




ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Revision Date: May 8, 2026	Initiation Date: December 1, 2011	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s): CALEA 26.2.1, 26.2.2, 26.3.2, 26.3.5			

551.02 Complaint Processing and Investigations

I. Overview

This policy is intended to inform all employees and the public of procedures for accepting, processing, and investigating complaints concerning allegations of employee misconduct. This policy defines provisions applicable only to investigation and disposition of administrative misconduct.

II. Policy

It is the policy of the Arlington County Police Department (the Department) to provide community members with a fair and effective avenue for redress of their legitimate complaints against Department employees, to protect employees from false charges of misconduct or wrongdoing, and to provide accused employees with due process safeguards.

To maintain the integrity of the Department and its employees, and to ensure the ability of sworn officers to present evidence in court, the Department will take appropriate action regarding employees who have violated laws, ordinances, and County and Department policies, to dismiss employees who prove to be unfit for police work, and to dismiss unjustified or not sustained allegations against innocent employees.

Complaints will be documented, investigated and adjudicated. A record of these complaints will be kept by the Office of Professional Responsibility (OPR). These records will be kept confidential and will not be retained with any employee record or central records system. Statistical summaries, based on the records of OPR will be compiled on an annual basis and a report filed with the Chief of Police.

III. Definitions

- A. Complaint - An allegation of employee misconduct or wrongdoing, or the expression of dissatisfaction with a Department policy or practice.
 - 1. Community Complaint – A complaint made by a community member alleging misconduct related to a specific incident by a specific officer(s).
 - 2. Community Complaint Review - A complaint made by a community member that does not provide enough information to identify a specific officer or a specific incident.
- B. Investigation - Any action which is taken to resolve an allegation of a policy violation made against an employee or the Department.
 - 1. Administrative Investigation – An internal investigation of an incident involving an employee, in which an allegation of a policy violation has been made.
 - 2. Administrative Review - A review of an incident to determine whether the actions taken by the officers on scene were consistent with the Department’s Directive Manual.

IV. Procedure

- A. The Office of Professional Responsibility (OPR) is responsible for:
 - 1. Supervising and/or controlling the investigation of alleged or suspected misconduct within the Department.
 - 2. Conducting investigations as assigned by the Chief of Police or designee.
 - 3. Maintaining the confidentiality of internal affairs investigations and records.
 - 4. Advising the Chief of Police or designee of possible employee actions, up to and including termination, which results from, or may arise from, administrative investigations.
- B. Receiving a Complaint - Procedures for registering a complaint will be available to the public. Each complainant will be made aware of the procedures at the time the complaint is made.
 - 1. Complaints may be made in person, by mail, telephone, fax, email, or via the Department's website. If the complainant cannot file the report in person, Department employees may meet with the individual at a mutually convenient location to complete the report. [26.2.4]
 - 2. Complaints will be accepted from anonymous sources, juveniles and persons under arrest in police custody as long as the complaint contains sufficient factual information to warrant an investigation. Community members making complaints regarding employees of other law enforcement organizations, should be referred to supervisors in those organizations. All complaints against the Department or its employees will be investigated, to include anonymous complaints. [26.2.1]
 - 3. All community complaints filed in person should be recorded on the Personnel Complaint Form. Although this form is intended for complaints against an employee, it may also be used for complaints about a policy or practice of the Department. Except for anonymous complaints, the complaint form should be signed by the complainant, but a signature is not mandatory to initiate an investigation.
 - 4. Registering, receiving, accepting or recording a complaint does not imply legitimacy of the complaint. No effort should be made to prevent a community member from making a complaint.
 - 5. Each complaint will be acknowledged via letter, telephone, or e-mail and the complainant will be informed of the individual investigating the complaint, kept informed of the status of the investigation when possible, and informed of the final disposition of the complaint, including whether the Department has taken administrative action.
 - 6. The Chief of Police or designee will be informed, through the chain of command or by OPR within 24 hours, of all serious complaints made against an employee or the Department. Allegations of criminal conduct will be brought to the immediate attention of the Chief of Police or designee. Division Commanders will be notified of complaints made against employees assigned to their division. [26.3.2]
- C. Conducting an Investigation - Investigations will be conducted by a supervisor, OPR, or anyone designated by the Chief of Police or designee, or Division Commander. No investigation will be conducted by non-supervisory employees without approval by the Chief of Police or designee.
 - 1. Certain types of complaints shall be investigated by OPR. These include complaints involving criminal activity, use of excessive force, discrimination, sexual harassment, complaints made by a community member where the Independent Police Auditor (IPA) or the Community Oversight Board (COB) are involved or as assigned by the Chief of Police or designee. In cases where these investigations may be hampered by delay, they may be performed by those so designated in IV. C. In this event, the results of the investigation will be forwarded as soon as possible to OPR for review.

