

A. PURPOSE. To outline the organization and responsibilities of the Internal Affairs Unit (IAU).

B. GOALS

1. Investigate and promptly resolve allegations of employee misconduct.
2. Maintain the integrity of the Grand Rapids Police Department through the operation of a competent, objective, fair, and impartial internal investigation, and review system.
3. Oversee all accreditation processes to ensure compliance with outlined requirements.

C. DEFINITIONS

1. *Qualifying Complaint*: an allegation amounting to a specific act or omission which, if proven true, would amount to employee misconduct or an expression of dissatisfaction with a policy, procedure, or practice of the agency.
2. *Misconduct*: an act or omission by an employee which, if proven true, would normally result in some form of discipline or remediation under the Manual of Procedures.

D. ORGANIZATION. The IAU Commander reports directly to the Chief of Police.

E. SPECIFIC RESPONSIBILITIES

1. Receive and investigate qualifying complaints regarding misconduct of Police Department personnel. The Internal Affairs Unit will exercise all due diligence in attempting to clarify the nature of the allegation when determining if it amounts to a qualifying complaint.
 - a. Receive and investigate qualifying complaints which fall under City Commission Policy 800-02 made by individuals who contend that they have been mistreated by police officers through: the use of excessive force; falsification/lying; civil rights violations; or through hostility, discourtesy, or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice.
 - b. Class 1 Complaints involve allegations of Civil Rights or criminal law violations. Class 1 complaints, if sustained, may include discipline, up

to and including termination. Class 1 complaints are reviewed by the Chief of Police.

- c. Class 2 Complaints, while serious, do NOT constitute Civil Rights or criminal law violations. If sustained the corrective action may include discipline, up to and including termination. Class 2 complaints are reviewed by the Chief of Police.
 - d. Class 3 Complaints involve minor allegations and are NOT Civil Rights or criminal law violations. If sustained the corrective action would be non-disciplinary in nature, such as verbal coaching or supplemental training. Class 3 complaints are reviewed by the IAU Commander and typically handled by the employee's first line supervisor.
 - e. The described classes serve as a guideline and are not meant to be all inclusive. Extenuating circumstances and other factors may be considered when determining the Complaint Disposition Report.
 - f. The statute of limitations for investigating a complaint will be six (6) years. Deviations from this policy may be granted at the discretion of the Chief of Police.
- 2. Jointly investigate any notice of claim or civil suit regarding any Police Department personnel with the City Attorney's office.
 - 3. Investigate all incidents involving the discharge of firearms by Police Department officers except when used for the humane disposal of animals.
 - 4. The Department will maintain liaison with the state and/or federal prosecuting attorney's office while conducting investigations involving alleged criminal conduct on the part of any Police Department officer or employee.
 - 5. Make available to the community, in an appropriate manner, the procedures for registering complaints against the Police Department and/or any of its personnel.
 - 6. Maintain, in a secured area, records pertaining to Internal Affairs Unit investigations.
 - 7. Maintain all departmental accreditation processes.

8. Assist with compilation of the annual report, including departmental goals, for the next year.
 - a. Goals will be identified by input from unit and service area commanders.
 - b. Goals identified for the next year will be reviewed and approved by the Chief of Police.
9. Coordinate annual analyses in conjunction with Units identified within the Manual of Procedures.
 - a. Use of force incidents and policies
 - b. Police pursuit incidents and policies
 - c. Department recruitment plan
 - (1) Progress toward stated objectives
 - (2) Revisions as needed
 - d. Early Intervention System (EIS)
 - e. Crime analysis processes and procedures
 - f. Impartial Policing practices
 - g. Active Threats policies and training needs
10. Provide accreditation training for department personnel.
 - a. For newly hired employees within 30 days of their start date
 - b. For all employees during any self-assessment period
 - c. For all employees prior to any on-site assessment
11. Maintain Written Directives in the Document Management System (DMS).

- a. Update Written Directives as directed by the Chief of Police or their designee.
- b. Maintain electronic access to Written Directives, using the DMS, for all department personnel.

