



# Graham Police Department

## Standard Operating Policies and Procedures

### Policy 04 Internal Investigations

#### DEPARTMENT POLICY

It is the policy of the Graham Police Department to thoroughly investigate all allegations of employee misconduct, including anonymous allegations, whether received from a citizen or an employee of the Department. In addition, the Department conducts Internal Affairs investigations into certain incidents due to the sensitivity and/or magnitude of the incident, even when a citizen complaint is not received.

#### PURPOSE

The purpose of this directive is to establish a procedure for addressing employee misconduct in a uniform manner, to provide citizens with a fair and effective process for receiving, investigating and adjudicating complaints against employees of the Department, to protect all employees from false allegations, and to ensure that accused employees are consistently treated fairly.

All employees of the Department both sworn and nonsworn, are subject to discipline under the provisions of this directive. Generally, these investigations will be conducted intra-departmentally, except as authorized by the Chief of Police. Additionally, City Policy allows for certain allegations (i.e. complaints of sexual harassment, retaliation and hostile work place) to be reported and investigated outside of departmental channels

#### I. General

##### A. Types of Administrative Investigations

1. **Preliminary Internal Investigation** - These investigations are conducted to determine the seriousness of complaints prior to assignment to an investigator. (example: reviewing BWC video, CAD records, timesheets, etc.) They will also be used determine if an administrative review has been conducted and closed for the incident (i.e. use of force and pursuit findings/ investigations).
2. **Non-serious Investigations** - These investigations are of a non-serious nature and generally fall within Offense Category D or C as defined below. The Assistant Chief or their designee will determine what investigations fall within this category. These will be assigned to the shift supervisor for investigation. The process will be simpler than a full Internal Affairs Investigation but will still be handled under the authority of the Internal Affairs (IA) Function of the department.
3. **Internal Affairs Investigations** - Complaints that are received and fall within the Offense Categories of A, B, or C (as defined below), or any allegation of misconduct

that occurred while the employee was off duty, will be assigned to Internal Affairs Investigators as determined by the Chief of Police or his/her designee. These are of a more serious nature and will follow a more detailed procedure, which we be detailed later on this policy.

**B. There are five goals of internal investigations and department disciplinary procedures. These five goals are:**

1. Protection of the public.
2. Protection of the Police Department.
3. Protection of the employee.
4. Detection and removal of unfit personnel.
5. Correction of procedural problems and training needs.

**C. With the exception of preliminary internal investigations, the dispositions used by the department are:**

1. Sustained: The investigation disclosed sufficient evidence to prove clearly the allegation made in the complaint.
2. Unfounded: The allegation is false. The alleged incident never took place.
3. Not Sustained: The investigation failed to disclose sufficient evidence to prove the allegation made in the complaint.
4. Exonerated: The acts which provided the basis for the complaint or allegation occurred; however, investigation revealed that they were justified, lawful, and proper.
5. Misconduct not based on original complaint, Sustained: Substantiated misconduct not mentioned in the initial allegation was disclosed by investigation.
6. Policy Failure/Review: Conduct violated policy, however it was reasonable under the given circumstances or policy failed to properly address the action/circumstances described and a procedural change may be necessary.

**D. Types of disciplinary actions which may be recommended are:**

1. Documented counseling session in electronic performance evaluation system.
2. Written Warning
3. Suspension Without Pay
4. Demotion
5. Dismissal

\*Any of the above disciplinary actions, beginning with written warning, may be accompanied by the condition of disciplinary probation status. Employees on disciplinary probation status are not eligible for promotions, specialized duties (any role or duty assignment that must be applied for by the employee), and transfer requests. \*

**E. Categories of Misconduct** - All regulations within the Graham Police Department fall within these categories. However, only the Rules of Conduct contain suggested guidelines. For violations of Department procedures, investigative personnel shall review the incident and suggest an offense category based on that review.

