

**PRINCE WILLIAM COUNTY POLICE DEPARTMENT
MANUAL OF GENERAL ORDERS**

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DISCIPLINARY ACTION: RECEIVING COMPLAINTS

All allegations of misconduct by members shall be referred to a supervisor for initial action. Allegations will be handled in accordance with the following guidelines:

A. Allegation Filed In Person by the Complainant.

1. If the complainant files the complaint in person, the supervisor will request the complainant to fill out and sign a Citizen Complaint form.
 - a. If the complainant needs assistance completing the Citizen Complaint form, the supervisor will assist as needed.
 - b. If the complainant refuses to sign the form, then the complaint will still be taken and the refusal so noted.
 - c. If the allegation involves a claim that a member used excessive force, the complainant will also be requested to sign a form authorizing the release of relevant medical records to the police department.
 - d. There may be occasions when a Lieutenant determines it is beneficial to allow a complainant to review the Body Worn Camera (BWC) recording of an incident to resolve or dispel an allegation prior to the initiation of a citizen complaint investigation, or during an interview of the complainant after he or she has filed a formal complaint. This is permissible only after the Lieutenant has viewed the recording and determined it does not involve a use of force and / or, there is no criminal, civil, or other administrative investigation underway related to the recorded incident. At no time will the viewer be permitted to make a copy of the recording. If the complainant still wishes to submit a complaint after viewing the recording, they will proceed as outlined in this General Order. In all cases where a complainant is permitted to review the recording it will be documented on the Body Camera Services Request Form (PD268) and emailed to the BWC Unit. In the event a complainant decides to withdraw their complaint after viewing the recording, the supervisor will initiate a 'BWC Inquiry' incident in Blue Team and forward through the chain of command to the Office of Professional Standards. The link to the recording will be attached to the entry. Once received, OPS staff will review to determine if any further action is necessary.
2. In addition to the aforementioned Citizen Complaint form, the supervisor receiving the complaint will initiate a citizen complaint via Blue Team explaining their findings and opinions pertaining to their initial contact with the complainant.
3. The Citizen Complaint form, along with the memorandum, will be attached in Blue Team and the incident will be forwarded to the appropriate Division Commander (or designee) for

follow-up action. All original documents will be forwarded to the Office of Professional Standards for retention.

4. The appropriate Division Commander (or designee) will evaluate the complaint and take one of the following actions in Blue Team:
 - a. Endorse the case as needing no further action and state the reasons for this disposition. The case is then forwarded to the Chief of Police for final action.
 - b. Assign the case to be investigated further. If the case is of a serious or criminal nature, it will be forwarded to the Office of Professional Standards for investigation. (see order on Role of the Office of Professional Standards in Department's Disciplinary System)

B. Allegation Filed by Means of Telephone and Complainant Lives out of the Area.

1. If the complaint is received by telephone and the complainant lives out of the area, the receiving supervisor will fill out a Citizen Complaint form. A notation will be made on the Citizen Complaint form that the complaint was received by telephone. The Citizen Complaint form, along with the recommendation from the receiving supervisor, will be attached to the incident in Blue Team and forwarded to the appropriate Division Commander (or designee).
2. The Division Commander (or designee) will evaluate the complaint and assign the case to be investigated further. If the case is of a serious or criminal nature, it will be forwarded to the Office of Professional Standards for investigation via Blue Team.

C. Allegation Filed by Means of Telephone and the Complainant Lives in the Area.

1. If the complaint is received by telephone and the complainant lives in the area, the receiving supervisor will take the information to complete a Citizen Complaint form and prepare a recommendation pertaining to the complaint and submit it via Blue Team. The investigating supervisor will make every effort to have the complainant review and sign the Citizen Complaint form.
2. The complaint will then be handled as if it were received in person.

D. Allegation Filed by Means of Mail.

If the complaint is received by mail, the letter of complaint will be forwarded to the appropriate Division Commander. The Division Commander (or designee) will evaluate the complaint and take one of the following actions:

1. If the Division Commander (or designee) feels the complaint fails to justify further action, the Commander will write a memorandum to the Chief of Police explaining the reasons they feel no further action is justified. The Chief of Police will make the final disposition.

2. If the Division Commander (or designee) feels the complaint justifies additional investigation, the Commander will assign the case to be investigated. Complaints of a serious or criminal nature will be forwarded to the Office of Professional Standards.

E. Allegation Filed Anonymously.

1. If a complaint is received in which the complainant is unknown or wishes to remain anonymous, the receiving supervisor will fill out a Citizen Complaint form. A notation will be made on the Citizen Complaint form that the complainant is unknown.
2. The complaint will then be handled in accordance with the above guidelines.

F. Allegation by Department Member or Supervisor of Misconduct.

1. On occasion the conduct giving rise to a complaint will arise solely from an alleged violation of a Department directive or County rule or regulation, and an immediate supervisor recommends that some form of action be taken. In these circumstances, no member of the general public is involved or is a complainant, but investigation and formal discipline may be called for.
2. In such cases, the complaining supervisor will write a memorandum that fully explains the circumstances of the complaint. The complaining supervisor will then forward the complaint to the appropriate Division Commander or designee for action in accordance with this General Order.
3. In those instances where a supervisor has cause to file a complaint against a member not under their supervision, the complaining supervisor will write a memorandum fully explaining the circumstances and attach any supporting information. The complaint will then be forwarded to the appropriate Division Commander (or designee) for action in accordance with this General Order.
4. In those instances where any member has cause to file a complaint against any other member of the Department, the complaining member will submit a written memorandum fully explaining the circumstances of the complaint and attach any supporting information. The complaint will then be forwarded to the appropriate Division Commander (or designee) for action in accordance with this General Order.

G. Notification to the Office of Professional Standards.

1. Copies of all complaints of misconduct on the part of a member, whether or not initially judged to be serious, will be immediately forwarded to the Office of Professional Standards by the Division Commander (or designee). This action will take place at the same time the Division Commander (or designee) assigns the case for investigation or marks the case as needing no further action. This notification to the Office of Professional Standards will include the actions of the Division Commander (or designee) and the name of the supervisor assigned to investigate the complaint. Such notifications will be sent to the Office of Professional Standards within ten (10) days.

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2. The Office of Professional Standards will send a verification letter to the complainant acknowledging the Department's receipt of the complaint. It is therefore important that the Citizen Complaint form (containing the complainant's correct name and address) reach the Office of Professional Standards in a timely manner.