

	BRIDGEPORT POLICE DEPARTMENT	Distribution ALL PERSONNEL	General Order Number <b>4.02</b>
	POLICY AND PROCEDURE GENERAL ORDER	Original Issue Date 03/27/18	Reissue/Effective Date 03/28/18
Order Title:  <b>INVESTIGATING MISCONDUCT AND CITIZEN COMPLAINTS</b>		Accreditation Standard: POSTC: 1.5.8(f), 1.5.9d, 2.8.3, 2.6.12, 2.6.13, 3.3.24	Section  4
		Section Title <b>DISCIPLINARY PROCESS</b>	
Rescinds: 1.8.2, 1.8.3, 1.8.4, 1.8.5, 1.8.6, 2.7.6.3		<b>Armando J. Perez, Chief of Police</b>	

*This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting*

## I. PURPOSE

The purpose of this policy is to provide all Bridgeport Police Department employees, and the public, the procedures for processing and investigating allegations of officer misconduct or citizen complaints.

## II. POLICY

The Bridgeport Police Department's public image is determined by a professional response to allegations of misconduct against its employees. The establishment of procedures for the investigation of complaints is crucial to demonstrate and protect the Department's integrity. This Department shall accept and fairly and impartially investigate all complaints or allegations of misconduct to determine their validity, and to timely impose any disciplinary or non-disciplinary corrective actions that may be warranted. It is the Department's policy to investigate every instance of alleged misconduct against a member of this Department, whether criminal or administrative in nature, in accordance with federal or local laws, and Department policies and procedures. The Office of Internal Affairs is responsible for the overall administration of the investigations of citizen complaints and the Professional Standards Division is responsible for employee misconduct.

The Office of the Chief shall be responsible for the investigation of all allegations of serious misconduct and serious use of force incidents pursuant to Department policies and procedures. The Chief will have the authority to utilize resources outside the department to conduct investigations including retaining outside investigators.

### III. DEFINITIONS

Complaint: Any allegation by an individual regarding Bridgeport Police Department services, policies, practices or procedures, claims for damages which allege officer misconduct, or officer misconduct; and any allegation of possible misconduct made by a Bridgeport Police officer.

Complainant: Any person who files a complaint regarding the conduct of any Department employee, or the Bridgeport's policies, procedures, or action.

Complaint Control Number: A sequential number used to identify and track citizen complaint investigations.

Class 1 Complaints: Serious allegations, including alleged criminal conduct that has the potential to damage the reputation of the Department or its personnel.

Class 2 Complaints: Less serious allegations that warrant an investigation, but do not rise to the level of a more serious complaint.

Class 3 Complaints: Minor complaints by a citizen desiring to make an informal complaint against an employee, generally involving an employee's conduct and/or behavior.

Class 4 Complaints: Minor Service complaints by a citizen who contacts the Department questioning, or informally complaining, about a policy, procedure, or tactic used by the Department or an employee.

Critical Firearm Discharge: A discharge of a firearm by a Bridgeport Police officer but does not include range and training discharges and discharges at animals.

Counseling: Information relayed to an employee by a ranking officer or training officer, in which the information relayed points out strengths, weaknesses, or training needs, or offers the employee the opportunity to improve performance. Counseling is not disciplinary by itself, but may progressively lead to discipline.

Discipline: A written reprimand, suspension, demotion, or dismissal.

Employee: Any person employed by the Bridgeport Police Department, whether sworn or non-sworn, part-time or full-time.

External Complaint: A complaint that originates from outside the department.

Internal Complaint: A complaint that originates from within the Department. Such complaints may be initiated by other Bridgeport Police Department employees or from supervisors who observed, or were informed by other employees, of possible policy violations. Internal complaints refer to investigations requested by the Board of Police Commissioners or the Chief of Police.

Internal Affairs: The designated Division with primary responsibility for conducting investigations of Administrative or Citizen Complaints of Misconduct.