1. Offense Category A is the most severe.

Examples of Offense Category A would be those incidents which may lead to demotion or termination. If demotion occurs, this will be accompanied by disciplinary probation status for 12 months documented on a disciplinary action form.

2. Offense Category B is of moderate severity. These will be documented on a disciplinary action form.

- a. The first offense in this category within 12 months is punishable by suspension up to two days without pay. This will be accompanied by 3 months of disciplinary probation status.
- b. The second offense in this category within 12 months is punishable by suspension up to five days without pay. This will be accompanied by 6 months of disciplinary probationary status.
- c. The third offense in this category within 12 months becomes a Category A Offense.

3. Offense Category C is of minor severity.

- a. The first offense in this category is punishable by a documented counseling session accompanied by training, policy review, etc., as appropriate.
- b. The second offense in this category within 12 months is punishable by a written reprimand with specific corrective action required. (Written reprimands are to be placed on the disciplinary action form with one copy given to employee concerned, and the original forwarded to the Chief of Police).
- c. The third offense in this category within 12 months is punishable by suspension for one day without pay documented on a disciplinary action form.
- d. The fourth offense in this category within 12 months becomes a Category B Offense.

4. Offense Category D is the least severe.

- a. It contains only offenses relating to uniform and equipment violations, reporting procedures, general rudeness and reporting for duty. The first violation in this category is punishable by a documented counseling session.
- b. Three offenses in this category within 12 months will be equivalent to a second offense within Category C.

5. The Chief of Police shall have the discretion to recommend alternative disciplinary action at any time he/she feels the penalty called for by the applicable disciplinary category is inappropriate.
6. In those cases where an act of employee misconduct clearly falls within more than one severity category, the investigator will make a determination of which category should be used based on all circumstances and explain the reasoning for the determination.
7. An offense does not have to be a repetition of the same offense in order to constitute a second or third offense in a given category. The offense in question need only be in the same category.
8. All complaints will be investigated, regardless of their source.

#### **F. Rules of Conduct/Discipline Categories**

| <b>Rules of Conduct (Policy 03) &amp; City Policy</b>                      | <b>Policy 04 Discipline Category</b> |
|--|--------------------------------------|
| Abuse of Position  | Category A or B                      |
| Alcohol, Drugs and Tobacco A & B   | Category A                           |
| Alcohol, Drugs and Tobacco C   | Categories C or D                    |
| Assistance of Fellow Employees/ Agencies                                   | Category C                           |
| Conduct Standards A-E, H   | Categories A or B                    |
| Conduct Standards F, G, I, J   | Categories C or D                    |
| Conduct Standards K  | Category A                           |
| Duty Responsibilities  | Category C                           |
| Departmental Reports A   | Category C                           |
| Departmental Reports B & C   | Category A                           |
| Intervention A   | Category A                           |
| Intervention B   | Category C                           |
| Knowledge of Regulations   | Category C                           |
| Neighborhood Disputes  | Categories C or D                    |
| Off-Duty Services  | Category C                           |
| Public Statements and Appearances A  | Category A                           |
| Public Statements and Appearances B & C                                    | Categories B or C                    |
| Public Statements and Appearances D & E                                    | Categories C or D                    |
| Telephone Requirements   | Category D                           |
| Reporting for Duty A   | Category C                           |
| Reporting for Duty B & C   | Category B                           |
| Supervision A  | Category A or B                      |
| Supervision B  | Category C                           |
| Fraternization   | Category A                           |
| Unsatisfactory Job Performance (City Personnel Policy Manual Section 8-11) | Categories A or B                    |
| Detrimental Personal Conduct (City Personnel Policy Manual Section 8-13)   | Categories A or B                    |

