

Citizen Complaints Against Non-Sworn Members

2.05.01 PURPOSE

This order outlines the procedures regarding citizen complaints against non-sworn members, and the investigative duties of the senior-ranking officer.

2.05.02 POLICY

All complaints received about non-sworn members will be routed to the Internal Affairs Division (IAD) for review by the senior-ranking officer on duty in the station, division, section, or unit where the complaint is received.

2.05.03 PROCEDURES

A. Receiving a Complaint at the Station/Office

1. A complaint may be submitted to any Department employee, regardless of rank.
2. If the complaint could be about a sworn member, follow the procedures outlined in DGO 2.04, *Complaints against Officers*, otherwise take the details of the complaint as follows:
 - Capture all information provided by the complainant.
 - Try to gather details such as the name or identifiers of the complainant and non-sworn member, date and location of incident, and the reason for the complaint.
 - If the complainant does not know the person's name, ask for a physical description.
3. The Department employee who takes the complaint shall, no later than the next business day, route a memo through the chain of command to IAD that includes all captured details.

B. Receiving a Complaint from IAD

1. IAD may assign a complaint to the appropriate Commanding Officer of a non-sworn member if, after review, the complaint is deemed to be "station level". Details will be provided to the Commanding Officer by IAD.
2. All investigations must comply with non-sworn member's Weingarten Rights. The procedures for conducting a station-level IAD investigation may be found in the *Guide to Station Level IAD Investigations*.

C. Complaints Necessitating Immediate Investigation

1. The senior-ranking Officer shall conduct an immediate investigation if following the complaint procedures noted above will jeopardize the investigation or public safety. Examples include:
 - a. The complainant alleges unfitness (e.g. suspected under the influence of alcohol or illegal drugs [[SF Employee Handbook](#)]), and the employee is still on duty.
 - b. Witness may not be available later.
 - c. The allegation constitutes criminal conduct.

2. The senior-ranking Officer will conduct an investigation that includes all information that can be reasonably obtained before reporting off-duty, such as the identification of witness(es), and summary statements from witness(es). The information and preliminary finding(s) and recommendations shall be put in a memorandum and routed through the chain of command to IAD.

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