



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 harassment, discrimination and retaliation 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 corrective actions which may be recommended are:

1. Coaching in lieu of discipline
2. Training *in lieu of discipline* or as a form of discipline
3. Verbal Warning with Written Notice ([City of Graham Disciplinary Action Form](#))
4. Written Warning/Reprimand ([City of Graham Disciplinary Action Form](#))
5. [Performance Improvement Plan](#) ([GPD-22](#))
6. Suspension Without Pay
7. Demotion
8. Reassignment

9. Termination or dismissal

*Any of the above corrective actions, beginning with written warning, may be accompanied by the condition of disciplinary probation status and/or training. 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 - For violations of Department procedures, investigative personnel shall review the incident and suggest an offense category based on that review.

1. General performance and conduct standards are described in the [City of Graham Personnel Policy](#) in Section 5-21. That policy describes behaviors and activities in two categories: work standard violations and major work standard violations.
2. Offense Category A is the most severe.
Examples of Offense Category A would be major work standard violations of such a degree that 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](#).
3. Offense Category B is of moderate severity. Any discipline 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.
4. 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 warning with specific corrective action required. (Written warnings 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.

5. 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 counseling/coaching session documented on [GPD 29K](#).
 - b. Three offenses in this category within 12 months will be equivalent to a second offense within Category C.
6. The Chief of Police shall have the discretion to recommend alternative disciplinary action at any time they feel that the penalty called for by the applicable disciplinary category is inappropriate.
7. In 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.
8. An offense does not have to be a repetition of the same offense within the same category in order to constitute a second or third offense. In circumstances where an officer has a subsequent offense in a different category the new offense will be seen as a second offense or third offense. The determination as to which category is used to apply discipline should be handled on a case by case basis and based on all circumstances.
9. All complaints will be investigated, regardless of their source.

F. Rules of Conduct/Discipline Categories

Rules of Conduct (Policy 03) & City Policy	Policy 04 Discipline Category
Abuse of Position A, C, D, & E	Category A
Abuse of Position B & F	Category B
Alcohol, Drugs and Tobacco A & B	Category A
Alcohol, Drugs and Tobacco C-1	Category D
Alcohol, Drugs and Tobacco C-2	Category C
Assistance of Fellow Employees/Agencies	Category C
Conduct Standards B, F, I, & J	Category A
Conduct Standards A	Category B
Conduct Standards G & H	Category C
Conduct Standards C, D, & E	Category D
Duty Responsibilities	Category C
Departmental Reports B & C	Category A
Departmental Reports A	Category C
Intervention A	Category A
Intervention B & C	Category C
Knowledge of Regulations	Category C
Neighborhood Disputes	Category D

Off Duty Services	Category C
Public Statements and Appearances A	Category A
Public Statements and Appearances B & C	Category B
Public Statements and Appearances D & E	Category D
Telephone Requirements	Category D
Reporting for Duty B & C	Category B
Reporting for Duty A	Category C
Supervision	Category A or B
Fraternization	Category A

II. Procedures

A. Special Procedures Involving Internal Investigations

1. Allegations Involving Alcohol or Illegal Drug Consumption While on Duty. (see also Section 5-9 of the [City of Graham Personnel Policy](#))
 - 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 they 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 they 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 [GPD 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 \(#29\)](#), or complete one on their behalf, 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. When receiving a complaint, supervisors should have the complainant complete the [Citizen Complaint Form \(29\)](#), or complete one on their behalf.
- d. 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.
- e. The supervisor taking the complaint will enter the information from the [citizen complaint form](#) into the EMCOT module of LEFTA. The complaint is then forwarded to the Assistant Chief of Police or designated IA Administrator within LEFTA.

- f. Shift Supervisors investigate complaints as assigned from the Internal Affairs Administrator, the Assistant Chief of Police, or their designee.
 - g. Upon completion of non-serious complaint investigations, supervisors will route their findings through their chain of command. All documents associated with the investigation shall be attached in the EMCOT module of LEFTA and submitted to the Assistant Chief for final review.
 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 beginning and 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 (see [City of Graham Personnel Policy](#) Section 9-5 and Section 10-2).
 - b. Facilitates pre-disciplinary conference for imposed discipline of 5-day suspensions or greater. (Reference [City of Graham Personnel Policy](#) Section 9-5)
 - 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 through LEFTA. 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 to the Assistant Chief of Police utilizing LEFTA. The Chief of Police is automatically notified when any complaint is entered in LEFTA.

