



DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 111	INTERNAL INVESTIGATIONS AND DISCIPLINARY PROCESSES	
	Effective: 02/05/2025	Commissioner Approval: 
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: Department Investigations Manual	

111.100 INTRODUCTION

The department has established a policy and set of practices to be adhered to when a complaint is received.

111.300 RECEIVING COMPLAINTS

A. Any employee may accept complaint. Any employee of the department is authorized to receive and record complaints against other departmental employees and/or the department. Under no circumstances shall an employee attempt to dissuade any citizen from lodging a complaint against an employee or the department.

B. Complaints will be immediately routed to supervisor. Any complaint made against an employee of the department shall be received in a courteous and professional manner and shall be immediately routed to the appropriate supervisor. Division members fielding complaints, will forward the information received, regardless of substantiation, to their direct supervisor the same business day of receiving the alleged complaint. If the direct supervisor is not available, notification to the on-call command staff member will suffice. Forwarding such information can initially be done telephonically, but written notification to the fielding employees' supervisor is required within one business day.

C. Action by supervisor notified of complaint. A supervisor who has been notified of or received a complaint is responsible for immediately determining:

1. whether the complaint is within the definitions in Section 111.900;
2. whether the complaint alleges criminal conduct on the part of an employee;
3. whether the identity of the department employee can be determined; and
4. the identity of the complainant or other persons with direct knowledge of the allegation(s).

Further, when a complaint is likely to result in an inquiry or an administrative investigation (AI), and a written signed statement cannot be obtained from the complainant, the employee receiving the complaint shall document the complaint using [BlueTeam](#).

D. Supervisor's duty to department. When confronted with a situation in which a subordinate may be the subject of a criminal or administrative investigation, the supervisor's duty to the department requires impartiality with respect to the matter under investigation and cooperation to aid and facilitate the investigation.

111.310 RECORDING COMPLAINTS

- A. Department will investigate complaints.** It is the policy of the department to accept, record, and investigate complaints as defined in Section 111.900.
- B. Evaluation and action by supervisor notified of complaint or misconduct.** Supervisors who observe violations or who are advised by a subordinate of complaints or misconduct as defined in Section 111.900 shall take whatever action is necessary and authorized by this chapter. The responsibility for assuring proper recording of complaints and assuring required notifications rests with the supervisor.
- C. Recording of complaint.** Every complaint against a commissioned officer, whether internal or external, as defined in Section 111.900 shall be documented by using [BlueTeam](#). External complaints filed against non-commissioned employees as defined in Section 111.900 shall be documented by using BlueTeam. It is prudent to provide as much information as possible when documenting the complaint (i.e. complainant identification and contact information, a summary of the allegations, identification of the alleged involved employees, audio recording the interview, etc.).

111.320 THE COMPLAINT PROCESS

Commanders or civilian supervisors are responsible for ensuring the employee receives complaint notification in a timely manner in accordance with applicable collective bargaining agreements. Complaints which may require administrative investigations (AIs) shall be routed up the chain of command to the Director's Office. The Director's Office is responsible for requesting administrative investigations from the Office of Professional Standards (OPS). For PSEA employees, if a supervisor review of the complaint by the chain of command determines an AI is not necessary then 'Known and Obvious' procedures will be followed. For employees in other unions, the supervisor should consult with Human Resources regarding the potential need to schedule a pre-determination meeting.

Complaints for commissioned employees will be handled in accordance with the [Department Personnel Investigations](#) (DPI) Manual. The following chart depicts types of complaints along with whom the complaint is generally investigated:

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DESCRIPTION	EXAMPLES	GENERALLY HANDLED BY
<p>Allegations that have the potential to damage the reputation of the Department or its personnel, and generally include, but are not limited to, allegations of serious misconduct, serious violations of Standards of Conduct and other written directives, or criminal conduct.</p>	<ul style="list-style-type: none"> • Violation of criminal statutes • Dishonesty and untruthfulness • Gross Insubordination • Violation of civil rights • Bias-based profiling • Sexual misconduct • Workplace violence • Incompetence • Gross neglect of duty 	<p>THE OFFICE OF PROFESSIONAL STANDARDS</p> <p>CRIMINAL ALLEGATIONS: INVESTIGATED BY ABI</p>
DESCRIPTION	EXAMPLES	GENERALLY HANDLED BY
<p>Allegations that appear to be serious in nature by the initial complaint but may be cleared through First-Line Supervisors conducting initial information gathering.</p>	<ul style="list-style-type: none"> • Brutality, excessive, and/or improper use of force • False arrest • Unlawful search and/or seizure • Abuse of position 	<p>INITIAL COMPLAINT REVIEW: FIRST-LINE SUPERVISOR</p> <p>INVESTIGATION / INTERVIEW: THE OFFICE OF PROFESSIONAL STANDARDS</p>
<p>Allegations that generally include, but are not limited to, allegations of a less-serious nature and violations of Standards of Conduct and other written directives of a less-serious nature or concerns about a policy, procedure, or tactic used by the Department or an employee.</p>	<ul style="list-style-type: none"> • Violation of policies, procedures or rules, other than those referenced above • Inappropriate conduct and/or behavior of a less-serious nature, such as rudeness, discourtesy, and offensive language • Vehicle collisions • Citizen question or complaint about <i>procedures or tactics</i>, such as on-scene command presence, or why handcuffs were used when detaining a subject 	<p>FIRST-LINE SUPERVISOR</p>

111.330 THE ADMINISTRATIVE INVESTIGATION

Administrative Investigations (AIs) for the Department of Public Safety are the responsibility of the Office of Professional Standards (OPS).

Investigative oversight of AIs is the responsibility of the OPS, who shall provide the necessary assistance to each of the department's divisions to ensure the thorough and timely completion of all AIs. The Commissioner's Office retains final authority in determining when an AI shall be conducted.

All AIs will be conducted in accordance with the [DPI Manual](#) (see section 8). Careful attention should be given to the timelines and employee's bargaining unit rights as provided by the employee's Collective Bargaining Unit.

The OPS concludes an AI by issuing a memorandum of findings documenting whether policy violations were identified. The memorandum of findings is the final outcome of the AI. Thereafter, the requesting division is responsible for taking appropriate administrative action, including discipline. If new information is identified during the administrative/discipline process that may change the findings of the AI, the requesting division shall submit a request to the Commissioner's Office to have the OPS review the new information and determine whether changes to the memorandum of findings are warranted. The Commissioner's Office shall have final discretion surrounding the memorandum of findings.

111.340 CRIMINAL INVESTIGATIONS

Criminal investigations of employees of the department will be initiated after consultation with the Commissioner, unless exigent circumstances require such action to be taken immediately. Then the Commissioner will be advised as soon as possible after that.

Criminal investigation of any employee of the Department of Public Safety will be reported to the appropriate Division Director or designee immediately. Guidelines regarding AIs of department employees under criminal investigation are described in the [DPI Manual](#).

111.350 ADMINISTRATIVE LEAVE

A. *Administrative Leave.* From time to time it may be necessary or appropriate to remove an employee from the workplace pending an investigation, or for reasons such as safety, efficiency, or maintaining good order. In such circumstances, paid Administrative Leave may be available. Requests for Administrative Leave must be submitted to the Director's Office for prior approval. The Director will work with Human Resources to ensure compliance with all applicable policies, procedures, and collective bargaining agreements.

In rare instances, an employee may need to be immediately removed from the workplace and placed on administrative leave until further administrative action can be taken. If this happens outside of regular business hours, or the Director is otherwise not available, a supervisor must notify the Chain of Command up to the level of the Director's Office to determine next steps as soon as possible.

B. *Administrative leave mandatory when charged.* Administrative leave is mandatory when an officer is charged with a felony offense. Some collective bargaining agreements may

address mandatory administrative leave; in the event such provisions exist the department will implement the terms of the agreement.

C. *Employees on administrative leave to surrender badges, credentials, weapons, and state property.* Employees placed on administrative leave under this chapter shall immediately surrender their credentials, badges, and department-issued firearms to the supervisor exercising the authority. The supervisor may also require the surrender of all other State property issued to the employee.

Due to remoteness of some Posts, the supervisor may not be able to take physical custody of the State property. In such case, the employee shall be advised of what to do with his firearms, uniform, badge and ID until the administrative leave is completed. The employee will have no authority of office unless advised to the contrary.

D. *Restrictions on employees on administrative leave.* Employees on administrative leave shall not wear uniforms or any other badge of office. Employees under administrative leave shall have no authority of office.

E. *Disciplinary suspensions.* Disciplinary suspensions will be without pay. Employees shall have no authority of office for the duration of the suspension, and they will be expected to surrender their credentials, badges, ID card, department-issued firearms, and patrol vehicle to the supervisor exercising the authority.

