and Percentage of Victims** |
| Yes | 128 (92.1%) |
| No | 5 (3.6%) |
| Unknown | 6 (4.3%) |
| **TOTAL** | **139** |

Source: Pennsylvania Overdose Information Network

**Finding:** PBP officers administered Naloxone in 139 incidents in 2020. Of those, <u>128 (92.1%) were known successful revivals</u>, 5 (3.6%) were unsuccessful, and 6 (4.3%) had an unknown outcome.

Table 12 shows the outcome of each victim that was administered Naloxone by the PBP. What happened to the victim after this outcome was out of the scope of this audit.

**TABLE 12**

| Outcomes of Naloxone Administration within City Limits in 2020 | |
|---|---|
| **Outcome** | **Number of Individuals** |
| Arrived at Hospital Conscious | 55 (39.6.%) |
| Refused Transport | 51 (36.7%) |
| Transported to Treatment | 9 (6.5%) |
| Arrived at Hospital Unconscious | 7 (5.0%) |
| Released | 5 (3.6%) |
| Arrested | 5 (3.6%) |
| Died on Scene | 5 (3.6%) |
| Not Reported | 2 (1.4%) |
| **TOTAL** | **139 (100%)** |

Source: Pennsylvania Overdose Information Network

**RECOMMENDATION 20:**

The PBP's administration Naloxone policy has been overwhelmingly successful, saving at least 128 lives in 2020 alone. The PBP administration should work with the newly created Office of Community Health and Safety to continue the policy, ensure all officers are trained to administer Naloxone, and have access to doses while on duty.

**Community Policing and Engagement**

Community Engagement Office

The Community Engagement Office (formerly known as the Community Outreach Office) was established in September 2019 within the PBP. According to the mission statement, the office "works to enhance the relationship between citizens and law enforcement through addressing community needs, building strong relationships based on trust, and partnering with neighbors to focus on improved public safety." The office is located at the PBP's headquarters in the North Shore, and the sergeant who leads the office reports directly to the police chief.

In 2020, the office included both community resource officers (CROs) and neighborhood resource officers (NROs). The NRO position was established in 2017 as an initiative of the mayor. It was envisioned that each zone would have at least three NROs who would have a visible presence in a specific neighborhood within their zone. Due to resource reallocations and the philosophy that every officer should fulfill that mission, the position will be fully phased out.

CROs are dedicated to the entire zone and work as liaisons with community groups to support local needs. Again, due to resource reallocations, each zone will have two CROs as of 2022.

**Finding:** The PBP has reallocated staff away from the Community Engagement Office to fill other resource needs in the Bureau.

Table 13 shows the number of NROs and CROs by zone in 2020.

**TABLE 13**

| NROs and CROs in 2020 by Zone | | |
|---|---|---|
| | **Number of NROs** | **Number of CROs** |
| Zone 1 | 0 | 2 |
| Zone 2 | 1 | 1 |
| Zone 3 | 2 | 2 |
| Zone 4 | 3 | 2 |
| Zone 5 | 3 | 4 |
| Zone 6 | 0 | 2 |
| **TOTAL** | **9** | **13** |

Source: PBP staff

The 2020 PBP annual report lists 33 different community engagement activities that the Bureau participated in during the year. Some examples of the office's activities in 2020 included:

- Need a Mask, Take a Mask initiative: nearly 100,000 masks distributed to community members and partners)
- Produce to People: fresh produce delivered to senior centers and immigrant/refugee partners weekly (partnerships with EAT Initiative, CitiParks, Ebeneezer Church, Casa San Jose, and United Somali-Bantu)
- Pennsylvania Commission on Crime and Delinquency grant to expand Youth Connections programming at local high schools
- Partnership with Group Violence Intervention Outreach Team to attend special events and create approaches that interrupt violence in local communities

Community Engagement Officer Training

Currently, PBP officers are encouraged but not required to participate in the office's initiatives. As part of MPOETC requirements, all officers working in the Commonwealth must receive the following community-related education:

- Community Oriented Policing and Problem-Solving (8 hours)
- Ethics and Moral Issues (8 hours)

In addition, the PBP requires for new hires:

- Homeless Resources (4 hours)
- Restorative Justice (4 hours)
- Inside-Out (44 hours)
- Ethical Decision Making (4 hours)

All Community Engagement Office staff are offered quarterly training as part of continuing education requirements. Past trainings have included Public Speaking, Autism Awareness, Car Seat Technician Certification, Crime Analysis Techniques, and local resource presentations.