2. Likewise, certain types of complaints will be investigated by other unit or section supervisors. These include complaints about an employee's appearance, demeanor, completion of duties, use of Department equipment, dereliction of duty, propriety of the employee's action, or as designated by the Division or Section Commander. All completed investigations will be sent to OPR for final review.
3. Types of complaints not specifically mentioned above will be forwarded to the appropriate Division Commander for assignment.
4. Complaints about Department policy can often be resolved during the initial contact with the complainant. Clarification of Department policy or an explanation of authority is sometimes all the complainant needs. If the complaint is not resolved initially, the matter will be forwarded to the appropriate Division Commander for resolution.
5. Early in an investigation, the Department must decide whether the complaint will be investigated under administrative procedures or the criminal process.
6. An employee who is the subject of an administrative investigation is required to cooperate with the investigator. An employee who is the subject of a criminal investigation is not obligated to provide information which may later be used against the employee in support of a criminal charge unless a waiver of rights is obtained.
7. Under no circumstances will an investigation be conducted which employs unlawful methods, coercion, or devices which would not be upheld in a court of law. Supervisors assigned to conduct an administrative investigation into potential misconduct shall complete a thorough and professional inquiry into the allegation and submit a detailed report outlining the complaint, investigative measures and recommended findings. The failure of a supervisor to conduct an appropriate investigation as determined by Command Staff and/or OPR may result in disciplinary action.
8. Each complaint shall be investigated to its logical conclusion and the investigation results properly placed into the appropriate category of completed cases.
9. Records pertaining to an investigation will be kept confidential and secure by the individual conducting the investigation. Upon conclusion of the investigation, these records will be given to OPR to be retained. [26.2.2]
10. OPR will maintain liaison with the Commonwealth's Attorney Office, the County Attorney, County Human Resources Department, County Office of Human Rights, and other affected agencies as required by the type of investigation. Allegations of misconduct that appear to be criminal shall be referred for review by the Commonwealth's Attorney's Office.
11. When an employee is notified that they are the subject of an administrative investigation, the employee will be given a written statement of the allegations, the employee's rights and responsibilities relative to the investigation and a confidentiality order, when appropriate. Investigations should be conducted in accordance with the Police Officers Bill of Rights as outlined in [Code of Virginia § 9.1-500 et seq.](#) [26.3.5]
12. No employee who is interviewed during an administrative investigation shall have the right to be represented by another party unless governed by the Service, Labor, and Trades (SLT) Collective Bargaining Agreement, the Arlington Coalition of Police (ACOP) Collective Bargaining Agreement (CBA) or approved by the Chief of Police or designee.
13. An employee who is the subject of an administrative investigation may be required to undergo a medical or laboratory examination at the Department's expense, be photographed or appear in a line-up, or submit a financial disclosure statement. These actions will be mandated only by the Chief of Police or designee after the investigator has sufficiently demonstrated the need for such action.
14. An employee will not be required to submit to a polygraph examination as part of the investigation unless directed by the Chief of Police or designee and refusal may result in disciplinary action.

