



ATHENS-CLARKE COUNTY POLICE DEPARTMENT

3035 Lexington Road, Athens, GA 30605
706-613-3330 • 706-613-3860 (FAX)



Cleveland Spruill, Sr.
Chief of Police

MEMORANDUM

Date: April 19, 2021

To: Mr. Blaine Williams, Athens-Clarke County Manager

From: Cleveland L. Spruill, Sr., Chief of Police

A handwritten signature in black ink that reads "C. L. Spruill".

Subject: 2020 Athens-Clarke County Police Department Grievance and Complaint Analysis

The purpose of this memorandum is to advise you of the findings from the annual analysis of grievances and complaints against the Athens-Clarke County Police Department.

Pursuant to Police Written Directive 2.35 and in compliance with CALEA Standard 22.4.3, the Office of Professional Standards conducted the analysis. The analysis also contains a summary of complaints lodged against Department employees. The reporting period is from January 1, 2020 through December 31, 2020.

Grievances

A grievance is a claim initiated by an employee alleging that his employment or productivity has been adversely affected by unfair treatment, unsafe or unhealthy working conditions, erroneous or capricious application of Departmental policies and procedures, or illegal discrimination. It is the practice of the Department to encourage employees to bring concerns to their immediate supervisors and to handle informal grievances at the lowest appropriate level. However, employees may raise any unresolved grievances through the proper chain of command, up to and including, the Chief of Police.

Employees may also file formal grievances if they are not satisfied with a decision reached by the Chief of Police when the employee alleges; **a**) inequitable application of disciplinary procedure involving a suspension or demotion; **b**) unfair treatment adversely affecting employment status or productivity; **c**) erroneous or inconsistent application of ACC rules and regulations; and/or **d**) existence of unsafe or unhealthy working conditions. Employees

are expected to follow the standard grievance procedures set forth in ACC Ordinance 1-9-9 and the ACC Employee Appeals Procedure.

During the reporting period, there were no grievances filed with the Office of Professional Standards, and no Bureau Chief reported the filing of grievances within his respective chain of command. The ACC Human Resources (HR) Department reported that there were; **a**) zero grievances; **b**) zero appeal hearings; and **c**) zero Personnel Hearing Officer (PHO) hearings filed by Department employees during the reporting period. The following chart shows a five-year comparison for grievances:

Year	2016	2017	2018	2019	2020
Grievances	0	3	4	0	0

Complaints

A complaint is any allegation of employee misconduct or departmental misconduct. The Department's policy and practice is to investigate all allegations of misconduct regardless of the source. This includes anonymous sources. The Department provides information for submitting complaints on the departmental website, as well as public posts at the various precincts. Complaints may be submitted in person, online, telephonically, in writing, by email, or through the departmental phone app. Any employee is authorized to receive a complaint, and is required to submit the complaint to an appropriate supervisor.

The Office of Professional Standards analyzed the number and types of complaints lodged against employees, the findings of the allegations, and actions taken as a result of complaint investigations during the reporting period. The Department received and investigated a total of 47 complaints against sworn employees and 1 complaint against a non-sworn employee. Of the 48 total complaints, 33 were received from external sources (i.e., citizens), and 15 were received from internal sources (i.e., Department employees). The following chart shows total annual comparison of complaints received:

Total Complaints for a five-year period

Year of Complaints	2016	2017	2018	2019	2020
Total	50	50	54	64	48

In the above chart, this display shows a decrease of 16 complaints from 2019 to 2020. This decrease is concurrent with the implementation of additional training, such as, Integrating Communication, Assessment and Tactics (ICAT). This form of de-escalation training was received well throughout the Department and has played an important role in building trust and legitimacy within the Athens-Clarke County community.

These numbers suggest a culture within the Department that shows the importance of holding all employees accountable for their actions, whether the complaints were received externally or internally. This form of transparency gives police credibility with residents, and the people can have faith knowing that their guardians are always acting in their best interests.

In the chart below, there is a display of numbers reflecting external and internal complaints for the year 2020:

External/Internal Complaints for 2020

External Complaints	33
Internal Complaints	15
Total	48

All external and internal complaints were investigated and placed in five disposition categories: **Unfounded**, **Exonerated**, **Policy Review**, **Not Sustained**, and **Sustained**. The final disposition of each complaint is listed in the following chart:

2020 Complaints and Dispositions

Type of Complaint	Number of Complaints	Unfounded	Exonerated	Policy Review	Not Sustained	Sustained
Service Complaints	21	7	5	1	3	5
Policy Infractions	19	7	3	1	0	8
Criminal/Integrity Complaints	2	0	1	0	0	1
Use of Force Complaints	4	0	4	0	0	0
Bias-Based Policing Complaints	2	1	1	0	0	0
Totals	48	15	14	2	3	14

In 2020, the Department reported approximately 89,061 citizen contacts. Therefore, only about 0.04% of the Department's interactions with the public resulted in a complaint of misconduct from a citizen. Of all complaints, internal and external, about 29% of complaints were sustained.

When a complaint alleging misconduct by an employee is sustained, the Department's practice is to take corrective action to mitigate the risk that the misconduct will be repeated. Corrective action may be positive, such as: training, coaching, and counseling, or it may result in disciplinary actions, such as: reprimands, suspensions, demotions, or terminations.

In addition to corrective actions focused directly toward the specific employee who engaged in misconduct, the Department also reviews and updates its policies and practices as a means of corrective action, when necessary. In 2020, the Department implemented 8 disciplinary actions in 14 cases of sustained misconduct or other performance failures. The chart below shows a breakdown of the disciplinary actions and includes a four-year comparison:

2020 Disciplinary Actions

Action Taken	2017	2018	2019	2020
Reprimand	5	7	1	6
Suspension	4	1	1	2
Demotion	0	0	0	0
Termination	2	9	3	0
Total	11	17	5	8

Conclusions

Based on review of the available information concerning grievances and complaints, there did not appear to be any distinguishable patterns or trends. The absence of grievances for the second year in a row suggests that the concerns of employees are being appropriately and satisfactorily addressed within the lower levels of the chain of command. There are no recommendations for changes to the grievance policies at this time.

Concerning complaints received, the low level of complaints and the low number of complaints, as compared to the total citizen contacts, suggests that citizens are generally satisfied with the performance of the Department and its employees. There are no recommendations for changes to the complaints and discipline policies at this time.

However, the Department's current complaint and discipline policies are currently under standard review to ensure that they continue to remain consistent with best practices and applicable laws.

CS/j