



# Bismarck Police Department



January 28, 2020

## To the Citizens of Bismarck:

The Bismarck Police Department has the responsibility to provide quality law enforcement services to the citizens of the City of Bismarck and its visitors. We are tasked with meeting the public safety needs of a growing community and responding to a relatively high volume of calls for service. Our department routinely makes arrests, enforces traffic laws, mediates conflict and in doing so, participates in confrontational and emotionally charged situations.

During the course of the year we receive complaints from citizens regarding our employees and their actions. We take these complaints seriously and make a point to investigate them thoroughly. When we are wrong, we admit it and we take measures to improve our ability to provide quality service to our community. Additionally, our supervisory staff is required to report any perceived wrongdoing on the part of employees of the Department. In this fashion, no allegation will be overlooked with or without a citizen complaint. Such measures include policy or procedure changes, employee training or re-training, and when appropriate, employee discipline.

The following is a summary of citizen complaints and Internal Affairs investigations in 2019 and in comparison to past years.

## **ANNUAL REPORT FROM The Office of Administrative Services**

### **2019 Summary:**

According to Internal Affairs Investigation Statistics, during 2019 there were four cases investigated by Internal Affairs. Of the three cases were externally generated by citizen complaint and one was internally generated. A total of four department employees (all sworn officers) were identified in the four investigations. All Internal Affairs investigations for incidents reported in 2019 had been concluded at the writing of this report.

The previous four years indicate a relatively low and stable number of Internal Affairs investigations conducted.

**Complaints handled by the Administrative Services Lieutenant  
As Internal Affairs Investigations**

	2014	2015	2016	2017	2018	2019
<b>Internal Affairs Complaints</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>4</b>
Sustained	1	0	2	1	1	1
Not Sustained	0	0	0	0	0	1
Exonerated	2	3	1	1	1	2

Of the nineteen complaints reviewed and investigated by the section supervisors in 2019, the following findings were obtained:

- 19\*\* complaints were closed as “Exonerated”
  - Exonerated – a fair preponderance of the evidence established that:
    - a) The act, or acts complained of, did not occur;
    - b) The employee named in the complaint was not involved in the alleged misconduct; or,
    - c) The act(s) that provided the basis for the complaint occurred; however, the investigation determined that such act(s) were justified, lawful, or proper.
- 4 complaints were closed as “Sustained”
  - Sustained – a fair preponderance of the evidence obtained in the investigation established that the employee(s) actions constituted misconduct.
- 3 complaints were closed as “Not sustained”
  - Not Sustained – the investigation failed to disclose sufficient evidence to prove or disprove the allegations made in the complaint.

\*\*Complaints often involve more than one officer. There can be different dispositions for different officers in each complaint as was the case above in 2019.

### Complaints Handled at the Section Level for Sworn Staff

	2014	2015	2016	2017	2018	2019
<b>Section Handled Complaints</b>	<b>8</b>	<b>6</b>	<b>11</b>	<b>24</b>	<b>20</b>	<b>19</b>
Sustained	0	1	1	4	4	4
Not Sustained	0	0	0	0	2	3
Exonerated	8	5	10	20	14	19**
Other	0	0	0	0	0	0

\*\*Complaints often involve more than one officer. There can be different dispositions for different officers in each complaint as was the case above in 2019.

### Complaints Against Non-Sworn Staff

	2014	2015	2016	2017	2018	2019
<b>Complaints</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>
Sustained	0	0	0	0	1	0
Not Sustained	1	0	0	0	0	1
Exonerated	0	0	0	0	0	0

This information will be posted on the BPD website for public and employees viewing as per policy and CALEA Standard 26.2.5.

  
 ROGER MARKS III  
 Lieutenant  
 Administrative Services