

Guide to the Citizen Complaint Process

It is the policy of the North Pole Police Department to thoroughly investigate all complaints against its employees. To insure the integrity of the Police Department, procedures have been established which will assure the prompt and thorough investigation of all alleged or suspected personnel misconduct. Such procedures are intended to clear the innocent, establish guilt of wrongdoers, facilitate prompt and just disciplinary action, and uncover improper procedures.

Who May Make a Complaint?

Any person who has experienced, witnessed, or has knowledge of police employee misconduct may make a complaint. Complaints can be made by community members, co-workers and other city employees.

The North Pole Police Department will investigate complaints made for alleged violations of Department Policy; of local, state and federal laws; and for other conduct that is deemed inappropriate.

The North Pole Police Department recognizes the need for the filing of legitimate complaints against employees as a means by which they can be held accountable to the public; however, the Department will also seek to hold members of the public responsible for the filing of false allegations. It is against the law to make a complaint that you know to be false.

How Do You File a Complaint?

A complaint must be made in person, utilizing the Department's Citizen Complaint Form. Complaints are usually received by either the North Pole City Clerk or the on-duty Police supervisor, the supervisor of the involved employee, or by the Chief of Police. A person who wants to make a complaint may contact any police employee for assistance in making contact with an officer who will receive their complaint. It is important that the complainant provide as much information as possible about the event in question to aid in a thorough, accurate and timely investigation. At a minimum, the complainant will need to provide the approximate date and time of the incident, the location of the incident, and the name of the officer or officers involved (if known). The name or names of other involved persons or potential witnesses, and the report numbers of any associated police reports would also be helpful. The complainant needs to provide a summary of the events in question and needs to specify the reason for the complaint. Follow-up contact may be made with the complainant to clarify points during the investigation. Each complainant will be advised of the consequences for knowingly filing a false allegation of misconduct.

Who Investigates the Complaint?

In most cases, the immediate supervisor of the employee will conduct an inquiry into the alleged misconduct. In more serious allegations, an Investigator will be formally assigned to conduct an Administrative Investigation. Our Investigations Division may investigate

alleged criminal conduct, with the assistance of the District Attorney's Office. A criminal investigation may commence at any point in the administrative investigation process.

What is the Complaint Process?

The person assigned the investigation will interview witnesses and other parties who can provide relevant information about the investigation; will review any applicable evidence; and will interview the involved police employee(s). The investigator will then complete the investigation, to include a recommended finding on the allegation of misconduct. The finding will be one of the following:

- **Sustained:** The allegation is supported by sufficient evidence and shows that the employee did engage in the alleged misconduct.
- **Not Sustained:** There is insufficient evidence to prove or disprove the allegation.
- **Exonerated:** The evidence supports the allegation, but the actions of the employee were lawful and proper.
- **Unfounded:** The investigation shows that the alleged act did not occur.

The completed investigation with findings is forwarded to the Chief of Police for his review. If the investigation into the alleged misconduct is Sustained, recommendations for discipline are requested from supervisors in the involved employee's chain-of-command. If the investigation reveals that the employee may have committed a criminal act, a separate, independent criminal investigation will be conducted and forwarded to the District Attorney's Office for review. If the finding is Not Sustained, Exonerated or Unfounded, and if the Chief of Police agrees with the finding, the investigation will be reviewed with the named employee and it will be retained in departmental files as prescribed by law.

What is the Disciplinary Process?

If the complaint is Sustained, one or more of the following actions will be taken:

- **Counseling/Training:** Counseling and/or corrective training is provided to the employee to insure the improper behavior does not occur again.
- **Reprimand:** A formal written disciplinary report documenting the misconduct will be placed into the employee's personnel file.
- **Suspension:** The employee is suspended from duty without pay.
- **Demotion:** The employee is reduced in rank.
- **Dismissal:** The employee is terminated from the City work force.

What will you be told?

Once the investigation has been completed and approved by the Chief's office, a letter will be mailed to the complainant, explaining the outcome of the investigation. A copy of the complainant's statement will be included with the letter. The investigator's name will be provided in case the complainant needs further clarification. The City must comply

with state and federal personnel laws pertaining to employee's privacy rights, therefore only the finding will be disclosed.

Our Commitment to You

Complaints about alleged employee misconduct are opportunities for our department to identify actions by our employees that are inappropriate or to educate others about why the conduct was appropriate and lawful. In either case the community and the North Pole Police Department benefit from gaining your input. We are committed to providing quality police service to the public. Working with you, we will perform this service professionally and with integrity.