



POLICY/PROCEDURE NUMBER: 07-P.A.-010

Page 1 of 14 with two Appendices

SUBJECT: INTERNAL AFFAIRS

EFFECTIVE DATE: January 7, 2015

REVIEW DATE: January 7, 2016

AMENDS/SUPERSEDES: November 16, 2007 version; March 7, 2008 version; January 27, 2010 version; February 16, 2011 version; January 8, 2014 version.

IACLEA STANDARD: 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, 4.2.10, 4.2.11

CSU POLICE DEPARTMENTS SYSTEMWIDE OPERATIONAL GUIDELINE – Yes

APPROVED: Anne P. Glavin, Chief of Police

I. PURPOSE

To establish responsibilities and procedures in the investigation of complaints against the department or its members. Penal Code Section 832.5 requires that any department that employs peace officers establish a procedure to investigate citizens' complaints against its personnel and make a written description of the procedure available to the public. Every person has a right to file a complaint and all alleged or suspected violations of law, ordinances, department orders and university rules must be investigated.

The effective exercise of law enforcement responsibility requires that agencies work to maintain public trust and confidence through their professional conduct, integrity, and response in dealing with allegations of misconduct by the agency or its employees. This also applies to complaints about the Department's response to community needs. The Department of Police Services acknowledges its responsibility to establish a complaint system and disciplinary procedures, which not only will subject the officer to corrective action when there is improper conduct, but also will protect the officer from unwarranted criticism when official duties are properly discharged.

II. POLICY

To ensure the maintenance of professional conduct, it shall be the policy of the Department to provide fair and expeditious disposition of complaints/allegations of wrongdoing regarding the conduct of officers and employees of the Department. All complaints against the Department or its employees will be documented and investigated.

III. DEFINITIONS

A. Citizen Comments: Any positive or negative remark received from a citizen.

- B. Complaint: A statement made alleging that a department employee (sworn or non-sworn) has engaged in an act constituting misconduct. Members of the public and departmental personnel can make complaints.
- C. Complainant: The person who files a complaint with the department alleging any act of misconduct by an employee or employees of the department, and includes any aggrieved party and any person or group who assists in filing the complaint.
- D. Conclusions/Findings: Results of an investigation of any allegation including observations and conclusions of the investigating officer.
- E. Disposition: The status assigned to a case by the Chief of Police following the conclusion of the investigation.
- F. Infraction: A violation of departmental rules and regulations defining transgressions that are not major violations.
- G. Major Violations:
1. Any violation of statutes and ordinances defining criminal activity.
 2. The use of unnecessary or excessive force.
 3. Abuse of authority.
 4. Conduct that violates a person's civil rights.
 5. The use of abusive or insulting language or conduct that is derogatory of a person's gender, race, religion, disability, lifestyle, or national origin.
- H. Employees: Both sworn and civilian members of the department (includes temporary and part-time positions).
- I. Misconduct: When it is shown by a preponderance of evidence that an employee of the department has:
1. Violated any rule, procedure, or lawful order of the department.
 2. Violated any of the provisions of the city/county charter or of any section of State or merit plan rules relating to employee conduct in office.
 3. Violated any law, whether codified by city/county statute, state or federal statute, or constitutional provision.
- J. Removal: The termination of an employee's employment with the department.
- K. Rules and Regulations: The administrative acts promulgated by the Chief of Police that are designed to regulate departmental standards of conduct and appearance.
- L. Suspension: The temporary removal of an employee from active employment for a defined period of time.
- M. Witness: A person who can produce relevant information/evidence in support of, or in contradiction to, an alleged major violation or infraction.