Misconduct: Any conduct by a Bridgeport Police Department employee that violates Department policy or the law

Officers: Any law enforcement officer employed by or assigned to the Bridgeport Police Department, whether on or off duty, including supervisors and members authorized to carry department issued weapons.

Preponderance of the Evidence Standard: The quantum of evidence that constitutes preponderance cannot be reduced to a simple formula. A preponderance of evidence has been described as just enough evidence, no matter how slight, to make it more likely than not that the allegation sought to be proved is true or false.

Serious Misconduct: Suspected criminal misconduct and the specific forms of misconduct identified below in Section IV.D. Such conduct shall be investigated by the Internal affairs Division and the Criminal Investigation Division of the Attorney General's Office.

Serious Use of Force: Any action by an officer that involves: 1) the use of deadly force, including all critical firearm discharges; 2) a use of force in which the person suffers serious bodily injury, or requires hospital admission; 3) a canine bite; and 4) the use of chemical spray or Electronic Control Weapon against a restrained person.

Summary Action: Disciplinary action (oral reprimand or counseling documented in writing) taken by an officer's supervisor or commander for minor violations of department rules, policies, or procedures as defined by this department. Summary actions are the lowest level of disciplinary action generally handled by first line supervisors.

Supervisor: Includes those holding the rank of Sergeant, or anyone acting in those capacities, any other sworn or non-sworn manager authorized to carry department issued weapon(s), or any other individual authorized by the Chief.

Use of Force Incidents Indicating Potential Criminal Liability: Includes, but is not limited to, all strikes, blow, kicks, or other similar uses of force against a handcuffed subject, and all accusations or complaints of excessive force.

## **IV. PROCEDURE**

### **A. Investigations of Citizens Complaints**

#### **1. General**

- a. All investigations shall, to the extent reasonably possible, determine whether the officer's conduct was justified. No investigation being conducted by the Office of the Chief or Board of Police Commissioners, shall be closed simply because a subject or

complainant is unavailable, unwilling, or unable to cooperate, including a refusal to provide medical records or proof of injury;

- b. All investigations shall be conducted by a supervisor who did not authorize, witness, or participate in the incident, and all investigations shall contain:
  - 1) Documentation of the name and badge number of all officers involved in, or on the scene during, the incident, and a canvass of the scene to identify civilian witnesses;
  - 2) Thorough and complete interviews of all witnesses, subject to the Bridgeport's Police Department *Garrity* Protocol, and an effort to resolve material inconsistencies between witness statements;
  - 3) Photographs of the subject(s) and officer(s) injuries or alleged injuries; and
  - 4) Documentation of any medical care provided.

#### B. Role of Internal Affairs

1. Upon receipt of the Complaint Form, the complaint will be reviewed and classified in its proper category for assignment. Categories are identified in section C below.
2. The investigating Supervisor shall evaluate complaints of criminal conduct made against Bridgeport Police Department employees, and report findings to the Police Commission President and the Chief of Police. The Chief will authorize transfer of the criminal allegation investigation to the State Attorney's Office. A parallel Internal Affairs Investigation will be conducted to ensure no administrative or departmental violations have occurred, but may be delayed until the resolution of the criminal investigation.
3. The Internal Affairs Division Commander will liaison with and notify the State Attorney's Office relative to investigations which develop material of exculpatory or inculpatory evidence which is not the product of a Garrity protected interview.
4. Upon completion of the Internal Affairs Investigation Report, the report and all supporting documents shall be forwarded to the Police Commission President and the Chief of Police, or designee, for review. The Chief may accept the report as completed or return the report for further investigation.
5. The Internal Affairs Commander shall have the following additional responsibilities:

- a. Maintain a complaint log both documentary and electronically (click link to view Case Log:  
<https://powerdms.com/link/IDS/document/?id=495183>);
- b. Maintain a central file for complaints in a secured area, and in conformity with records retention requirements of local law;
- c. Conduct a regular audit of complaints to ascertain the need for changes in training or policy;
- d. Maintain statistical and related information to identify trends involving all complaints of use of force, officer misconduct, and/or abuse of authority;
- e. Track complaints against individual employees to assist in employee risk analysis and the Early Intervention Program (EIP) IA TRAK; and
- f. Provide the Police Commission President and the Police Chief, managers, and/or supervisors with quarterly summaries of complaints and final dispositions against officers.

