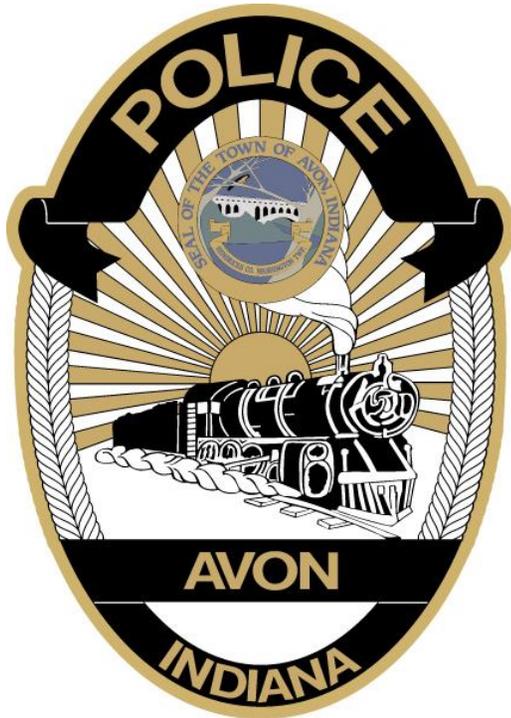


AVON POLICE DEPARTMENT



COMPLIMENT & COMPLAINT PROCEDURES

Each year police officers and other employees from our department have thousands of contacts with people. In some cases, individuals may question why an incident was handled in a particular way, or they may wish to acknowledge the employees involved. In other situations, they may disagree with the actions of a department employee.

The Avon Police Department values the feedback it receives from the community as a means to evaluate current policies. For example, if a particular policy routinely generates questions from citizens, the policy may need to be changed, or employee training may need to be increased in that area. Occasionally, an employee's actions may be inappropriate and warrant corrective action.

The Police Department takes people's concerns seriously. We believe the public is entitled to efficient, fair, and impartial service. We investigate all allegations of employee misconduct, respond to inquiries about employee actions or department policy, and document all commendations received from the public.

Commending Exemplary Performance

If you wish to commend an officer for exemplary service please:

- ✓ Ask to speak to the employee's supervisor and verbally praise them, or
- ✓ You can express your gratitude in writing to the Chief of Police.

Letters of commendation received by the Chief of Police result in notifying the officer of your gratitude and documentation in their personnel file.

We formally investigate allegations and inquiries for these reasons:

1. To protect citizens from actual misconduct by an employee;
2. To protect the department and those employees who conduct themselves appropriately;
3. To identify policies and procedures that may need review or change, and to find ways to improve the quality of our service to the community.

Our department considers a complaint to be:

1. An allegation from any source of circumstance(s) of specific act or omission by a police department employee which, if later proven to be true, would be misconduct and normally subject the employee to counseling or discipline.
2. A citizen's expression of dissatisfaction with an agency policy, procedure, philosophy, service level or legal standard of the agency.

These complaints can come from:

1. The aggrieved person,
2. A third party with specific knowledge,
3. An anonymous source,
4. A government entity or employee,
5. The news media,
6. Agency or employee, or
7. Notice of civil claim.

The Police Department does not consider a disagreement over the elements of a traffic citation or parking ticket to be a complaint. The matter is best resolved by the court as a neutral fact finder. Pending criminal or traffic charges

are not affected by internal investigations resulting from a complaint.

Complaints made anonymously are investigated; however, investigations are less likely to reveal all of the facts surrounding an alleged incident when the investigator is deprived of the opportunity to contact the complainant. Also, an anonymous complainant cannot be made aware of the results of the investigation. For these reasons we strongly encourage persons having legitimate concerns to complete the complaint form and fully cooperate with the investigation.

What happens during the process?

If you choose to make a complaint, we will follow a formal process to ensure that your complaint is thoroughly investigated. When you file a complaint, you will be asked for your name, address, telephone number and the details of the complaint including date, time, location, employees involved and any witnesses that have personal knowledge of the incident. The complaint form also contains an affirmation to the truth of the information provided and a precautionary statement regarding making false allegations. This statement is not intended to dissuade persons from filing legitimate, factual complaints, but is intended to forewarn persons from intentionally making false or malicious complaints that officers do have legal recourse for such action, and that action is beyond the control of the Avon Police Department.

A member of the Department will be assigned to investigate your complaint. The investigator will contact you, the accused employee, and witnesses to conduct an interview. All interviews are digitally recorded. The investigator will examine evidence, review reports and records, and thoroughly document the facts surrounding the incident. Normally internal

investigations are completed within 14 days. You will be notified should the investigation take longer.

The investigator's report will be submitted to the Chief of Police where it will be reviewed for completeness and objectivity. The Chief of Police will decide the outcome of the investigation.

Possible outcomes to the investigation:

- **Unfounded**—there is no evidence to suggest that the complaint/allegation was committed.
- **Exonerated**—the employee's actions were found to be both lawful and proper.
- **Non-Sustained**—evidence suggests while an act was committed, the employee was not culpable.
- **Non-Criminal but Improper**—while no criminal wrongdoing was shown to have occurred, the employee failed to exercise appropriate judgment. The need for remedial development is appropriate.
- **Misconduct Found**—a preponderance of evidence suggests that specific directives were violated that subject the employee to progressive discipline up to and including termination.
- **Criminal Wrong-Doing Found**—proof beyond a reasonable doubt exists that the employee violated a criminal law and is subject to progressive discipline up to and including termination.

Other methods of resolving complaints:

Some complaints may be resolved at the time they are made. For example, an explanation that the law requires (or allows) an employee to perform certain acts may be resolved by the supervisor if the complainant agrees that no further investigation of the incident is necessary.

Any person may voluntarily withdraw a complaint at any point during the investigative process. Complaint withdrawal is appropriate in situations where additional information is learned which cause the complainant to realize the department employee's actions were proper. The Department may, however, elect to continue the investigation if circumstances warrant.

Notification of the results:

The complainant is notified by letter with the results and findings of the investigation from the Chief of Police.

Note:

This brochure is a summary of the Police Department policies and procedures; it is not a complete account of the investigation, discipline, and appeal process.

Please contact us should you have any questions:

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