IV. PROCEDURES:

- A. Classification of Complaints – complaints will be classified in one of two ways:

1. Administrative Review (AR)

- a. The review of an incident or violation of department policy to determine what action, if any, is necessary or if a recommendation to the Chief of Police for an internal investigation is warranted. For example, a complaint of rude behavior will most likely not require a recommendation for initiating an internal affairs investigation. The review may result in the issuance of a counseling memorandum or simply orally discussing the issue(s) with the affected employee. These reviews are focused more on performance matters rather than an internal affairs investigation that has the potential for disciplinary action if sustained.
- b. Administrative reviews (AR) are usually initiated internally by department personnel. (Examples include counseling/disciplinary measures and reviews that are within the purview of Sergeants, a Lieutenant or Captain such as rude behavior, tardiness, conduct unbecoming an employee, etc.)
- c. Administrative reviews are documented in a memorandum format.
- d. Administrative reviews will be maintained within the office of the Chief of Police and given a numerical file number with the prefix "AR." For example, AR-2006-01, which would reflect the first administrative review for the calendar year 2006.

2. Internal Affairs Investigation (IA)

- a. An internal affairs investigation is an investigation into an allegation of misconduct initiated by a citizen's complaint or any investigation into an allegation of serious misconduct by an employee of the department which possesses the potential for disciplinary action.
- b. Internal affairs (IA) investigations will be assigned for investigation by the Chief of Police or her/his designee.
- c. Internal affairs investigations are usually documented by the complainant on a "Citizen Complaint Form," but may be documented in memorandum form by either the complainant or intake officer.
- d. Internal affairs investigations will be maintained within the office of the Chief of Police and will be given a numerical file number with the prefix "IA." For example, IA-2006-01, which would reflect the first internal affairs investigation for the calendar year 2006.

B. Other Administrative Investigation Files:

1. Cases of Interest to the Department/University (LF – Liability File)

- a. There are instances wherein the Department/University is advised of situations that do not meet the criteria set forth in paragraphs IV, A-1 and A-2 above. Examples include instances such as pending litigation for injuries received where no officer misconduct is alleged, other lawsuits against the Department/University, or other situations of substantial interest to this department/university.

- b. The above files will be maintained within the office of the Chief of Police and given a numerical litigation file (LF) number with the prefix "LF." For example, LF-2006-01, which would reflect the first litigation case received for the calendar year 2006.

2. Citizen Comment Files (CC)

- a. These files will contain comments from citizens regarding recognition of staff, suggestions for improvement, or other items of interest that *do not* concern a complaint or litigation matter. The Department utilizes the Citizen Commendation/Suggestion Form for citizen use in documenting their comments (Appendix A), although comments may be received by other means such as letters, cards, email, etc.
- b. These files will be maintained within the office of the Chief of Police and given a numerical citizen comment (CC) file number with the prefix "CC." For example, CC-2006-01, which would reflect the first citizen comment for the calendar year 2006.
- c. Supervisors receiving positive feedback about employees should forward the feedback via memorandum to the appropriate Division Commander or Manager who will then forward the feedback to the Chief of Police.

C. Receiving Complaint Responsibilities:

- 1. The Department makes available to the public information on procedures to be followed in registering complaints against the agency or its employees. A CSUN Department of Police Services Citizen Complaint Process Form is located in the Department's main lobby and on its website for public viewing.
- 2. Allegations of misconduct may be received at any time of the day or night and may originate from within or outside the department.
- 3. Complaints shall be accepted from any source, whether made in person, mail, e-mail, telephone, third party, or from an anonymous complainant. Complaints shall be immediately referred to a supervisor, either sworn or civilian.

Department supervisors receiving complaints shall provide the complainant with a Department "Citizen Complaint Process / Citizen Complaint Form" located in the Department's files/forms boxes in the 1st floor hallway. "Citizen Commendation/Suggestion Forms" are also available in the department files/forms boxes should they be needed for citizen commendations or suggestions for improvement that don't rise to the level of a complaint by the citizen.

Supervisors receiving information alleging misconduct or inadequate service shall not attempt to dissuade the complainant from making the complaint, even if he/she feels that the issue is of minor importance.