**RECOMMENDATION 21:**

The PBP administration should offer incentives that encourage more officers to participate in the Community Engagement Office's activities. Doing so could improve morale and community relations.

**RECOMMENDATION 22:**

The Community Engagement Office is currently working to find a university partner to help develop measurable data collection related to community engagement outcomes. The office should continue these efforts. A data-based approach to community engagement could allow the office to focus resources on the most effective strategies that reduce violence, improve community relations, and other goals defined by the office.

Inside-Out Program

The Inside-Out program was first developed by Temple University faculty member Laura Pompa in 1997 and brought to Pittsburgh by Duquesne Professor Norman Conti in 2016. It brought together police recruits with six incarcerated men in the State Correctional Institution (SCI) Pittsburgh who voluntarily study together as classmates. Both the recruits and those incarcerated receive university credits for completing the class. The goal of the program centers on restorative justice by reducing the stigma of incarcerated people and building shared empathy between officers and those incarcerated. Since 2016, it has been mandatory for every class of recruits in the Pittsburgh Police Academy. After the closure of SCI Pittsburgh, the program has been held at SCI Greene, and in 2020 was held virtually due to the COVID-19 pandemic.

Citizens Police Academy

The Citizens Police Academy operates through the Community Engagement Office and is open to all city residents. If selected, city residents can participate in a sampling of police

training which helps them become acquainted with daily police operations. The curriculum includes the basics of criminal law, search and seizure, patrol tactics, firearms, police accountability, crime processing, police canine use, and specialty police unit operations.

Citizens Police Academy is held once in the spring and once in the fall every year at various locations, including the PBP training academy, local high schools, and community centers. Class sizes are limited to around 25 to 30 participants. The length of the training varies by session depending on staff and location availability. Academy sessions were cancelled in 2020 due to the COVID-19 pandemic.

City residents interested in participating must fill out an application and mail the completed form to the PBP. All applicants will undergo a criminal record background check before being accepted into the program.

**Finding:** The Community Engagement Office noted a recent decline in Citizens Police Academy participation. This may be partially attributable to the antiquated application process, which does not include an online application option.


**RECOMMENDATION 23:**

The PBP administration should allow residents to apply for the Citizens Police Academy online. The PBP administration should work with the I&P to create a Citizens Police Academy application form on the PBP website. Making the application process easier should increase application and participation rates.


The Student Police Academy

The Student Police Academy (SPA) was launched in 2015 and was recently absorbed by the Community Engagement Office. Any student in grades 9-12 in the state may participate and is particularly useful for students seeking to pursue a career in law enforcement.

The SPA offers sample police training and operations to students similar to the Citizens Police Academy curriculum. The program is free-of-charge, has limited class sizes, and is offered at various locations in the city. All students can request an SPA application from their school. The application must be signed by student and parent or guardian and then mailed to the address provided on the PBP advertising flyer. Sessions in 2020 were cancelled due to the COVID-19 pandemic.

**APPENDIX**

**EXHIBIT A**

Charges Used By Auditors for Each Arrest Category (WPRDC Data)

1. Traffic/Vehicle Violations
   - 1301 – registration and certificate of title required
   - 1332 – display of registration plate
   - 1371 – operation following suspension of registration
   - 1372 – unauthorized transfer or use of registration
   - 1376 – drivers required to be licensed
   - 1501 – drivers required to be licensed
   - 1511 – carrying and exhibiting driver's license on demand
   - 1543 – driving while operating privilege is suspended or revoked
   - 1574 – permitting unauthorized person to drive
   - 1785 – proof of financial responsibility following accident
   - 1786 – required financial responsibility
   - 3111 – obedience to traffic-control devices
   - 3112 – traffic-control signals
   - 3308 – one-way roadways and rotary traffic islands
   - 3309 – driving on roadways laned for traffic
   - 3323 – stop signs and yield signs
   - 3324 – vehicle entering or crossing roadway
   - 3331 – required position and method of turning
   - 3332 – limitations on turning around
   - 3334 – turning movements and required signals
   - 3361 – driving vehicle at safe speed
   - 3362 – maximum speed limits
   - 3543 – pedestrians crossing at other than crosswalks
   - 4302 – periods for requiring lighted lamps
   - 4303 – general lighting requirements
   - 4524 – windshield obstructions and wipes
   - 4703 – operation of vehicle without official certificate of inspection
2. Driving/DUI
   - 3714 – careless driving
   - 3731 – driving under influence of alcohol or controlled substance
   - 3736 – reckless driving
   - 3742 – accidents involving death or personal injury
   - 3743 – accidents involving damage to attended vehicle or property
   - 3745 – accidents involving damage to unattended vehicle or property
   - 3802 – DUI
   - 3809 – restriction on alcoholic beverages in vehicle
3. Obstruction/Fleeing
   - 4906 – false reports to law enforcement authorities

