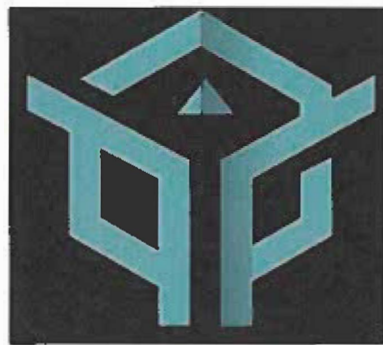


Third-Party Independent Review of the Decatur Police Department



Green Research and Technology (GRT)

This document contains the best opinion of Green Research and Technology at the time of issue.

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Executive Summary

The goal of this assessment is to provide a transparent view of the Decatur Police Department (DPD) and recommendations on improving its practices, culture, and relationship with the community.

Public trust is an essential component of an effective police department. Police departments are simply a part of the community they serve, and all members of the community should feel that their best interests are at the core of their police department's actions. When, for whatever reason, any part of a community no longer believes that the police department represents their best interests, trust is lost. When trust is diminished, tensions increase because of a fear that a community has of the incredible power that police officers hold to take not only freedoms but lives. As we have seen repeatedly across the United States, when tensions are high, it only takes one incident to create significant unrest within a community. The City of Decatur has experienced this situation since a police-involved shooting in September of 2023.

In response to this ongoing unrest, the Decatur City Council solicited GRT to conduct a third-party, independent review of the Decatur Police Department. The scope of this review included:

- An assessment of Decatur Police Department culture by examining Public and DPD Personnel Perspectives.
- A review of body camera footage and corresponding police reports (excluding the officer-involved shooting from September of 2023 and any other matters currently in litigation).
- A review of the Office of Professional Standards (OPS) processes, also known as Internal Affairs.
- A review of DPD policy and procedures.
- A review of the Citizen Advisory Board appointment procedures and recommendations for appointment procedures.

To conduct this assessment, GRT conducted over 50 interviews with members of the Decatur community; interviewed over 50 DPD personnel, including support staff, officers, sergeants, lieutenants, captains, and the Chief of Police, Todd Pinion; reviewed over 300 hours of body worn camera footage; reviewed all citizen complaints over the previous two years, reviewed

DPD Policies and Procedures, and reviewed the DPD Citizen Advisory Board and appointment procedures.

To provide a transparent view of the DPD and recommend improvements in its practices, culture, and relationship with the community, we broke the assessment into several key areas. These areas will allow for a comprehensive evaluation, identification of potential weaknesses, and development of actionable recommendations.

Key findings include the following:

- DPD is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA); therefore, their policies are consistent with national standards and best practices.
- There are instances of DPD officers treating members of the Decatur community with compassion and empathy. There are some instances of officers going out of their way to ensure that community members are left feeling safe and secure.
- However, some officers treat members of the public with little empathy or use an inflammatory tone.
- Several communication failures have negatively impacted both the community and the DPD, some of which stem from Chief Pinion's reluctance to speak publicly.
- DPD has software (IAPro) designed to manage departmental workflow and effectively and thoroughly document officers' use of force incidents, citizen complaints, and internal investigations; however, this software is not utilized effectively in many cases or used at all in others.
- IAPro has an Early Identification/Intervention System (IES), sometimes referred to as an Early Warning System (EWS). DPD's practice of housing different types of complaints/personnel investigations in separate locations makes this EWS ineffective.
- Although complaints were physically recorded in one of these locations, the insufficient detail in some instances led GRT to believe that not all complaints were thoroughly investigated.
- There were instances where DPD facilitated Disorderly Conduct arrest improperly and described the facts of the arrest differently in their arrest report compared with what was observed and communicated during the BWC review.

- There were instances where DPD facilitated Obstruction of Governmental Operation charges improperly. In these situations, DPD officers often used their justification of “giving a lawful order” as the reason for making the OGO charge, even when their “lawful order” was questionable.
- All interviewed Citizen Advisory Board members provided positive feedback regarding their view of the Board and its effectiveness and believed that Chief Pinion used the Board effectively.
- Citizen Advisory Board members are generally recruited by current Board members or the Chief of Police and ultimately appointed by the Chief. This can have the unintended effect of having most, if not all, members with similar points of view.

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1.0 Introduction

Public trust is an essential component of an effective police department. Police departments are simply a part of the community they serve, and all members of the community should feel that their best interests are at the core of their police department's actions. When, for whatever reason, any part of a community no longer believes that the police department represents their best interests, trust is lost. When trust is lost, fear is the result. A fear of the incredible power that police officers have to take not only freedoms but lives. As we have seen repeatedly across the United States, when tensions are high, it only takes one incident to create significant unrest within a community.

The City of Decatur has experienced this situation since a police-involved shooting in September of 2023. Since that time, there have been countless protests, volatile City Council meetings, and numerous negative interactions between citizens and the police in reference to the shooting. As a result of the repeated calls for answers regarding the handling of protests, processing, and investigations of complaints made by citizens, and accusations of poor leadership or bad culture within the DPD, the Decatur City Council unanimously voted to contract Green Research and Technology to conduct an independent, third-party review of the Decatur Police Department.