- 4. A request for clarification or explanation of a particular policy or procedure is not a complaint.
- 5. Complaint Origin:

- a. If a complainant will not make a formal written complaint, the department supervisor with whom the complaint was lodged will complete a written summary and forward it to the Chief of Police via the chain of command. The summary will include at a minimum, the name, address and phone number of the complainant and witness(es), the name of the subject officer(s) involved, and the date, time and location of the incident.
 - b. Anonymous complaints may be investigated through the internal affairs process based on the seriousness of the reported violation. However, minor reported violations may be reviewed for administrative purposes and validation without requiring a complete internal affairs investigation (e.g., placing the complaint within an administrative review classification as defined within this policy).
 - c. Third-party complaints of serious allegations shall be investigated through the internal affairs function.
 - d. A parent or legal guardian can lodge a complaint on behalf of their juvenile dependent.
 - e. Complaints based on hearsay information of employee misconduct, shall normally be routed to the employee's immediate supervisor for determination as to whether sufficient evidence exists to warrant an investigation.
6. Supervisory responsibilities in receiving a complaint.
- a. Upon receiving a complaint, the supervisor will:
 - 1) Screen the complaint to make sure that department personnel are involved;
 - 2) Ascertain whether there is validity to the complaint, as opposed to a lack of understanding of agency procedures. Sometimes a complaint may be resolved by a simple explanation of procedures.
 - 3) If a complaint involves an alleged infraction on the part of a department employee(s), the supervisor shall review the complaint and make every possible effort to resolve the allegation at intake, forwarding the complaint and his/her resolution to the respective Police Commander or Manager.
 - 4) If the complaint cannot be resolved at this level, the supervisor will forward the complaint to an on-duty Commander/Manager who will review it and forward it to the Chief for assignment of investigation. In the event of a major violation, the Captain, Manager, or shift supervisor receiving the complaint shall record all pertinent information and undertake a preliminary investigation of the incident. He/she will take whatever action is appropriate and required given the severity of the situation (arrest, suspension, temporary relief of duty, etc.), and immediately notify the Chief of Police and the appropriate command staff member or other comparable ranking officer of the nature of the complaint and the action taken.

- b. If a sworn or non-sworn supervisor is not readily available, any police officer can receive a complaint. The officer shall advise the complainant that he/she will forward the complaint to a supervisor for handling as soon as possible and they will be receiving supervisory confirmation of its receipt within 24 hours.
- c. It is not appropriate to request that a citizen return or telephone at a later time due to a supervisor not being immediately available.

D. Investigation Responsibility:

The Department does not have a designated internal affairs investigator or specialized unit. The primary responsibility for this function rests with the Special Services Captain, who reports directly to the Chief of Police. The Special Services Captain will notify the Chief of Police upon receipt of all complaints whether they be against the agency, its employees, volunteers, and on-site workers contracted by the department; and depending upon the seriousness, the investigation may be assigned either internally or externally for investigation. Major violations shall be reported to the Chief of Police and Special Services Captain immediately via the most expeditious means of communication (i.e. cell phone, pager, home phone, etc.). A written summary of any allegation(s) shall be completed and provided to the Chief of Police within 48 hours from receipt of a complaint. At no time will an investigation be assigned to or completed by an individual who is either a party in the complaint or a primary witness.

1. Complaints to be Investigated by Line Supervisors

Line supervisors are responsible for investigating performance based complaints such as alleged rudeness on the part of the officer, tardiness, or insubordination. Policy #07-P.A-009: Performance Evaluation specifies the process through which to provide constructive feedback on performance related complaints (i.e. performance evaluation comment cards).

2. Complaints to be Investigated by the Internal Affairs Function

Complaints may be investigated by the Special Services Captain, Patrol Operations Captain or Lieutenant, Parking & Transportation Services Manager, Detective, or an assigned POST internal affairs trained Sergeant. All major violation complaints as defined in Section III of this policy (i.e. corruption, brutality, misuse of force, breach of civil rights, criminal misconduct) shall be investigated through the internal affairs function with a POST trained internal affairs investigator being assigned by the Chief of Police at her/his discretion. Those complaints deemed infractions as defined in Section III of this policy (i.e. policy and procedure violations, standards of conduct) may be assigned for investigation through the internal affairs function or as a performance based administrative review by line supervisors as deemed appropriate by the Captain of Special Services, Chief of Police, or a designee in their absence.