C. Complaint Categories

The following chart depicts the types of complaints, which are defined by the seriousness of the allegation, along with whom the complaint is generally investigated and reviewed by:

TYPES	DESCRIPTION	EXAMPLES	GENERALLY HANDLED BY
CLASS 1	Allegations that have the potential to damage the reputation of the Department or its personnel, and generally include, but are not limited to, allegations of serious misconduct, serious violations of Standards of Conduct and other written directives, or criminal conduct.	<ul style="list-style-type: none"> <li>• Excessive and/or improper use of force</li> <li>• Brutality</li> <li>• False arrest</li> <li>• Unlawful search and/or seizure</li> <li>• Corruption</li> <li>• Dishonesty and untruthfulness</li> <li>• Gross Insubordination</li> <li>• Violation of civil rights</li> <li>• Bias-based profiling</li> <li>• Sexual harassment</li> <li>• Workplace violence</li> <li>• Violation of criminal statutes</li> </ul>	<p>The Office of The Chief /Internal Affairs Commander</p> <p>Formal and Documented with Written Statements and Tape/Video Recorded Interviews</p> <p>internal Affairs Staff / Outside Agency Including Private Investigator</p>
CLASS 2	Allegations that generally include, but are not limited to, allegations of a non-serious nature and violations of Standards of Conduct and other written directives of a non-serious nature.	<ul style="list-style-type: none"> <li>• Violation of policies, procedures or rules, other than those which constitute a Class I Allegation</li> <li>• Inappropriate conduct and/or behavior of a less-serious nature, such as rudeness, discourtesy, and offensive language</li> <li>• Violation of personnel rules</li> </ul>	<p>Office Of The Chief and/or Internal Affairs</p> <p>Formal and Documented with Written Statements</p>
CLASS 3	Minor complaints by a citizen desiring to make an informal complaint against an employee, generally involving an employee's conduct and/or behavior.	When a citizen complains about the behavior of an employee, such as rudeness or demeanor, but does not wish to file an official formal complaint.	<p>First-Line Supervisor</p> <p>Informal and Documented as Informational Purposes Only</p>
CLASS 4	Minor complaints by a citizen who contacts the Department questioning or informally complaining about a policy, procedure, or tactic	When a citizen questions or complains about the <i>procedures or tactics</i> used by the Department or employee, such as on-scene command presence, or why handcuffs were used when detaining a subject, but	<p>First-Line Supervisor</p> <p>Informal and Documented as Informational Purposes Only</p>

	used by the Department or an employee.	does not wish to file an official formal complaint.	
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D. Serious Misconduct

Serious Misconduct is understood by the Bridgeport Police Department to mean suspected criminal misconduct and the following misconduct:

1. All civil suits alleging any misconduct by an officer while acting in an official capacity;
2. All civil suits against an officer for off-duty conduct (while not acting in an official capacity) alleging physical violence, threats of physical violence, racial bias, dishonesty, or fraud;
3. All criminal arrests or filing of criminal charges against an officer;
4. All allegations of unlawful discrimination (e.g., on the basis of race, ethnicity, gender, religion, national origin, sexual orientation, or disability), including improper ethnic remarks and gender bias, but excluding employment discrimination;
5. All allegations of an unlawful search and seizure;
6. All allegations of false arrests or filing of false charges;
7. Any act of retaliation or retribution against an officer or person;
8. Any act of retaliation or retribution against a person for filing a complaint against a member;
9. All allegations of excessive use of force or improper threat of force (including strikes, blows, kicks, or other similar uses of force against a complaint subject or administered with a punitive purpose);
10. Any failure to complete use of force reports required by Bridgeport Police Department policies and procedures;
11. The providing of false or incomplete information during the course of a Bridgeport Police Department investigation, or in any report, log, or similar document;
12. All incidents in which: (1) a person is charged by an Officer with assault on a police officer or resisting arrest or disorderly conduct, and (2) the State Attorney's Office (SA) notifies Bridgeport Police Department that it is

dismissing the charge based upon Officer credibility, or a judge dismissed the charge based upon Officer credibility; or

