



DWI Unit Reforms

January 2025

Video Evidence

- ISSUE:** Investigators identified an instance from a 2014 case where officers attached evidence to the wrong case number, possibly on purpose. That case was dismissed because the evidence could not be located.
- UPDATE:** APD began auto-indexing all cases in 2019, which automated the assigning of evidence from OBRD to specific case numbers. That change occurred as part of APD's Court-Approved Settlement Agreement with the U.S. Department of Justice. The automation process made the legal discovery process for court cases, including DWI cases, more effective.

Missed Court Notices

- ISSUE:** Lack of a clear process for APD to be notified when officers missed court hearings and MVD revocation hearings.
- UPDATE:** Chief Medina is finalizing a Memorandum of Agreement with the District Attorney's Office that details a process for sending daily notices to APD's Court Services Unit that indicate when officers fail to appear for a hearing. The DA's Office and APD used the new process in 2024, which proved to be effective. APD also provided MVD with access to officers' calendars to schedule revocation hearings.

Accountability for missing court

- ISSUE:** Lack of accountability for officers missing court hearings and MVD revocation hearings.
- UPDATE:** APD's Court Services is now required to enter all missed court notices from the DA's Office into the Internal Affairs intake system. Internal Affairs will determine if an investigation is required and track those investigations.
- RESULTS:** Missed Court notices:

- 456 missed court notifications
 - 318 cases were opened
 - 138 administratively closed
 - 56 were assigned to IAPD
 - 262 Area Command cases
 - 32 MVD cases
 - 175 Sustained (6 were DWI and excludes any related to the current DWI investigation)
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Recording DWI Suspect Booking

- ISSUE: Removal of OBRD when operating the Intoxilyzer machine to measure a level of intoxication. The recording devices were possibly interfering with radio frequencies. However, by removing the OBRD and placing it nearby, the full encounter between an officer and a suspect may not be captured, including audio of any conversations.
- UPDATE: Chief Medina signed a Special Order creating a new, two-step process that requires officers to keep their OBRD on their body, but remove other electronic devices and turn off their police radios while operating the Intoxilyzer machine. If there is a radio frequency error, the officer can remove the OBRD and place it within 3 to 5 feet of the machine. The officer must state out loud that an error occurred.
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Limiting Gifts and Banning Gratuity

- ISSUE: APD did not have a cap on gifts received by officers, and there was no requirement to report gifts.
- UPDATE: Chief Harold Medina signed a Special Order that clarified APD's policy that creates a \$50 cap on gifts and prohibits gratuity or compensation from a member of the public. Receipt of gifts must be reported to ensure there is no conflict of interest or that a gift is not received in exchange for performing a service. For example, officers cannot receive any gift from an attorney they regularly interact with in court.
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DWI Booking and Summons

- ISSUE: DWI officers were issuing a summons for some DWI rather than making an arrest, without a clear reason for doing so.
- UPDATE: Updated APD policy to clarify a timeline for when a summons must be approved and submitted for filing.

Administrative Changes

- Created a DWI Unit handbook similar to what other specialty units use
- Reports are due for completion by end of shift. This includes reports for arrests made while working traffic grant overtime.
- Daily Briefings
- One briefing a week with Lieutenant
- Weekly Tact Plan. DWI Sobriety Checkpoints are included. This is subject to training and instruction schedule during the week.
- Creating more reliable case tracking system tied to APD's Peregrine system
- New DWI Unit manual