



DEPARTMENTAL
GENERAL
ORDER

Effective Date:
24 Dec 10

Evaluation Coordinator:
IAD Commander

Index as:

Evaluation Due Date:
24 Jun 11

Integrity Testing

Automatic Revision Cycle:
3 Years

INTEGRITY TESTING

The purpose of this order is to establish Departmental policy and procedures to provide guidance to organizational units outside of the Internal Affairs Division conducting integrity tests to ensure compliance with Departmental directives.

Integrity testing is a specialized tool designed to evaluate general compliance with Departmental policy or in circumstances when normal investigative techniques fail or are likely to fail to provide the preponderance of evidence needed to reach an investigative conclusion.

I. BACKGROUND

Allegations of misconduct must be thoroughly investigated to maintain the integrity of the Department and the confidence of the community. A failure to adequately address repeated or a singularly severe allegation against a member or employee of the Department will rapidly lead to an erosion of community trust and Departmental morale.

II. POLICY

- A. All integrity tests shall be conducted in accordance with prevailing federal, state, and local laws.
- B. Integrity tests shall be deemed confidential.
- C. Integrity Test Control Files shall not be removed from the IADITU Office without prior approval from the IAD Commander.

III. INTEGRITY TESTING PROCESS

- A. The use of an integrity test is based on current concerns or issues identified by unit commanders or as determined by the Chief of Police. Integrity tests are specific in length and scope. Such tests are used to verify compliance with Departmental policies, procedures or laws.
- B. The unit commander shall prepare and submit an Integrity Test Operations Request (TF-3346) through the Internal Affairs Division Integrity Testing Unit (IADITU) to the Chief of Police or Assistant Chief of Police for final approval.
- C. Upon approval, the unit commander shall assign a subordinate member/employee, within the unit, as the investigator to conduct the integrity test.
- D. Implement the integrity test.
- E. Upon completion, the assigned investigator shall complete and forward an Integrity Test After-Action Report (TF-3346-2) for review and endorsement to the unit commander.
- F. The unit commander shall forward the endorsed report through the IADITU to the Chief of Police or Assistant Chief of Police for final approval.
- G. The unit commander shall implement the approved recommendations as directed by the Chief of Police or Assistant Chief of Police.

IV. INTEGRITY TESTING

Integrity tests may include, but are not limited to:

- A. Theft;
- B. Unauthorized information release;
- C. Perjury or false affidavits;
- D. Planting or fabrication of evidence; and
- E. Situations where members/employees are the subject of repeated allegation of misconduct.

V. INTEGRITY TEST PROCEDURES

- A. The first step in conducting an integrity test is for the unit commander to determine:
1. What the current concern or issue is;
 2. What the overall objective of the test; and
 3. What the implementation strategies and guidelines will be.
- B. The unit commander shall develop an implementation strategy which includes addressing the following:
1. Identify the subject(s) or total population;
 2. Determine the objective(s);
 3. Describe the test parameters/methodology (synopsis of how the integrity test is to be conducted).
 4. Identify the resources required and fiscal impact, if any; and
 5. Consider legal considerations
 - a. Integrity tests shall be developed to avoid entrapment or the appearance of entrapment. The test must provide the tested subject with a set of circumstances that are not biased in any direction so as to influence the subject into a particular course of action.
 - b. Investigators may confer with the Office of the City Attorney and/or District Attorney's Office for clarification of any legal issues.
- C. Prepare and forward an Integrity Test Operation Request through the Internal Affairs Division Integrity Testing Unit (IADITU) and IAD Commander to the Chief of Police or Assistant Chief of Police for final approval.
- D. Upon approval, the assigned investigator shall, when appropriate, develop an Operations Plan in accordance with the provisions of RWM O-1. The Operation Plan shall be reviewed and approved by the appropriate authority prior to implementation.

NOTE: Operation plans are not required for non-field tests or tests of an administrative nature.

- E. The assigned investigator shall:
1. Complete a recusal memorandum in accordance with DGO M-3;
 2. Make the correct notifications in the event of the discovery of a criminal offense.
 3. Maintain an Integrity Test Chronological Activity Log (TF-3346-1) of all investigative activities; and
 4. Ensure the duration of the integrity test does not exceed 14 calendar days from the date of approval. A request for an extension shall be submitted directly to the IAD Commander for approval.

VI. DISPOSITION

Upon completion of the integrity test, an analysis of the operation shall be conducted and one of the following dispositions shall be made and documented in the Integrity Test After-Action Report:

A. Pass

The subject's actions during the integrity test were proper and consistent with existing Department directives, and in accordance with local, State and Federal law.

B. Fail - Criminal

Criminal violations have occurred and the matter shall be handled in accordance with the provisions of DGO M-4.1.

C. Fail - Administrative

The conduct exhibited by the subject was not criminal but violated the *Manual of Rules*, and the matter shall be handled in accordance with the provisions of DGO M-3.

D. Inconclusive

The integrity test failed to provide sufficient evidence to support a disposition.

VII. INTEGRITY TEST AFTER-ACTION REPORT

- A. The assigned investigator shall prepare and submit an Integrity Test After-Action Report to include the following topics:
1. Background;
 2. Summary of operation;
 3. Evidence collected;
 4. Total fiscal impact of operation;
 5. Investigative analysis to include, but not limited to:
 - a. Policy issues;
 - b. Training issues;
 - c. Risk management; and
 - d. Discovery of any *Manual of Rules* violations.
 6. Disposition;
 7. Recommendations to include, but not be limited to the following:
 - a. No further action;
 - b. Additional testing;
 - c. Conduct unit training or refer Departmental training issues to the Training Section; and/or
 - d. Ensure notification has been made to the CID if a criminal offense was discovered.
- B. The assigned investigator shall forward the completed Integrity Test After-Action Report for review and endorsement to the unit commander.
- C. The unit commander shall forward the endorsed report through the IADITU to the IAD Commander for endorsement.

The IAD Commander shall:

1. In the event the disposition of the integrity test results in a “Fail-Administrative” or “Inconclusive” finding, the IAD Commander shall if necessary and/or when appropriate:
 - a. Direct the assigned investigator to conduct additional testing;

- b. Initiate an internal investigation when a Class I violation is discovered; or
 - c. Determine the best course of action (e.g., ICR, non-disciplinary corrective action documented in the SNF, or a formal internal investigation) when a Class II violation is discovered.
 2. Forward the endorsed Integrity Test After-Action Report to the Chief of Police or Assistant Chief of Police for review and final approval.
- D. The IADITU Supervisor shall review the approved Integrity Test After-Action Report and determine whether information in the report may jeopardize current or future integrity tests prior to forwarding to the following units:
 1. After-Action recommendation(s) regarding training/tactical issues to the Training Section; and/or
 2. Pertinent information to the IAD Intake for inclusion in an open internal investigation.

By Order of

Anthony W. Batts
Chief of Police

Date Signed: _____