The goal of this review was to bring transparency to the community regarding many of their complaints; specifically, that the DPD was not investigating complaints made against officers by the community, and that the protesters were specifically targeted by the DPD. GRT used multiple sources to evaluate the department, including policies, administrative data, body-worn camera footage, and interviews with DPD personnel and the public.

GRT understands and respects the difficult job that police officers have as public servants and law enforcers. It is understood that police officers are human beings placed in the most demanding situations that can be faced – on a routine basis. It is also understood that police departments are responsible to their communities to ensure that mechanisms are in place to ensure fair, balanced, and professional policing within them. This document reviews the Decatur Police Department with those considerations at the forefront.

2.0 Areas of Focus

Policing in America has been advancing in terms of professionalism since the establishment of the first publicly funded police department in Boston, Massachusetts in 1838. This progress has been painfully slow at times, but there has been incredible advancement, nonetheless. Today's police departments house massive amounts of data designed to provide direction and accountability. Most police departments have hundreds of policies (often referred to as Written Directives) that provide enforceable policies on everything from the type of boots an officer can wear and how they seal a package containing evidence to the levels of force that can be used in a particular situation and exactly how that force is to be documented. There are tens of thousands of hours of body worn camera footage for even a small to mid-sized police department to review. Hundreds upon hundreds of pages of training files and plans along with which officer received which training, OPS files for every complaint or administrative investigation, and personnel files for all employees with documented corrective actions. There are logs showing when inspections have occurred to when vehicles have received maintenance. This list can go further, but it is sufficient to explain that a full assessment of a police department could take countless hours.

Due to the facts described, it was decided that the area of focus for this assessment would be limited to the concerns of the community at hand. The scope of this assessment included:

- Public Perspectives
 - Are citizen's complaints submitted and recorded/filed?
 - Are these complaints being addressed?
 - What actions are taken? Reprimands? Training?
 - Are complaints investigated?
- An assessment of the culture within the Decatur Police Department
 - Is there a culture of following policies and procedures?
 - Is a community policing model used for servicing and interacting with citizens?
 - Is there a culture of holding officers accountable for following the policies and procedures?
 - Is there a culture of positive, accountable, and fair leadership?

- Review the OPS processes
 - Are complaints thoroughly investigated and documented?
 - Are officers held accountable for their actions?
 - Is there an effective Early Warning System in place?
- Policy and procedure review and recommendations
 - Review policies and procedures regarding national standards and best practices.
 - Provide recommendations for improvement.
- A review of the DPD Citizen's Advisory Board
 - Is the Board utilized effectively?
 - Are Board member appointments fair and effective?
 - Provide recommendations for improvement.

3.0 Approach

The approach taken for this review was one of fairness and balance. It is recognized that perspective is a key component in most situations of disagreement. It is clear from the dialogue between members of the public and the leaders within the Decatur Police Department that there is significant disagreement. The goal of this review is to provide the Decatur City Council and the citizens of Decatur with a neutral and uninfluenced view of their police department – with a concentration on the areas of focus mentioned above.

The findings described in this report represent both facts *and* opinions. In some instances, we will describe events and situations in a purely factual way. In other instances, this report will represent our opinion regarding whether certain behaviors or actions were either justified or not, appropriate, or not, or simply when things could have been done differently for improved results. We understand that these opinions will not be universally agreed upon; however, it is the role of GRT to provide this outside perspective and recommendations for improvement.

As mentioned previously, policing in America is ever-evolving, and opinions regarding best practices differ from region to region. This report and its findings therein represent the opinions and views of Green Research and Technology. An effort has been made to provide this report in a succinct and clear manner without overly legalistic terminology to provide clear and direct answers to the community's concerns.

4.0 Methods

Once the areas of focus were determined, the methods used to gather the information necessary to assess those areas were established. Those methods were:

1. Community Member Interviews – 55 citizens of Decatur, ranging in age from 18 to approximately 70 years old, were interviewed regarding their experiences or knowledge regarding the DPD. Each participant was asked about their experiences with DPD and given time to recount each experience in their own way. Some participants brought self-recorded videos and other documentation. Additionally, any documentation provided by citizens was collected and used by GRT for this review.
2. Decatur Police Personnel Interviews - GRT interviewed 53 personnel regarding their experiences with the public and within the police department. GRT collected and used documentation provided by DPD personnel for this review. Some documentation regarding personnel issues was turned over to the Decatur City Legal Department.
3. BodyWorn Camera (BWC) Review - More than 300 hours of BWC footage were reviewed. This included available BWC footage related to every complaint filed against DPD officers during 2023 and 2024. Documentation resulting from actions taken in the footage was also reviewed. However, some BWC footage had already been deleted from the system due to misclassification.
4. Office of Professional Standards Review - All documented citizen complaints during 2023 and 2024 were reviewed. This review included the complaint intake process, general workflow processes, storage, documentation, follow-up, and findings. Any complaint provided by a citizen was located and assessed. As discussed below, not all complaints could be thoroughly reviewed by GRT due to missing information.
5. Decatur Police Policy and Procedures (Written Directives) Review – The Decatur Police Department is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). CALEA is widely recognized as the standard regarding best practices in police policy, and the process to become accredited is long and difficult. Police departments, including the DPD, who receive this accreditation must not only show that each policy meets the standard, but they must also show proof of compliance with those policies. The DPD has 876 pages containing Written Directives which CALEA

has reviewed; therefore, this assessment focused on the areas of policy that were related to any events viewed during the BWC review that would have a direct impact on the actions of the DPD officers.