12. Assist with departmental planning and research projects.

13. Other related tasks assigned by the Chief of Police.

F. COMPLAINT FILING PROCEDURE

1. Allegations of misconduct arise from:
 - a. direct complaints
 - b. information received from anonymous sources
 - c. fellow co-workers, and supervisors
 - d. from a review of notes, reports, or documents generated because of the Police Department's operations.
2. Individuals may make qualifying complaints alleging misconduct by Police Department employees by contacting:
 - a. Internal Affairs Unit
 - b. Any Police Department Supervisor
 - c. City Attorney
 - d. Labor Relations Manager
 - e. Office of Oversight and Public Accountability
3. A qualifying complaint may be received in person; telephonically; through the internet; or by mail.
4. Police Department employees who are contacted by an individual desiring to make a complaint of misconduct:
 - a. May attempt to amicably resolve the complaint but shall not prevent or discourage any citizen from lodging a formal complaint.

- b. Shall refer the complainant to the Internal Affairs Unit or their immediate supervisor.

G. INVESTIGATION

1. All qualifying complaints received will be fully and properly investigated by the Internal Affairs Unit with a view toward maintaining the integrity of the Police Department and the confidence and trust of the community regarding the Police Department and its employees. Investigations will be completed within ninety (90) days after the complaint is received. Extensions for investigations may be granted by the Chief of Police and documented in the Complaint Disposition Report.
2. The Internal Affairs Unit will prepare a Complaint Intake Report after receiving a qualifying complaint from an individual or an employee of the Police Department, or after receiving a complaint filed with one of the other previously listed entities. The Complaint Intake Report contains a summary of the allegations that have been received for investigation. The original Complaint Intake Report will be retained by the Internal Affairs Unit in its centralized complaint file. A copy of the Complaint Intake Report will be provided to any employee against whom a complaint has been filed, unless the complaint involves alleged criminal activity. Providing a copy of the Complaint Intake Report to the employee is not a condition precedent to beginning investigative activity or the City's later imposition of disciplinary action.
3. The Internal Affairs Unit investigation will include collection of documentary evidence, witness interviews, and an examination of relevant laws, policies, and procedures. At the completion of the investigation, the Internal Affairs Unit, with the assistance of an Assistant City Attorney, will prepare a Complaint Investigation Report and a proposed Complaint Disposition Report for Class 1 and 2 qualifying complaints. The Complaint Investigation Report is a summary of the facts regarding the complaint and contains witness statements and relevant reports. The Complaint Disposition Report analyzes the facts and contains conclusions regarding whether the actions of the police department employee violated Police Department Rules or Regulations. The Complaint Investigation Report and the proposed Complaint Disposition Report will be submitted to the Chief of Police. If the proposed Complaint Disposition Report includes a conclusion that the actions of the police department employee violated Police Department Rules or Regulations, a copy of the proposed Complaint Disposition

Report will be submitted to the Labor Relations Division for a recommendation regarding appropriate disciplinary action.

4. No Internal Affairs Investigator will investigate a complaint against an employee of greater rank, unless approved by the Chief of Police.
5. Internal Affairs Investigators shall advise the Chief of Police of any actual or apparent conflict of interest, or the inability to conduct an objective and unbiased investigation, with the parties involved in the investigation. Conflict of interest includes, but is not limited to, financial dealings, business dealings outside of the Police Department, familial ties, or close social relationships.
6. Final determination for investigation shall rest with the Chief of Police, unless the investigation involves the Chief of Police, in which case the final determination shall rest with the City Manager. The assignment of a special investigator shall be documented in the Complaint Disposition Report.

H. DISPOSITION OF INVESTIGATIONS INVOLVING CLASS 1 AND CLASS 2 QUALIFYING COMPLAINTS

1. The Chief of Police will review the Complaint Investigation Report and the proposed Complaint Disposition Report and may review the investigation file. After completion of this review, the Chief of Police will approve a Complaint Disposition Report.
2. If the Complaint Disposition Report concludes that the qualifying complaint is sustained because the actions of the department employee violated police department rules or regulations, the Chief of Police will review the recommendations of the Labor Relations Division and issue a Complaint Action Report, specifying the disciplinary or other action to be taken because of the conclusions reached in the Complaint Disposition Report. A copy of the Complaint Disposition Report and the Complaint Action Report will be provided to the police department employee involved. A copy of the Complaint Disposition Report will be mailed to complainant at their last known address.
3. If the Complaint Disposition Report concludes that the complaint is not sustained, was unfounded, or that a department employee is exonerated, a copy of the Complaint Disposition Report will be provided to the department employee.

