

FAIRFIELD POLICE DEPARTMENT : POLICY AND PROCEDURE MANUAL			
CHAPTER 2.0	SUBJECT: Organizational Structure		
SECTION: 2.6	SUBJECT: Internal Affairs – complaint procedures		
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2.6.1 Policy

It shall be the policy of the Fairfield Police Department to investigate all complaints of alleged employee misconduct and to equitably determine whether the allegations are valid or invalid and to take appropriate action. All allegations of departmental or officer misconduct shall be properly investigated in a timely manner whether such complaints are received verbally, in writing, electronically, through a third party, or anonymously. No employee shall refuse to assist, discourage, or otherwise interfere with any person who wishes to file a complaint.

If a complainant is unable to read or write or requires assistance due to language barriers, all possible avenues shall be exhausted to assist such individual.

Complaints shall be accepted regardless of when they occurred. However, such timing shall be considered when determining the reliability of the complaint.

Any complainant who appears under the influence of alcohol and/or drugs shall be encouraged to wait until the earliest opportunity after regaining sobriety. The on scene supervisor shall determine whether circumstances dictate the necessity to immediately pursue the complaint.

There shall be no retaliation in any form by any member of this agency directed at any individual who makes a complaint.

When accepting a complaint in any form, do not question any complainant regarding their immigration status.

2.6.2 Internal Affairs - Organization

Internal Affairs is a component of Professional Standards. Professional Standards will ensure that the integrity of the department is maintained through an internal system where objectivity, fairness, and justice are assured by intensive, impartial investigation and review.

Internal Affairs coordinates and exercises staff supervision over investigations of complaints or allegations of misconduct against the Fairfield Police Department and its members and reports directly to the chief of police.

2.6.3 Internal Affairs - Activities

Internal Affairs is responsible for the following activities:

- Recording and controlling investigations of complaints against agency personnel.
- Supervising and controlling investigations of alleged misconduct within the department.
- Maintaining the confidentiality of records of all internal investigations.
- Maintaining all internal affairs files.

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Internal Affairs is responsible for developing sufficient information to support an appropriate disposition of each matter being investigated. Every legitimate course of action shall be diligently pursued by the investigator(s) in efforts to obtain the facts.

It shall not be the responsibility of Internal Affairs to adjudicate matters which it has investigated. It is a fact-finding body which will present completed investigations to the chief of police for final disposition.

2.6.4 Complaints (general)

An appropriate investigation shall be conducted for all complaints made against the Fairfield Police Department or its members. It is also the policy of this department to appropriately address citizen's inquiries concerning policies, procedures, and departmental regulations, action(s) taken by agency employees in the performance of their duties and similar issues which involve the department and its members.

2.6.5 Complaint Procedures (including receipt of complaint)

In person:

When a complaint is made in person regarding alleged employee misconduct, the shift commander (if available) shall be summoned to speak with the complainant. Under no circumstances should a complainant be told to return at another time, that no one is available to handle their complaint, or to be discouraged from pursuing the complaint. If the complaint has been handled by the shift commander, he shall document the incident and forward it to his division commander. Otherwise, he shall document the complaint and forward it to the chief of police or his designee. If the Shift Commander is unavailable, the desk officer shall provide a citizen's complaint form upon request. This form shall then be forwarded to the chief of police or his designee (Professional Standards). Any complaint reported in the field to any member of this department shall be forwarded to a supervisor. The on scene supervisor shall notify the shift commander who will ensure the complaint is documented and forwarded in accordance with this policy.

By Written Communication:

Complaints received by mail (letter, complaint form, email, etc.) shall be forwarded to the chief of police or his designee (Professional Standards).

By Telephone:

Complaints received by phone shall be forwarded to the shift commander, if possible. If the complaint has been handled by the shift commander, he shall document the incident and forward it to his division commander. Otherwise, he shall document the complaint and forward it to the chief of police or his designee (Professional Standards).