## **II. Procedures**

### **A. Special Procedures Involving Internal Investigations**

1. Allegations Involving Alcohol or Illegal Drug Consumption While on Duty.
  - a. Alcohol and illegal drugs are those items as defined in the North Carolina General Statutes.
  - b. When any supervisor receives indications that an employee has consumed alcoholic beverages in violation of existing departmental rules he/she shall:
    - 1) Direct the employee to submit to an Alco-sensor and or Intoxilyzer test.
    - 2) Interview the employee to determine whether the employee is under the influence or has consumed alcohol. This interview should be in the presence of the employee's immediate supervisor accompanied by their division commander or other supervisor if commander unavailable.
  - c. If evidence indicates that the employee is under the influence or has consumed alcohol, then the employee shall be suspended immediately pending departmental review/charges.
  - d. If there is no evidence of alcohol use, the employee shall be allowed to return to work.
2. When any supervisor receives indications that an employee has consumed illegal drugs or is under the influence of drugs in violation of existing departmental rules he/she shall:
  - a. Interview the employee to determine whether the employee is under the influence or has consumed drugs. This interview should be in the presence of the employee's immediate supervisor accompanied by their division commander or other supervisor if commander unavailable.
  - b. If evidence indicates that the employee is under the influence of drugs or has consumed drugs, then the employee shall be ordered to submit to a urine drug screen and suspended immediately pending departmental review/charges.
  - c. If there is no evidence of drug abuse, the employee shall be allowed to return to work.
3. Excessive Force Complaints
  - a. The Internal Affairs Section or unit supervisor(s) at the direction of the Chief of Police or designee shall be responsible for directing the investigation.
  - b. All excessive force investigations should include:
    - 1) With the complainant's or injured party's consent, photographs will be taken of

the injured areas.

- 2) Injured areas and their location will be described.
- 3) A signed statement should be taken from the complainant or injured person when possible, utilizing citizen complaint Form #29.
- 4) The name of the physician treating the complainant should be obtained.
- 5) Officer(s) and/or witness statements.
- 6) Examinations and/or photographs of any other information deemed relevant to the investigating officer.
- 7) Use of Force See [GPD Policy 17](#) entitled Use of Force.

**B. Department Member Responsibility** - Supervisory Personnel of the Graham Police Department have an important role in any internal investigation. Generally, their responsibilities are as follows:

1. First Line Supervisors:

- a. When receiving a complaint, supervisors should have the complainant complete the Citizen Complaint Form (#29) and forward it to the Assistant Chief of Police or designated IA Administrator via the EMCOT module of LEFTA.
- b. A supervisor needs to be contacted to accept a citizen complaint, unless the supervisor is the subject of the complaint.
- c. If the citizen complaint form is not filled out correctly, the supervisor will review the report with the citizen to make sure it is filled out correctly. If they wish to remain anonymous, they do not have to include their name or personal information.
- d. The supervisor taking the complaint will enter the information from the citizen complaint form into the EMCOT module of LEFTA.
- e. The investigating officer will keep the complainant informed of the status of the investigation.
- f. Shift Supervisors investigate complaints as assigned from the Internal Affairs Administrator, the Assistant Chief of Police or designee.
- g. Upon completion of non-serious complaint investigations Supervisors will route their findings through their chain of command.

2. Division Commanders - Investigate complaints as assigned by the Assistant Chief of Police and review all non-serious complaint investigations completed by their assigned personnel.

3. Assistant Chief of Police:

- a. Manages the Department's internal investigation function.
- b. Reviews all internal investigations and determines the type of investigation to be

performed and the level of investigation; preliminary, criminal, Internal Affairs (IA) or non-serious. The chief or his/her designee contacts outside agencies when needed for internal criminal investigative purposes.

- c. Ensure all digital evidence is properly tagged to maintain required retention.
- d. Approves employees' discipline decisions as recommended by the investigator.
- e. Hears grievances as outlined in the City of Graham grievance policy.
- f. Ensure that all parties are properly notified at the conclusion of the investigation.