13. All incidents in which Bridgeport Police Department has received written notification from the SA in a criminal case that there has been: (1) an order suppressing evidence because of any constitutional violation involving potential misconduct by a Bridgeport Police Officer, or (2) any other judicial finding of Officer misconduct made in the course of a judicial proceeding, or any request by a federal judge, local judge, or magistrate that a misconduct investigation be initiated pursuant to some information developed during a judicial proceeding before a judge or magistrate. Bridgeport Police Department shall request that all such entities provide them with written notification whenever it has been determined that any of the above has occurred.

The Chief of Police will have the authority to direct any Class 1 or criminal investigation to the Office of Internal Affairs or outside agency for investigation. The Commander of Internal Affairs will also have the authority to begin a criminal investigation during the course of an Internal Investigation or Citizen Complaint if the details of the case turn into a possible criminal allegation.

Nothing in this policy shall constitute a violation of the rules and regulations herein if an officer's actions are deemed to objectionably reasonable based on the totality of circumstances.

E. Investigation of Public Complaints: Supervisor's Role/Responsibility

1. The supervisor assigned to investigate a citizen complaint shall ensure the following protocols are applied in all investigations:
  - a. Every complaint must be investigated and evaluated based on the Preponderance of Evidence standard.
  - b. Any supervisor who is the subject of a complaint, or who authorized the conduct that led to the complaint, is explicitly prohibited from investigating said incident.
  - c. Supervisors shall ensure that all officers who use force, or are involved in the use of force, shall submit a written statement regarding the incident, using the Use of Force Report form. The investigating supervisor will obtain statements from officers who witnessed a use of force.
  - d. During the investigation of a citizen complaint, all relevant evidence including circumstantial, direct, and physical will be considered, and credibility determinations made, if feasible. Officer's statements will



not be given any automatic preference over a citizen's statement, nor will a witness' statement be disregarded on account that the witness is connected to the complainant. Every effort will be made to resolve material inconsistencies or discrepancies between witness statements and other collected evidence.

- e. The Supervisor will not close an investigation because the complaint is withdrawn, the alleged victim is unwilling or unable to provide medical records or proof of injury, or the complainant will not provide additional medical statements or written statements.
  - f. The Supervisor will consider whether any rule, policy, or procedure of the Bridgeport Police Department was violated.
  - g. Conduct an investigation in accordance with the procedures outlined in this policy.
2. At the conclusion of the investigation the supervisor shall prepare an investigative report in accordance with the requirements outlined in this policy.

F. Employee Responsibilities to Report Misconduct

- 1. Any individual who observes or has knowledge of conduct prohibited by this policy shall immediately report all information pertaining thereto to the City of Bridgeport through the person(s) of his or her choice listed below.
  - a. Chief of Police, Bridgeport Police Department, 300 Congress Street, Bridgeport, CT 06604; or
  - b. Commanding Officer, Bridgeport Police Department, Office of Internal Affairs, 999 Broad Street, City Hall Annex, Bridgeport, CT 06604; or
  - c. Director of Labor Relations, City of Bridgeport Office of Labor Relations, 45 Lyon Terrace, Bridgeport, CT 06604; or
  - d. Immediate Supervisor: In the event the individual making the report is an employee of BPD, she/he may also opt, at his or her discretion, to report any conduct prohibited by this policy to his or her immediate supervisor. Any employee who makes such a report to his or her immediate supervisor may, in addition, simultaneously or subsequently, report the prohibited conduct to the Chief of Police, Commanding Officer of the Office of Internal Affairs, and/or the Director of Labor Relations.

