P.O. 209 Complaints and Administrative Investigations			
Effective From:	7-20-2026	Effective To:	Current

P.O. 209 – Complaints and Administrative Investigations

1. POLICY
   - i) It is the policy of the Department of Public Safety and Public Safety Services to safeguard public trust and confidence in the Department and its members to investigate all complaints against the Department or its personnel properly by upholding all state and federal laws and all established policies.
2. PURPOSE
   - i) This policy establishes guidelines for the reception, assignment, and investigation of complaints involving the general public and any Department of Public Safety or Public Safety Services employee.
3. DEFINITIONS
   - i) Employee – Any person employed by the Department of Public Safety and Corrections, Public Safety Services.
   - ii) Misconduct – Unacceptable or improper behavior, violation of policy or law, or poor performance by an employee.
   - iii) Complaint – An allegation of misconduct against an employee.
   - iv) Complainant – A person who makes a complaint alleging misconduct against an employee.
   - v) Administrative Investigation – A non-criminal investigation of a Policy & Procedure violation conducted by an authorized representative of the Department.
   - vi) Operational Assignment – Any duty or position involving direct participation in field activities, including enforcement, response, or routine interaction with the public.
   - vii) Loudermill Letter – Letter prepared by the Office of Legal Affairs and provided to the employee, notifying them of the Department's intention to discipline them
   - viii) Disciplinary Action – corrective action in response to employee misconduct.
     - a) Troopers are governed by LSP Commission Rule Chapter 12
     - b) All other Civil Service Employees, including DPS Police Officers, are governed by Civil Service Rule Chapter 12
     - c) The State Civil Service Commission and the Louisiana State Police Commission have recognized that the provisions of R.S. 40:2531 are an unconstitutional infringement on their constitutional authority to hear and decide disciplinary appeals and will not enforce the statute's provisions. The Louisiana State Police Commission has adopted a set of minimum standards, which govern administrative investigations of Louisiana State Troopers, contained in Chapter 12 of the Louisiana State Police Commission Rules.
     - d) The provisions of R.S. 40:2531 may serve as a guideline in conducting administrative investigations of commissioned officers whom the State Civil Service Commission governs.
4. RECEIVING COMPLAINTS
   - i) Any person may initiate complaints against the Department or its personnel. Initial complaints may be made in person, by telephone, email, or in writing. Any employee who receives a complaint will report the complaint immediately to the on-duty supervisor. The on-duty supervisor receiving the complaint will talk with the complainant if possible. The on-duty supervisor shall initiate a Personnel Complaint Referral Form (DPSSP 4424) within 48 hours of receipt of the complaint. The supervisor or, in their absence, the acting supervisor shall receive all complaints with an unbiased, nonjudgmental attitude.

ii) If the complainant is anonymous, the supervisor receiving the complaint shall complete as much of the Personnel Complaint Referral Form (DPSSP 4424) as possible, given the information received within 48 hours of receipt of the complaint.

iii) When receiving the complaint, the supervisor should ask:

a) The name of the employee(s) involved, and physical descriptions, if possible

(1) If the employee's identity is unknown by the complainant, the supervisor shall use all available means to determine the employee's identity.

b) The date, time, and place the alleged misconduct was witnessed.

c) Any witnesses' names, addresses, phone numbers, and other relevant information.

d) The nature and extent of any injuries sustained by the complainant, and if medical treatment was provided, the physician's name and/or location where treatment was rendered.

e) If photos have been taken of any visible injuries the complainant sustained or any property damage associated with the complaint. If not, the supervisor should attempt to document the injuries or damage claimed by the complainant.

f) Any opinion the complainant may have on why the incident transpired.

(1) Complaints relative to differences of opinion between police officers and citizens over the issuance of traffic citations do not come under the purview of this order. The complainant should be advised to pursue the matter through the judicial system for resolution; however, this does not prevent the supervisor from completing the Complaint Referral Form (DPSSP 4424A) and submitting the completed form within the timeframe provided.

iv) All Complaint Referral Forms (DPSSP 4424A) shall be forwarded to the affected employee's LSP/DPS Commander and Internal Affairs within 48 hours of receipt of the complaint via email.

v) Upon receipt of the complaint referral form, the LSP/DPS Commander must forward the information to Internal Affairs within 48 hours for review via email at InternalAffairs@LA.GOV. The Troop/Section Commander has fourteen (14) calendar days to initiate a Non-IA investigation.

a) Each LSP/DPS Commander and Internal Affairs shall create a complaint file to document and track each complaint received. The file will be retained in a secure location for three (3) calendar years.

