

COMPLAINT PROCEDURE

PROFESSIONAL AFFAIRS
INVESTIGATIONS

COMPLAINANT



COMPLAINT MADE
TO SUPERVISOR



INVESTIGATION ASSIGNED
BY CAPTAIN



FINDINGS SUBMITTED TO
CAPTAIN FOR REVIEW
AND RECOMMENDATION



EVALUATION AND DISPOSITION
BY CHIEF OF POLICE



NOTIFICATION TO MEMBER
OF RESULTS



COMPLAINANT WILL
BE NOTIFIED

Visit the Oak Harbor Police
Department's Website:

www.OakHarbor.org



For further information, contact:

Oak Harbor Police Department
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OAK HARBOR

POLICE DEPARTMENT



PROFESSIONAL AFFAIRS INVESTIGATION

The Oak Harbor Police Department encourages citizens to become familiar with the operation of the Department. A part of our organization is the Professional Affairs (PA) Investigations procedures, which are designed to maintain the integrity of the Department and promote positive relations with the community. When citizens have complaints or questions, there are several optional procedures for them to follow:

1. Come in person to the Police Department at 860 SE Barrington Drive, and speak with the Captain.
2. Telephone the Police Department at (360) 279-4600 and ask for the Captain.
3. Submit a Complaint Report in person at the Police Station.

Public trust is of primary importance to the operations of any law enforcement agency. The Oak Harbor Police Department requires its members to accept the responsibility for this trust.

All complaints against Department members that are not satisfactorily resolved, or are of such a nature that may result in formal disciplinary action by the Chief of Police, are investigated by a supervisor of the member's Division, as assigned by the Captain. The assignment of the case depends on the nature of the complaint; it will either be handled by a supervisor, or assigned as a Professional Affairs investigation.

SUPERVISORY ACTION - Administered by any supervisor in the chain of command of the employee, and noted on an evaluation log. In addition to counseling by a supervisor, special training or professional assistance may be required.

PROFESSIONAL AFFAIRS COMPLAINT - A formal investigation into an officer's actions based on a citizen or officer complaint. A "PA" investigation is intended to be reserved for serious allegations that, if sustained, could lead to formal discipline.

The complaint will be investigated using all standard investigative procedures, including interviews with the complainant, the Department member, and all other witnesses involved. Tape recordings of radio communications may be reviewed, and all written reports concerning the complaint are collected for the file.

After the investigation is concluded, the complete case file is forwarded to the Captain, who confers with the involved member's Division Supervisor, for review of the file and the presentation of recommendations to the Chief of Police for final disposition.

The Chief of Police, upon receipt of the investigation file, examines the complaint, all of the evidence, by the investigating supervisor. All case files regarding internal investigations are maintained as Professional Affairs investigations by the Human Resources Department.

A disposition is made by the Chief of Police, based upon the following classifications:

UNFOUNDED

When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel.

EXONERATED

When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and / or proper.

NOT SUSTAINED

When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

SUSTAINED

When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Both the complainant and the Department member are contacted about the disposition of the complaint.

The objectives of the complaint procedures are:

1. Protection of the public
2. Protection of the employee
3. Removal of unfit personnel
4. Training and/or discipline of Department personnel
5. Correction of procedural problem

If a complaint is sustained against a member of the Department, there are five types of disciplinary action which can be recommended:

1. *COUNSELING* - Administered orally by any supervisor in the chain of command of the member, and noted on an evaluation log. In addition to counseling by a supervisor, special training or professional assistance may be required as a form of positive discipline.

2. *REPRIMAND* - Given orally or in writing by a supervisor or the Chief of Police for violation of Departmental or City "Rules and Regulations". Copies of the written reprimand will be forwarded to the Captain, the Professional Affairs Investigation file, the member, and the member's personnel file.

3. *SUSPENSION* - Given to a member for up to a maximum of 30 working days, upon approval of the Chief of Police, for violation of "Rules" or unacceptable behavior.

4. *DEMOTION* - A Department member may be demoted one step for violation of "Rules" or unacceptable behavior. Demotion must be supported by documentation prepared for approval by the Chief of Police.

5. *DISMISSAL* - The Chief of Police may dismiss a member for severe misconduct or unfitness.

Also, any sustained allegation of a criminal act committed by a member of the Police Department may be turned over to the appropriate Prosecuting Attorney's Office.

Persons lodging complaints should do so in good faith, as it is a criminal offense to knowingly make a false or perjured complaint.