4. Chief of Police:

- a. Final departmental disciplinary authority rests with the Chief. Appeal beyond the Chief is governed by the City of Graham.
- b. Facilitates pre-disciplinary hearings for imposed discipline of 5 day suspensions or greater. (Reference City of Graham Personnel Policy Manual Section 8-16.)
- c. The Chief of Police is responsible for notifying the NC Criminal Justice Standards Division in writing within 30 days of receiving a report, in writing, that a member of the department has been notified that they may not be called to testify at trial based on bias, interest or lack of credibility in compliance with [NCGS 17C-16](#). This notification may or may not be connected to an internal affairs investigation or the investigation of a complaint to the agency.

**C. Direct Accessibility to the Chief** - The Internal Affairs Function of the Graham Police Department is assigned to the Assistant Chief by the Chief of Police.

**D. Notification of the Chief** - Any citizen complaint shall be forwarded to the Assistant Chief of Police or designee via the chain of command. Members of the Department should report to their immediate supervisor all serious violations of Department Directives or violations of criminal law by an employee. Any member desiring to file a complaint against another member of the department may submit a written complaint directly to the Assistant Chief of Police utilizing [Graham Police Department Internal Complaint Form 29F](#) via chain of command. The Chief of Police is notified via the Assistant Chief.

**E. Complaint Investigation**

- 1. Non-serious Investigations should be investigated by the employee's direct supervisor.
  - a. The supervisor shall be assigned a non-serious investigation in the EMCOT module of LEFTA by the Assistant Chief or designee. This module will automatically assign an individual alpha numeric designation for tracking purposes.

- b. Supervisors will follow complaint notification process as set out in this policy.
  - c. Supervisors will gather information and conduct interviews as necessary for the investigation. They will then complete a memo detailing their findings and recommendations for disposition and discipline as outlined elsewhere in this policy.
1. An Internal Affairs Investigation (IA) will be conducted when an investigation is of a more serious nature and could result in discipline in Categories A, B or C as outlined in this policy.
    - a. The Assistant Chief of Police will assign these cases to a trained IA Investigator as designated by the Chief of Police or their designee.
    - b. The investigator will conduct a thorough investigation and may use [GPD Form 29E](#) (IA Investigation Checklist) as a guide.
    - c. At the conclusion of the investigation the investigator will complete a detailed report using the standardized format in the Internal Affairs module of LEFTA as set forth by the Chief of Police.

#### **F. Notification of Complaint**

1. The Assistant Chief or designated IA Administrator will notify the accused member (Form 29B) that they are the subject of an investigation. He/she will also notify the complainant (Form 29H) of the receipt of complaint and start of an investigation. The investigator, upon receiving the investigation assignment, will notify the complainant in writing for periodic updates utilizing [GPD Form 29I](#).
2. The investigator shall notify the complainant of the ongoing status of the investigation at the conclusion of ten (10) day intervals and once they have turned in the completed file to the Assistant Chief or designee.
3. Written acknowledgement of the final disposition of the formal complaint shall be sent to the complainant in a timely manner. The Assistant Chief or designee will notify the complainant in writing by utilizing [GPD Form 29D](#).
4. All internal investigations and all supporting materials are considered part of an employee's personnel file. Therefore, all information pertaining to an internal investigation is confidential and [North Carolina General Statute 160A-168](#) governs disclosure. It is the policy of the Graham Police Department to preserve the confidentiality of the information, protect the complainant that utilizes this process, and the rights of the individual accused regardless of the findings. An employee's name, the investigation findings and discipline action taken will be released upon request to the complainant in all investigations involving suspensions, demotions, or dismissals as authorized by [North Carolina General Statute 160A-168](#). However, disclosure of statistical information on the processing of all complaints to include the number, type, and outcome of internal affairs investigations is in the best public interest and is not prohibited by the policy of confidentiality.