The following steps shall apply to all initial complaints:

1. The supervisor or officer receiving the complaint shall gather all pertinent details regarding the complaint including but not limited to:
 - Names and addresses of any witnesses to the incident.

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- Receiving and logging any available physical evidence.
 - Taking necessary photographs.
 - Taking a written statement from the complainant and/or witnesses.
2. The supervisor or officer receiving the complaint may request the complainant complete the Civilian Complaint Form, FPD197. The supervisor shall also inform the complainant of the complaint and investigation process.
 3. The supervisor or officer receiving the complaint shall forward the completed Civilian Complaint Form along with any other documentation or pertinent information to the chief of police or his designee (Professional Standards).
 4. The chief of police shall review the complaint to determine whether the complaint should be handled at the division or bureau level or forwarded to internal affairs.
 5. The chief of police shall base his decision on the following criteria whether the nature and seriousness of the allegations warrant an internal affairs investigation. In general, internal affairs investigations will be recommended for:
 - Use of excessive force complaints;
 - Allegations of civil rights violations;
 - Claims of serious unethical conduct which may not be criminal.
 6. If an internal investigation is warranted, the chief of police shall order Professional Standards to initiate an internal affairs investigation. In addition, the chief or his designee shall notify the complainant in writing that he has ordered an inquiry into the matter.
 7. All complaints shall be assigned an internal file number (IA TRAK).

In addition to the above procedure, the chief of police may at any time initiate an internal affairs investigation based upon:

- A matter he has personal knowledge of;
- Information brought to his attention by a member of the department;
- Information brought to his attention by any other source.

2.6.6 Conducting Internal Affairs Investigations

Professional Standards shall assign an IA case number to each complaint received. Pursuant to existing collective bargaining agreements, employees who are subjects of the allegations shall be notified in writing of the general nature of the complaint and the dates of occurrence, if known.

Certain investigations requiring specific expertise may justify assigning other agency personnel to the internal affairs on a temporary basis. Such assignments shall be made by the chief of police as he determines necessary. During the investigations for which the assignment was made, the officer shall be under the functional supervision of the commander of Professional Standards.

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If it becomes apparent during the course of an internal affairs investigation that criminal charges could be lodged against an employee, the chief of police shall be notified immediately.

Should probable cause exist to substantiate a criminal charge, the chief of police shall direct the commander of the Investigative Division or his designee to conduct a criminal investigation of the matter.

During all criminal investigations involving a member of the Fairfield Police Department, liaison shall be maintained with the prosecutor of the superior court (assistant state's attorney for Part A or Part B offenses depending on the severity of the alleged crime).

Any criminal investigation shall be separate and apart from the internal affairs investigation.

2.6.7 Investigations Conducted at the Division or Bureau Level

If the chief of police assigns a complaint to be investigated at the division or bureau level, the commanding officer or his designee shall be assigned to conduct such the investigation. In general, the types of investigations that will be conducted at the division or bureau level include:

- Failure to follow procedures.
- Slow or no response to calls for service.
- Failure to take proper action.
- Improper operation of department vehicles.
- Tardiness in reporting for duty.
- Violations of department dress code.
- Poor demeanor or rudeness.

Complaints resolved at division or bureau levels shall be forwarded to the chief of police who shall review all relevant details to ensure appropriate procedures were followed, an adequate investigation was conducted, and an acceptable resolution was reached. After resolution, the case shall be forwarded to Professional Standards for review and recording purposes. (The chief of police shall retain final disposition approval.)

Internal Affairs shall be a resource to commanding officers of other divisions or bureaus in conducting investigations that are less serious in nature.

2.6.8 Citizen Inquiries

Frequently, citizens contact the agency with questions regarding a policy, procedure, or tactic used by the department. This is a simple inquiry and may be handled by any member of the department.

