

Town of Poughkeepsie Police Department		
Policy and Procedure # 7-600		
<u>Title:</u> Civilian Complaint Procedure	<u>Date of Issue:</u> May 4, 2009	
<u>Issuing Authority:</u> Chief Thomas Mauro	<u>Effective Date:</u> May 4, 2009	
<u>References:</u>		
<u>Date Last Reviewed</u> January 31, 2013 May 5, 2014	<u>Date of Last Revision</u> June 11, 2014	<u>Accreditation Standard:</u> 25.1, 25.2, 25.6, 25.8

CIVILIAN COMPLAINT PROCEDURE

I. PURPOSE

The purpose of this policy is to define the policies and procedures for a civilian to report alleged complaints against a department employee and how such allegations will be investigated.

II. POLICY

The department will promptly conduct a thorough and impartial investigation of a civilian complaint made against any employee of the Town of Poughkeepsie Police Department. Fairness to all participants of the investigation shall be maintained through impartial investigations and review. The police department will take the appropriate disciplinary action in all cases where an investigation substantiates a preponderance of evidence that a violation of statute, directive or policy of the department, has been violated or that misconduct occurred. The department will seek the appropriate redress for false allegations made against any employee of the Town of Poughkeepsie Police Department.

PROCEDURE

Complaints may be filed either verbally by telephone, by mail, or in person. Any civilian requesting to file a complaint shall be provided with the form "How to File a Complaint". Such information shall be provided verbally if the civilian is making a telephone complaint.

C. Employees of the Town of Poughkeepsie Police Department will make every effort to facilitate the courteous and prompt receipt and processing of a civilian complaint.

Any employee of the Town of Poughkeepsie Police Department who has received a request from any citizen with regards to filing a civilian personnel complaint will notify his/her supervisor immediately.

This notification will include advising the supervisor of the nature and substance of the complaint.

The employee will cooperate with the citizen by advising the citizen of all means by which civilian complaints may be filed.

A supervisor will complete a Civilian Complaint Form in as much detail as possible when a complaint is made via the telephone.

As part of the follow-up investigation of complaints made by mail or telephone, a supervisor will interview the complainant and complete a Civilian Complaint Form.

Refusal to sign the complaint form will be noted on the form.

F. Any acting supervisor who received a civilian complaint will immediately notify the on-duty supervisor of the nature and substance of any civilian complaint. If emergency circumstances exist, a supervisor may direct an acting supervisor to handle a civilian complaint.

G. A supervisor who has received a civilian complaint will immediately notify the police administration in the event of a serious or unusual civilian complaint allegation

H. The department supervisor receiving a complaint will attempt to resolve the complaint when it is filed.

I. Confidentiality of such investigations and related records shall be maintained throughout the process.

J. Unresolved complaint(s) will be forwarded to the Chief of Police or his designee.

1. The employee named in the allegation will be notified of the allegation utilizing the form identified as Notification of Allegation by the Chief of Police or designee.

2. The employee's supervisor and the division Captain will conduct an investigation when appropriate. Unless circumstances warrant additional time, the results will be formulated and submitted in writing within thirty days of the date of the allegation.

All of the legal and contractual rights of the employee will be adhered to.

Notification will be made to the civilian complainant of the results of the investigation as soon as practical.