



# INTERNAL AFFAIRS

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## **I. INTERNAL AFFAIRS FUNCTION**

The department has an internal affairs function to ensure the integrity of the agency. The goal of internal affairs is to ensure that the department's integrity is maintained through a system that provides an objective and fair investigation and review of complaints against department employees.

## **II. INTERNAL AFFAIRS SECTION**

### **A. Organization**

The Internal Affairs Section is a component of the Office of the Chief of Police. The commander of the Internal Affairs Section is responsible for the internal affairs function. The commander is appointed by and reports directly to the Chief of Police.

### **B. Authority**

*Persons assigned to this unit in an investigative capacity conduct their duties on behalf, and with the authority of the Chief of Police.*

### **C. Administrative Activities**

The Internal Affairs Section is primarily responsible for the administration of all internal affairs activities, to include:

- 1. Recording, registering, and controlling the investigation of complaints against police officers;
- 2. Supervising and controlling the investigation of alleged or suspected misconduct within the department;
- 3. Maintaining the confidentiality of internal affairs investigations and records.

### **D. Investigative Activities**

In most cases the following categories of complaints will be investigated by the Internal Affairs Section:

- 1. Allegations of corruption
- 2. Brutality
- 3. Misuse of force
- 4. Breach of civil rights
- 5. Criminal misconduct

This list is not all-inclusive, and the Chief of Police or the Internal Affairs commander may reserve or delegate investigation of any complaint, at their discretion.

**E. Oversight Activities**

Complaints not investigated by the Internal Affairs Section will be delegated to line supervisors for investigation. The Internal Affairs Section will exercise oversight and review authority over all investigations to ensure competent investigation and fair resolution.

Generally, the following types of complaints will be delegated to line supervisors:

1. Insubordination
2. Rudeness
3. Tardiness; unauthorized absence
4. Improper grooming/appearance
5. Improper performance of duty; neglect or dereliction of duty
6. PPV violations

This list is not all-inclusive.

**III. INTERNAL AFFAIRS COMMANDER**

The Internal Affairs commander's authority includes:

- A. The authority to assign an investigation to the Internal Affairs Section or to an officer not assigned to Internal Affairs.
- B. The authority to decide if a sustained complaint may be resolved by summary punishment, or by punishment in excess of summary punishment.
- C. The authority to offer disciplinary action in cases where a complaint has been sustained, except in cases involving summary punishment. However, neither the department nor the Internal Affairs commander is obligated to offer any form of disciplinary action prior to presenting a case to a trial board.

In making these decisions, the Internal Affairs commander will consider such factors as, but not limited to:

- \* The seriousness and circumstances of the alleged incident;
- \* The affected employee's past disciplinary record and work performance;
- \* Evidence of a continuing pattern of behavior involving repeated acts of misconduct;
- \* The effect on the department of the alleged incident; and
- \* The likelihood of correcting the employee's conduct or behavior.

**IV. COMMANDER'S ADMINISTRATIVE RESPONSIBILITIES**

The commanding officer of the Internal Affairs Section will ensure that all investigations are conducted according to applicable laws and based on sound investigative techniques. The commanding officer is responsible for:

- A. Providing a daily briefing to the Chief of Police of complaints made against the department or its employees, and updating the Chief on the status of all investigations of complaints of a serious nature.
- B. Determining the final classification of investigations: sustained, not sustained, exonerated, unfounded, policy failure, or unreported misconduct.
- C. Assisting the Chief of Police in the selection of hearing board members.
- D. Administering disciplinary actions as authorized by the Chief of Police.
- E. Disseminating information to the public on procedures to be followed in registering complaints against the department or its employees.
- F. Ensuring that written verification is provided to complainants that complaints have been received for processing.
- G. Ensuring that complainants are notified of the status of complaints against the department or its employees.
- H. Maintaining all records of complaints, internal investigations, and disciplinary actions in a secure area.
- I. Maintaining liaison with the State's Attorney in cases involving alleged criminal conduct by a department employee.

**V. INTERNAL AFFAIRS RECORDS**

**A. Written Records Required**

The Internal Affairs Section commander will ensure that there is a written record of every complaint against the department or its employees, and of all disciplinary actions.

**B. Security of Records**

The Internal Affairs commander will ensure that all records of complaints against the department and/or its employees, and all records of disciplinary action, are permanently filed in secure facilities in the Internal Affairs office.

**C. Personnel File Contents**

Complaints and Internal Affairs investigative reports may not be placed in employees' personnel files. The fact that disciplinary action was administered will be included in personnel files. Unless otherwise directed by the Chief of Police, records of disciplinary action will be kept in employees' personnel files indefinitely. Employees may review the contents of their personnel files.

**D. Expungement of Records**

Complaints ruled unfounded, exonerated, or not sustained may be expunged from all department files as provided in the Law Enforcement Officers' Bill of Rights. See Index Code 305 for procedures.

**VI. PROPONENT UNIT:** Internal Affairs Section.

**VII. CANCELLATION:** This directive cancels Index Code 303.1 dated 03-15-94. Prior date: 03-31-98.