

Complaints Against Non-Sworn Members

2.05.01 PURPOSE

This order outlines the procedures regarding complaints against non-sworn members, and the investigative duties of the supervisor.

2.05.02 POLICY

- A.** The Internal Affairs Division (IAD) is the primary unit responsible for investigating complaints against non-sworn members.
- B.** Supervisors are the personnel responsible for receiving and documenting the initial complaint.
- C.** When a complaint against a non-sworn member is forwarded to the Department from the Department of Police Accountability, route the complaint directly to IAD.

2.05.03 PROCEDURES

A. Receiving a Complaint

1. Complaints can be generated by the public or internally by employees.
2. When a complaint is received, prepare a memorandum that includes:
 - a. The complainant's contact information,
 - b. The accused non-sworn member's name (or a description, if unknown),
 - c. The date, time, and location of the incident,
 - d. The allegation,
 - e. A summary of the events, and
 - f. Any supporting documents or evidence.
3. Interviewing the accused is not part of the initial documentation.
4. Route the memorandum through the chain of command to IAD.

- B. Complaints Requiring Immediate Notifications** – If a complainant alleges either unfitness for duty while still on-duty (i.e., suspected under the influence of alcohol or illegal drugs) or criminal conduct:

1. Notify the next higher-ranking officer in the chain of command.
2. Notify the Officer in Charge of IAD, or the Captain of the Risk Management Office. IAD will provide guidance. If after hours, notify Department Operations Center for the on-call IAD investigator.
3. Document the information in the same manner as 2.05.03(A) above.

C. Station Level IAD Investigation Referrals

1. After review, IAD can assign the complaint to the non-sworn member's Commanding Officer for a station/unit level investigation.
2. The procedures for conducting a station-level IAD investigation are found in the *Guide to Station Level IAD Investigations*.
3. All investigations must comply with the non-sworn member's Weingarten Rights (Union Representation).

D. Investigation Conclusion Notification – IAD will complete and provide the complainant and the accused non-sworn member a letter containing the final disposition of the case, if the complaint is not criminal in nature.

E. Criminal Conduct – If IAD determines the alleged conduct is criminal in nature, Investigative Services Detail will take over the investigation.