

# **Department #1**

**Email from Chief of Police about traffic citations declining slightly.**

**Email from Lieutenant to officers implementing what the Chief ordered; “productivity standard” of 10 traffic citations per month.**

**Email from officer who was “spoken to” about NOT referring to the standard as a “quota,” but as a “performance standard.” The officer confirms being spoken to about using more discretion in citing city residents, and told to cite more non-residents. Officer threatened with removal from specialized unit fighting human trafficking. Officer confirmed he will avoid traffic enforcement in areas where city residents tend to be. Officer felt the need to put these in writing, even though he was told to “keep it verbal.”**

**Follow-up email from Chief to the officer.**

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**From:** Michael Kilbane  
**Sent:** Friday, July 20, 2018 8:34 PM  
**To:** Leonard Mazzola  
**Subject:** productivity

Lenny,

Mayor's court gave their report to the Mayor and he was asking why our traffic citation productivity has declined. For the first six months of 2017 we had 1696 tickets but for the same period in 2018 we only have 1504. In June of 17 we wrote 283 but in June of this year we only had 173 (75 of those were detail tickets). Accidents and incident reports were also higher last year. Year to date we are about 200 tickets behind last year.

There are some patrolmen that are not even writing a single ticket a month on average. Get with your sergeants ASAP and get this turned around. There is no way I can sell the Mayor on adding another officer this Fall if it appears there is not enough work for the ones we already have. Please get with me early next week with a plan to fix this.

Chief K.



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**Leonard Mazzola**

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**From:** Leonard Mazzola  
**Sent:** Tuesday, September 25, 2018 04:11 PM  
**To:** Police; Dispatchers  
**Cc:** Data Entry  
**Subject:** Performance Standard



Patrol,

Effective 10/01/2018,

Over the last month, I have had multiple conversations with Chief Kilbane, concerning Patrol Productivity, discussed at length was traffic citations totals.

After much discussion, it has been decided by the Chief of Police, that I now implement, monitor and manage a Performance Standard for all the officers in the Patrol Division. This Performance Standard will include everything from effective policing to performance and productivity.

The Patrol Sergeants will have a significant role in monitoring their individual shifts' compliance with the Performance Standard.

Chief Kilbane has set a minimum Performance Standard of approximately 3000 traffic citations/year for Patrol as a whole, this figure includes Overtime Traffic Details. To obtain this goal, approximately 2000 tickets need to be written on shift, and approximately 1000 tickets need to be written on Overtime Traffic Details.

We have a total of 18 Full Time Patrolman in our Patrol Division, Monthly breakdown is  $2000/18/12 = 9.26$ ;

To meet this Productivity Standard, Patrol Officers shall meet or exceed 10 traffic citations/month.

This Productivity Standard is independent of time off, special assignment, and OIC assignment.

To ensure this Performance Standard is met, I will be running quarterly reports on officers to ensure compliance. this way an officer with extended time off or assignment will have sufficient time to meet the Productivity Standard without unreasonable demand. The first reporting period will be the last quarter of 2018, Oct18-Dec18.

It is also understood that each Patrol Shift is different in the amount and types of traffic they may encounter daily and that your first responsibility is to protect and serve the public; however this does include traffic enforcement. We will not in any way reduce our level of service, professionalism, or officer safety to meet our Performance Standard.

Please keep in mind that the Performance Standard set by the Chief is not unattainable and can be met.

I have been directed to report any Officer failing to meet their Performance Standard to their Sergeant & Chief Kilbane.

This is a new procedure for us, so no doubt there will be items to work out. I understand, and will do the best I can to operate Patrol as efficiently as possible.

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**From:** [REDACTED]  
**Sent:** Tuesday, January 15, 2019 1:26 AM  
**To:** Leonard Mazzola  
**Cc:** John Kurtz  
**Subject:** Counseling in Regard To Residential Traffic Enforcement

Lieutenant Mazzola,

Upon arrival at 1800 on 01/14/19 you spoke to me on behalf of the Chief of Police in regard to my use of the term "quota" describing the "performance standard" whereby a certain number of traffic citations are required in a prescribed period of time or disciplinary procedures will result. I will change my terminology from the word "quota" to "performance standard" in all future conversations.

Secondly, you indicated to me that the Chief of Police wished to convey a message that I was to exercise more discretion when deciding whether to cite a resident of the City Of Independence. You indicated that Chief Kilbane was clear, if I didn't comply with this order my "limited involvement" in (The Cuyahoga County Regional Human Trafficking Taskforce) "would become none". This message has been received, I will increase my standards for what I consider a "citable" violation for residents of the City Of Independence. Also, I will try to avoid areas when possible where I know residents may be committing violations at a more frequent rate than other nonresidents.