- 4910 – tampering with or fabricating physical evidence
- 5101 – obstruction admin. Of law
- 5104 – resisting arrest or other law enforcement
- 5121 – escape

4. Public Conduct
   - 3127 – indecent exposure
   - 5501 – riot
   - 5502 – failure of disorderly persons to disperse
   - 5503 – disorderly conduct
   - 5505 – public drunkenness
   - 5507 – obstructing highways and other public passages
   - 5902 – prostitution

5. Property Crimes
   - 3301 - arson
   - 3304 – criminal mischief
   - 3502 – burglary
   - 3503 – trespassing
   - 3701 – robbery
   - 3702 – robbery of motor vehicle
   - 3921 – theft by unlawful taking or disposition
   - 3922 – theft by deception
   - 3924 – theft of property lost, mislaid, or delivered by mistake
   - 3925 – receiving stolen property
   - 3929 – retail theft
   - 3932 – theft of leased property
   - 3934 – theft from vehicle

6. Drug Possession
   - 13(a) – possession

7. Violent Crimes
   - 2501 – criminal homicide
   - 2504 – involuntary manslaughter
   - 2606 – aggravated assault on unborn child
   - 2701 – simple assault
   - 2702 – aggravated assault
   - 2706 – terroristic threats
   - 2709 - harassment
   - 2718 - strangulation
   - 2901 - kidnapping
   - 2902 – unlawful restraint
   - 2903 – false imprisonment
   - 3121 – rape
   - 3123 – involuntary deviate sexual intercourse

- 3124 – sexual assault
8. Firearms
    - 6105 – persons not to use, possess, use, manufacture, control, sell, or transfer firearms
    - 6106 – firearms not to be carried without a license
9. Inchoate Crimes
    - 901 – criminal attempt
    - 902 – criminal solicitation
    - 903 – criminal conspiracy
    - 907 – possessing instruments of crime
10. Bench Warrants
    - 9501 – bench warrant

# EXHIBIT B

Uniform Crime Reporting System

Summary Reporting System Crime Codes

Part I Offenses-Number of Incidents and Arrests

1. Criminal Homicide
2. Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Larceny Theft
7. Motor Vehicle Theft
8. Arson

Part II Offenses-Arrests Only

9. Other Assaults*
10. Forgery and Counterfeiting*
11. Fraud
12. Embezzlement
13. Stolen Property: Buying, Receiving, Possessing
14. Vandalism
15. Weapons: Carrying, Possessing, etc.
16. Prostitution and Commercialized Vice**
17. Sex Offenses
18. Drug Abuse Violations
19. Gambling
20. Offenses Against the Family and Children
21. Driving Under the Influence
22. Liquor Laws
23. Drunkenness
24. Disorderly conduct
25. Vagrancy
26. All Other Offenses
27. Suspicion
28. Curfew and Loitering Laws (Persons under age 18)
29. Runaways (Persons under age 18)
30. Assisting and Promoting Prostitution**
31. Purchasing Prostitution**

*PBP codes forgery and counterfeiting (9) and other assaults (10)

**William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 requires FBI to collect human trafficking Part I incident data coded: Human Trafficking-Commercial Sex Acts (9); Human Trafficking-Involuntary Servitude -(10)

