

CAMBRIDGE POLICE DEPARTMENT

Title: *CITIZEN COMPLAINTS*

Procedure: 4.003

Date Issued:

Revised:

PURPOSE:

To clarify the procedure for handling citizen complaints.

To provide for documentation of specific allegations.

To facilitate the investigation and disposition of citizen complaints.

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.

DEFINITION:

A citizen complaint is defined as that 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.

PROCEDURE:

1. A citizen complaint will be addressed whenever a citizen brings to the attention of a member of this Department a complaint concerning an action described above. Whenever a citizen requests to file a complaint against a member of this Department the on duty Supervisor will discuss the incident with the citizen. If after

discussing the incident with the supervisor, the citizen still desires to file a complaint, a Citizen Complaint Form will be provided. 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.

2. A citizen complaint may be received: From citizens who report them to any member of the Department, either orally or in writing, by telephone or correspondence, either signed or anonymous;

through a third person; and,

by referral from some official or unofficial agency.

3. The citizen will be instructed to document, in his 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.

4. 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.

5. 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.

6. The original complaint will be placed in a sealed envelope and forwarded to a Staff Officer without delay.

7. 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 he will be advised that this will seriously hamper a complete investigation. The complaint form will then be sealed in an envelope and forwarded to a Staff Officer without delay.

8. If a citizen refuses to write the complaint in his own handwriting the complaint will be processed as a telephone complaint.

9. The officer's Supervisor or the CID Supervisor will be assigned the complaint. All investigations are confidential and the investigating officer will discuss the investigation with only those individuals that will be involved in the investigation.

10. The investigating officer will thoroughly document his investigation and all interviews conducted. The results of his investigations and findings will be forwarded, through the chain of command to the Chief of Police.

11. After review by the Chief of Police, the complainant will be contacted by letter explaining the outcome of the investigation.

12. A record of all investigated citizen complaints will be kept by the office of the Chief of Police.

BRUTALITY COMPLAINTS

1. Whenever a person requests to file a brutality complaint against an officer of the

department, the complainant must complete a "Complaint of Brutality Report" and the information contained in the report must be sworn to before an official authorized to administer oaths in accordance with the requirements of Article 27, Section 728 (b) (4) OF THE Annotated Code of Maryland. No investigation alleging brutality will be conducted unless it is filed within 90 days of the alleged incident. In those cases exceeding the 90 day limitation, the complainant will be clearly advised, in writing, that no investigation will be conducted. The completed form will be forwarded through the Administrative Lieutenant's Office to the Supervisor of the Detective Division for investigation.

OFFICERS CHARGED WITH CRIME

1. Any officer charged with a crime shall immediately notify the Chief of Police in writing. The Chief shall review the information submitted and promptly order that the officer shall continue to perform police duties, shall be transferred to Administrative duties pending resolution of the criminal charges, or the officer shall be suspended without pay, pending resolution of the criminal charges. Regardless of which of the above alternatives is selected by the Chief of Police, an Administrative Hearing may be held prior to or subsequent to the disposition of the criminal charges.