5. INVESTIGATING COMPLAINTS

i) Upon receipt of the Personnel Complaint Affidavit, the Troop/Section Commander shall determine if the allegation, if sustained, would warrant disciplinary action.

ii) If it appears that the issue is nothing more than a complainant's lack of knowledge of Department policies and procedures, no investigation needs to be conducted, and no report needs to be filed.

iii) Once the Troop/Section Commander determines an investigation will be initiated, the Commander shall immediately forward the request for a Non-IA through their respective chain of command. If the request is approved, the Commander shall contact the Internal Affairs Section to be assigned an IA liaison and obtain a tracking number, which will be affixed to all documents related to the specific case.

6. REMOVAL FROM OPERATIONAL ASSIGNMENT

i) When any employee's actions in an official capacity result in the death or serious bodily injury of another person, the employee's Commander or designee shall notify the chain-of-command in accordance with P.O. 208 Command Notification Procedures. The appointing authority or designee shall then remove the employee from all operational assignments for a minimum of five calendar days.

ii) The appointing authority or designee shall take into consideration three components when determining when an employee can return to regular duty:

a) The preliminary findings of any criminal investigation;
b) The applicable Troop/Section Commander's assessment of the Employee's well-being; and
c) The Trooper and Employee Assistance Program (TEAP) has offered the employee assistance to reduce short- and long-term emotional and physical stress from the event.

iii) The provisions in this section do not apply to Use of Force. In all Use of Force events, the administrative leave requirements outlined in P.O. 238 Use of Force take precedence.

7. INVESTIGATIVE AUTHORITY

i) The Internal Affairs Section shall investigate the use of force complaints that result in the complainant receiving medical treatment, bias-based/racial profiling complaints, and all other complaints as directed by the Appointing Authority.

ii) Troop/Section Commanders shall be responsible for investigating minor property and procedural complaints. Commanders may delegate this responsibility to a supervisor.

iii) If the Troop/Section Commander or designee begins a Non-IA Administrative investigation and determines that the complaint is more serious than originally thought, he/she shall suspend the investigation and promptly request through the chain of command that Internal Affairs assume the investigation responsibility. The Commander shall forward a summary of the administrative investigation, together with all documents and related evidence, through the chain of command to the Assistant Superintendent.

iv) If during an administrative investigation facts are revealed that indicate a potential violation of criminal law, the investigation will be suspended and immediate notification made to the Assistant Superintendent for a decision of whether a criminal investigation is warranted.

v) Complaints relative to differences of opinion between police officers and citizens over the issuance of traffic citations do not come under the purview of this order. The complainant should be advised to pursue the matter for resolution through the judicial system. However, such a complaint, which also alleges any violation of law or policy, shall be investigated in accordance with the procedures outlined in this order.

vi) All requests for an Internal Affairs investigation originating from a source other than a Complaint Referral form shall be promptly forwarded through the LSP/DPS Commander's chain of command to the Commander of Internal Affairs via email or written correspondence. After review by the Commander of Internal Affairs and submission to the Assistant Superintendent/Chief of Staff for their evaluation of the complaint, the Assistant Superintendent/Chief of Staff may direct the Internal Affairs Commander in writing to investigate the complaint. The Internal Affairs Commander will notify the employee's chain of command that an investigation will commence.

vii) The Assistant Superintendent/Chief of Staff shall review all available information and/or evidence to determine if an investigation is warranted. If the investigation is deemed warranted by the Assistant Superintendent/Chief of Staff, the Internal Affairs Commander shall enter the information into the LSP Internal Affairs Case Management database.

viii) Internal Affairs shall issue a notification letter to the employee who is the subject of an Internal Affairs investigation, but the employee notification may be withheld if such information might impede the investigation or if the nature of the allegation(s) warrants a delay.

ix) This letter shall serve as notice to the employee of the following:
a) that a complaint against them has been received and
b) that an investigation has been initiated.