2. An employee must report any instances of employee misconduct as soon as practicable following receipt of information regarding the misconduct.
3. In applicable circumstances, employees are to prevent the deterioration or destruction of any evidence that would support or refute the allegation of misconduct.

#### G. Procedures of the Barros Decree

1. The Board of Police Commissioners may request that the Office of Internal Affairs investigate conduct that may constitute a violation of the Rules and Regulations, or Policies and Procedures of the Department based on a citizen's complaint filed pursuant to the procedures of the Barros Decree or alleged misconduct. Such request shall be in written form.
2. The Chief of Police may request that the Office of Internal Affairs investigate conduct that may constitute a violation of the Rules and Regulations, or Policies and Procedures of the Department that have not been submitted to the Department pursuant to the procedures of the Barros Decree of alleged employee misconduct. Such request shall be in written form.

#### H. Confidentiality of Complaints

1. All employees who have knowledge that a complaint has been submitted, or will likely occur, are prohibited from discussing material issues related to the matter.
2. Exemptions include: employees subject to the investigation when consulting with Union or legal representation, in accordance with supervisory directives, testifying at an official hearing regarding the matter, or otherwise authorized by law, policy, or regulation.
3. The Department will not tolerate retaliation against a person who complains of or cooperates in the investigation of conduct prohibited by this policy. Complaints of retaliation will be investigated. Any employee determined to have engaged in retaliation shall be appropriately disciplined and appropriate action shall be taken against any independent contractor or non-employee in the workplace who engages in retaliation.

#### I. Time Limits on Completing Internal Affairs Investigations

1. Generally, the Department should strive to complete internal investigations as soon as practical. In cases of formal investigations, it may be possible to complete such an investigation within a few days or a calendar week. Once assigned, administrative investigations by a supervisor should be completed and forwarded to the Chief of Police for review within one hundred and

twenty (120) days. The Supervisor may request a waiver for an extension of the 120 day requirement (must notify the Union in writing and provide the reasons) for complex investigations and investigations involving extenuating circumstances.

2. Administrative investigations conducted by the Internal Affairs Commander, or designee, shall be a priority for the Department, and should be expeditiously investigated and reviewed. These investigations should be completed and forwarded to the Chief of Police for review within one hundred and twenty days (120) days. The Commander of Internal Affairs may request a waiver of the 120 day requirement (must notify the Union in writing and provide the reasons) for complex investigations and investigations involving extenuating circumstances.
3. Time limits governing disciplinary action which may arise from internal investigations for police officers and civilian employees shall comply with any applicable State or Federal statutes, Bridgeport City Ordinances, and provisions of the respective labor agreements for sworn and non-sworn employees.
4. Supervisors shall be held accountable for the quality of their investigations. Appropriate non-disciplinary corrective action and/or disciplinary action will be taken when a supervisor fails to conduct a timely and thorough investigation, neglects to recommend appropriate corrective action, or neglects to implement appropriate corrective action.
5. In the event an Officer separates from service through (death, retirement, resignation, etc.) while their actions are subject to an open Internal Affairs investigation, any such investigation shall immediately cease if there are no other respondents in said investigation. If an investigation occurs in which the separated officer is not the only respondent, the investigation will continue and the disposition relative to the separated officer will be "Separated from Service".

J. Notifying Complainant Regarding Status of Complaint Investigation

1. Upon receipt of a complaint, the investigating supervisor shall provide a copy of the Complaint Form to the complainant, acknowledging its receipt. For formal investigations, the investigating supervisor will also send a letter to the complainant (if known) acknowledging its receipt. In some cases, this may be accomplished in person and/or via telephone. A written letter, however, should still be sent to the complainant for additional verification of receipt of the complaint.
2. The assigned investigator of an internal affairs case is responsible for providing periodic status reports to complainants on all pending internal

investigations. Generally, investigators should maintain periodic contact with their complainants and provide them status reports on the investigation, as far as practical. Such contact can be accomplished by telephone or email, in lieu of a written letter.