3. Complaints to be Reviewed by the Internal Affairs Function

All complaints received by department personnel (whether handled as a performance based complaint or one requiring follow-up by the internal affairs function) shall be forwarded through the on-duty supervisor to the Special Services Captain for review as the Internal Affairs function coordinator. The internal affairs coordinator is responsible for analyzing all internal affairs investigations, citizen complaints and citizen comments, suggestions, and commendations to maintain a continuous position of self-assessment as it relates to providing professional community services.

The formal review of all completed internal affairs investigations shall be performed by the Special Services Captain (internal affairs coordinator) who will in turn provide a summary of fact and recommendations, if needed, to the Chief of Police for remedial training or corrective action to be taken.

E. Notifying Parties of a Complaint:

1. The Complainant

- a. The complainant will be provided a copy of the completed complaint form at the time the complaint is filed and shall be advised that it will be forwarded to the appropriate supervisor and command staff member.
- b. The assigned investigator will provide periodic status updates to the complainant by telephone should the investigation extend beyond thirty (30) days and will document such in the investigation report.
- c. At the conclusion of the investigation, the Chief of Police (or designee) will provide the complainant with a written complaint disposition.
 - 1) The complainant shall be advised of the disposition within 30 days (Penal Code 832.7), including confirmation that the complaint was thoroughly investigated and its final disposition.
 - 2) The exact nature of discipline imposed should not be included; however, a reference may be made to “appropriate” action having been taken in the case of a sustained finding.

2. The Accused Department Member(s):

- a. Shall be notified of the allegation(s) except in cases where such notification might hinder the completion of the investigation (Article 9.5 of the SUPA/CSU bargaining agreement) and if notified shall either be given a copy of the complaint or a written statement of the allegations.
- b. Shall be advised of his/her employee rights and responsibilities relative to the investigation.
- c. Article 9 of the SUPA Collective Bargaining Agreement will be followed and the complaint shall be investigated within 30 days

unless an extension is required due to its complexity. Extensions may only be authorized by the Chief of Police.

- d. Confidentiality of all information shall be maintained during the investigative process.
- e. The Peace Officers Bill of Rights, Government Code Section 3304(f), requires notification within 30 days of a decision to impose discipline.

F. Employee Rights during an Investigation:

1. If the complaint against a department employee is both an allegation that department rules were violated and an allegation of criminal conduct, the investigation will be bifurcated.
2. In a criminal investigation, the officer has a right not to answer questions that would incriminate him or her, and is entitled to all the rights of any other suspect.
3. In an administrative investigation, the officer does not have a right to refuse to answer questions when the questions relate to good order and efficiency of the department.
4. The Public Safety Officer Procedural Bill of Rights Act, Government Code Section 3300(AB301), applies to all administrative investigations into officer misconduct.
5. The interview of any department employee shall be conducted at a reasonable hour, preferably when the employee is on-duty, unless the urgency of the investigation dictates otherwise. If such an interview occurs during off-duty hours of the employee being interviewed, the employee shall be compensated for his/her off-duty time.
6. The employee shall be permitted to take notes and to bring his/her own recording device and record any and all aspects of the interview.
7. An employee shall have the right to be represented by a representative of his/her choice, who may be present at all times during the interview. The representative shall not participate in the interview questioning, except to counsel the employee. The employee may request a postponement of the initial interview to contact a representative of his/her own choice if needed.
8. No officer/employee of the Department shall be compelled to submit to a polygraph examination. Polygraph examinations and voice stress analysis may be administered to an employee only after written consent is gained, upon approval of the Chief of Police, and will be only be done after first administering it to the complainant.
9. Financial disclosure shall not be compelled except pursuant to lawful process, where conflict of interest is indicated, or a special assignment subject to bribery is involved.
10. A disciplined employee has the right of appeal as per contractual agreements.
11. Searches:
 - a. Department-owned desks, lockers, storage space, rooms, offices, equipment, work areas and vehicles are the sole property of the state of California, subject to inspection deemed necessary by the Chief of Police or other authority.
 - b. No police officer shall have his/her personal locker or other space for personal storage that may be assigned to him/her searched except:

- 1) In his/her presence;
 - 2) With his/her consent;
 - 3) If a valid search warrant has been obtained; or
 - 4) He/she has been notified that a search will be conducted.
12. An employee shall not be required (unless subject to a random test procedure) to submit to a medical, laboratory, or field sobriety examination which would include a blood, breath, or urine test for the purposes for the purposes of determining the presence of a narcotic, drug, or alcohol unless specifically directed and narrowly related to a particular internal affairs investigation. This is unless:
- a. The employee exhibits objective symptoms of being under the influence of alcohol, and/or narcotic or drug; or
 - b. There is a reasonable and articulated suspicion that the employee ingested, or absorbed by the body in any other manner, an alcoholic beverage, narcotic, or drug.
13. Any telephone call made or received on a department telephone is the business of the Chief of Police and not confidential. Due to the very nature of the complex problems which face law enforcement and the need for accuracy in reporting, those using police department telephones shall reasonably expect monitoring and/or recording of incoming and outgoing calls.
14. For the purposes of identifying a department employee involved in a complaint, the department may utilize photographs of department employees for use by the complainant, only after receiving a detailed physical description of the suspected employee. With the exception of a criminal prosecution, sworn or non-sworn employees of the department will never be compelled to participate in a line-up.

G. Investigation Procedures:

1. All interviews concerning an investigation will be recorded utilizing a department digital voice recorder. If this is not possible for some extenuating circumstance, permission to continue with a non-recorded interview must be obtained from the Special Services Captain or Chief of Police in his/her absence. Should permission be granted, the reason for the non-recorded interview and Captain's approval shall be documented within the internal affairs investigatory report. The Chief of Police shall determine whether or not to authorize the transcribing of recorded investigatory interviews.
2. The complainant and all known witnesses will be interviewed.
3. It is the responsibility of the assigned investigator to thoroughly investigate the case and submit a completed investigation report as provided under these procedures. All relevant information obtained by the investigator shall be entered in the investigation report.
4. The investigation shall not be delayed or suspended because of any concurrent civil or criminal proceeding to which the complainant is a party,

unless it is made upon the explicit advice of the university attorney or under the direction of the Chief of Police.

5. The investigator assigned to investigate a complaint against an employee(s) shall conduct and complete a thorough, accurate and objective investigation within 30 days. If the investigation cannot, for good cause, be completed within this time period, the investigator may be granted an extension (upon showing of good cause) by the Chief of Police or her/his designee in the Chief's absence. The extension shall not exceed 7 calendar days, although consecutive extensions may be permitted. Exceptions to the 7-day rule may be granted by the Chief of Police in cases where external investigators have been hired or extenuating circumstances exist that prohibit a speedy 7-day extension time period. All requests for extensions will be documented and maintained in the investigative file.
6. The investigative report will be organized into the following seven (7) sections: (See supervisory handbook for sample report)
 - a. Accused employee information: This section of the report consists of the employee's name, date of hire, current assignment, shift/days off, and date of the violation.
 - b. Allegation(s): This section of the report shall consist of a summary of the complaint as made by the complainant. Each alleged act of misconduct, as set forth in the complaint, shall be itemized. Reference shall be made to those rules, procedures, orders, statutes, or constitutional provisions that would be violated if the allegations were adjudged to be true.
 - c. Facts: This section contains a factual statement of what transpired. Opinions and elements of the investigation are not included. Simply state what is known to have happened.
 - d. Investigation: This section shall consist of a chronological summary of the investigation. Included shall be pertinent facts obtained through interviews with the complainant, accused department member(s), and all available witnesses. Summaries of written statements made by the above persons, description and analysis of physical evidence obtained, photographs, and all other information relevant to the investigation shall be included.
 - e. Opinions and Conclusions: The results of the investigation of any allegation including the observations and conclusions of the investigator shall be placed in this section. This shall include one of the dispositions as noted in Section IV, G. 7. of this policy (see below) with the reason for the findings in connection with each separate allegation. It is permissible for the investigator to state his/her opinion within this section.
 - f. Mitigating Circumstances: This category includes those facts or other considerations which tend to support a lesser recommendation on the type of disciplinary action to be imposed. This category could also include the investigator's opinion regarding why he/she feels there are mitigating circumstances.
 - g. Prior discipline/counseling: This section shall list all prior discipline and counseling that is present within an employee's personnel file.
 - h. Recommendations: This section shall include recommendations to the Chief of Police for discipline or additional training if any performance deficiencies were noted in the course of the