6. Citizen Advisory Board Process Review and Member Interviews - All current members of the Citizen Advisory Board were contacted and invited to an interview regarding their experience with the Board. Five of the eight current members responded and were interviewed.

5.0 DPD Culture

Police departments, while appearing to be one organization to the public, are numerous small units closely tied together. Each of those units can, and usually do, have their own subculture. The reason for this is due to the way police departments, like the DPD, operate. There are two shifts of officers who work at separate times, have different direct supervisors, and even work in different geographical areas within the city. These different working groups interact with different sections of the city. The different sections have different socio-economic conditions, different cultures, and different types of family units within them. All these factors play a role in the specific culture of each unit. Each of those units can, and usually do, have their own subcultures. These police cultures and subcultures consist of a set of norms, values, behaviors, and beliefs. Police officers within a police department are representatives of the community members they serve. Many of these same officers live within these same communities. They also shape the type and form of interactions and engagements between police and citizens within that community. These cultures play a vital role in determining decision-making strategies, practices, and communication styles amongst personnel within that work environment.

The “chain of command” structure within a police department can dictate the lines of communication, attitudes, and engagement of personnel, as well as employee and job satisfaction in that work environment. In fact, ethical violations or police corruption are more likely to be present in police departments that lack effective leadership or supervision. This lack of leadership can create unethical standards that may even encourage a reduction in professional standards and accountability. This leadership behavior can lead to more drastic cultural differences within the department. However, due to the “chain of command” structure within a police department, the vertical line of supervision, leading all the way to the Chief of Police, *can* significantly influence the culture of any or all units that fall below them. In that regard, a highly effective Chief of Police, who has inspired those around them to follow their direction, can have a considerable influence on the entire organization. If the Chief of Police has not secured an elevated level of followership, any leader in the “chain of command” below the chief can wield that influence instead; but they will only truly affect the culture of those below them in that “chain.”

To assess the culture within the DPD, we examined it from multiple perspectives: the public's perspective and the police department personnel's perspective. It is vital to describe each perspective in the spirit of transparency.

5.1 Public Perspectives

55 members of the public responded to the request for interviews mentioned during the city council meeting in July 2024.

5.1.1 Public Interview Findings

1. Some people were frustrated about the way they were treated when they expressed their right to protest or felt targeted by the DPD for exercising their civil rights.
2. Citizens voiced their fear of the police department because of years of what was described as aggressive policing, in their opinion. Citizens specifically referenced that the more aggressive policing subsided when Chief Nate Allen was hired, and then aggressive policing returned upon his departure. Chief Allen's tenure was described as a more community-oriented policing method. Several citizens felt that Chief Allen stopped officers from making unnecessary arrests.
3. There were more citizens who reached out to express negative experiences than positive ones. Several of those who came to describe negative experiences added that they had, on occasion, positive experiences with a DPD officer as well.
4. It is important to note that there were some citizens who expressed concerns that their complaints against officers were not investigated. Several of those citizens provided documentation of the proper filing of those complaints. Others only expressed that they filed complaints and provided dates. This will be referenced in the findings regarding the Office of Professional Standards Investigations.

5.1.2 Public Perspectives Recommendations

1. Rebuild trust between police officers and citizens by offering community programs, such as a citizen academy, experiential learning opportunities, and community volunteer opportunities at the police department.
2. Increase social media usage to provide information to the community. Posts could include safety tips, information about new and existing laws, DPD hiring news, requests for help from the community, and community service projects.

3. Reevaluate community policing efforts to engage and involve community leaders and citizens of all ages and ethnic groups from the community. This will enhance the cultural awareness and competency of police personnel and community members.
4. Conduct town hall meetings and forums at least quarterly, not just during or after an incident. Additionally, DPD leadership should take a more active role in engaging with the community during the city council meetings.
5. Offer community service activities that allow police department personnel and citizens to participate together and give back to their community (examples: rebuilding a fence, building ADA accessibility ramps for elderly or disabled citizens, painting over graffiti, cleaning up parks and schools, etc.).
6. Develop a Community Resource Officer position within DPD.

5.2 DPD Personnel Perspectives

53 personnel from within the Decatur Police Department were interviewed during this review. Some of those chose to remain completely anonymous, and others chose to speak very openly. Personnel included captains, lieutenants, sergeants, officers, and support personnel. Chief Pinion emailed the entire police department asking for interview participants for this review. The personnel who were interviewed contacted GRT to participate in an interview. Some personnel were afraid to speak with GRT regarding their experiences within the police department because of the fear of retaliation. Some personnel advised that they were told to “circle the wagons” to protect the Chief of Police. All interviewees spoke with GRT voluntarily.

5.2.1 DPD Personnel Interview Findings

The following “themes” emerged enough to be included in this report:

1. *Culture Shifts Over the Previous 10 Years*: It was widely recognized that there were several cultural shifts over the previous 10 years that were directly influenced by the changes in leadership during those years. Personnel who had been employed prior to the appointment of Chief Nate Allen expressed that there was a strong culture of aggressive enforcement prior to that appointment. The department culture was centered on the concept that strict law enforcement kept crime lower. It was also generally recognized that Chief Allen brought in a culture of “community policing” that was much less “enforcement heavy” on the public but was very “enforcement heavy” internally

regarding policy violations by officers. Many DPD personnel expressed that they felt that crime increased during those years because they were not “allowed” to be police officers. It was described as a “hands-off” approach. The next cultural shift occurred when Chief Todd Pinion was appointed. Several described it as “going back” to a heavy enforcement focus. Chief Pinion acknowledged that there were plans to be more “community policing” oriented prior to the September 2023 incident.