*CITY OF PITTSBURGH*
# BUREAU OF POLICE

### DEPUTY CHIEF OF POLICE
*"Ho1101; Integrity, Co11rage, Respect and Compassion"*

### Memorandum DCOP #22-170

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| **TO:** PBP Chiefs | **UNIT:** Bureau of Police |
| **FROM** Thomas Stangrecki, Deputy Chief | **UNIT:** Bureau of Police |
| **DATE:** May 12, 2022 | |
| *Subject:* Performance Audit **(PBP)** Response | |

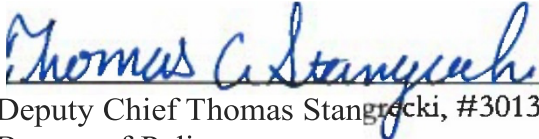| | Recommendation | PBP Response |
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| 1 | PBP and OMI administration should eliminate the use of polygraph tests in the hiring process. In its place, the mayor's administration should work with the PBP to adopt a community panel interview process for all new police applicants before they are accepted as a recruit. Appointments to the panel should be made independently of the PBP and prioritize the representation of impacted minorities. The panel's recommendations should be weighed as heavily as other stages of the hiring process. | Agreed in Part. The officer selection and hiring process is designed to ensure that the agency has an efficient, effective, and fair selection process that results in the appointment of those individuals who best possess the skills, knowledge, and abilities necessary for the effective delivery of law enforcement services to the community. This includes core values such as integrity and honesty. While some aspects can be measured through knowledge or physical tests, the integrity of the applicant and the veracity of basic information provided by them can only be tested the polygraph exam combined with thorough investigation. As indicated in the audit, OMI stated that a candidate is not disqualified based on the results of a polygraph exam alone. It is our experience that applicants who were not selected based on other information provided in the background investigation that was contrary to core values. The Bureau is not opposed to using a community member panel and/or embedding a community member on the oral interview panel. For future audit on the selection and hiring process, statistics should be kept on the demographics of all applicants and the reasons why applicants were disqualified. |

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| 2 | In consultation with the Law Department, the current Department of Public Safety and **PBP** administration should establish a clear policy against current and future employee affiliations with hate groups or paramilitary groups, with an exception for contacts legitimately made to infiltrate an organization within the line of duty. It should establish a clear mitigation plan when those affiliations are found, on a case-by-case basis, including termination of an officer when necessary. | Agreed. The Bureau's current policy 16-1 Standards of Conduct (re-issued on 1/ 5/ 2021), 3.52.3 Prohibited Associations states "No member shall knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies. The Bureau will review this section in its entirety with the Law Department and update as appropriate. |
| 3 | City administration should require OMI staff to conduct periodic and random social media checks of active-duty officers to monitor compliance with this policy and ensure that OMI has the necessary personnel to conduct such a policy. All PBP employees should be **aware** that OMI staff will continue social media checks after they are employed and that content in violation of PBP policy can be grounds for disciplinary action or termination. | Agreed. The Bureau of Police supports this recommendation provided OMI, which is independent of the Bureau, agrees and has the capacity, such as staffing and software capabilities/ vendor, to perform the checks. |
| 4 | In its review of Order 69-03, PBP administration should update the BWC policy to address the FOP's complaints and other ambiguities in order to resume monthly compliance reviews. In its update, the policy should: clearly specify which public interactions require officers to activate BWC devices; state the number or percent of recordings that must be reviewed by supervisors each month; and require officers to document why the BWC was not activated in interactions that fall under the policy. | Agreed in Part. Order 69-03 was recently re-issued on May 4, 2022 after negotiations with the FOP and monthly compliance checks were not required since Section 17.0 allows ample opportunity to review recordings. <br>• Subsection 8.0 Mandatory Recording specifies when the BWC is required to be activated. <br>• Section 17.0 requires Supervisors to review recordings related to police collisions, use of force, field contact/ search & seizure, Bureau injury investigations, alleged violations of general orders for the past 120-day period, BWC footage for reporting accuracy for the past 120-day period, and employees who are being monitored and/ or are on a performance improvement plan. <br>• Section 9.3-9.4 requires to document why they did not activate <br>• And/ or interrupted/ terminated a recording in progress. |
| 5 | Using data from monthly compliance reviews, the PBP administration should make compliance and non-compliance rates available to the public. | Agreed in Part. Reviews are event specific and monthly compliance reviews are not required. However, Evidence.com has administrative tools available to assess BWC use by members. The Bureau will explore this option and attempt to develop a BWC compliance section in the Annual Report. |