When a citizen questions the actions of a member of the agency, the matter shall be referred to an on-duty supervisor who will determine if the matter is merely an inquiry that may be handled by providing routine information or if it is a matter that may require an investigation pursuant to this directive.

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2.6.9 Notification of Employee Rights

When an employee of the Fairfield Police Department becomes the subject of an internal investigation, that employee shall be notified in writing of the scope and nature of all allegations made by the complainant. The written notification shall also include a listing of the employee's rights and responsibilities relative to the investigation.

Employee rights shall be governed by this directive and by existing collective bargaining agreements representing agency employees.

2.6.10 Records of Complaints

Professional Standards is responsible for maintaining accurate and complete records of all complaints against the department and its employees. Professional Standards shall periodically provide statistical summaries of investigations for dissemination to the chief of police.

2.6.11 Public and Employee Notification of Complaint Procedures

Professional Standards shall make available to the public the procedures for registering complaints against the department or its employees. This shall be accomplished through the use of the department website *http://www.fpdct.com* and informational brochures disseminated by the department. Information shall also be disseminated to all agency employees. Additionally, civilian complaint forms shall be maintained in the lobby of the police department and at the Human Resources Department at Town Hall.

2.6.12 Notification to Chief of Police Regarding Complaints

The chief of police shall be notified of all complaints against the department or its employees.

At the conclusion of an internal affairs investigation, the results shall be forwarded to the chief of police to determine the appropriate action. The chief or his designee shall notify the complainant(s) in writing and all officers involved in the allegation and advise them of the final disposition.

- If a department member is ever arrested or charged with a criminal offense, the chief of police shall be notified immediately.
- If any member of this department is found to be under the influence of alcohol or drugs while on duty, the chief of police or his designee shall be notified immediately. The required notification will be made by the commanding officer receiving the information. The commanding officer shall ensure that the incident is documented and shall forward such report(s) through the chain of command to the chief of police.

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2.6.13 Security/Confidentiality of Internal Affairs records

Internal Affairs records shall be kept in a locked file cabinet in the Office of Professional Standards. The chief, deputy chief, captain(s), and the commander of Professional Standards shall be the only personnel authorized to access such files except as otherwise required by law.

2.6.14 Polygraph Use during Internal Affairs Investigations

Polygraph examinations will not be administered in any internal affairs investigation. They may be utilized when the officer, who is the subject of the investigation, the complainant(s), or any witness specifically request to be so examined.

2.6.15 Other Procedural Guidelines

1. When there are indications an employee is on duty under the influence of alcohol and/or drugs, actions shall be initiated by the employee's supervisor consistent with the appropriate collective existing bargaining agreement and notifications made as outlined in Section 2.6.12 of this policy.
2. Photographs of all agency employees shall be maintained on file with Support Services. These photographs may be used to conduct photographic lineups in order to identify an employee accused of any misconduct. Any lineup conducted pursuant to this section shall meet the standards required for photographic lineups for criminal investigations. (Employees may be required to participate in a lineup if probable cause exists that they were involved in a criminal offense.)
3. No employee shall be required or requested to disclose any item of his property, income, assets, source of income, debts, or expenditures (including those of any member of their family or household) unless it becomes necessary for the department to ascertain the desirability of assigning the employee to a specialized unit in which there is a strong possibility that bribes or other improper inducements may be offered. No such financial information shall become a part of an internal investigation unless that information is obtained under state law or other proper legal procedure.
4. No employee shall have an assigned locker or storage space searched except with their consent or unless a valid search warrant has been obtained. This section shall not apply under exigent circumstances.
5. Photographs shall be taken of any injuries sustained by an officer or any person as a result of any police action or investigation. The photographs shall be maintained in the appropriate police file.

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2.6.16 Confidentiality

All internal affairs investigations shall remain confidential throughout the investigation until a final disposition has been reached.

2.6.17 Training / Policy Implementation

All police personnel shall be trained in the Fairfield Police Department's policy and procedures regarding the complaint process.