investigation. In investigations conducted by a Sergeant, the recommendation for discipline shall be made by the appropriate command staff member (i.e. Lieutenant or Captain).

For details of rules and practices that apply when conducting a citizen complaint or an internally generated complaint investigation against a department employee (i.e. AB301, Miranda, Lybarger, Garrity, Weingarten, etc.), see the “CSUN Police Internal Affairs Investigations & Employee Performance Action Plans Handbook” for Supervisors.

7. Each allegation in the complaint will be classified with one of the following dispositions:
 - a. Unfounded: When the investigation indicates the act complained of did not occur.
 - b. Exonerated: When the investigation indicates the act occurred but that the act was justified and proper.
 - c. Not Sustained (Inconclusive): When the investigation discloses insufficient evidence to clearly prove or disprove the allegation(s) made.
 - d. Sustained: When the investigation discloses that the act complained of did occur and constitutes misconduct or improper job performance.

8. Upon receipt of a completed investigation, the Chief of Police shall:
 - a. Order further investigation, if necessary.
 - b. Determine whether any violation of law, department policy or rules and regulations has occurred, as well as determine if additional allegations exist that require further investigation. The Chief is not bound by the findings of the investigation conducted by a subordinate, and may formulate new and separate findings based on the investigation results.
 - c. Determine appropriate disciplinary action, remedial training, and/or other disposition based on the findings and the employee’s record of service. This includes forwarding a recommendation for disciplinary action to the CSUN Office of Human Resources.
 - d. Inform the accused in writing of the results of the investigation and disposition.
 - e. Direct that results and disposition concerning the investigation be preserved in the employee’s personnel file.
 - f. Ensure that agency personnel are made aware of changes, if any, in policies, procedures, rules, and regulations that may prevent future allegations of misconduct, as well as modifying or expanding training as necessary.

9. Maintenance of Internal Affairs Investigation Records
 - a. All complaints, investigative reports, writings, and other associated files shall be maintained in a separate and secure file in the office of the Chief of Police. The administrative support assistant to the

Chief of Police is responsible for compilation of these files and all records shall remain confidential.

- b. Every sustained case that has resulted in a letter of reprimand, suspension, loss of pay, demotion in rank, or termination shall require a summary of the complaint and a written statement of the disciplinary action taken. These documents will become a permanent part of the employee's personnel file.
- c. If two or more employees are involved in a citizen's complaint, individual summaries shall be prepared for each employee regarding his/her involvement and the disposition, then placed in the respective personnel files. Each employee involved in a citizen's complaint will receive a copy of the investigation summary.
- d. Once completed and filed, only the Chief of Police and command staff shall have access to an I.A. record, except where:
 - 1) Access is required by law or court order;
 - 2) Information contained in the file is relevant to a subsequent investigation or litigation; or
 - 3) Disclosure to the Office of Human Resources and CSU counsel is required due to a relevant human resource matter.
- e. All citizen complaints and investigative reports concerning sworn personnel are maintained in a confidential file in the Office of the Chief of Police to protect the rights of complainants, witnesses, and departmental personnel as provided in section 832.7 of the California Penal Code. Citizen complaints and investigative reports concerning sworn personnel are retained for a minimum of at five (5) years as provided in section 832.5 of the California Penal Code, except records noted below which will be maintained indefinitely:
 - 1) Records of dismissal for cause;
 - 2) The commission of a chargeable public offense;
 - 3) Pending litigation.