**G. Statement of Allegations of Rights** - The Investigating Officer will issue a written statement of the allegations (utilizing [GPD Form 29B](#)) to an employee that becomes the subject of an Internal Affairs Investigation. The employee will be advised of his/her rights and responsibilities relative to an Internal Affairs Investigation utilizing [GPD Form 29A](#) when they are interviewed. In criminal investigations, the employee will be issued a written statement of the allegations utilizing [GPD Form 29C](#). In criminal investigations, the employee is afforded all Constitutional Rights in respect to Miranda Warnings as given to any criminal suspect. An employee will not be disciplined for exercising his or her Constitutional Rights. Investigative questioning shall be conducted at a reasonable time and manner. An employee who is required to cooperate in an investigation while off duty shall be compensated for time as actual on duty time. The Department will have the burden of proof in an Administrative or Criminal Investigation. In an Administrative investigation or Internal Affairs Investigation, an employee may be required to answer questions which directly relate to the performance of his or her duties and conduct. Refusal to answer may result in disciplinary action up to and including dismissal. The employee has the right to make a copy of any written statement he or she made. An employee may consult an attorney while he or she is under investigation. An employee's attorneys will not be allowed to participate during Administrative interviews without approval of the Chief of Police.

#### **H. Internal Affairs Procedures**

1. The Department may require breath, blood, urine, other laboratory examinations, medical examinations, psychological, polygraph and or Computer Voice Stress examinations as part of Administrative or Internal Affairs Investigations. Employees will be required to sign [GPD Form 29G](#). Refusal to comply may result in disciplinary action.
2. Employees may be required to cooperate with creation of audio and video recordings during the course of an internal investigation (ie: during an interview).
3. Photographs may be taken of departmental employees which can be utilized during Administrative and/or Internal Affairs Investigations involving eye witness identification.
4. An employee may be asked to participate in a line-up for the purpose of eye witness identification. Failure to participate may result in disciplinary action.
5. An employee may be asked to submit financial disclosure statements when the records are in relation to the investigation. Failure to do so may result in disciplinary action.
6. Upon the order of the Chief of Police or his designee an employee shall submit to a polygraph examination and/or the Computer Voice Stress Analyzer, in a non-criminal Internal Affairs Investigation. The examination shall be narrowly related to a particular internal investigation being conducted by the Department. Failure to do so may result in disciplinary action. The complainant may also be asked to submit to a polygraph examination and/or a Computer Voice Stress Analyzer, which is

specifically directed and narrowly related to the complaint.

7. Requirements for the submission to such examinations as polygraph/voice stress analysis, medical examinations blood, urine, and other laboratory tests will be in the form of an order from the Chief of Police or his designee. This however specifically authorizes a supervisor to order a breathalyzer or urine drug screen to determine alcohol or controlled substance consumption.

**I. Investigation Time Limits** – Administrative or Internal Affairs Investigations conducted by the Internal Affairs Function or other members of the Graham Police Department should be concluded within thirty (30) days. However, the Chief of Police or designee may grant an extension in cases where witnesses are difficult to locate or unavailable, out of town travel is required, conflict with the Investigator's schedule, and/or other valid reasons.

**J. Conclusion of Fact**

1. When the investigation is complete, the investigating officer shall submit a written report to the Assistant Chief of Police containing his or her findings. The report should include but is not limited to the following: a summary of the allegations filed against the employee, the finding of facts, and a conclusion of facts, which should include the acts that violated a specific directive, City Policy or Code, or State and Federal Law, and recommendations for discipline.
2. The Assistant Chief of Police will consider the recommendations in making his decision of disciplinary actions. If the complaint is substantiated and it is determined that adverse action (discipline in the nature of a suspension of five days or more, involuntary demotion or dismissal) is taken. The Assistant Chief of Police or designee responsible for issuance of the discipline will prepare written notification of the proposed disciplinary action, which will include the nature of the proposed action, its recommended effective date, the reasons for the action, and a date. If the investigation is sustained with a recommended action of suspension of 5 days or more, demotion, or termination, the Assistant Chief must prepare documentation to the Chief of Police to afford the employee a pre-disciplinary conference at which the employee will be allowed to respond to the charges.
3. **At the conclusion of the investigation, the employment status of the investigated employee should not be a factor that prohibits a conclusion of fact related to the allegation of misconduct. The IA investigation should always be finished.**