Lastly, I was acting in good faith with my previous residential citations, I was attempting to meet the "performance standard" while at the same time enforcing traffic violations on Chestnut Rd. within the City Of Independence for any speed in excess of forty miles per hour in a posted twenty five mile per hour zone without regard to residential status. This location was picked by your office and was predicated on residential complaints. Please note, I requested that you place this conversation in writing for my records, and you advised that the Chief of Police instructed you "to keep it verbal".

Sincerely,

Patrolman [REDACTED]



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**From:** Michael Kilbane  
**Sent:** Tuesday, January 15, 2019 3:45 PM  
**To:** [REDACTED]  
**Cc:** Leonard Mazzola  
**Subject:** Patrol Duties  
**Attachments:** 402 Professional Traffic Stops.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Patrolman Bates:

Lieutenant Mazzola shared with me your response to his counseling regarding your traffic enforcement actions and I wanted to clarify the department's position. Traffic safety and enforcement are core responsibilities for patrol officers. A required proficiency for every officer assigned to patrol is the ability to identify safety-related violations and take appropriate actions such as a citation or a warning. This patrol proficiency should be demonstrated by every officer on an ongoing basis and Lieutenant Mazzola, with my full support, has the right to expect reasonable performance outcomes that show officers are continually demonstrating this proficiency.

Quality, discretion and professionalism are vital components of the traffic enforcement process. Severity of the violation, the violator's driving record and if the driver lives/works in our city are all factors that need to be considered when making this discretionary decision. Warnings are more effective for people that live and/or work in Independence because our officers will be much more likely to encounter these drivers if they commit infractions after being warned. It is much more difficult to gauge the effectiveness of warnings to drivers that do not frequent our roads.

Professionalism while conducting traffic stops is also a core requirement for all patrol officers. Informing a driver that they are being cited because the officer is under a "quota" or performance standard or any similar type language is unnecessary, unprofessional and serves no legitimate law enforcement purpose and these types of statements will cease immediately. Drivers are stopped and warned/cited because they committed a traffic violation and an officer's responsibility is to take appropriate action.

Many patrol officers such as you have additional duties and assignments in addition to their core responsibilities as patrol officers. If any officer displays issues with performance or professionalism in the conduct of their patrol duties one of the options is to remove those ancillary duties and assignments so the officer can focus on their patrol duties, which are obviously a priority for this department.

I have attached a copy of our General Order 402: Professional Traffic Stops. Please review this policy as it addresses departmental expectations for conducting traffic enforcement. Let me know if you have any questions.

Chief Kilbane



## **Department #2**

**One policy states they don't have a ticket quota. Another policy provides for discipline if they don't have "proactive enforcement" at a certain number when compared with their peers.**

## Traffic Function and Responsibility

### 500.1 PURPOSE AND SCOPE

The goal of traffic law enforcement is to reduce traffic collisions, prevent crime, help solve crime, and improve the safety and quality of life for the community through traffic law compliance. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based in part on collision data, enforcement activity records, traffic volume and traffic conditions. This department provides proactive enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations but also in terms of traffic-related needs.

### 500.2 OFFICER DEPLOYMENT

Several factors are considered in the deployment of officers for traffic enforcement. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize proactive enforcement of traffic laws. As a matter of routine, all officers will take directed enforcement action on request, and random enforcement action when appropriate, against violators. All officers should maintain high visibility while working both general patrol and general enforcement.

Other factors to be considered for deployment include but are not limited to citizen requests, construction zones, school zones or special details (e.g. Operation Stonegarden, TOPS, special events).

### 500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. Although this Department maintains a philosophy of proactive use of unobligated service time, it does not establish ticket quotas. The number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy.

#### 500.3.1 WARNINGS

Take appropriate, documented enforcement action on every stop; generally a citation or arrest. However, warnings may be considered in each situation as a discretionary substitute for arrests or citations when circumstances warrant.

## Department #2 Evaluation Policy

5. Outstanding: Requires no assistance and always takes proper course of action with routine task.

### (18) Performance: stress

1. Unacceptable: During stressful events becomes emotional and panic stricken, unable to function, and often loses temper.
3. Meets Standards: Exhibits calm and controlled attitude, does not allow situation to further deteriorate.
5. Outstanding: Maintains control and brings calm to any stressful event without assistance.

### (19) Quantity of Work

1. Unacceptable: Does not see or avoids activity. Does not follow up on assignments, rationalizes lack of work product. Self-initiated activity poor. Proactive enforcement activities consistently below peer group average of plus or minus 15% as required of employee performance policy.
3. Meets Standards: Recognizes and identifies tasks which need completed and seeks out activities during their shift. Self-initiated activity consistent and average. Proactive enforcement activities fall within peer group average of plus or minus 15% as required of employee performance policy.
5. Outstanding: Continuously completes task and activity by using the resources available. Self-initiated activity always at or near best in department. Proactive enforcement activities far exceed peer group average of plus or minus 15% as required of employee performance policy.