Administrative reviews and other government records must be maintained for a period of two years.

Records (identified in Section IV, subsections A and B of this policy) that are maintained beyond the five-year retention period because of exceptional circumstances, as determined by the Chief of Police, are to be retained in the complaint file for as long as it is in the public's interest or as necessary for public safety. Requests to purge complaint files held after the above retention requirements must be made in writing to the Chief of Police for review and disposition.

- f. Department employees may review their own internal affairs and other personnel records maintained by the department between the hours of 0800 and 1600 weekdays, excluding holidays, via a written request to the Chief of Police. Employees may prepare

brief notes, but will not be allowed to photocopy or remove any documentation from the files. A written request to the Chief of Police must be made to obtain photocopies of internal affairs and any personnel records maintained by the department.

- g. Requests to review an employee's internal affairs records by an outside agency must be in accordance with California Penal Code Section 832.7, California Evidence Code section 1043, or pursuant to a federal court order. A log (located in the Internal Affairs files) will be maintained by the Chief's administrative assistant listing the name, badge number, date and reason for reviewing an employee's file. The Chief of Police or his/her designee will ensure that the department member reviewing the file is authorized to do so (i.e. legal representative/officer/agent of the requesting agency).
- h. Pitchess Notification – pursuant to Evidence Code 1043, the department is required to notify a peace officer when a Pitchess motion has been filed to discover his/her files within Internal Affairs.
- i. A statistical summary of citizen complaints, based upon records of internal affairs and administrative investigations, shall be completed annually by the Captain of Special Services and presented to the Chief of Police for her/his review by February 1st. This summary will be made available upon request to the public and all Department of Police Services employees.

10. Arrests of Department Members

- a. When a member of the Department is arrested by this department or another jurisdiction, the Chief of Police shall be notified immediately. If the Chief is unavailable, the Patrol Operations Captain shall be notified, or in his/her absence the Captain of Special Services.
- b. The Patrol Operations Captain or Lieutenant, or shift supervisor in their absence, shall proceed to the place of confinement and if the seriousness of the charges warrants, advise the employee that he/she is suspended immediately (with pay) pending further investigation. If suspended, the employee shall be relieved of department property in his/her immediate possession, and such property shall be delivered to the Chief of Police or appropriate Patrol Operations Commander in her/his absence. Steps will be immediately taken to obtain department weapons, badge and identification card of the involved employee if they are not in his/her possession at the time of arrest.
- c. A preliminary investigation shall be conducted immediately and results communicated to the Chief of Police.
- d. If the cause for arrest was serious and justified (i.e. elements of the crime were met), a departmental internal affairs investigation shall be initiated immediately, through direction of the Chief of Police.

11. Annual Analysis and Statistical Summary of Internal Affairs Investigations, Citizen Complaints and Citizen Comments, Suggestions, and Commendations

- a. The Special Services Captain is to request internal affairs data from the Chief of Police by February 1st of each year. He/she shall complete an annual summary of citizen complaints, which shall include the number and types of complaints filed and dispositions, in addition to a comprehensive analysis of all investigations, citizen complaints and citizen comments, suggestions, and commendations.
- b. The Special Services Captain shall also complete an annual statistical summary based upon the internal affairs records which is to be made available to the public and agency employees when requested.
- c. The Special Services Captain shall complete and submit this analysis and statistical summary to the Chief of Police no later than March 1st of each year.

V. REFERENCES

- A. Systemwide Guideline Chapter 22 - Internal Affairs Complaint and Investigations
- B. CPOA Internal Affairs Manual
- C. CSUN Police "Supervisors Handbook" - Chapters referred to include "Internal Affairs Investigations" & "Employee Performance Action Plans." Located on the Department's "P" Server at "P:\Data\Forms\" and is entitled "Final Version – Supervisors Handbook." Contains flow charts showing the CSUN Police Department's Citizen Complaint Process and Internal Affairs Investigative Processes.

