

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

General Order: 10.06	Effective: 08/29/2018	Supersedes: 06/01/2016	Number of Pages: 2
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**DISCIPLINARY ACTION: COMPLETION OF COMPLAINT
INVESTIGATIONS**

A. Procedure for Handling Allegations When Notice of Charges is Not Placed.

Upon completion of the investigation, the investigator will review all the evidence and statements. The investigator will determine if any General Orders or directives were violated. If the investigator concludes that the complaint warrants a finding which does not necessitate administrative charges – such as unfounded, exonerated, not sustained, or informal finding – the investigation and finding will be forwarded to the appropriate District Commander (or designee) for review. The District Commander (or designee) will indicate concurrence or disagreement with the investigative findings in the endorsement, and forward the report through the chain of command to the Chief of Police. If the Division Commander disagrees with the investigator’s findings AND determines that the allegation is severe enough to necessitate administrative charges, such charges shall be executed in accordance with General Order 10.06 (B, 1).

B. Procedure for Handling Allegations When Notice of Charges is Placed.

1. If the investigator concludes that a General Order or other directive was violated and that administrative charges should be placed, the involved member will be furnished with a completed Notice of Charges in accordance with Section 9.1-500, *et. Seq.*, VA Code Ann. Upon receipt of the Notice of Charges form, the charged member shall have seven (7) full calendar days in which to respond, either orally or in written form. If the charging investigator is not working at the time of the return, the charged member will have an on-duty sworn supervisor place the date, time, their name, and code number on the document. The receiving supervisor will then forward the response to the charging investigator. The charged member may choose not to respond. No complaint investigation shall result in a Sustained finding, nor discipline recommended or imposed, without the execution of a Notice of Charges on the specific violation and an opportunity for the accused member to respond.
2. The investigator will then make one of the following conclusions pertaining to the complaint:
 - a. **UNFOUNDED** – The allegation is false or otherwise not factually supported; or the complaint did not involve police personnel from this Department.
 - b. **EXONERATED** – The alleged act did occur, but was lawful and in accordance with Department policy. Exoneration is a finding that the act was justified and lawful.
 - c. **INFORMAL FINDING** – The alleged act did occur, but did not rise to the level of a formal policy violation such that discipline is needed to correct the behavior. Informal findings are usually accompanied by squad level guidance, counseling, or remedial training, and by definition cannot result in formal disciplinary actions. (see General Order [10.01 Disciplinary Action: General Guidelines and Authority](#) F, 7)

- d. **NOT SUSTAINED** - There is insufficient evidence to prove or disprove the allegation.
 - e. **SUSTAINED** - There is sufficient evidence to justify a formal finding of wrongdoing under a General Order, departmental directive, County rule or ordinance, or other law.
3. The investigator will then forward all reports and statements concerning the complaint to the appropriate Division Commander for action via Blue Team. (In the event that the appropriate Division Commander has delegated disciplinary authority to their District or Bureau Commander, the complaint paperwork will be forwarded to the appropriate District or Bureau Commander for action.)
 4. At this point, the Division Commander (when applicable, the District Commander or Bureau Commander) will propose disciplinary action, if appropriate. At the time disciplinary action is proposed, the member being disciplined will note on the final complaint paperwork whether he or she concurs or wishes to appeal the decision. The Division Commander will then forward the disciplinary report to the Deputy Chief for review and comment. The proposed disciplinary action will be imposed and become final only upon ratification by the Chief of Police. Members noting an appeal will meet with the next level of command to discuss the matter. If a resolution is not reached, the matter may be appealed to the next level, and so on, until the appeals reach the Chief of Police. If the Division Commander's proposed disciplinary action is termination from employment, a suspension of more than three (3) days, or demotion, a non-probationary member is entitled to request a Loudermill Hearing with the Chief according to the provisions of [Prince William County Personnel regulations](#), Section 13.6.