### (20) Quality of Work

1. Unacceptable: work is inaccurate, ineffective, not thorough and unacceptable. Often has to be redone. Reduces overall effectiveness of unit and volume of work. Reflects adversely on the department.
3. Meets Standards: Usually accurate, makes only average number of mistakes. Mistakes do not adversely affect effectiveness of unit nor reflect poorly on the department.
5. Outstanding: Always accurate. Mistakes are few and far between. Quality of work improves efficiency of unit and promotes professionalism of department.

### (21) Communication Skills

1. Unacceptable: Unable to clearly articulate thoughts, ideas, meanings, instructions, order, etc. Uses improper voice inflection, indecisive, poor voice command. Does not listen or comprehend properly.
3. Meets Standards: Speaks with authority. Able to clearly articulate thoughts and ideas and transmit instruction, orders, etc. Uses proper voice inflection and words, decisive, proper voice command. Listens and comprehends.
5. Outstanding: Excellent command of the English language. Able to completely articulate thoughts, ideas, instructions and orders. Has complete voice command. Excellent listener and has complete comprehension.



## **Department #3**

**Letter establishing “shift goals” of clear numbers of tickets/arrests. A pre-disciplinary letter issued to an officer advising that they fell below the “shift goals,” and if they improve, they will be “removed from the behavior modification.”**

**MEMORANDUM**

*Operations Division  
InterOffice Memo*

To: **All Patrol Personnel**  
From: [REDACTED]  
Operations Commander  
Date: January 20, 2022  
Subject: **Shift Goals 2022**

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In accordance with section 13.10c of the contract, shift goals have been established for the 2022 evaluation year. The general shift objectives have also been designated.

For 2022, the numerical goals will remain the same as 2021, although they have been prorated to reflect 11 months since we were operating under COVID protocols for the majority of January. The goals will consist of a combination of traffic citations, arrests, and written warnings. Officers will need to achieve 75% of the goal every 90 days to be in compliance with the collective bargaining agreement and eligible for their pick of shift in 2023. To achieve a standard rating in quantity of work, officers will need to achieve 95% of the goal with a minimum of 75% of the goal consisting of traffic citations and criminal arrests. Work ratio will NOT be used in computation of performance goals.

Aggressive and consistent traffic and criminal violation enforcement throughout the entire year is expected from all officers. Self-initiated activity addressing both criminal and traffic enforcement is expected. Officers must also address the identified shift objectives for their respective shift throughout the year.

Officers are expected to exercise good judgment and common sense in their enforcement of both criminal and traffic violations.

[REDACTED]  
*Operations Commander*

[REDACTED]

**SHIFT GOALS FOR 2022**

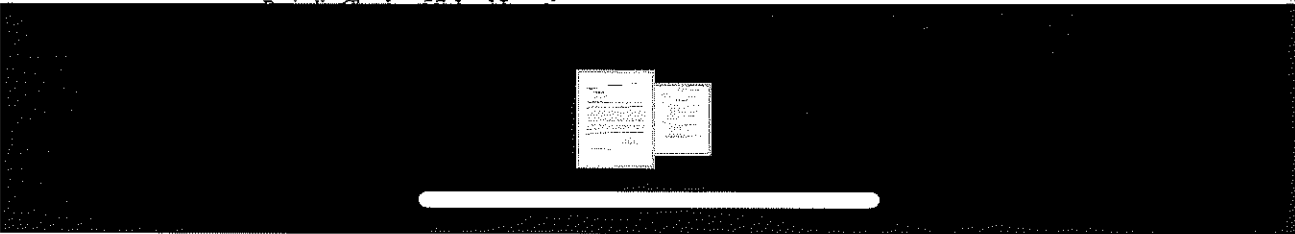
	<b>YEARLY AVERAGE</b>	<b>MONTHLY AVERAGE</b>
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7:00 A.M. to 7:00 P.M.		
Traffic /Arrests/ WW	143	13
7:00 P.M. to 7:00 A.M.		
Traffic /Arrests/ WW	123	11

**SHIFT OBJECTIVES – 2022**

**Day Shift**

- Aggressive Traffic enforcement
  - **Selective Enforcement (SE):** US 20, SR 615, SR 306, SR 283, SR 84, SR 2, IR 90, Heisley Road, and Tyler Boulevard.
  - **Side Street (SS):** All Residential Streets
  - **School Zones (SZ)**
  - **Seat Belts and Child Restraints (SB)**
  - **Traffic Calming (TC):** Daily Bulletin Special Attention Areas, SE Assignment Sheets, Traffic Blitzes
  - **High Accident Areas**
- Self-Initiated Criminal Arrests
- Proactive, high-visibility patrol in retail, residential, commercial, and recreation areas