VI. APPENDICES

- A. CSUN Police Department "Citizen Complaint Process: A Message From the Chief of Police" Form (Process on front side with citizen complaint form on back side of form.)
- B. CSUN Police Department "Citizen Commendation/Suggestion Form: A Message From the Chief of Police" Form

Appendix "A – Side 1"

California State University
Northridge



**Citizen Complaint Process:
A Message from the
Chief of Police**

It is part of the mission of the California State University, Northridge Police Department to deliver quality service to our community in an effective, responsive and professional manner. We welcome all comments from our community on the effectiveness of our services and the manner in which we deliver those services. We value your comments and encourage members of our community to take the time to compliment our officers and staff when they are particularly pleased with our service as well as notify us when those services are anything less than completely professional and helpful in nature. For minor complaints, we encourage you to speak directly with an employee's immediate supervisor. For more serious complaints, or when for any reason you would prefer to write the complaint or have it documented, this "Citizen Complaint Form" may be utilized. You may mail or fax it to our Department or deliver it to any supervisory officer on duty. Submissions may also be anonymous.

The Department is committed to a fair, impartial review of all complaints regarding our procedures or the conduct of our employees. California Penal Code section 832.5 sets forth that all California law enforcement agencies shall develop a procedure to investigate complaints made by a member of the public against a peace officer. All complaints will be taken seriously and investigated thoroughly. Corrective action will be taken when warranted. State personnel law requires that the actual discipline remain confidential. Normally, all citizen complaint investigations are completed within thirty (30) days of the receipt of the complaint. Complainants will be notified in any situation that requires investigation beyond a period of thirty days.

Employee misconduct by police department employees is defined as: the commission of a crime, the neglect of duty, a violation of the Department rules and regulations, operating policies and procedures and/or conduct which may tend to reflect unfavorably upon the employee or the Department.

If you wish to file a written complaint, please complete the form on the back of this page. You may add additional sheets of paper if you wish. If you file this complaint in person, you may simply ask for the supervisor on duty. If you wish to mail the complaint or fax it, please utilize the following contact information:

*California State University, Northridge Police Department
Anne P. Glavin, Chief of Police
18111 Nordhoff Street, Northridge, CA. 91330-8282
Fax: (818) 677-5816*

Appendix "A - Side 2"

Citizen Complaint Form

Name (First, Middle, Last): _____ Home Phone Number: _____ Business Phone Number: _____

Address (Street, City, and Zip Code): _____

Witness Name: _____ Witness Address: _____ Witness Phone Number: _____

Witness Name: _____ Witness Address: _____ Witness Phone Number: _____

Employee(s) Involved (Name, Badge Number or Description): _____

Date & time of occurrence: _____

Location of occurrence: _____

Description of event(s): Please state your complaint and any information that would help in investigating your complaint: (Please attach additional pages if necessary)

I attest that the above statement is true to the best of my knowledge.

Signature of Complainant: _____

For Department Use Only: (To be completed by Supervisor Receiving Form)

Department Supervisor Receiving Written Comments: _____

Date Received: _____ Time Received: _____

Appendix "B"

California State University
Northridge



**Citizen Commendation/Suggestion Form:
A Message from the
Chief of Police**

It is part of the mission of the California State University, Northridge Police Department to deliver quality service to our community in an effective, responsive and professional manner. We welcome all comments from our community on the effectiveness of our services and the manner in which we deliver those services. We value your comments and encourage members of our community to take the time to compliment our officers and staff when they are particularly pleased with our service or when members of our community or the public simply have a suggestion to make. If you have a complaint, we have a separate form for this particular use and suggest you check our web site at www-admn.csun.edu/police or request a complaint form from a member of our supervisory staff or our Community Relations office at (818) 677-7922.

Suggestion:

Commendation:

Name of Employee (if known, otherwise please provide a description of the employee or badge #):

Date and Time of Event that You Wish to Commend:

Location of Event:

Details or Reason for Commendation:

Please submit Suggestion/Commendation by mail, fax or in person to:

*California State University, Northridge Police Department
Anne P. Glavin, Chief of Police
18111 Nordhoff Street, Northridge, CA. 91330-8282
Fax: (818) 677-5816*