111.360 DISMISSALS

A. *Cause for dismissal.* In the determination of the department, a finding of any of the following offenses may be cause for dismissal:

1. conviction of a felony offense or a crime involving moral turpitude as defined under 13 AAC 85.900(28);
2. submission of a resignation while criminal charges are pending and before the case has been adjudicated;
3. knowingly taking action or inaction that demonstrates extreme indifference to life which results in serious injury or death and violates the code and canons of ethics and/or the sworn oath of office;
4. making a false statement or falsifying any written or verbal report made to a superior or required by department policy or procedures, or willfully and intentionally withholding any material matter from such report or statement;
5. accepting or offering a bribe, official misconduct, or engaging in any unlawful act or unlawful means of obtaining money or other consideration;
6. accepting any fee, reward or gift of any kind from an arrested person or a person under investigation;
7. intentionally destroying or improperly handling evidence in violation of department procedures;

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8. knowingly giving false testimony in any case at any time;
9. knowingly committing any serious violation of law;
10. intentionally revealing the identity of any employee of any law enforcement agency engaged in official duty in such a manner as to interfere with the proper performance of his duty;
11. intentionally revealing the evidence, activities, or plans of any law enforcement agency in a manner which could interfere or prevent investigation, activity, or plans;
12. being under the influence of intoxicants and/or drugs without authorization on or off duty, in full or partial uniform, or on duty in plain clothes;
13. being a member of any subversive organization that is seeking to subvert, overthrow, or destroy an established government; or
14. cowardice.

B. *Other violations.* Other violations of the OPM may also lead to discipline, up to and including dismissal.

C. *Dismissed employee to surrender all property and authority.* Any employee receiving written notice of dismissal shall immediately surrender all State property issued to him, and until and unless he is reinstated, he shall no longer be considered an employee of the department.

D. *Notification of dismissal.* Any employee shall be promptly provided with a written notice of dismissal setting forth the reasons for the dismissal. If the employee holds permanent status in any classified position, the Director shall provide such written notification. If the employee does not have permanent status in any position, the supervisor who took the action shall provide such written notification.

111.370 DEMOTIONS

A. *Reasons for demotion.* Any employee may be demoted upon a showing that he is unable or unwilling to perform the responsibilities and duties that his position requires or for other sufficient reason as determined by the department.

B. *Employees demoted for cause may be returned to former position.* In accordance with applicable collective bargaining agreement, an employee who is demoted may be eligible to return to the last permanent status position held within the department.

C. *Layoff of demoted employees.* In accordance with collective bargaining agreements, an employee in permanent status who has been demoted and where no vacancy exists in the demotion classification may be eligible for layoff rights. Rehire from layoff will be handled in accordance with the pertinent labor contract and personnel rules. Any employee placed on layoff status shall immediately surrender all State property to his supervisor or other designated employee.

D. *Surrender of credentials upon demotion.* Any employee who is demoted shall immediately surrender all items (i.e. credentials, insignia, etc.), to his supervisor or other designee, that designate the position from which demoted as well as any equipment assigned to assist in fulfilling the duties of that position

E. *Notice of demotion.* A Director shall, before such action is taken, give written notice to any permanent employee being demoted providing the reasons for demotion.

111.380 NOTIFICATION OF DISCIPLINARY ACTION

Notification and copies of disciplinary action (written warning and reprimand, suspension, demotion, and dismissal) shall be forwarded in the following manner.

- Employee
- Everyone up the chain of command of the effected employee
- DPS Human Resources Lead
- Appropriate Union
- Supervisory and Field File
- Division of Personnel, Employee Records – Personnel File (all disciplinary actions)
- Division of Finance, Payroll Services (suspension, demotion, or dismissal only)

111.900 DEFINITIONS

Administrative Leave – a relief from duty with or without pay pending an investigation.

Complaint –

- an alleged act, or failure to act, by personnel which is contrary to written rules, regulations, procedures, directives or orders of the department;
- an alleged act or omission which, if substantiated, would constitute a violation of law;
- an allegation against employees or the department which tends to indicate an actual or potential defect in departmental rules, regulations, procedures, directives, orders, or department services; or
- a request for an Administrative Investigation in accordance with collective bargaining agreements or as authorized by the department.

NOTE: General complaints regarding requirements of duties, e.g., issuance of traffic citations, driver's license suspensions, etc., in which no impropriety is alleged and other channels of adjudication exist are not deemed complaints under this section.

Suspension—a disciplinary action, involving the relief from duty without pay, following the conclusion of an investigation or evidence of wrongdoing.