**K. Procedures and Criteria for Using Training as a Function of Discipline.**

1. Supervisors should encourage training as a means of improving employee productivity and effectiveness through positive and constructive methods.
2. When employees are ineffective in areas such as report writing, knowledge of laws or City ordinances or when deemed appropriate by an immediate supervisor or Division Commander, a written request should be forwarded to the Training Coordinator

through the chain of command.

3. Communication between supervisors, Division Commanders, and training personnel is necessary to determine when training is needed, available, and where and when it will be conducted.

#### **L. Procedures and Criteria for Using Counseling as a Function of Discipline.**

1. Review with the employee exactly what is expected of him/her and why.
2. Explain to the employee that this is an oral warning or counseling and why his/her conduct has been unacceptable.
3. Allow the employee to give reasons for his/her actions or failure/poor performance, verbally or in writing.
4. Give the employee suggestions on methods to correct actions/performance, etc.
5. Supervisors document/record the interview, date, time, reason for counseling, and any other necessary information for any future use, and document in annual performance evaluation system journal entry.

**M. Procedures and Criteria for taking Disciplinary Actions** - Disciplinary actions should be taken in accordance with [City of Graham Personnel Policy Manual](#) Division 8 entitled "Separation, Disciplinary Action and Reinstatement" in Sec. 8-11 "Unsatisfactory Job Performance Defined" and Sec. 8-13 "Detrimental Personal Conduct," and in conjunction with this policy (Internal Investigation) and [GPD Policy 03 \(Rules of Conduct\)](#). Grievances arising out of disciplinary actions will follow the procedures described in the City of Graham Personnel Policy Manual Division 10 "Grievance Procedure and Adverse Action Appeal."

#### **N. Role and Authority of Supervisors**

1. The role of supervisors, especially first line supervisors is crucial in the disciplinary process. First line supervisors have the best opportunity to observe the conduct and appearance of officers/employees and detect those instances when disciplinary actions are warranted (remedial training, counseling, or punishment). A supervisor is any sworn officer/ non-sworn civilian with departmental delegated daily supervisory responsibilities. First line supervisors are responsible for observing, evaluating, counseling, and recommending the proper course of action to be used for an employee. He/she may seek advice, aid or assistance from their supervisor. A shift supervisor may initiate an Administrative Investigation against any employee when they have either observed a violation of policy or have received an allegation alleging a violation of policy. Any command level officer (Division Commander) has the right and responsibility to supersede a first line supervisor in this Administrative process, but he/she should communicate with the employee's first line supervisor verbally and in writing as soon as possible. Division Commanders are hereby delegated the authority to initiate Administrative Investigations of employees. Supervisors should

utilize all available and pertinent resources including departmental Policies, Directives, and City of Graham Codes and Ordinances.

2. The authority to administer discipline is given at the following levels:
  - a. First line supervisor: Sergeant or Civilian Supervisor, may issue immediate disciplinary suspension (until the next working day) and enter documented counseling sessions in the electronic performance evaluation system. They may also issue written reprimands with prior approval from their respective division commanders.
  - b. Division Commanders may issue immediate disciplinary suspension, enter documented counseling sessions, and issue written reprimands. They may also issue a suspension without pay for up to 2 days with the proper documentation and prior approval from the Assistant Chief of Police.
  - c. Chief of Police may issue immediate disciplinary suspension, enter documented counseling sessions, issue written reprimands, dismiss, suspend, and demote. In the absence of the Chief, the Assistant Chief is authorized to act with the same responsibility as the Chief in regards to their respective function of command. If the Assistant Chief is unavailable, then the task is passed to the Administrator on Call.
3. When any officer/employee is suspended for disciplinary reasons, the suspending supervisor will take the officer's badges, departmental issued handgun, identification cards, and keys to departmental facilities.
4. An immediate disciplinary suspension is effective until the next working day. For the purpose of this directive/policy, working day is defined as Monday through Friday from 8:00AM until 5:00PM, excluding holidays. Personnel temporarily suspended, the suspending supervisor, and the Division Commander will meet with the Chief of Police at 8:00AM the next work day for discussion.

