



Littleton Police Department

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Receiving, Documenting, and Investigating Citizen's Complaints

A relationship of trust and confidence between the employees of the Littleton Police Department and the citizens of our community is essential to the successful accomplishment of law enforcement objectives. All department employees are expected to conduct themselves, whether on or off duty, in such a manner as to reflect favorably upon themselves and the department. The consistently high quality of this standard of conduct establishes and maintains the reputation of the Littleton Police Department and encourages the support of the community for police purposes and community goals.

Within the Littleton Police Department the Internal Affairs Investigative Function is delegated primarily to the Deputy Chief of Police. On an as needed basis such investigations may be delegated to the Detective Bureau, and individual officer, or even performed by the Chief of Police.

The Internal Affairs function is important for the maintenance of professional conduct within the Littleton Police Department. The integrity of the department depends on the personal integrity and discipline of each employee. To a large degree, the public image of this department is determined by how well it responds to allegations of misconduct against the department or its officers and the manner in which they are investigated. Towards that end the following procedures shall be followed:

A. Complaint Procedures

1. Complaint Report Form

- a. A standard complaint report form should be used to record all complaints against the Department which allege misconduct, complaints about the Department's response to community needs or mistreatment. The form should be used to record all complaints against Department personnel, which allege complaints regarding their performance or actions, whether registered by a citizen, initiated from

within the Police Department, or forwarded by another governmental agency. **[52.1.1]**

- b. The following information shall be included on the complaint report form:
 - i. Date and time of complaint report;
 - ii. Name, address, and telephone number of the complainant;
 - iii. Name, address and telephone numbers of any witnesses to the reported incident;
 - iv. Name, rank, badge number (or description) of the employee against whom the complaint is made;
 - v. Date, time and location of the reported incident;
 - vi. Complainant's description of the incident which resulted in the complaint;
 - vii. Signature of complainant;
 - viii. Signature of parent or guardian if complainant is under eighteen years of age; and
 - ix. Name, rank and signature of department employee receiving complaint report.

2. Receiving and Recording Complaints

- a. General Procedures
 - i. If the substance of the alleged misconduct against the Department or any employee is an accusation of any crime or of grave nature, the Chief or his designee shall be notified forthwith by the shift supervisor or officer-in-charge. If the substance of any alleged misconduct is of a minor nature, the Chief or his designee shall be notified in a timely manner by the shift supervisor or the officer-in-charge. The shift supervisor or officer-in-charge shall be responsible for making the notification either in person or by telephone or electronic communication.
[52.2.2]

- ii. The shift supervisor of officer-in-charge at the time the complaint is made shall be responsible for the efficient receiving and complete recording of any alleged misconduct of an employee made by a citizen in person or received by any other means.
- iii. An employee that is contacted by a complainant shall direct that person to the shift supervisor or officer-in-charge. Where required, a supervisor will be sent to meet, in the field, with such individual. If there is no supervisor available, the person initially contacted shall attempt to secure sufficient information to complete the complaint form. The form will be forwarded to the shift supervisor who shall follow-up as appropriate.
- iv. The utmost courtesy and cooperation should be extended to all citizens registering complaints or otherwise inquiring about complaint procedure.
- v. This initial contact between a complaining citizen and police authorities is a most important stage in the complaint process as the complainant is often tense, angry, and emotionally upset, and the potential for hostility is great.
- vi. No person should be denied an opportunity to register a complaint, nor should any such person be directed to return or call back later.
- vii. Every complaint report form shall be given an identifying number, so that the processing of complaints can be carefully monitored. This identifying number will be assigned by the Deputy Chief.
- viii. Relieved from Duty: If the substance of the alleged misconduct warrants it, the shift supervisor or officer-in-charge may place the employee, sworn or non-sworn, on administrative leave for the remainder of his/her shift pending notification of the Deputy Chief. Examples of misconduct that may warrant an employee being relieved from duty include but are not limited to:
 - reporting for duty in an unfit condition; insubordination;
 - leaving an assigned duty location or refusal to perform assigned duties;

-criminal offense committed while on or off duty; improper use of department's property;

-falsifying a statement or record;

-abusing, destroying, damaging stealing or defacing department property

Otherwise, the employee, sworn or non-sworn, shall only be relieved from duty at the direction of the Chief of Police or his designee. **[52.2.7]**

ix. Role of Supervisors: The first line supervisor bears the primary responsibility for the conduct, discipline, and duty performance of all personnel under his/her supervision and the basic accountability for failure to take warranted disciplinary action. **[26.1.5]**

The following is an outline by rank and command level of authority of superior officers to discipline their subordinates.