| 6 | PBP and OMI administration should explore the possibility of transferring BWC compliance audit responsibility to an independent agency, such as the Citizen Police Review Board. | Disagreed. The Bureau is open to ideas, including software, to monitor usage of BWC's and audit the content of officer/ civilian interaction as an early warning/ intervention strategy. Many recordings that are related to criminal investigations and cannot be disseminated to non-criminal justice agencies without violating the Criminal History Records Information Act and/ or jeopardizing investigations and prosecutions. The Bureau will consult with our current vendor, AXON, to determine what tools are available in their Evidence.com system. |
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| 7 | Requiring all officers to participate in annual continuous education training on use-of-force, deadly force, de- escalation, and duty to intervene is an excellent practice. The PBP administration should continue to require all officers to participate in this annual continuous training. This practice ensures that the most recent best practices are being followed. | Agreed. The Bureau currently provides annual and continuo us training as required by MPOETC on the use of force, de-escalation, and duty to intervene. The Bureau is currently in the process of completing this training as part of the 2022 MPOETC annual training. |
| 8 | In the annual report, the PBP administration should display a frequency distribution of officers by the number of use-of-force incidents they were involved in (e.g., 0, 1- 2, 3-4, 5+). Use of force incidents should also be disaggregated by race and gender of civilians. This could show which officers are prone to using excessive force. | Agreed. The Bureau of Police included a frequency distribution of officers by the number of incidents. The Annual Report also includes the demographics of civilians involved in a use of force incident. |
| 9 | The PBP administration should prioritize completion of the new Inform RMS system as soon as possible. Once the RMS system is implemented, PBP should create a public- facing dashboard to show how incidents, arrests, citations, traffic stops, pedestrian stops, and use-of-force incidents are distributed citywide alongside full demographics of civilians involved. It should also publish the rate of occurrence for any incidents involving searches that successfully lead to the discovery of illicit items or substances. | Agreed. The Inform RMS system is a priority and anticipated to be operational before the end of 2022, when the current APRS will be sunset and no longer supported. Although the Annual Reports provide a breakdown of police actions (arrests, traffic stops, searches, use of force), the Bureau will seek to create a public facing dashboard on the City webpage. |

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| 10 | The FBI's use-of-force database is an important resource for collecting use-of-force statistics nationwide. The PBP administration should be commended for doing so and continue participating in the program. After implementing the new [Inform RMS system, the PBP should join the LEOKA program. | Agreed. The Bureau will continue to submit information for inclusion into the FBI use of Force database and determine. Historically the Bureau has contributed information to the Law Enforcement Officers Killed and Assaulted (LEOKA) program. |
| 11 | The PBP administration should commission a study to determine an appropriate manpower standard and response times for each police zone. The PBP administration should explore whether local universities can be utilized to undertake the project at a minimal cost to the city. | A staffing study has been authorized by the City. |
| 12 | Encounter-free traffic enforcement is an effective strategy to reduce racial disparities in arrests and civilian-officer encounters without negatively impacting public safety.<br>The city administration should provide sufficient oversight of outcomes to ensure that the goals of this policy are met. | Agreed in part. A PowerPoint training was published on February 2, 2022 in anticipation of the effective date of the ordinance (503.17) on April 29, 2022. The Bureau will task the Crime Analysis Unit with analyzing data from Traffic Stop Reports to gage compliance. Note: The Pennsylvania Law Enforcement Accreditation Commission has notified the Bureau of Police that our accreditation status is in jeopardy for restricting the enforcement of certain traffic violations. |
| 13 | After implementing the new Inform RMS system, the PBP administration should utilize its improved capabilities to make real-time data reports on racial disparities available to the public. Reports should include arrests (including relevant categories), vehicle stops, whether force was used, and demographics of the individual stopped and/or arrested. | Agreed. Although the Annual Reports provide a breakdown of police actions (arrests, traffic stops, searches, use of force), the Bureau will seek to create a public facing dashboard on the City webpage. |