2. *Leadership Conflicts*: Many line-level officers and first-line supervisors who were interviewed expressed that there was significant power held by some command staff members that “over-shadowed” the authority of the Chief of Police. It was the opinion of some personnel that Chief Pinion did not lead the DPD.
3. *Selective Internal Policy Enforcement*: Several participants stated that some personnel are reprimanded and disciplined for infractions and others are not. Some officers expressed that policies were enforced based on who you were or who you were friends with.

5.2.2 DPD Personnel Recommendations

1. Improve consistency of implementation of policies and procedures for all personnel.
2. Improve communication between leadership and personnel to reduce leadership conflicts.
3. Incorporate the use of a community policing model to include community and problem-oriented policing methods that improve the “traditional style of policing.” Note: Chief Pinion stated that community policing efforts are in the process of implementation.
4. Establish a Community Resource Officer to assist with community engagement. This point is also recommended in Public Perspective Recommendations.
5. Enhance and improve Roll Call Training.

5.3 Culture Findings

The Decatur Police Department is like other police departments. There were instances observed where officers were professional and caring, while there were other instances of officers who lacked empathy or were overly “stoic” in their interactions with the public. While these types of officers do not necessarily violate any policies, their behavior could confirm biases held by some community members regarding the view that police officers are “badge heavy” or abuse their authority. These abrasive interactions exacerbate the fear and mistrust of police.

This review found that there were some instances where DPD held officers accountable and provided additional training so that they were more cognizant of their demeanor. However, there were multiple instances where officers were not held accountable. As described below, documenting complaints more effectively will provide additional opportunities for DPD leadership to recognize these officers and intervene earlier.

The review found that many of the issues voiced by community members, as well as sworn personnel inside the Decatur Police Department, resulted from poor communication or, in some cases, no communication at all by DPD leadership. The following are instances of this poor and/or lack of communication:

1. It is important to note that law enforcement leaders have become more and more transparent regarding police actions, specifically police-involved shootings, over the last decade. It has become commonplace for communities to expect quick statements from leadership following these events. This push for quick information can quickly lead to misinformation being provided. [REDACTED]
[REDACTED]
[REDACTED]
2. As community members grew frustrated and began to protest, there was very little direct contact between police leaders and protest leaders. While these may be uncomfortable meetings for police leaders, it is incumbent upon them to establish these lines of communication and use them to assist in assuring a mutual understanding of the laws that affect the protesters.
3. Chief Pinion, by his own admission, has recognized that a weakness as a Chief is “public speaking.” Multiple people who were interviewed and know Chief Pinion commented on

his reluctance to make public comments. This reluctance, and ultimately avoidance, to provide information to the public led to added mistrust of the Decatur Police Department.

4. Regarding police interaction with protesters, it was apparent that some police officers were highly frustrated with the protest activity. This became increasingly apparent as the protests continued.
5. There were two failures of communication during this period of engagement that could have had a significant positive impact on the situation:
 - a. DPD leaders should have recognized that their personnel were growing exhausted and becoming emotionally overwhelmed. As with anyone, including police officers, emotional exhaustion leads to poor decision-making. DPD leaders failed to provide clear directions and expectations to the officers regarding their engagements or enforcement actions.
 - b. GRT observed officers arguing back and forth with citizens regarding the validity of the protests. A review of these officers' body-worn camera (BWC) footage revealed multiple instances where officers engaged in verbal disagreements and made antagonistic comments to the protesters, sometimes leading to arrests. The officers missed the opportunity to engage with the protestors professionally. Despite having different views from some members of the public, officers should maintain their professionalism.
6. DPD leaders did not consistently and redundantly communicate with the community and DPD personnel regarding expectations for protesting, which may have avoided many misunderstandings.

5.4 Culture Recommendations

1. Additional training should be provided for officers in conflict resolution techniques to reduce miscommunication and negative interactions.
2. Clear guidelines regarding lawful protest and assembly that are supported by the law should have been thoroughly communicated to protesters. In the future, those guidelines and the expectations for the enforcement of the applicable laws should be clearly communicated to the entire Decatur Police Department by the Chief of Police.

3. Establish a Public Information Officer (PIO) role within the DPD. This role should be appointed by the Chief of Police and could be added to a sworn police officer's existing responsibilities. Subject matter training should be provided for the selected PIO.

6.0 Body Worn Camera (BWC) Review

Body Worn Cameras are currently used by police departments all over the United States to increase police accountability, assess communication skills and interactions between police officers and the public. BWCs can assist in creating transparency and provide additional documentation and virtual evidence if utilized correctly.

This review included more than 300 hours of BWC review. That number includes randomly selected footage and footage directly tied to complaints being reviewed or situations described by community members. Note: The incidents described below are just a few examples observed by GRT during the more than 300 hours of BWC review. There are additional instances that further illustrate these same behaviors of DPD officers.

