

FINDLAY POLICE DEPARTMENT

OFFICER/DEPARTMENT COMPLAINT PROCEDURE BROCHURE

Any citizen complaint, where the complainant is identified, regarding the Findlay Police Department or one of its Officers will be thoroughly investigated. The investigation may be either an inquiry or a formal investigation of an allegation of misconduct, depending on the type and severity of the allegation made. Minor infractions of policies, procedures or rules could be handled by a Sergeant, through counseling or training. Attempts to resolve your complaint informally could be made by a Watch Commander, with the approval of the appropriate Division Lieutenant.

Allegations of misconduct could include such things as alleged criminal behavior, or alleged serious violations of Department Policy or Rules and Regulations. These will be documented and handled more formally through the Internal Affairs function. If sustained, these allegations could result in discipline of the effected employee up to and including suspension, demotion, or termination.

Any Supervisor of the Findlay Police Department may take the initial information for a complaint. It is preferred that complaints be made in person, to ensure that the complainants and witnesses are able to give a written statement, detailing all of the facts in their own words. Complainants and witnesses will also be asked to give contact information, in case further details or questions arise and to allow the complainant to be updated as to the progress on the investigation.

If a complainant alleges acts that could cause an Officer to be disciplined to the extent of being suspended, demoted or terminated, the complainant may be asked to take a truth verification exam at the expense of the department. The complainant may also be asked to testify at the Administrative Hearing to determine the facts of the complaint.

Generally, Supervisors have a maximum of 30 days to conclude an investigation, unless that time is extended by the Chief of Police because of extenuating circumstances. If necessary, a complainant could be contacted sometime during the investigation to be given an update on its progress. The Officer or employee(s) concerned will be informed of the substance of the complaint, unless to do so would prejudice the investigation.

Upon completion of the investigation and determination of the appropriate action, the complainant will be notified of the results of the investigation. The Chief of Police will issue a finding based on the facts proved in the course of the investigation. These findings include:

- **Exonerated**-The alleged act occurred, but the action was lawful and proper
- **Misconduct Not Based on Complaint**-The investigation reveals sufficient evidence to indicate other infractions not based in the original complaint
- **Not Sustained**-There is insufficient evidence either to prove or disprove the allegation.
- **Policy Failure**-The Officer's actions were in accordance with policy, but there is some flaw in the policy that permitted the actions.
- **Sustained**-The allegation is supported by sufficient evidence, and the action violates either criminal law or Department's Rules and Regulations or other written directives. If the incident has two (2) or more allegations and at least one (1) of the allegations is sustained, it could be classified as "partially sustained".
- **Unfounded**-The allegation was demonstrably false, or there is no credible evidence to support the complaint.
- **Withdrawn**- The complainant withdraws the complaint prior to the completion of the investigation and no evidence of wrongdoing had been uncovered, up to that point.

The Chief of Police will, after review of the investigation and Supervisor recommendations, make the final determination and then direct the action to be taken. At this point, the complainant will be notified of the outcome of the complaint.

The Department's Policies and Procedures concerning the Internal Affairs function are available to the public, upon request, by asking for a copy of Chapter 52 of the Department's Policy and Procedures Manual. Any questions, concerns or clarifications regarding the citizen complaint procedures of the Findlay Police Department may be directed to Captain Gregory Horne at 419-424-7194.