3. All information collected and secured during an Internal Affairs Investigation shall be held in the most strict confidence and not release to the public or subject member of service until the conclusion of said investigation and following the appropriate policies and procedures outlined herein.
4. For formal or informal investigations, the reporting party shall be notified as indicated below, by the Chief of Police or designee, informing him/her of the results of the Department's investigation. Such notification should normally occur within ten (10) days after the conclusion of the investigation and the determination by the Chief of Police of the "Finding of Facts."

#### K. Investigative Interviews and Procedures of Officers

1. The investigator assigned to conduct the investigation shall notify the officer(s) under investigation in accordance with current operative Barros Decree, Form CC-2, Notification of Internal investigation shall be used for this purpose. The officer(s) will be given copies of the Citizen Complaint Form, with the names of witnesses obliterated, prior to any interview of statement.
2. All interviews will be conducted while the Officer is on duty, unless the seriousness of the investigation or other justifiable reason is such that an immediate interview is required. (*refer to applicable CBA*)
3. During interviews there may be a designated primary interviewer.
4. The complete interview shall be electronically recorded. The recording will note the time at which breaks are taken in the interview process, who requested the break, and the time at which the interview resumed.
5. The Officer shall be provided with the name, rank, and command of all persons present during the questioning.
6. Subject to the approval of the Chief of Police, Officers will be administered the applicable Warnings prior to interview:
  - a. Garrity Warnings: For compelled statements if the inquiry is administrative.

- b. Miranda Warnings: Where the inquiry is criminal and the officer is under arrest or in custody.

7. Officers may have Union representation during the Internal Interview.

- a. Officers, under internal (administrative) review, may have present a union representative with them during any administrative internal investigative interrogation so long as the representative is not involved in any manner (*i.e. a witness or subject of the complaint*) with the incident under investigation, or a conflict of interest does not exist. (*Note: refer to applicable CBA*)
- b. The representative's role is primarily that of an observer and shall not be permitted to interrupt the interview except for the purpose of advising and/or conferring with the officer who is concerned about a contractual right.
- c. In criminal investigations the employee has the right to talk to legal counsel or to have one present during questioning.

8. Examinations and Searches

- a. The department may direct order that the officer undergo an intoxicilizer, blood, urine, psychological, polygraph, medical examination, or any other exam, including submission of financial disclosure statements that are not prohibited by law, if it is believed that such an examination is pertinent to the investigation, so long as they do not violate law, or any CBA.
- b. An on-duty supervisor may order an officer to submit to a breath, blood, or urine test when there is reasonable suspicion that alcohol and/or drug usage is suspected as the factor directly related to allegations of misconduct, and is required to submit to such tests as the result of either being involved in a traffic accident with a department vehicle or involved in a discharge of a firearm on or off-duty.
- c. An officer may be ordered to participate in a lineup if it is used solely for administrative purposes. This does not in any way affect the requirements of a legal order to participate. This includes photographic identifications if the investigator deems it necessary.
- d. Desks, lockers, storage space, rooms, offices, equipment, information systems, work areas, and vehicles are the property of the City of Bridgeport and are subject to inspection. They may also be searched to retrieve town owned property, or to discover evidence of work related misconduct, if there is reason to suspect (*reasonable suspicion*) such

evidence is contained therein. Any and all property in where service is provided by the City will also be subject to the above listed perimeters.

- e. Private property can be stored in areas mentioned above; however, employees will not expect privacy in those areas. Only those employees who are acting in their official capacity may be authorized to search or inspect areas assigned to other employees.

