



POLICY AND PROCEDURE

Subject:
Citizen Complaints

Policy Number:

A-13

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4

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By the Authority of:

Sheriff Thomas S. Summers Jr.

PURPOSE: To establish guidelines for receiving and inquiring into citizen complaints concerning employee performance or misconduct while still providing members of this agency with procedural safeguards against malicious or false allegations.

POLICY: The Calhoun County Sheriff's Office will make inquiries into all allegations of employee misconduct to include anonymous complaints, received from any source outside or inside the agency.

1. Office of Professional Standards/Duties and Responsibilities.

A responsibility of the Office of Professional Standards is to conduct internal affairs inquiries. The Deputy or Inspector assigned to this position reports directly to the Sheriff. The Office of Professional Standards is accountable for inquiring into all complaints against the Agency or employees of the Agency, assuring that the following activities are done:

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- Recording, registering, notification to complainant of receipt, and controlling the inquiry into complaints against employees
 - Supervising and controlling the inquiry of alleged or suspected misconduct within the Agency.
 - Maintaining the confidentiality of internal affairs inquiry and records
 - The goal of the Office of Professional Standards is to ensure that the integrity of the Calhoun County Sheriff's Office is maintained through a system of internal discipline where objectivity, fairness, and justice, are assumed by intensive, impartial, inquiries and review.
- A. Review and inquiries concerning allegations of misconduct by members of this agency shall be the responsibility of the Office of Professional Standards. Misconduct is defined as:
 1. Commission of a criminal offense
 2. Violation of agency policy and/or procedures
 3. Conduct which adversely reflects upon the employee and the department
 - B. In addition to inquiry concerning allegations of misconduct, the Office of Professional Standards shall be responsible for the coordination of inquiries involving the discharge of firearms as outlined by the Use of Force Policy.
 - C. The Office of Professional Standards shall be responsible for any other inquiry as directed by the Sheriff.
 - D. The Office of Professional Standards may refer inquiries to the employee's supervisor for inquiry as outlined under the Processing Misconduct Complaints Section of this Policy. It is the responsibility of the Office of Professional Standards to notify the Sheriff, as soon as possible, of all complaints against the Agency or its employees.
 - E. The Office of Professional Standards shall have the authority to interview any member of the agency and to review any record or report of the Agency. The Office of Professional Standards will come under the direct authority of the Sheriff.
 - F. The Office of Professional Standards will maintain a comprehensive central complaint file on citizen complaints received, whether inquired into by that office or the employee's supervisor.
2. Procedure
 - A. Acceptance of complaints

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1. All employees of the Agency are charged with the responsibility for courteously and willingly receiving any complaint that may be lodged against the Agency or any employee, to include complaints made over the telephone, by mail, or by electronic mail.
2. Citizen complaints may be lodged at the Calhoun County Sheriff's Office located at 2811 Old Belleville Road, St. Matthews, SC.
3. Calls received during normal working hours, 8:00 a.m. – 5:00 p.m. Monday through Friday, will be received by the Office of Professional Standards. If unavailable, the complaint will be transferred to the shift supervisor who will receive the complaint and report it to the Office of Professional Standards.
 - a. The Office of Professional Standards will take the necessary information and forward it to the appropriate supervisor unless the nature of the complaint dictates that the inquiry be conducted by the Office of Professional Standards.
 - b. If a complaint is received by Sheriff's Office at hours other than 8:00 a.m. – 5:00 p.m., the call will be referred to the on-duty supervisor. If the supervisor is not available, the complainant will be so advised and arrangements will be made by the Agency to have the next immediate supervisor contact the complainant.
4. On all complaints, the complainant will be encouraged to file legitimate complaints against the deputy or employee in person. Complainants will be reminded that they will be held responsible for filing false and malicious allegations and that appropriate legal proceedings could be instituted by individual deputies or employees.
5. If a complaint is lodged at the Sheriff's Office during normal working hours, the complaint will immediately be given to the Office of Professional Standards. If appropriate, it will then be reassigned by Professional Standards to the employee's supervisor for completion. The Office of Professional Standards will ensure that a copy of the citizen complaint form will be provided to the complainant. All citizens who request information on the complaint procedure will be given a Calhoun County Sheriff's Office Citizen Complaint Overview form.
6. If a complaint is received after hours and it is a violation of the law, the Office of Professional Standards or the Sheriff, or Chief Deputy will be notified immediately.
7. In all cases where complaints are received, the complaint will be documented and the Office of Professional Standards will acknowledge receipt to the complainant. The Office of Professional Standards will provide periodic status reports to the complainant and will notify the complainant as to the results of the investigation upon its conclusion.

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8. Anonymous complaints can be difficult to investigate; however, the Agency will carefully review each complaint for validation before disregarding it for lack of a credible complainant.

B. Internal Inquiry Assignments

1. Complaints received concerning employees will be assigned to the employee's supervisor or Division Commander or the Office of Professional Standards under the following circumstances:
 - a. Complaints of harassment
 - b. Complaints of demeanor
 - c. Violations of Rules and Regulations, except those involving criminal activity
2. The Office of Professional Standards will be responsible for inquiries on:
 - a. Complaints involving criminal activity
 - b. Complaints for sexual harassment
 - c. Shooting Incidents (in accordance with Use of Force Policy)
 - d. Complaints of internal theft
 - e. Review and inquiries on excessive force complaints
 - f. Any other inquiry as directed by the Sheriff

The Office of Professional Standards will provide the Sheriff with an annual statistical summary of all internal affairs inquiries. The summary will be maintained and available to agency personnel. The public will be apprised of the summary upon their request.