

# MACON BRANCH NAACP

## PUBLIC POLICE INQUIRY



April 20, 2009

### **Complaints of unprofessionalism by members of the Macon Police Department**

#### **Summary**

This inquiry was launched more than two years ago after four officers from the Macon police department filed complaints with the Macon-Bibb County Branch of the NAACP. The NAACP and all citizens should be ready and prepared to stand with the Macon Police. Through unity and visibility, it is our belief that this will change the negative perception citizens may have or experienced in the past. This community effort is an opportunity to call for a truce. By having an open dialogue, we can reach out to these brave young men and women of the Macon Police department who are the ultimate public servants. In order to receive respect one should give respect.

The scope of this inquiry in some instances is geared toward internal issues which seem to be more about rank and money. Our investigation revealed that some officers are satisfied with the starting salary offered by the Macon Police Department, while most are concerned about promotions and having a pay system in place that is fair to all.

After the implementation of the testing system, several officers scored one-hundred (100) points on the test. And while others didn't score well, some officers feel those that scored one-hundred (100) points may have been given access to the test in advance. It is our opinion that if City government and departmental leaders implement a pay grade system for officers, this will greatly help reduce internal and external issues plaguing the department and the city. The Macon police Department is comprised of experienced officers and is administered by Chief Burns, who is a highly trained veteran officer. Chief Burns has implemented an open door policy and appears to have implemented all the procedures to ensure that all officers and citizens are treated fairly.

The enquiry with some veteran officers revealed that individuals new to the force and with less experience can move up in rank faster than officers with more experience. The issue at hand is that it creates serious internal morale problems. It is suggested that the higher ranking officers should mentor the lower ranking officers and show them that they care. This can motivate them to want to succeed and the department would benefit more as a result. Chief Burns relies heavily on high ranking officers to supervise. Some officers seem to think that the intent which is

unknown to the Chief is to undermine him by not properly training and/or preparing the lower ranking officers on departmental policy and procedures. In some instances, this is done to keep them from one day replacing them in that same leadership capacity. This undermining tactic creates a disservice to Chief Burns and the department. The Youth and Intervention programs that feature the AmeriCorps volunteers and the Dare programs should be the highlights of the department and our community. These programs provide positive feedback and results which are favorable to all.

Some African American officers who have the rank of Lieutenant, Captain and Major are viewed as being a part of a “good ole boy network.” They are looked upon by some White and African American officers as not doing enough to help elevate them to the next level. The perception among some younger White officers is that they are not team players.

It is the position of some (younger officers) that because they do not participate in the Fraternal Order of Police (FOP), bias is shown by some senior ranking officers who are colleagues of officer [REDACTED]. The internal talk among members of the department reveals that the individual in question is never seen at the police department, nor are they ever heard on the police radio. In addition, the officers with concerns are hesitant to ask; what is this person’s job description? During the daytime hours, [REDACTED] has for years been seen allegedly (double-dipping) while working in uniform at two different locations.

#### **Policy Violations/Complaints reported to Supervisors by Police officers \***

Police officer(s) who violate policy and no disciplinary actions were taken: A few police officers alleged that the chain of command was notified of these violations, but no disciplinary action was taken. The inquiry further indicated that a police officer stated that their colleagues committed these offenses on numerous occasions:

- \* **Assaulting citizens while in custody**
- \* **Pointing duty weapons on Superior (after being disciplined)**
- \* **Double-Dipping (working at the same time and being paid by both jobs)**
- \* **Overtime pay not being paid (compensatory time substituted for overtime)**

#### **Macon Police Internal Affairs & Disciplinary Review Board:**

When deciding what path to take dealing with issues, the agency should consider the credibility of the complainant. It remains critical to the integrity of an agency that it accept and fully investigate all complaints. By investigating all complaints, the agency ensures the community that their concerns will be adequately addressed. More importantly, the department should be dedicated to quality police service that it is open to constructive criticism and feedback. This effort will improve the commitment towards improving its image.

**Perception Issues:** An ineffective response by Internal Affairs will leave the community with a sour taste in its mouth. This lack of attention to the issue can take an extensive amount of time to overcome. Perception becomes a reality. A father that has a bad encounter with the MPD will share it with his son and, so on, to say the least. The perception problem is passed from

generation to generation, thus providing a hostile encounter when pulled over and questioned by police. Sometime the officers may simply be seeking assistance from the public to help solve crimes.