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| 14 | To reduce racial disparities in the administration of the marijuana decriminalization ordinance, PBP should issue a formal policy providing guidance on when officers should follow the city code's decriminalization ordinance as opposed to the state offense. The policy should follow the guidelines set by the November 30, 2020, memorandum. | Agreed. Prosecution for cases where a small amount of marijuana is the only charge is handled at the magistrate level as either a summary disorderly conduct or violation of City Ordinance. The Bureau encourages the Mayor and City Council to contact the Legislature to consider changing the statute to make this charge a summary violation. |
| 15 | The PBP administration should work with the county to explore options to begin tracking revenue derived from fines and fees and make that data publicly available on an online dashboard. The data should include as much demographic and geographic information as is feasible. | Agreed. The Bureau does not have a OBA. Any fines and fees received by the City are either received by Public Safety, Cash Management and / or direct deposited in a City account. The Bureau would be open to being involved in the process to track and quantify this information. |
| 16 | In the annual report, the PBP administration should display a frequency distribution of officers by the number of complaints made against them (e.g., 0, 1-2, 3-4, 5+ complaints). Data should also be disaggregated by the race and gender of complainants. Showing outlier officers who receive a disproportionate number of complaints would be one way for the PBP to improve transparency to the public. | Agreed. Currently, complaint data is in the OMI Annual Report which is published on the City webpage but which does not have a frequency chart. The Bureau will consult with OMI and / or request complaint data from OMI in the future in order to create a frequency distribution chart for the Annual reports. |
| 17 | PBP administration should prioritize the full implementation of IAPro as soon as possible, including end-user training. Using the data collected, the Bureau should disclose a full picture of complaint and disciplinary data as recommended by the Community Task Force on Police Reform in 2020. | Agreed. IAPro (Internal Affairs) is implemented and being used by OMI. Progress is being made on importing data from the Officer Management System and implementing the remaining components (Blue Team and EIPro (early warning system)). |
| 18 | Using the model policy developed by the Allegheny County Chiefs of Police Association and District Attorney, the PBP administration should implement, maintain, and regularly update a Brady List to be shared with prosecutors when necessary. | Agreed. Currently, the Bureau does process Giglio requests on an individual basis when requested by prosecutors. The Bureau will develop a policy for Giglio requests and Brady lists. |
| 19 | The deployment of a co-responder model to de-escalate behavioral health crises is a good strategy to reduce potentially violent encounters between police and civilians. The PBP should continue to support efforts made by the Office of Community Health and Safety and Allegheny Health Network to build an effective co-response strategy in the city. | Agreed. |
| 20 | The PBP's administration Naloxone policy has been overwhelmingly successful, saving at least 128 lives in 2020 alone. The PBP administration should work with the newly created Office of Community Health and Safety to continue the policy, ensure all officers are trained to administer Naloxone, and have access to doses while on duty. | Agreed in Part. Since May 19, 2016 a Naloxone policy has been in place and the Training Academy provided instruction and provided Naloxone kits. The Property Room provides replacement doses and supplies. The Bureau will contact the OCHS for suggestions. |

| 21 | The PBP administration should offer incentives that encourage more officers to participate in the Community Engagement Office's activities. Doing so could improve morale and community relations. | Agreed in Part. A core value of policing is desire to work with the community. An officer's duties require them to positively engage with the community at all level but they may not have that opportunity due to their assignment. The Bureau is open to ideas on how to provide officers with the desire to participate in community engagement events to foster positive relationships with the community and for officer development. |
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| 22 | The Community Engagement Office is currently working to find a university partner to help develop measurable data collection related to community engagement outcomes. The office should continue these efforts. A data-based approach to community engagement could allow the office to focus resources on the most effective strategies that reduce violence, improve community relations, and other goals defined by the office. | Agreed. The Community Engagement Office should also collaborate with the Bureau's Crime Analysts, Violent Crime Unit, and Group Violence Intervention Coordinator to determine how focused engagement impacts violent crime trends. Agreed. It appears that on-line applications |
| 23 | The PBP administration should allow residents to apply for the Citizens Police Academy online. The PBP administration should work with the I&P to create a Citizens Police Academy application form on the PBP website. Making the application process easier should increase application and participation rates. | Agreed. It appears that on-line applications are already available on the City webpage at https://pittsburghpa.gov/publicsafety/cpa-spa |

*Thomas C. Stangrecki*

Deputy Chief Thomas Stangrecki, #3013
Bureau of Police


cc:     PBP Chiefs
            Commander Eric Holmes, Chief of Staff
            Commander Christopher Ragland, OSAR
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