x) The letter shall also include the employee's rights and responsibilities during the investigation, including:

a) Internal Affairs investigators or designated Administrative Investigators shall receive the full cooperation of any employee of the Department of Public Safety and Corrections, Public Safety Services, during the course of an administrative investigation.
b) Employees shall obey any lawful order or directive the investigator gives during an investigation.
c) Ongoing administrative investigations are considered confidential, and as such, officers shall not violate that confidentiality. Those in violation are subject to disciplinary action.

xi) Care should be taken concerning the confidentiality of the investigative procedures at all times.

xii) All interviews should be conducted in secure areas to ensure the confidentiality of the information provided.

xiii) These guidelines are not intended to be all-inclusive. Additional steps may be necessary and required, depending on the complexity of the particular case.
a) All employees having knowledge of the alleged incident or information related thereto shall be required to provide a recorded statement.
b) All other persons/witnesses having knowledge of the alleged incident or information related thereto should be required to provide a recorded statement.
c) The Department's preferred method of obtaining a recorded statement is via digital audio recording. However, a written statement may suffice if this is not feasible for interviewing complainants or witnesses.
d) The Department requires that prior to formal questioning or interviewing, the employee shall be advised of their administrative rights as noted on the Administrative Advice of Rights Form. The entire session shall be recorded, including reading the Administrative Advice of Rights Form.
e) The accused employee should not be permitted to read the written statement of the complainant or witness(s) until the administrative investigation is concluded. For purposes of this policy, an administrative investigation shall not be deemed concluded until an employee has exhausted all appeal rights.
f) Upon written request of the accused employee, they shall be provided a copy of their recorded statement.

xiv) Investigators shall:
a) Complete all administrative investigations within sixty calendar days.
b) Gather and review all departmental records or reports which may relate to the incident. These documents also serve as a basis for questioning the complainant, witnesses, or employees. These records include, but are not limited to:
(1) Arrest reports
(2) Case reports
(3) Crash reports
(4) Chemical test results
(5) Audio/Video tapes
(6) Desk log
(7) Radio log
(8) All other written statements
(9) Interview all other civilian witnesses.
(10) Interview all other departmental witnesses.
(11) Interview the accused employee(s).
c) Request the complainant to provide documentation that may be relevant to the investigation, including, but not limited to:
(1) Medical records

(a) Request the complainant and/or employee to sign a Medical Release Form (DPSSP 4425), if needed, during the investigation.

(2) Citations
(3) Property damage
(4) Photographs
(5) Video

d) If facts indicate a potential violation of criminal law during an administrative investigation. The investigation will be suspended, and immediate notification will be made to the Assistant Superintendent/Chief of Staff to decide whether a criminal investigation is warranted.

8. FINAL REPORT PREPARATION

i) Review all documents, statements, and other evidence and prepare a complete and thorough final report.

ii) The report should not include Opinions that cannot be substantiated.

iii) The Internal Affairs final report shall include a summary of the incident and the policies identified by Internal Affairs for review by the Disciplinary Review Committee (DRC).

iv) If extenuating circumstances result in the administrative investigation exceeding applicable deadlines, the Internal Affairs Commander shall request an extension through their chain of command to the State Police Commission (SPC) or the SPC Executive Director. The Assistant Superintendent/Chief of Staff can enter into a written agreement with the employee, extending the investigation for up to an additional 60 days. Extension requests to the SPC or the SPC Executive Director shall be submitted in a timely manner to ensure sufficient time to petition the LSP Commission.

v) The Internal Affairs Commander shall ensure the report is finalized and properly routed for the Assistant Superintendent/Chief of Staff to determine appropriate action within 60 days of initiating the investigation unless an extension has been applied for and granted. Upon completion of the investigation, the final report will be submitted for review by the Disciplinary Review Committee. If the Assistant Superintendent/Chief of Staff or their designee determines that disciplinary action is not warranted, a decision page with the findings of the Disciplinary Review Committee will be submitted to the employee. The original administrative investigative report will be filed accordingly by Internal Affairs.

vi) If the Assistant Superintendent/Chief of Staff determines that disciplinary action is warranted, a written decision page with the finding of the Disciplinary Review Committee will be submitted to the employee. The Office of Legal Affairs will have 45 calendar days to prepare the Loudermill letter for the Assistant Superintendent/Chief of Staff's signature.

