

	ANGLETON POLICE DEPARTMENT	
	Policy 02.04.1-02.09.1 Citizen Complaints; Internal Investigations; Time Limit on Internal Investigations; Complaints Requiring an Investigation; Notification of the Agency Director (Chief of Police); Records and Security of Complaints & Investigations	
	Effective Date: 8/12/2020	Replaces:
	Approved: <u>Aaron Ausmus</u> Chief of Police	
	Reference:	

I. POLICY

It is the policy of the Police Department to investigate all complaints against Department personnel, regardless of the source of such complaints. Investigations of these complaints through standardized procedures will demonstrate the Department's desire to provide honest, efficient police service and will inspire public confidence in its personnel.

II. PURPOSE

- A. To clarify the procedure for handling citizen complaints.
- B. To provide for documentation of specific allegations and counseling of personnel with Appropriate action.
- C. To facilitate the investigation and disposition of citizen complaints.

III. DEFINITIONS

Citizen Complaint - Action taken by a citizen to bring to the attention of the Department any police action or inaction that the citizen considers to be contrary to law, proper procedure, good order, or in some other manner prejudicial to the citizen, the police department, or to the community as a whole.

Formal Administration Investigation - Alleges the violation of law or such other serious allegations as serious misconduct, excessive force, criminal activity, abuse of authority or significant departmental policy violations.

Service Complaint - Allegations of failures to provide effective and efficient service may concern violations of departmental policy.

IV. PROCEDURES – GENERAL

- A. A citizen complaint will be addressed whenever a citizen brings to the attention of any member of this Department a complaint concerning an action described above. The employee receiving the complaint shall report the incident immediately to the on-duty supervisor. Whenever a citizen requests to formalize a complaint against a member of

this Department the on duty shift supervisor shall discuss the incident with the citizen. The supervisor is encouraged to attempt resolve the matter with the complainant to when it is proper and appropriate to do so. The supervisor shall accurately explain the complaint procedure and offer a copy of the Angleton Police Department Citizen Complaint Procedure form. It is also acceptable to guide them through submitting a formal complaint through web-based services if proper and appropriate to do so. A citizen complaint will not be accepted that involves only the citizen's contention that he is innocent of a charge placed against him by the officer.

- B. All complaints shall be logged and documented regardless of whether the issue is resolved as a service complaint or a Formal Administrative Investigation. For example, if a citizen indicates that they have a complaint against the department or its members and the first line supervisor immediately resolves the issue without a formal investigation, it shall be logged with a control number and documented. The complainants name, contact information, date of complaint, officer's name, and disposition shall be referred to the Chief of Police or selected designee to be logged into the citizen complaint control log.
- C. A citizen complaint may be received:
 - a. From citizens who report them to any member of the Department, either orally or in writing, by telephone or correspondence, either signed or anonymous;
 - b. Through a third person; and,
 - c. By referral from some official or unofficial agency.
- D. The citizen will be instructed to document, in his/her handwriting, as much as possible concerning the incident and will be given whatever assistance is needed to complete the form. The identity of the assisting person will be included in the narrative.
- E. When the citizen is finished, the Department member receiving the form will check it for legibility and sign the form. The original will be retained and the complainant will receive a copy.
- F. The Department member receiving the form will record, on the back of the original complaint form, any comments or discussion with the complainant, of any significance, and the complainant's physical and mental condition. Evidence indicating that the complainant is under the influence of an intoxicant or drug, is suffering a mental disorder or any other evidence of traits or conditions bearing upon his credibility will be noted. The Department member will also note the complainant's physical condition, specifically any visible marks or injuries relative to the complaint.
- G. The original Citizen Complaint Form will be placed in a sealed envelope and forwarded to the Chief of Police without delay.
- H. A Department member accepting a complaint by telephone will complete a Citizen Complaint Form with as much information that the complainant will provide. It is essential that the complainant's name, address, and telephone number appear on the

form. If the complainant insists on remaining anonymous, that individual will be advised that this will seriously hamper a complete investigation. The complaint form will then be sealed in an envelope and forwarded to the Chief of Police without delay.

- I. If a citizen refuses to write the complaint in his own handwriting the complaint will be processed by the officer/member of the police department in detail.
- J. The Chief of Police will assign the complaint for investigation. The investigator shall notify the complainant that an investigation has been initiated. A response to the complainant and the personnel involved must be made within 3 weeks of the complaint. If additional time is required, the investigating officer will notify the Chief of Police. All investigations are confidential and the investigating officer will discuss the investigation with only those individuals that will be involved in the investigation.
- K. The investigating officer will thoroughly document the details of the investigation and all interviews conducted. The results of his investigations and findings will be forwarded, in a sealed envelope, directly to the Chief of Police.
- L. After review by the Chief of Police, the complainant will be contacted regarding the findings of the investigation.
- M. A record of all investigated citizen complaints will be kept by the office of the Chief of Police and tracked with an individual control number.
- N. Complaints for increased police service should be addressed to appropriately mitigate the complaint including but not limited to signing up for close patrol program.

The complainant may contact the Police Chief directly at any time throughout this complaint process.