6.1 General BWC Findings

6.1.1 General BWC Findings-Positive

The BWC footage clearly shows instances of officers within the Decatur Police Department engaging with the public in a kind, compassionate, and knowledgeable manner. There were instances when officers went beyond the normal call of duty to serve the citizens of Decatur.

[REDACTED]

[REDACTED]

6.1.2 General BWC Findings-Negative

The BWC footage also shows instances of officers within the Decatur Police Department acting in a rude, abrasive, or sometimes unprofessional manner. There were additional instances of DPD police officers showing a lack of empathy towards the public.

[REDACTED]

[REDACTED]

[REDACTED]

6.2 Obstructing Governmental Operations (OGO)

During the over 300 hours of BWC review, the use of OGO to make an arrest or the threat of an OGO arrest was seen multiple times. The use of OGO for non-compliance by citizens and non-physical interaction (restraint) as a general charge to start the initial interaction may lead to a verbally spoken charge to encourage a citizen to comply. See the excerpt below from Alabama Criminal Law.

Alabama Criminal Code 13A-10-2 states:

(a) A person commits the crime of obstructing governmental operations if, by means of intimidation, physical force or interference or by any other independently unlawful act, he:

(1) Intentionally obstructs, impairs or hinders the administration of law or other governmental function; or

(2) Intentionally prevents a public servant from performing a governmental function.

(b) This section does not apply to the obstruction, impairment or hindrance of the making of an arrest.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6.2.2 OGO Recommendations

1. The BWC review revealed that the DPD should provide additional training regarding the charge of Obstruction of Governmental Operations. Training should include statutes and case law to show specific examples of recent cases and the steps taken by officers. DPD should consider using scenario-based exercises.
2. DPD should be trained on what is and is not considered a lawful command.
3. Teach officers to differentiate between passive noncompliance (e.g., refusing to follow orders or be searched) and active obstruction (e.g., physically preventing an officer from performing their duties). Obstruction charges should only be applied when the individual's actions go beyond mere noncooperation and into active interference. In many

instances, DPD officers threaten to make an arrest when a citizen does not follow instructions the first or second time.

4. DPD supervisors should regularly review OGO arrests. This review process is to ensure that the OGO charge is being used properly and in accordance with state law.

6.3 Disorderly Conduct

Frequent use of Disorderly Conduct was also noted during the over 300 hours of BWC review. According to the BWC footage, multiple times, DPD officers facilitated an arrest for Disorderly Conduct when a citizen would simply use profanity. The State of Alabama clearly sets the standard for Disorderly Conduct arrest in the excerpt below from Alabama Criminal Law.

Alabama Criminal Code 13A-11-7 states:

- (a) A person commits the crime of disorderly conduct if, with intent to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, he or she does any of the following:
 - (1) Engages in fighting or in violent tumultuous or threatening behavior.*
 - (2) Makes unreasonable noise.*
 - (3) In a public place uses abusive or obscene language or makes an obscene gesture.*
 - (4) Without lawful authority, disturbs any lawful assembly or meeting of persons.*
 - (5) Obstructs vehicular or pedestrian traffic, or a transportation facility.*
 - (6) Congregates with other person in a public place and refuses to comply with a lawful order of law enforcement to disperse.**
- (b) Disorderly conduct is a Class C misdemeanor.*
- (c) The mere carrying of a pistol, holstered or otherwise secured on or about one's person, without brandishing the weapon, in a public place, in and of itself, is not a violation of this section. For purposes of this subsection, "brandishing" shall mean the waving, flourishing, displaying, or holding of an item in a manner that is threatening or would appear threatening to a reasonable person, with or without explicit verbal threat, or in a wanton or reckless manner.*

[REDACTED]

6.3.3 Disorderly Conduct Recommendations

1. The BWC review revealed that the DPD should provide additional training regarding Disorderly Conduct charges. The training should include statutes and case law to show specific examples of recent cases and the steps taken by officers. DPD should consider scenario-based training.
2. DPD supervisors should regularly review Disorderly Conduct arrests. This review process ensures that the Disorderly Conduct charge is being used properly and in accordance with the law.

3. DPD should train officers on the precise legal elements of Disorderly Conduct, which includes behavior that causes public inconvenience, annoyance, or alarm. Ensure DPD officers are familiar with the law regarding what constitutes Disorderly Conduct.
4. In training, emphasize that not every loud or disruptive action qualifies as Disorderly Conduct. For behavior to be considered Disorderly Conduct, one must “make unreasonable noise” with the intent to cause public inconvenience, annoyance, or alarm. Simple, expressive conduct or minor disturbances should not meet this threshold. The key factor is whether the noise or behavior is unreasonable and has a substantial impact on others.
5. DPD should provide additional training to sworn personnel regarding free speech to ensure that citizens' rights are not infringed upon.

7.0 Office of Professional Standards (OPS) Review

The DPD's Written Directive regarding the handling of internal investigations states:

“Establishment of procedures for investigating complaints and allegations of employee misconduct is crucial to demonstrate and protect the integrity of the Decatur Police Department. The Decatur Police Department shall accept and investigate fairly and impartially all complaints, internal or external, including anonymous complaints, against the department and of employee conduct to determine the validity of allegations and to impose any disciplinary actions that may be justified in a timely and consistent manner.”