- a. Sergeants: Sergeants have the authority to counsel, train, evaluate, praise, and recommend for recognition. They also have the authority to reprimand verbally or in writing; relieve from duty or recommend a more formal form of discipline as appropriate.
- b. Deputy Chief: Deputy Chief has all the above, plus the authority to recommend to the Chief of a suspension up to five days.
- c. Chief: Chief has all of the above, plus the authority to recommend to the appointing authority lowering in rank or compensation or termination.

x. Failure to record or to properly process a complaint as required by this Policy and Procedure shall be considered misconduct.

b. In Person Complaints

- i. Citizens making complaints in person should be requested to read over their completed report, to make any necessary corrections or additions and to sign their complaint.

NOTE: Some citizens have difficulty in writing, may have limited reading skills, and may not be fluent in English. Officers should assist those persons in preparing a complaint form.

- ii. If a complainant refuses to sign a complaint, a notation to that effect should be made on the complaint form

c. Telephone Complaints

- i. Citizens making complaints by telephone should be informed that their signed complaint is requested; however, no telephone complaint should be refused or rejected because the complainant does not wish to sign a complaint form or because [s]he does not wish to be identified. The call should be directed to the shift supervisor or officer-in-charge of the station who shall fill out the complaint form based on information received.

d. Complaints Received by Mail / Electronic Mail

- i. If a complaint of misconduct or mistreatment by a department employee is received by mail or email, the allegations shall be incorporated in a standard complaint form and the original communication attached thereto.
- ii. If the information so received is insufficient or incomplete, the complainant shall be contacted, if possible, and informed of the department complaint procedure and any necessary additional information obtained.

e. Departmental Complaints

- i. Formal departmental complaints of misconduct against a Department Employee should be initiated by the preparation of a standard complaint report form. A signed letter with applicable information will also be accepted.

f. Complaints by Detainees

- i. Any detainee or criminal defendant who alleges misconduct or mistreatment by a Department Employee shall be advised by the shift supervisor or officer-in-charge of the station of his/her right to submit a complaint report form in the usual manner. Such complaints should be investigated and processed in the same manner as other citizen complaints. However, in such cases, a signed affidavit setting out the specific basis for the complaint is required.

g. Complaints from Governmental Agencies

- i. When information is received or obtained from other governmental agencies alleging specific acts of misconduct against a department employee, this information shall be

recorded on a standard complaint report form and an investigation initiated as prescribed in this policy and procedure.

h. Street Complaints

- i. If an officer on the street is approached by a citizen regarding a complaint of alleged misconduct against an employee of the Department, the officer shall inform such person that his/her complaint should be directed to the shift supervisor or officer-in-charge.

i. Verification of Receipt

- i. When a complaint is delivered in person at the Police Facility the employee receiving the complaint will ensure that the complainant receives a copy of his/her complaint. The receiving employee will then request that the complainant place the complaint in a departmental envelope and affix an Internal Affairs Label on the envelope. Once the label has been affixed by the complainant, a copy of the envelope shall be made and given to the complainant as a receipt of their complaint. The envelope shall then be placed in the Deputy Chief's mail tray.
- ii. The Deputy Chief shall send a letter to all persons outside the Department that file a complaint, within 3 business days, whether that complaint is delivered in person, over the phone, by email, or through the postal service. This initial letter should confirm receipt of the complaint for processing and provide the investigating officer's name and phone number. The letter should indicate that the complainant should expect to be contacted by the investigator. The letter shall also notify the complainant that he or she will be periodically notified during the investigation and of the final outcome of the investigation.

[52.2.4(a)]

Note: The following warning will be present on the complaint intake form, and when feasible the officer taking the complaint both orally and in writing will explain the substance of said warning, along with possible implications.

WARNING:

False statements made on this form are punishable under the penalty of perjury. Whoever Knowingly makes a false written statement on this form shall be punished by imprisonment up to 2 years, or face a fine of up to \$2500.00 or both fine and

imprisonment M.G.L. 268 S.39 or M.G.L. 269 S.13A. Persons convicted more than once of knowingly making false reports shall be punished by a mandatory minimum one year jail term.

j. Periodic Status Reports

- i. In all cases of reporting, except anonymous reports, the complaining party shall periodically receive information regarding the status of the investigation. **[52.2.4(b)]**