City of [REDACTED]  
Behavioral Modification Form

Date: February 23, 2023

Employee# 578

Last Name: [REDACTED]

First Name: [REDACTED]

REASON FOR WARNING:

**1. Reason for Counseling:**

The dayshift activity goal for 2022 was 143 citations/arrests/written warnings. 75% of this number was required to be a combination of citations and arrests. You had a total of 74 citations, 26 arrests, and 1 written warnings. The citations and arrests were only 70% of the shift goal for the year.

**2. Recommendations for Improvement**

Per memorandum OD23-002, the shift goal for 2023 is 1.1 contacts (tickets/arrests/written warnings) per shift worked. You are expected to meet this goal.

**3. Action Taken:** Your activity will be monitored for a minimum of six months from the date you are issued this behavior modification. At the end of 90 days, your activity will be noted to see if you are in compliance. After that, you will continue to be monitored over the next 90-day period. If you have successfully met shift goals, you will be removed from the behavior modification. Section 13.10c of the collective bargaining agreement requires you to meet at least 75% of your shift goal throughout each 90-day period.

The department believes the above act, if continued, could result in disciplinary action.

Signature: [REDACTED]

(Acknowledges review & receipt of this notice)

Date: 3/1/23

From: [REDACTED]

Date: 3/1/23

## **Department #4**

**“Departmental log sheet” policy. The main topic of the “log sheets” is that officers must have “at least two traffic stops per shift, with at least two enforcement actions per week.” “Enforcement actions” were kept out of writing but were defined as a ticket, arrest or misdemeanor citation.**

**[REDACTED] POLICE DEPARTMENT**

7-17

**SUBJECT: Departmental Log Sheets**

**EFFECTIVE DATE: February 1, 2022**

**I. PURPOSE:**

It is the purpose of the [REDACTED] Police Department to keep the safety of our residents, visitors, and passers through, as our highest priority, first and foremost, 24/7/365. Upon my review of current practice and procedures, the following practice serves to further our work towards assuring those that are operating motor vehicles on our roadways and highways will be doing so safely.

**II. POLICY:**

It is the policy of the [REDACTED] Police for patrol officers, supervisors, and detectives to complete a daily log sheet to document their activity during their assigned shift.

**III. PROCEDURES:**

We must continue to take all reasonable measures on our roadways and highways to provide enhanced protection to our residents, visitors, and passers through. This is our goal, first and foremost, each and every day. Thus, the following practice update serves to further our work towards assuring the public that those that operate motor vehicles on our roadways and highways will continue to do so in a safe and appropriate manner.

**A. Patrol Officers**

1. Patrol officers are to complete a daily log sheet documenting at least one interaction per hour of work.
  - a. Interactions:
    - i. At least two traffic stops per shift, with at least two enforcement actions issued per week
    - ii. Misc. interactions can include calls for service, business checks, MVAs, community contacts, complaints, dispositions, etc.
2. Patrol officers will also include their zone assignment, mileage driven, date, and shift worked on their log sheet.
3. At the end of each shift, the officer will turn in their log sheet to their supervisor.

**B. Supervisors**

1. Supervisors are to complete a daily log sheet documenting at least one interaction per hour of work.
  - a. Interactions:
    - i. At least one traffics stop per shift, with at least one enforcement action issued per week
    - ii. Misc. interactions can include calls for service, business checks, MVAs, community contacts, complaints, dispositions, counseling of officers, etc.
2. Supervisors will also include mileage driven, date, and shift worked on their log sheet.
3. At the end of each shift, the supervisor will turn in their log sheet to the captain.
4. Supervisors are responsible for maintaining an orderly record of log sheets which will be used in quarterly performance reviews.


#### **C. Detectives**

1. Detectives are to complete a daily log sheet documenting their daily activity and cases worked.
  - a. Activities:
    - i. At least two business checks per shift.
    - ii. Document activities taken for their assigned case
2. Log sheets will be turned into the detective supervisor at the end of their shift.

#### **D. Detective Supervisor**

1. The detective supervisor is to complete a daily log sheet documenting their activity and cases worked.
  - a. Activities:
    - i. At least two business checks per shift.
    - ii. Document activities taken for their assigned case
2. Log sheets will be turned into the captain at the end of their shift.
3. Supervisors are responsible for maintaining an orderly record of log sheets used in quarterly performance reviews.

By order of:

  
Chief of Police