As stated, accepting and investigating all complaints is crucial to protecting the integrity of the Decatur Police Department, and is a fact of policy.

The DPD uses a “Professional Standards” software (IAPro) to track and fully document all police officer's activities that include but are not limited to uses of force, complaints, administrative investigations, training, commendations, officer involved traffic accidents, pursuits, and extra-duty employment. The software is designed to provide “Early Warnings” to the police department when specified thresholds are met (i.e. when an officer has received 3 complaints for rudeness within 1 year, a supervisor is notified to review the 3 complaints to evaluate patterns that may be addressed through counseling or training). Every tracked event must be entered into this software for it to be effective.

When this review was initiated, GRT requested access to IAPro to review all complaints and internal investigations, according to the contract. The DPD provided that access. GRT was also provided with access to BWC footage, and case and arrest reports to ensure that documentation was completed and matched IAPro records and what was seen on BWC.

Approximately three weeks into the contract, as complaint investigations were being reviewed, it became clear that there were complaint documents provided to us by citizens that were not found in the IAPro system. When this was brought to the attention of Chief Pinion, we were made aware of another location for the documentation of complaints. This was on an Excel spreadsheet located in a separate network drive (M: Drive). Upon this revelation, GRT was provided with a thumb drive that contained this spreadsheet information. After another GRT request, M: Drive access was granted, which allowed access to updates to the spreadsheet.

7.1 OPS Findings

A full review of documented complaints received by the DPD during the calendar years 2023 and 2024 (to date) was conducted with the following findings:

1. DPD separates internal investigations into three categories: *Inquiries*, *Complaints*, and *Investigations*. They are categorized primarily by the method with which the investigations are initiated. *Investigations* are initiated by the Chief of Police, *Complaints* are initiated by written (formal) citizen complaints, and *Inquiries* are initiated through any other method of notification (i.e. email, phone call, anonymous reporting of any kind, etc.).
2. The category determines where the investigation information is located. IAPro is only utilized for *Investigations* and *Complaints*. Any complaint that is categorized as an *Inquiry* is only located on a shared Excel spreadsheet. The 2024 section of the *Inquiries* investigations spreadsheet includes more information than in the previous year; however, it still does not represent thorough and complete investigations into allegations of these complaints.
3. 31 investigations were entered into IAPro for 2023, and 21 investigations were entered into IAPro for 2024 as of the beginning of this review. However, as shown below, many complaints were never entered into IAPro.
4. *Inquiries* are not entered into IAPro; therefore, they are unavailable to that software's Early Warning System (EWS) for consideration.
5. The *Inquiries* section of the spreadsheet for CY2023 listed 61 complaints and CY2024 listed 31 complaints (as of the beginning of this review), which included serious allegations of misconduct including, but not limited to, excessive force, unlawful arrests, and thefts. Some of the allegations were sustained, but the findings were not entered into IAPro; therefore, they were not tracked appropriately. None of the investigations listed in the *Inquiries* section included a statement by the officer alleged to have committed misconduct or any witnesses' statements. The actual incident date is not consistently documented in the *Inquiries* tab of the M: Drive; therefore, GRT was unable to review the BWC of every complaint documented within the *Inquiries* section of the M: Drive.
6. Secondary violations, which are violations of policy found during a complaint investigation that are not directly related to the complaint, are rarely documented during

the investigations. These secondary violations (i.e. failing to properly restrain prisoners during transport, failing to activate Body Worn Camera, etc.) are usually minor in nature; however, this pattern of “overlooking” these minor violations can lead to a culture of unaccountability. This could cause potential liability because pertinent issues are not being addressed, whether they are minor or substantial.

7. Multiple videos were deleted prematurely because they were miscategorized. Due to missing videos, GRT was unable to investigate some complaints thoroughly.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.2 OPS Recommendations

1. Improve consistency with record keeping and documents that will support and provide evidence for allegations of misconduct and evaluations.
2. Conduct all complaint investigations thoroughly and consistently, regardless of how those investigations originate.
3. All complaint investigations should be entered into IAPro. This allows the software to effectively use the Early Warning capabilities.
4. Any officer subject to a citizen complaint should be required to provide a written statement regarding the allegations made against them unless the alleged complaint can be CLEARLY determined as false (or otherwise within policy) through body worn camera footage or other evidence. This evidence should be clearly documented in the IAPro complaint file.
5. Provide an “easy to find” location on the Decatur Police Department website's landing page for citizens to submit complaints or compliments. This submission form should allow for anonymous submissions.
6. Implement a policy requiring all secondary violations to be documented in IAPro and that there is accountability for those violations.

8.0 Policies and Procedures Review

The DPD has 876 pages of Written Directives that have been thoroughly scrutinized by CALEA; therefore, this assessment focused on the policy areas related to any events viewed during the BWC review that would have a direct impact on the actions of the DPD officers.