**O. Dismissal Procedures** - If employee misconduct results in dismissal, the following information shall be provided to the employee prior to the pre-dismissal conference: A written statement from the Chief of Police or his designee, citing the reason for dismissal, to include:

1. The effective date of dismissal;
2. A statement of the status of fringe and retirement benefits after dismissal; and
3. A statement as to the content of the employee's employment record relating to the dismissal. This statement will include any relevant policy violations.

**P. Appeals Procedures** - An employee who has completed his/her initial probationary period may appeal a disciplinary action in accordance with the Grievance Procedure and Adverse Action Appeal set forth in the [City of Graham Personnel Policy Manual](#) and the Graham Police Department Policies and Procedures. In accordance with City of Graham

Personnel Policy Manual Sec. 8-19, the appeal must be made within 15 days of the written notice of said disciplinary action.

#### **Q. Name Clearing Hearing**

1. If an employee is demoted or dismissed and the employee contends that, in relation to the personnel action, false stigmatizing statements about the employee have been or may be made public, then the employee may request a name-clearing hearing from the City of Graham Human Resources Manager.
2. The purpose of the hearing is to afford the employee an opportunity to clear their name by responding to the statements. These procedures will not serve as an appeal of any disciplinary action or to gain reinstatement to City employment.
3. An employee who is demoted or dismissed may request a name-clearing hearing if the following three conditions are met:
  - a. An employee is demoted or dismissed;
  - b. The employee contends that false, stigmatizing statements have been or will be placed in their personnel file or otherwise could be made public, and the alleged statements involve the employee's deliberate fraud, or dishonesty, or imply the existence of serious character defects such as dishonesty or immorality; and
  - c. The employee asserts that the statements are untrue.

### **III. Maintenance of Disciplinary Records**

- A. The Graham Police Department requires written records in memorandum form detailing disciplinary actions through the chain of command to the Chief of Police. Completed investigations classified as unfounded, exonerated, or not sustained will be maintained in the Office of the Chief in the internal affairs file. Sustained complaints shall be filed in the individual employee's department personnel file with a copy in the internal affairs files.
- B. Records shall be filed in the employee's personnel file and shall be under the control of the City Manager in compliance with the City of Graham Personnel Policy Manual Division 11 "Personnel Records and Reports" Sec. 11-1 "Personnel Records Maintenance." Copies of these records are under the control of the Chief of Police and are locked in the office of the Administrative Assistant.
- C. No IA investigative records will be purged.
- D. Records maintenance and security - At the conclusion of the Investigation the Administrative Assistant will file the completed report in a secured file cabinet. Each file will be marked with the case number which begins with the year and filed in succession until the end of that calendar year. In addition, an index file will be maintained with the name of the employee investigated, file number (case number), and the disposition/outcome of the case. Files of complaints and Internal Investigations will be retained according to the North Carolina Municipal Records Retention Schedule.

**IV. Annual Summaries** - The Office of the Chief of Police shall include in its annual report and make available to the public and Departmental employees statistical information pertaining to citizen complaints and other Internal Affairs Investigations.

**V. Complaint Registering Procedures** - The Graham Police Department will make public its procedures on registering complaints against the Department and its employees, through such means as the news media, annual reports, Community Relation Programs and our police department internet web site.