- a. A copy of a Class 1 or Class 2 Complaint Disposition Report will be mailed to the complainant at their last known address.
 - b. Qualifying complaints that are filed by an individual who believes they have been mistreated by police officers will receive information, if applicable, advising them of their right to appeal the conclusion reached in the Complaint Disposition Report to the Civilian Appeal Board if the investigation concerned qualifying complaints within the scope of City Commission Policy No. 800-02.
 - c. In instances where the investigation concerned qualifying complaints within the scope of City Commission Policy No. 800-02, the complainant and the officer will be advised that the conclusions contained in the Complaint Disposition Report will become final unless the complainant files a timely written appeal to the Civilian Appeal Board.
 - d. If the nature of the qualifying complaint does not fall within the scope of the Civilian Appeal Board Policy, the Complaint Disposition Report will be mailed to the complainant's last known address, and the complainant and the officer will be advised that the disposition is final.
 - e. Only the Internal Affairs Unit is authorized to send appeal forms to complaints within the scope of City Commission Policy No. 800-02.
4. If a timely appeal is taken to the Civilian Appeal Board, the staff of the Internal Affairs Unit will provide a copy of the Complaint Investigation Report and the Complaint Disposition Report along with the evidence secured by the Grand Rapids Police Department during the investigation to the Civilian Appeal Board for its review. A member of the Internal Affairs Unit will be present at the meeting of the Civilian Appeal Board to answer procedural questions regarding the investigation. If the Civilian Appeal Board concludes that the police officer(s) violated Grand Rapids Police Department Rules or Regulations, the City Manager will review the recommendations of the Labor Relations Division and issue a Complaint Action Report specifying the disciplinary or other action to be taken as a result of the decision of the Civilian Appeal Board. A copy of the decision of the Civilian Appeal Board and the Complaint Action Report will be provided to the police officer(s) involved.
 5. A copy of the approved Complaint Disposition Report, the decision of the Civilian Appeal Board, and any Complaint Action Report that is issued will be placed in the Internal Affairs Unit investigative file.

6. After an internal investigation is “closed,” the investigative file will be maintained by the Internal Affairs Unit for a period outlined under the document retention schedule.
7. Except as otherwise provided by law or judicial directive, no one is permitted to review any record, document, or file in the Internal Affairs Unit without the approval of the Chief of Police.

I. MONITORING

1. The Chief of Police, the City Manager, the City Attorney, and the Labor Relations Manager, in addition to other City staff deemed appropriate, shall meet periodically to review Grand Rapids Police Department misconduct complaints, and make recommendations on policy changes or other matters affecting the efficient and effective operation of the Internal Affairs Unit.
2. Internal Affairs Unit summaries of complaint investigations shall be regularly provided to the Chief of Police, the City Manager, the City Attorney, and the Labor Relations Manager.
3. Annual Internal Affairs Unit statistical summaries, based upon the records of internal investigations, shall be provided to the Chief of Police and the City Manager.

J. EARLY INTERVENTION SYSTEM (EIS)

1. The Internal Affairs Unit shall administer an EIS. The EIS will provide a systematic review of select activities regarding employee performance.
2. An alert for supervisory review will be generated by the EIS when an employee reaches the established threshold below. Supervisory review will be conducted by the employee’s unit commander and will include a review of the incidents which contributed to the alert. Upon completion of the review, the unit commander shall prepare a summary of the review, including any supervisory recommendations, which shall be forwarded to the IAU. The unit commander shall coordinate and monitor any recommendations established for the employee.
 - a. 12 Use of Force incidents in a 12-month period
 - b. 5 Internal Affairs complaints in a 12-month period

3. The EIS employs intervention strategies that are not punitive or disciplinary in nature. The consideration of incidents that lead to an alert does not imply that these incidents have been or will be sustained and intervention strategies may include coaching, supplemental training, or referrals to employee wellness services.

CITY COMMISSION POLICY**800-02****SUBJECT: GRAND RAPIDS POLICE DEPARTMENT CIVILIAN APPEAL BOARD**

PURPOSE: To encourage compliance with rules and regulations concerning the conduct of police officers during interactions with citizens; to encourage individuals who believe they have been mistreated by police officers to use the internal complaint process of the Grand Rapids Police Department to have that officer's conduct reviewed; to create a process that fairly and evenhandedly evaluates and judges the conduct of everyone involved to determine whether or not a breach of departmental rules and regulations has occurred; and to afford the community a sense of confidence that the community itself is involved as necessary in reviewing the activities of its police officers.

POLICY: A Civilian Appeal Board is hereby established within the Grand Rapids Police Department to act as a reviewing body for findings of fact made by the Grand Rapids Police Department with respect to complaints made by individuals who believe that they have been mistreated by police officers through:

- (a) the use of excessive force;
- (b) falsification/lying;
- (c) civil rights violations; and
- (d) hostility, discourtesy or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice.