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 the complaint notification process as set out in this policy.
 - c. Supervisors will gather information and conduct interviews as necessary for the investigation. They will provide thorough documentation detailing their findings and recommendations for disposition and discipline as outlined in this policy. This documentation will be included in the comments section of the EMCOT entry within LEFTA.
2. 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. They 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 with periodic updates utilizing [GPD Form 29I](#).

2. 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](#), or [GPD Form 29D-1](#).
3. 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. Notification of Allegations and Rights - The Assistant Chief 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 they made. An employee may consult an attorney while they are 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 and/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/or video

- recordings during the course of an internal investigation (i.e.: during an interview).
3. Photographs may be taken of departmental employees which can be utilized during Administrative and/or Internal Affairs Investigations involving eyewitness identification.
 4. An employee may be asked to participate in a line-up for the purpose of eyewitness identification. Failure to participate may result in disciplinary action.
 5. An employee may be asked to submit financial disclosure statements when the records are related to the investigation. Failure to do so may result in disciplinary action.
 6. Upon the order of the Chief of Police or their 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 their 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 and 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 their 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 the issuance of the discipline will

prepare a 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. The Chief of Police shall consult with the Human Resources Director to discuss the recommended punitive action. The employee will be notified of a pre-disciplinary conference, utilizing the [City of Graham Disciplinary Action Form](#). At that time, the employee will be allowed to respond to the charges.

- 3. If the investigated employee separates from city employment prior to the conclusion of the investigation, the 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. Training in lieu of or as a function of discipline should only be used for initial violations of conduct standards. Repeated offenses of the same standard should result in the next, appropriate, higher level of discipline.
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/Coaching 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 using the [City of Graham Disciplinary Action Form](#) and in the annual performance evaluation system journal entry for the involved officer.

M. Procedures and Criteria for taking Disciplinary Actions - Disciplinary actions should be taken in accordance with [City of Graham Personnel Policy](#) Division 9 -“Discipline” and in conjunction with this policy (Internal Investigation) and [GPD Policy 03 \(Rules of Conduct\)](#). Grievances and appeals arising out of disciplinary actions will follow the

procedures described in the [City of Graham Personnel Policy](#) 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 (training as a form of discipline, counseling/coaching, 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. They 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 they 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 an 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. A Watch Commander is authorized to act with the same authority as the Division Commander in the Division Commander's absence.
 - 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 authority as the Chief in regard to their respective function of command. If the Assistant Chief is also unavailable, 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.

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 their designee, citing the reason for dismissal, including:

1. The effective date of dismissal;
2. A statement of the status of accrued employee 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](#) (Division 10) and the Graham Police Department Policies and Procedures. In accordance with [City of Graham Personnel Policy](#) Sec. 10-2, 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 Director.
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 from the City of Graham Human Resources Director 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 Complaint, Internal Investigation, and Disciplinary Records –

- A. The Graham Police Department requires written records of disciplinary submitted

through the chain of command to the Chief of Police.

- B. City of Graham Human Resources Director maintains the official personnel files for all city employees. These files are stored securely and kept confidential in accordance with [NCGS 160A-168](#). Access to official personnel files is described in the [City of Graham Personnel Policy](#) Section 11-2. Records retention and destruction are addressed in Section 11-3 and 11-8. All departmental disciplinary records will be forwarded to the Human Resources Director for secure storage when finalized.
- C. Completed complaint investigations classified as unfounded, exonerated, or not sustained will be maintained in LEFTA.
- D. Sustained Complaint records shall be maintained in LEFTA and all disciplinary forms will be filed in the employee's departmental personnel file in a secured server folder.
- E. Paper complaint investigation records prior to 2023 are secured in the office of the Chief of Police.
- F. Records maintenance and security
 - 1. Records of complaints and internal investigations are maintained in LEFTA according to the appropriate records retention schedule.
 - 2. Each investigation file in LEFTA is assigned a case number that begins with the year that the complaint/IA was filed followed by additional sequential numbers until the end of that calendar year.
 - 3. No Internal Affairs investigative records will be purged by department personnel.
 - 4. Internal Affairs investigative records are maintained by the Department and will be produced to the Human Resources Director under the following circumstances:
 - a. Upon request of the City Manager or the Human Resources Director while the employee is still actively employed.
 - b. Upon separation of the employee.
 - 5. Records of investigations initiated prior to 2023 are maintained in a secured manner. Paper records are stored in a locked cabinet in the office of the Chief of Police. Electronic files are stored in a secured folder with limited access on the department's server between 2012 and 2022. Records created in 2023 and beyond are maintained in LEFTA.

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 for registering complaints against the Department and its employees, through

such means as the news media, annual reports, Community Relation Programs and our police department's internet website.