Once Internal Affairs receives a complaint, it should ensure the integrity of the complaint by sending a letter of receipt to the person filing it. Internal Affairs should inform the individual that they have been assigned an investigator who will review their case. The inquiry should proceed to ask if any member of the Internal Affairs department has contacted them in an effort to get them to retract their complaint. It should further indicate if anyone threatened them in any way for filing a complaint.

### **Suggestions/Recommendations:**

All disciplinary training should promote self-discipline rather than imposed discipline. The Macon Police Department's Disciplinary Review Board should not have a group only made up of officers assigned to "police the police". The Internal Affairs & the Disciplinary Review Board should consist of Police Officers, Citizens, and City Officials. There is no written policy which states Internal Affairs or The Disciplinary Review Board should be made up of only police officers. This open policy may help officers and citizens to see a clearer picture of police officers who may have a personal bias, grudges, and/or friendships which may compromise the judgment of a well-intended officer.

**Example:** Officer [REDACTED] of The Macon Police Department was charged with felony obstructing on a peace officer in another County. He was given a nine (9) day suspension by the Disciplinary Review Board. Another officer (xyz) in the same department was fired after receiving felony obstructing on a peace officer after being charged with a similar incident.

### **Community Misconduct & Allegations:**

It is imperative that the whole organization of The Macon Police Department not be criticized because of the misconduct of a few. Listed below are examples of unprofessional behavior of some Macon Police Officers.

- \* **Profiling**
- \* **Unauthorized automobile searches**
- \* **Excessive felony obstruction charges**
- \* **Excessive ticket writing (3-4 written to one individual during a traffic stop)**

### **Suggestions:**

It is important for citizens to simply comply with police officers' commands when asked to do so.(file complaint later with Supervisor / I. A

According to the Georgia Informer and NAACP observers, eighty percent (80%) of traffic tickets and citations are written to African American drivers. Montpelier Avenue has become a speed trap for some college students and citizens traveling towards downtown. More tickets are issued on Montpelier Avenue than on most streets in the city of Macon.

**Suggestions:**

Citizens should slow down, traffic engineers can increase signage, or citizens should avoid traveling on Montpelier Ave.

**Internal Affairs Investigation Findings:**

A copy should be available to persons /citizens filing Complaint:

**Samples/Example/Conclusion**

Upon conclusion of an internal investigation, typically, one of four findings occurs for each allegation. Because the investigation may reveal that one or more of the allegations may have had different conclusions and results, the investigator must have the flexibility to reach a finding for each individual allegation on a case by case basis rather than for the entire complaint.

- \* **Not sustained:** The report revealed that insufficient evidence exists to prove or disprove the Complaint.. This finding may be used for any complaint that has gone unresolved.
- \* **Exonerated:** The incident occurred, but the officer's actions were justified, lawful, and proper.
- \* **Unfounded:** The complainant admits to making false allegations (e.g., the charges were false or the officer was not involved in the incident).
- \* **Sustained:** Sufficient evidence exists to indicate that the officer, in fact, did commit one or more of the alleged acts and/or violations of police department policy and procedures.

As a result of this inquiry, some of the information obtained and used in this investigation to render our opinions and suggestions, came from research used, interviews, statements that were recommended from **FBI Reports and other Law Enforcement Agencies** who face similar issues. The findings of this enquiry as presented are not conclusive, however, reflects the opinion that to a large degree of certainty, that the Macon Police Department does have problems. It is our hope that through a unified coalition of community, and civic leaders in conjunction with the NAACP, some progress can be made to assist citizens with a better awareness of law enforcement issues.

Respectfully Submitted,

Mrs. Gwen Westbrook, Chairperson

Al Tillman, President

## MACON NAACP POLICE INQUIRY RECOMMENDATIONS

- 1). To have an open dialogue granted by Chief Burns between officers, their supervisors and citizens with no adverse action or retribution
- 2). Look into the inequities of excessive citations
- 3). To have citizens comply with officers' commands and follow proper procedures.  
**Do Not** become hostile or confrontational, File complaints in this order; **A.** Supervisor, **B.** Internal Affairs, **C.** City Officials
- 4). Town Hall Meetings: The first will be held Thursday, May 21<sup>st</sup>, 6:00-8:00 pm at Macon City Hall council chambers.