

## **CHAPTER 12 – INTERNAL COMPLAINT PROCEDURE**

### **Section 12.00 – Complaints Against Officers**

### **Section 12.01 – Complaint Reporting Process**

### **Section 12.02 – Initiation of Official Investigation**

### **Section 12.03 – Investigation of Personnel**

### **Section 12.04 – Method of Investigation**

### **Section 12.05 – Interdepartmental Complaints**

**EFFECTIVE: JULY 1, 2020**

## **CHAPTER 12 – INTERNAL COMPLAINT PROCEDURE**

### **Section 12.00 – Complaints Against Officers**

Complaints against officers, whether received by other officers or communications personnel, will be referred to the shift supervisor. Complaints will be handled in the following manner:

A. If the complaint is in regard to an employee's conduct when dealing with the public, or is in reference to action taken by an officer to enforce the law, the supervisor receiving the complaint will attempt to handle the complaint at that level to the satisfaction of all parties, depending on the seriousness of the alleged behavior.

\*B. If the complaining party is not satisfied with the outcome of the complaint during the initial contact, they will be asked to provide the complaint on the "Raymore Police Department Citizen Complaint Form". This form is available at the Police Department Records Unit or on-line. The information will be referred to the Captain of the involved member for investigation. In every instance, the Chief of Police will review the information and may request a meeting with the complaining party.

C. If a complaint is in regard to an employee's alleged criminal activity, the employee receiving the complaint will immediately notify either Captain and/or the Chief and forward the complaint in writing as soon as possible. A complaint of this nature will be handled in a confidential manner. Employees having knowledge will not discuss the complaint with anyone other than either Captain and/or the Chief of Police.

\*D. Complaints received by any employee in regard to the actions of either Captain will be brought directly to the Chief of Police.

\*E. Any employee receiving a complaint regarding the actions of the Chief of Police will bring the complaint directly to the City Manager.

### **\*Section 12.01 – Complaint Reporting Process**

Complaints may be accepted directly from the complainant in person, by telephone, in writing or by any other means, such as electronically. Anonymous complaints will also be accepted and forwarded to the appropriate authority. If a complaint form is requested, the complainant should be immediately provided with the department approved form and instruction brochure that outlines the complaint process. They will also be afforded the opportunity to speak to a supervisor if they wish.

### **\*Section 12.02 – Initiation of Official Investigation**

An Internal Affairs investigation may be conducted upon any employee of the Police Department when the City Manager, Chief of Police, or either Captain has received information of an employee's behavior or conduct indicating the necessity for such an investigation, unless the internal investigation involves the conduct of the Chief. Investigations involving conduct of the Chief shall be directed by the City Manager.

### **Section 12.03 – Investigation of Personnel**

The investigators used for an internal complaint may be selected from within the department or other agencies, at the discretion of the Chief of Police, or either Captain, depending on the nature of the investigation.

### **Section 12.04 – Method of Investigation**

Any internal investigation that could result in suspension, demotion, or termination of an employee, will proceed in the following manner:

\*A. The employee will receive a written statement of the charges or allegations brought against them. If applicable, the statement shall include a "Garrity" warning, in which the employee will be advised that statements made in regard to the administrative investigation will not be used as evidence in later criminal proceedings.

*U.S. Supreme Court - Garrity v. New Jersey (1967)*

B. The employee will be required to respond to the allegations in writing.

C. The results of any investigation will be reviewed by the Chief of Police and the employee will be notified of the findings.

### **Section 12.05 – Interdepartmental Complaints**

Any employee of the police department having a complaint against another member of the department for violation of rules and regulations shall give a statement, indicating the rule that has been violated, the date, time, place of violation and names of all witnesses. The report shall be filed with the Chief of Police, who shall direct an investigation and take the action deemed appropriate.

\*All oral and written complaints received at the police department shall be promptly forwarded to the Chief of Police and kept on file following the disposition.