



# CITY OF PHILADELPHIA POLICE ADVISORY COMMISSION

P.O. BOX 147  
Philadelphia, PA 19105-0147

Monday May 5, 2014

The Honorable Darrell Clarke  
City Council President  
City Hall, Room 490  
Philadelphia, PA 19107

Dear Council President Clarke:

This letter is in response to questions raised at the April 9<sup>th</sup>, 2014 hearing before the Committee of the Whole on the Fiscal Year 2015 budget for the Police Advisory Commission. The questions were recorded as follows:

**From Councilman Jones:**

1. Can you provide to the chair how many complaints you received, how many were deemed appropriate, how many resulted in disciplinary action and what happened to those cases that did not result in disciplinary action for the past three years?

Answer:

Year	2011	2012	2013
Total	90	54	57
Rejected	39	18	5
Sustained	3	2	4
Not Sustained	73	24	17
Exonerated	7	13	3
Unfounded	7	3	1

All complaints filed with the Commission are sent to Internal Affairs for review, with the permission of the complainant. Reasons for rejected complaints include 1) Lack of subject matter jurisdiction, i.e., does not involve a Philadelphia Police Officer, or is outside of the Commission's jurisdiction as defined by Executive Order 8-93; 2) Failure to complete administrative requirements, and 3) Beyond the 180-day limit as defined in the Commission's Internal Operating Procedures.

## DISCIPLINARY ACTIONS

**2011** - 3 sustained complaints resulted in disciplinary action against 7 officers.

**2012** – 2 sustained complaints resulted in disciplinary action against 2 officers

**2013** – 4 sustained complaints resulted in disciplinary action against 4 officers.

Please note that 43 cases filed with the Commission from 2011-2013 remain open and under investigation.

**Rejected** - Under the terms of Executive Order 8-93, the commission can accept cases alleging 1) Physical Abuse, 2) Abuse of Authority, and 3) specific verbal abuse complaints involving "language related to race, ethnicity, religion, gender, sexual orientation or disability." **Cases alleging misconduct which occurred more than 180 days before the complaint was filed** are usually rejected as required Section 11-B of the Commission's Internal Operating Procedures (attached), however when a complainant has been prevented from filing by an ongoing criminal case, this requirement is often waived. Additionally, **complaints which do not involve allegations against sworn members of the PPD** are rejected and referred to other agencies as appropriate. Any case involving PPD officers that is rejected by the Commission is forwarded to PPD Internal Affairs for review, with the permission of the complainant.

Case dispositions are the same as those used by Internal Affairs, namely:

**Sustained** - The investigation discloses sufficient evidence to clearly prove the allegation made in the complaint.

**Not Sustained** - The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegations made.

**Exonerated** - The investigation indicates the alleged act(s) did occur but were within the policies, procedures and guidelines as set forth by the Department.

**Unfounded** - The investigation indicates the acts complained of did not occur or did not involve Philadelphia Police personnel.

Individual complaints in the Total and Rejected categories can involve allegations against more than one officer, so the totals for Sustained, Not Sustained, Exonerated and Unfounded represents findings for more than one officer in some cases.

All Citizen Complaints, regardless of disposition, are reviewed at the district level by the Commission alongside crime data, Use of Force Reports and critical incidents for trends and potential policy issues of interest to the police, public officials and community organizations.

Please feel free to contact me with any questions you may have about the information provided in this response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelvyn Anderson', written in a cursive style.

Kelvyn Anderson  
Executive Director

cc: Everett Gillison, Chief of Staff  
Rob Dubow, Director of Finance  
Rebecca Rhynhart, Budget Director  
Fiona Greig, Deputy Budget Director