#### L. Disposition and Adjudication of Complaints

1. All investigations into citizen complaint allegations of misconduct require review and disposition by the Office of Internal Affairs.
2. All citizen complaint allegations of officer misconduct will be fully investigated and documented.
3. All summary actions shall be documented and copies and disposition(s) provided to the subject officer. Copies may, where appropriate, be incorporated in the employee's performance evaluation and filed file.
4. Once the investigation is deemed complete, the Internal Affairs Commander shall review the complaint report and investigative findings. This authority will compile a report of findings and provide a disposition for each allegation as follows:
  - a. *Sustained*: where the investigation determines, by preponderance of the evidence, that the person's allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper;
  - b. *Not sustained*: where the investigation determines, by preponderance of the evidence, that there is insufficient fact(s) to decide whether the alleged misconduct occurred;
  - c. *Exonerated*: where the investigation determines, by preponderance of the evidence, that the alleged conduct did occur but did not violate Bridgeport Police Department policies, procedures, or training;
  - d. *Unfounded*: where the investigation determines, by preponderance of the evidence, that there are no facts to support that the incident complained of actually occurred.
5. Investigative findings shall also include whether: (i) the police action complied with policy, training, and legal standards regardless of whether the complainant suffered harm; (ii) the incident involved misconduct by any

officer; (iii) the use of different tactics should or could have been employed; (iv) the incident indicates a need for additional training, counsel, or other non-disciplinary corrective measures; and (v) the incident suggests that the Bridgeport Police Department should revise its policies, training, and tactics.

6. Disciplinary action shall be administered in accordance with Department policy and the applicable CBA.
7. Following final disposition of the complaint, a letter shall be sent to the complainant, addressed from the Chief or his/her designee, explaining the final disposition.
8. Whenever reasonably possible, the investigation of complaints should be completed within sixty (60) days period per the Barros Decree from the time the department knew, or should have known, about the alleged violation; unless a stay is granted by the Chief of Police or designee, or another time frame is required by departmental policy or law.
9. Upon completion of an investigation, completed reports will be distributed as follows:
  - a. The Office of the Mayor
  - b. The President of the Board of Police Commissioners
  - c. The Chief of Police
10. Final Disciplinary Authority is vested in the Chief of Police.
11. In cases where there exists probable cause to believe that a fraudulent complaint was logged (*officially documented*) in violation of Connecticut law, the case may be referred to the State Attorney's Office for a prosecutorial determination. In the event that an investigation determines alleged criminal conduct on the part of an employee, a liaison with the Office of the Chief State's Attorney, Fairfield County, will be established.

#### M. Internal Affairs Records and Confidentiality

1. Internal Affairs shall be informed of all final disciplinary decisions.
2. Internal Affairs shall forward a copy of all final disciplinary decisions to the Department's personnel authority.
3. Internal Affairs case files and information shall be maintained separately from personnel records.
4. Internal Affairs information is considered confidential and will be retained under secured conditions within the Chief's Office.

- a. Internal Affairs case files and personnel dispositions may not be released to any source without prior approval of the Chief, unless otherwise provided by law.
- b. Case investigation files shall be retained for a period of time as defined by law, CBA, or the Chief.

#### N. Training

1. The Department will continue to provide training to all officers on the citizen complaint process and the appropriate responses in handling citizen complaints, as developed and administered by the Internal affairs Commander.
2. Each supervisor shall be responsible to assure that each supervisory employee under his command has received, and that any new supervisory employee under his command receives within six (6) months of their initial appointment to a supervisory position, sexual harassment training in accordance with the provisions of CGS § 46a-54. Each supervisor shall also be responsible to assure that supervisory employees under his command has received are familiar with this policy.
3. The Training Division will assume responsibility for the initial training of this policy in a formal setting.

#### O. Annual Reports

1. The Officer-in-Charge of the Office of Internal Affairs will prepare an annual summary based upon the records of investigations for distribution to the Mayor and Board of Police Commissioners.
2. Such Summary may be released to the public at the discretion of the Mayor, Board of Police Commissioners or the Chief of Police, if such release is required by the Freedom of Information Act and has been reviewed and approved by the Office of the City Attorney

#### P. Additional Internal Affairs forms

Temporary File Form: <https://powerdms.com/link/IDS/document/?id=495186>

Request for Case Information:

<https://powerdms.com/link/IDS/document/?id=495192>