For purposes of this policy, "racial animosity or prejudice" is evidenced by derogatory conduct or discriminatory behavior which involves expressions of prejudice through words, gestures, or actions directed at an individual based upon that person's race, color, religion, gender or national origin.

(1) Membership, Term of Office and Vacancy. The Civilian Appeal Board shall be comprised of nine (9) members. Each City Commissioner shall nominate one member, and the Mayor shall nominate three (3) members. The Mayor's nominations shall be made so as to encourage that the members selected for the Civilian Appeal Board constitute a diverse representation of the community at large. The Civilian Appeal Board shall be composed of those nominees approved by the City Commission.

Appointments to the Civilian Appeal Board shall be effective the first Monday in May for a term of two (2) years. No member shall serve on the Civilian Appeal Board more than three (3) consecutive full or partial terms or a total of six (6) years. Residency within the city is a continuing qualification for office for those members appointed. Members shall be deemed to have vacated and resigned their office if they cease to be a resident of the city during their appointed term. Mid-term vacancies will be filled as they occur by the appropriate appointing authority for the remainder of the term of the member leaving the Civilian Appeal Board. No individual may be appointed to a fill a vacancy unless they would be able to serve out the entire term.

(2) Investigation of Complaints. Individuals with complaints alleging that they have been mistreated by police officers through the use of excessive force; falsification/lying; civil rights violations; or through hostility, discourtesy or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice, will be referred to the Internal Affairs Unit of the Grand Rapids Police Department. The Staff of the Internal Affairs Unit, with the assistance of an Assistant City Attorney, will conduct an investigation and prepare a proposed "Complaint Disposition Report" containing a summary of the facts regarding the complaint and a conclusion regarding whether the police officer(s) violated Grand Rapids Police Department Rules or Regulations. The Complaint Disposition Report, when approved by the Chief of Police, will be provided to the police officer(s) involved, the City Manager, the City Attorney, and the Labor Relations

Division of the Human Resources Department. A copy of the Complaint Disposition Report will also be mailed to the complainant(s) at their last known address together with information advising the complainant regarding their right to appeal the conclusion reached in the Complaint Disposition Report to the Civilian Appeal Board.

(3) Review by Civilian Appeal Board. If the Complaint Disposition Report concludes that the complaint is not sustained, was unfounded or that the officer is exonerated, the complainant may appeal to the Civilian Appeal Board by filing a written request for review with the City Attorney's Office within fourteen (14) calendar days after the date of mailing of the Complaint Disposition Report. If a timely appeal is filed, the Civilian Appeal Board will review the conclusions contained in the Complaint Disposition Report and the evidence secured by the Grand Rapids Police Department during the investigation. The Civilian Appeal Board is not authorized to engage in separate investigations, to interview witnesses, or to hold evidentiary hearings, but it may remand the case to the Labor Relations Division to conduct supplementary interviews with the complainant, the officer(s), and witnesses in the event that it considers the record to be inadequate to complete its review. The Labor Relations Division will provide a written report to the Civilian Appeal Board summarizing the actions taken and information received during the supplemental investigation.

The Civilian Appeal Board will meet as necessary to consider the matters referred to it in a timely fashion. Representatives of the Grand Rapids Police Department and the City Attorney's Office will be present during the review process to provide information regarding the scope of the investigation and to answer legal questions. At the conclusion of its deliberations, the Civilian Appeal Board will prepare a written decision affirming, reversing, or modifying the conclusions contained in the Complaint Disposition Report. If the Civilian Appeal Board reverses or modifies the conclusions in the Complaint Disposition Report, the written decision must contain sufficient detail to explain the reason for the reversal or modification. The Civilian Appeal Board has no jurisdiction to impose discipline or to recommend that discipline be imposed and its decision will not address or recommend potential disciplinary action. The decision of the Civilian Appeal Board will be submitted to the City Manager and a copy of the decision will be provided to the complainant(s), the police officer(s) involved, the City Attorney, the Police Chief, and the Labor Relations Division.

(4) Final Disposition. The Complaint Disposition Report as affirmed, modified or reversed by the decision of the Civilian Appeal Board will constitute the City's final disposition regarding the complaint. If the decision of the Civilian Appeal Board concludes that the police officer(s) violated Grand Rapids Police Department Rules or Regulations, the City Manager will determine the disciplinary or other action to be taken.