D. Investigation Timelines [26.3.3]

1. The investigation of complaints for Non-Collective Bargaining Employees shall be completed within 45 calendar days from the date of notice to the employee to disposition unless an extension is granted by the Chief of Police or designee.
2. For Service Labor and Trades (SLT) Unit Bargaining Members, the investigation shall be completed in accordance with the SLT Agreement.
3. For CBA Unit Members, the timeline for administrative investigations conducted by OPR will begin on the day the subject CBA Unit Member is notified of the investigation. The timeline for administrative investigations conducted outside of OPR will begin on the day the investigating supervisor is made aware of the issue to be investigated. Notification to the investigating supervisor may not be delayed in order to extend these timelines.
 - a. The timeline for administrative investigations, including investigations of any crashes involving a CBA Unit Member is as follows:
 - 1) When the investigation is conducted outside of OPR, the initial investigating supervisor will submit an administrative investigation for chain of command review within 20 calendar days. When the investigation is conducted by OPR, the investigator will submit the administrative investigation for review within 30 calendar days.
 - 2) Each supervisor in the chain of command review will have 10 calendar days to review the administrative investigation. If there is a sustained finding with a recommendation of a Letter of Corrective Action (LCA), Letter of Disciplinary Action (LDA), or higher, the final reviewer (most likely a Division Commander) will have 15 calendar days to complete their review.
 - 3) Extensions to the timeline may be requested. If granted, extensions for the initial investigating supervisor will be in 20 calendar day increments and extensions for the chain of command review will be in 10 calendar day increments. Extensions for OPR investigators will be in 30 calendar day increments. For specific information on how, why, and when to request an extension, refer to the ACOP CBA.
4. The timeline for administrative reviews for CBA Unit Members will begin on the day the investigating supervisor is made aware of the issue to be investigated. Notification to the investigating supervisor may not be delayed in order to extend these timelines.
 - a. The timeline for administrative reviews of uses of force, vehicle pursuits, foot pursuits, and tactical vehicle interventions is as follows:
 - 1) The initial reviewing supervisor will submit such reviews for chain of command review within 40 calendar days.
 - 2) Each supervisor in the chain of command review will have 10 calendar days to review the administrative review.
 - 3) In situations where the chain of command identifies issues in an administrative review that require the initiation of an administrative investigation, the review will be suspended, and an administrative investigation will be initiated. This suspension and initiation of an administrative investigation must occur within the above timeline.
 - 4) Extensions to the timeline may be requested. If granted, only one extension will be permitted and the extension for the initial reviewing supervisor will be for 40 calendar days and the extension for the chain of command review will be for 10 calendar days. For specific information on how, why, and when to request an extension, refer to the ACOP CBA.
 - b. The timeline for reviews of unarrests, forced entries, animal euthanizations, vehicle damage non-accidents, diplomat interactions, lost police property, off duty police contact, non-use of force injuries, and the use of less lethal on animals is as follows:
 - 1) The initial reviewing supervisor will submit such reviews for chain of command review within 20 calendar days.
 - 2) The chain of command review will be completed within 10 calendar days of the investigating supervisor's submission for review.
 - 3) In situations where the chain of command review identifies issues in an administrative review that require the initiation of an administrative investigation, the administrative review will be suspended, and an administrative investigation will be initiated. This suspension and initiation of an administrative investigation must occur within the above timeline.

- 4) Extensions may only be requested if the investigating supervisor or chain of command reviewer is out of the office upon assignment for review. For specific information on how, why, and when to request an extension, refer to the ACOP CBA.

E. Right to Shop Stewards

1. OPR is responsible for investigating external complaints.
 - a. A CBA Unit Member who is the subject of an externally generated administrative investigation, where the Independent Policing Auditor (IPA) has the authority to participate, has a right to have a Union Shop Steward present for the interview. Prior to any such interview, OPR will notify the CBA Unit Member that they have a right to have a Union Shop Steward present during the interview. Questioning will not be delayed for longer than 24 hours in order to give the CBA Unit Member an opportunity to consult with the Union Shop Steward.
 - b. A Supervisor conducting an investigation of a SLT Bargaining Unit Member shall consult with the SLT agreement prior to initiating the investigation. Any further questions can be directed to OPR.

F. Completion of Investigations

1. Classifications - The investigator will classify the incident using one of the following:
 - a. Sustained - Allegation is supported by sufficient evidence to justify a conclusion of guilt based on a preponderance of evidence standard.
 - b. Not Sustained - Insufficient evidence to either prove or disprove the allegation.
 - c. Exonerated - Incident occurred but was lawful and proper.
 - d. Unfounded - Allegation is false, there is no evidence to support that the incident occurred, or the action did not involve a Department employee.
2. Conclusions - In addition to one of the above classifications, the investigator may note any or all of the following in conjunction with the conclusion:
 - a. Policy Failure – The allegation is true, and although the action of the employee or Department was consistent with Department policy, the complainant suffered harm.
 - b. Training Deficiency – The employee's conduct was due to inadequate or improper training.
3. Letters of corrective or disciplinary action, demotions, or termination pertaining to sustained complaints will be placed in an employee's personnel record.
4. Administrative Leave or Termination of Employment – An employee who has been placed on administrative leave without pay or terminated as a result of an internal disciplinary or criminal investigation shall be directed by OPR to return all Department issued property. The following property items should be collected immediately:
 - a. Identification and badge case containing Department identification card and badge.
 - b. Uniform badge.
 - c. Any task force badges, covert identification(s), or law enforcement identification issued or provided by another agency to the officer for execution of related duties.
 - d. Proximity card including photo identification.
 - e. Portable Radio.
 - f. Assigned vehicle, keys, and gas card.
 - g. Department issued weapon(s) – two supervisors are required to accomplish this task.
 - h. Ballistic vest.
 - i. All uniform outerwear containing any embroidered police patches, badges, or the word "Police" imprinted on them.
 - j. Any other Department issued property specified by the Chief of Police or designee or the officer's Division Commander.
 - k. If all Departmental property is not immediately available for turn-in, the employee shall be responsible for returning all remaining property to the Evidence & Inventory Management Unit (E&IMU) within 24 hours of the suspension or termination notification and advise OPR when this task has been completed.