8.1 Policy and Procedures Findings and Recommendations

While the policies of DPD meet CALEA standards, GRT recommends the following policy changes to foster better relations with the community served:

1. During the BWC review, it was found that officers often impounded vehicles when the driver's license had been revoked for any reason or suspended for DUI-related offenses. The officers frequently referred to the DPD policy as the reason for impounding the vehicles. Often, the driver became upset when the officer would not allow a friend or family member to come to the scene to take possession of the vehicle. During the BWC review, we did not find any instance when the DPD officer explained that the policy was in place because Alabama State Law required that action be taken, which specifically states in Alabama Title 32-6-19 (b):

"The vehicle, regardless of ownership or possessory interest of the operator or person present in the vehicle, except when the owner of the vehicle or another family member of the owner is present in the vehicle and presents a valid driver's license, shall be impounded by any duly sworn law enforcement officer."

RECOMMENDATION: It is recommended that the DPD reference the actual language of the State law in their policy and train personnel to explain this to citizens when this circumstance is encountered. It is important for them to understand that this isn't an arbitrary rule dictated by the DPD, but a law enacted by the State Legislature.

2. Alabama law no longer requires a permit to carry a firearm concealed on a person or in a vehicle. Due to that fact, a person's statement during a traffic stop or other investigative stop would require some other cause to believe a crime has been committed, is being committed, or is about to be committed AND that there is reason to fear that the weapon

would be used against the officers or another person BEFORE the weapon can be seized. (Terry v. Ohio, 1968).

During this review, there were instances where officers seized a weapon during a traffic stop when the driver had declared the weapon, no crime was suspected of having been committed (other than the traffic violation), and there was no reason to believe the person presented a danger to the officer or the public.

RECOMMENDATION: It is recommended that training be implemented on the current policy regarding this situation to provide direction to DPD officers under these circumstances to ensure that a citizen's protection against unreasonable searches and seizures is protected.

3. During the BWC review, there were instances of officers requesting identification from passengers in vehicles, or citizens involved in calls for service who were not suspects of any criminal activity. In some instances, when the person refused to provide identification, the officer conceded and did not request further; however, in some cases, the officers were more insistent.

Alabama Title 15-5-30 states:

"A sheriff or other officer acting as sheriff, his deputy or any constable, acting within their respective counties, any marshal, deputy marshal or policeman of any incorporated city or town within the limits of the county or any highway patrolman or state trooper may stop any person abroad in a public place whom he reasonably suspects is committing, has committed or is about to commit a felony or other public offense and may demand of him his name, address and an explanation of his actions."

RECOMMENDATION: It is recommended that a policy be created to provide direction to officers regarding when an officer may request identification (or for a person to identify themselves), which is consistent with the law.

4. The DPD Written Directive regarding the Office of Professional Standards opens with a statement of policy that references that the investigation of complaints will be conducted

in a timely manner, specifically stating “... to determine the validity of allegations and to impose any disciplinary actions that may be justified in a timely and consistent manner.”

In the “Disposition” section of the same policy, it states, “The investigation of complaints shall be completed within 365 days from receipt of the complaint to its disposition unless a waiver is granted by the Chief of Police or his/her designee.”

RECOMMENDATION: It is recommended that the policy be updated to state that these investigations will be completed within 30 days unless a waiver is granted by the Chief of Police or his/her designee.” This will create a consistent policy and increase trust within the community by providing an outcome to allegations in a timely manner.

5. As discussed in this review, lack of communication or poor communication resulted in an erosion of public trust. Ensuring that effective communication occurs both within the police department and externally to the public is vital to establishing trust during an incident. Clear and consistent messaging is essential in avoiding the appearance of the department hiding or altering information.

RECOMMENDATION: It is recommended that the DPD develop and implement a plan for Strategic Communications. This plan should establish methods for communication within the department as well as communications externally during high-profile incidents or other crisis situations. The plan should detail which methods of communication will be used under which circumstances, as well as who will be included in the decision-making process (i.e. Chief of Police, Legal Counsel, Public Affairs, Command Staff, etc.). Specific plans should be included for information releases regarding major crimes, high-profile arrests, uses of force, deaths or serious injuries of police officers, police misconduct, and significant policy changes that affect the public. The plan should provide for the ability for these decisions to be made prior to any statements being released.

[REDACTED]

RECOMMENDATION: It is recommended that the DPD provide further training to officers on civil procedures versus criminal procedures, and the authority officers have in relation to each.

9.0 Citizen Advisory Board (CAB)

The number of civilian oversight boards among American law enforcement agencies has increased drastically over the last few decades. These boards take many different forms and are utilized in many ways; however, there are two main versions. One type of board is considered a *Citizen Review Board*, which is generally designed to review actions taken by the police department to hold them accountable to the public. The other type is called a *Citizen Advisory Board*. It is designed to provide a platform for citizen concerns, provide feedback to the police department, and make recommendations regarding policy and community policing efforts and activity. These Advisory Boards can also be utilized for informal reviews to provide an advisory (advice from a citizen perspective) function.

The Decatur Police Department currently maintains a Citizens Advisory Board. The Board's current purpose states the following:

“The Citizens Advisory Board (herein after referred to as “the Board”) will meet to provide transparency into police operations, as well as discuss current events topics raised by members of the public and, where possible, address those concerns with the advice of the Board. The Board will be assisted by a designated Police Department Liaison/Coordinator, as appointed by the Chief of Police.”

The board consists of eight (8) members selected by the Police Chief who serve two or three-year terms. The DPD Citizens Advisory Board indicated to GRT that members do not receive any training or orientation when they become Board members. All the Board members who were interviewed said that their experiences on the Board were very positive. They believed that their input was valued and were very supportive of the department.

