

Policy # 19



Title: Complaint Process

Authorizing Signature: _____

Title: BOT Chairman

Date: JUN 0 8 2015

Section 4.19 – Complaints Process

The processing of complaints against the Department will be the responsibility of the Department Supervisor/Manager whose division, unit or section is the subject of the complaint. Complaints can be from any community member against an employee or against any aspect of the Department’s operations. Following are the procedures for processing complaints:

- A. All complaints will be submitted in writing and addressed to the appropriate Department Supervisor/Manager, and to the Chief of Police. Copies of all written complaints and copies of all findings shall be kept on file in the office of the Chief of Police and or the Personnel Office. Officials of the Department shall investigate all complaints, including those not reduced to writing and shall file a written report if a non-written complaint appears to have merit. All Police officers shall have the specific duty to report all violations of police procedures to their immediate supervisor and to reduce those complaints to writing. An officer’s failure to report a violation that he or she witnessed shall be grounds for disciplinary action up to and including termination and may be ground for criminal charges.
- B. All complaints shall be evaluated and investigated initially by the appropriate Department Supervisor/Manager and every effort shall be made to resolve the complaint informally. The preliminary investigation shall be completed within ten (10) working days, including conducting interviews and compiling related documentation.
- C. Written notification and receipt of a complaint will be provided to the person submitting the complaint and the affected employee immediately after receipt of complaint. Written updates will be provided to the individual while the complaint is in the investigative

process.

All complaints alleging a violation of the civil rights of any person shall be forwarded immediately to the Chief of Police who shall insure that the complaint is processed in line with these policies and the Department's contract with the Department of the Interior.

- D. Employees who are the subject of a written complaint will be provided an opportunity to receive and respond to the complaint as part of the investigative process. Employees who are subject of the complaint are required to cooperate fully in the investigation in all matters relevant to the complaint. In serious cases, the employee may be suspended with or without pay pending the investigation.
- E. The appropriate Department Supervisor/Manager will initiate all the proper measures and take the necessary courses of corrective action, in the event the complaint is substantiated. Provided, however, that the Chief of Police or Supervisor/Manager of the Division shall also have a right to review and approve any such measures or require additional disciplinary or corrective action.
- F. If during the preliminary investigation a determination is made by the appropriate Department Supervisor/Manager, that the matter requires further investigation and action, the appropriate Department Supervisor/Manager shall refer the complaint to the Chief of Police. The Chief of Police shall submit all complaints alleging Civil Rights Violations to the U.S. Attorney as required by the Department's contract with the Bureau of Indian Affairs and may submit complaints against uniformed employees to the BIA's Office of Internal Affairs..
- G. Evidence of criminal wrongdoing will be referred to the proper authorities immediately upon completion of the preliminary investigation.
- H. The person filing the complaint will be notified in writing of the findings upon completion of the investigation.

- I. All investigations of complaints shall be conducted with the highest degree of confidentiality in accordance with the Department's confidentiality policies contained in this Manual.

- J. In the case of complaints against the Chief of Police, such complaints shall be forwarded to the Board of Trustees and may be forwarded by them to the Internal Affairs Division to the Bureau of Indian Affairs' Office of Law Enforcement Services District I Commander.