

Laurel Police Department – General Order
Chapter III, Section 700, Order 708 – Complaints Against Police Employees
September 8, 2016

3 / 708.05 POLICY

It is the policy that the Department courteously and promptly handles any allegations or complaints.

3 / 708.10 PURPOSE

To ensure the receipt and processing of all complaints shall be in conformance with established procedures.

3 / 708.15 DEFINITIONS

None

3 / 708.20 PROCEDURES

A. GENERAL

1. The Laurel Police Department shall investigate all complaints, including anonymous complaints filed against the department and employees.
 - a. Complaints will be accepted in verbal or written form.

B. RESPONSIBILITY FOR INTERNAL AFFAIRS

1. The Office of Professional Standards shall be responsible for the police department's internal affairs function and has the authority to report directly to the Chief of Police concerning internal affairs matters.
2. The Office of Professional Standards will notify the Chief of Police of any complaints of a serious nature within one business day after the complaint is received.
3. The Chief of Police will be notified of all minor complaints weekly by The Office of Professional Standards.
4. The Office of Professional Standards will annually compile statistical summaries based on records of internal investigations and make summaries available to the public and department employees.
 - a. In order to meet this requirement Office of Professional Standards will be notified of all complaints investigated, regardless of the division investigating, so that the complaint can be logged.
 - b. All completed investigations will remain with the Office of Professional Standards who will be responsible for the security of internal files.

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C. INVESTIGATIVE RESPONSIBILITY

1. Complaints categorized as major infractions such as corruption, excessive force, criminal misconduct, etc. will be investigated by the Office of Professional Standards.
2. Complaints categorized as minor infractions such as discourtesy, departmental accidents, abuse of sick leave, etc. will be investigated within the division that the employee who is the subject of the complaint is assigned.
 - a. The investigation will be conducted by or at the direction of the Office of Professional Standards.
 - b. In most cases the accused employee's immediate supervisor will investigate minor complaints.
 - c. Upon completion of any internal investigation, a conclusion of fact will be required for each allegation of misconduct.
 - d. Minor complaints, which upon investigation reveal major infractions or criminal misconduct, will be reviewed by the Office of Professional Standards to determine investigative responsibility.
3. All internal investigations will be completed within (90) ninety days. The Chief of Police or his/her designee must approve any requests for extensions.
 - a. Any involved officers will be notified of the results of the investigation when it is completed.

D. RECEIPT OF COMPLAINTS

1. Complaints received during normal business hours by phone, mail or in person shall be referred to the Division Commander of the accused employee if the on-duty supervisor cannot resolve the matter.
2. Complaints unable to be resolved by the shift supervisor during non-business hours will be forwarded to the accused employee's division commander in an envelope marked "confidential".
3. Whenever a complaint is received or initiated by a department employee they notify the Office of Professional Standards of the type of complaint, accused employee, investigative responsibility and disposition when available.
4. Notification of minor complaints can be delayed until the business day. Due to work schedules, circumstances may dictate that this notification be made via written memo.
5. In the event of any allegation serious enough to mandate immediate investigation the Office of Professional Standards will be notified and will determine the appropriate investigative responsibility.

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E. NOTIFICATION TO COMPLAINANTS

1. The Chief of Police or a Command Staff member will acknowledge receipt of all complaints in writing to the complainant.
 - a. The complainant should periodically be informed of the investigation's status.
 - b. Upon completion of the investigation, the Chief or Command Staff member will inform the complainant in writing of the final disposition.

F. NOTIFICATION OF ACCUSED

1. Immediately upon being assigned an internal investigation into allegations of misconduct by either sworn or civilian personnel, the assigned investigator will notify the accused employee that they are the subject of an internal affairs investigation utilizing the LPD DA-3 form – "Notification to Accused of Complaint".
 - a. On this form, the investigating officer will list all allegations.
 - b. The employee will also be informed at that time of his/her rights and responsibilities relating to the internal investigation.

G. USE OF PHOTOGRAPHS AND PHOTO / PHYSICAL LINEUPS

1. Supervisors conducting internal investigations will not utilize photographs or photo arrays or arrange for physical lineups without approval of the Office of Professional Standards.
2. The use of photographs and/or photo/physical lineups shall only occur in cases where no other means of determining the identity of an employee alleged to have committed an offense exists.
3. The Office of Professional Standards will ensure that all investigative avenues have been exhausted prior to authorizing the use of photographs or photo/physical lineups.
 - a. The Office of Professional Standards will also attempt to determine whether the complainant actually possesses the ability to accurately identify the involved employee.
 - b. When a photograph or photo/physical lineup is authorized, the officer will be ordered to submit to being photographed or to appear for a physical lineup.

H. RIGHTS OF ACCUSED OFFICERS

1. Law enforcement officers are afforded certain rights in the State of Maryland.
 - a. A synopsis of these rights is available to officers in LPD Forms 74-9G and DA-8, available at any time from the Bureau of Operations Commander. Complete copies of the Law Enforcement Officers' Bill of Rights (from Maryland Code, Public Safety Article, Title 3) can be found in Section V of the LPD Administrative Manual.

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3 / 708.25 GOVERNING LEGISLATION AND REFERENCES

CALEA Standards 12.2.1, 26.1.5, 26.1.8, 52.1.1, 52.1.2, 52.1.3, 52.1.4, 52.1.5, 52.2.1, 52.2.3, 52.2.4, 52.2.5, 52.2.6, 52.2.8, 82.2.2

3 / 708.30 ANNEX

Order 1/123 Citizens Complaints