9.1 CAB Recommendations

1. Citizen Advisory Boards serve as highly effective platforms for fostering meaningful relationships between law enforcement agencies and the communities they serve, ultimately enhancing trust and collaboration. To cultivate these impactful relationships and build genuine community trust, it is essential that Board members possess strong connections to the community and are perceived as representatives of the community's

interests rather than merely serving the police department's agenda. One key approach to achieving this goal is through thoughtful and inclusive methods of selecting Board members. By prioritizing the avoidance of any appearance of conflicts of interest, the Board can better reflect the diverse perspectives and needs of the residents, thereby reinforcing its role as a bridge between the police and the public.

It is recommended that the members of the DPD Citizen Advisory Board be appointed by the City Council, the Chief of Police, and the Mayor. Each City Council member should designate one representative from their district, while the Chief of Police and the Mayor should select one member from the city at large. This appointment process offers several advantages:

- A. Avoids the appearance that the Board is only serving the interests of the police department (or Chief of Police).
 - B. Provides a new perspective of the police department for community members who may not otherwise have reason or opportunity.
 - C. Provides a broader cross-section of the community to provide advice to the department (Chief of Police).
 - D. Provides an unbiased view of police department activity to the City Council members and the Mayor.
2. As with any board, understanding the organization that is being served is vitally important to providing sound advice. Police department operations are complex, policies and procedures are numerous, and police officers' actions are guided by state and local laws as well as ever-changing case law. Citizen Advisory Board members need to have a significant understanding of these different realms of information to be effective. It is recommended that the DPD create a comprehensive onboard training program for new Board members. This program should cover a range of topics: an introduction to DPD facilities, the departmental structure, the functions of various units, the complaint investigation process managed by the Office of Professional Standards, an understanding of police use of force, considerations regarding the Fourth Amendment, and an overview of the training provided to DPD officers.
3. Citizen Advisory Boards serve as valuable resources for both the police department and the community. There are numerous ways to leverage the Board's potential, enhancing its

effectiveness. The following functions should be considered to potentially enhance the DPD Citizen Advisory Board's effectiveness:

- A. Provide monthly updates regarding the number of complaints investigated by the Office of Professional Standards that include the findings. Allow for questions and answers that do not violate employee rights.
- B. Require that Board members ride with officers at least twice per year.
- C. Establish a dedicated website and/or social media presence to provide additional visibility to the Board and more opportunities for community member engagement with the Board.
- D. An effective Citizen Advisory Board requires that the members are available to the community to give and receive input and information. It is recommended that bi-annual community meetings be held for this purpose. These meetings provide further opportunities to create collaboration and information sharing.
- E. Citizen Advisory Boards need resources to be effective. The Board members themselves should not be expected to plan, set up, and organize community meetings, websites, and social media pages. It is recommended that the City of Decatur provides the resources necessary for the effective functioning of its Citizen Advisory Board.

10.0 Conclusion

While the Decatur Police Department (DPD) demonstrates adherence to national standards and best practices through its accreditation, there are significant areas that require attention. The commendable instances of compassionate and empathetic behavior by DPD officers are sometimes overshadowed by occurrences of unprofessionalism or lack of empathy. Communication failures, particularly those linked to Chief Pinion's reluctance to engage publicly, have adversely affected both the community and the department.

The department's use of IAPro software for managing workflow and documenting incidents is inconsistent, undermining its effectiveness. The Early Identification/Intervention System within IAPro is rendered ineffective due to the practice of housing different types of complaints and investigations in separate locations. This fragmentation and lack of investigative details lead to insufficiently detailed complaint records, raising concerns about the thoroughness of investigations. Additionally, questionable arrests for Disorderly Conduct and Obstruction of Governmental Operations, often based on officer's problematic "lawful orders," further highlight the need for improvement.

While the Citizen Advisory Board has received positive feedback, the current appointment process may limit the diversity of viewpoints.

This report lays the groundwork for actionable improvements aimed at enhancing public confidence in the DPD. By implementing the outlined recommendations, the department has the opportunity to set a new standard for transparency, fairness, and trust.

11.0 Acronym List

Acronym	Definition
BWC	Body Worn Camera
CAB	Citizen Advisory Board
CALEA	Commission on Accreditation for Law Enforcement Agencies
DPD	Decatur Police Department
EWS	Early Warning System
GRT	Green Research and Technology
IAPro	Internal Affairs Professional Standards Software
IES	Early Identification/Intervention System
OGO	Obstruction of Governmental Operations
OPS	Office of Professional Standards

12.0 Reference Material

The Commission on Accreditation for Law Enforcement Agencies

[Home | CALEA® | The Commission on Accreditation for Law Enforcement Agencies, Inc.](#)

Citizen Advisory Boards in Contemporary Practice: A Practical Approach in Policing

[Citizen Advisory Boards in Contemporary Practice: A Practical Approach in Policing - Police Chief Magazine](#)

Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice
[cops-p164-pub.pdf \(usdoj.gov\)](#)

Best Practices Guide – Internal Affairs: A Strategy for Smaller Departments

[BP-InternalAffairs.pdf \(theiacp.org\)](#)

Strategic Communication Practices: A Toolkit for Police Executives

[Strategic Communication Practices: A Toolkit for Police Executives \(usdoj.gov\)](#)