vii) After the Assistant Superintendent/Chief of Staff signs the Loudermill letter, it shall be delivered to the Internal Affairs Commander, who shall ensure it is delivered to the employee within seven calendar days.

viii) Employees have seven calendar days to respond to the Loudermill letter. If the employee responds, the Internal Affairs Commander shall immediately forward the response to the Disciplinary Review Committee members. If an employee does not respond, the Internal Affairs Commander or designee shall notify the Office of Legal Affairs that the time for response has expired.

ix) Upon notification that the response time has expired, the Office of Legal Affairs shall prepare a final letter of disciplinary action for the Assistant Superintendent/Chief of Staff's signature.

x) The Internal Affairs Commander shall ensure delivery of the final letter of disciplinary action to the employee's Commander, Command Inspector, or designee after the Assistant Superintendent/Chief of Staff signs it. The employee's Commander, Command Inspector, or designee shall ensure the letter is delivered to the employee.

xi) When the Assistant Superintendent/Chief of Staff signs the final disposition of an administrative investigation, the Internal Affairs Commander shall notify the employee and complainant of the conclusion of the investigation within seven calendar days.

xii) If an employee is dismissed or chooses to resign, LSP/DPS Commanders shall ensure that a Resignation and Exit–Interview Report (SF-14) is completed and the appropriate signatures obtained to provide proper notification of an employee's separation from employment.

xiii) If extenuating circumstances result in a routing process delay exceeding applicable deadlines, the Internal Affairs Commander shall forward a written explanation to the Assistant Superintendent/Chief of Staff.

xiv) If any allegation is sustained, the final report should cite the specific Procedural Order(s) violated by the employee. The LSP/DPS Commander for the employee should include recommendations for disciplinary action, training, or other corrective action in the final report.

xv) At the administrative investigation's conclusion, a report of findings shall be provided to the employee and the complainant. If the employee receives a final letter of disciplinary action, it will suffice as notification.

xvi) All files created during a complaint or formal internal investigation will be securely maintained within Internal Affairs.

xvii) All completed disciplinary actions will be forwarded to Human Resources and placed in the employee's personnel file.

9. DISCIPLINARY REVIEW COMMITTEES

i) Pursuant to L.A. R.S. 36:401, et seq, and Louisiana State Police Commission (LSPC) Rules, Chapter 1, and State Civil Service Commission (SCSC) Rules, Chapter 1, the Deputy Secretary of the Department of Public Safety and Corrections, Public Safety Services, is the Superintendent for the Office of State Police. The Superintendent or their designee may discipline employees in accordance with applicable LSPC or SCSC Rules.

ii) In order to reach fair and equitable decisions regarding discipline, the Superintendent or their designee may consult with anyone in the employee's chain of command. It may convene a disciplinary review committee to review the findings of an administrative investigation and make recommendations to them regarding the findings and discipline.

iii) Each DRC member shall review the applicable policy provisions and make a recommendation regarding the disposition for each alleged policy violation in accordance with the definitions outlined below:

a) Unfounded – The allegation is false or not factual.

b) Exonerated – The incident occurred but was lawful and proper or was justified under existing conditions.

c) Not sustained – There is insufficient evidence to prove or disprove procedural or criminal violation.

d) Sustained – There is sufficient evidence to prove a procedural or criminal violation.

iv) Other provisions of policy and procedures govern Fleet crashes, investigations of harassment and discrimination, and shooting reviews.

v) The consultation with a disciplinary review committee is in no way intended to usurp the authority of the Deputy Secretary or their designee, as they retain decision-making authority. Furthermore, these procedures are not intended to, nor do they create any other due process beyond that provided for in LSPC and SCSC Rules.

vi) A disciplinary review committee consisting of the Superintendent and/or the Assistant Superintendent/Chief of Staff, any or all Deputy Superintendents, the Major, and the Captain in the employee's chain of command may be convened.

vii) Any disciplinary review committee members may meet in person or otherwise participate in a meeting to consider any administrative investigation.

viii) The Assistant Superintendent/Chief of Staff should notify committee members of the date and time of any meeting. Members may also include Internal Affairs, the Office of Legal Affairs, any Subject Matter Expert (SME), or anyone else he deems appropriate to the process. The Superintendent or their designee may exclude anyone from a disciplinary review committee, and anyone may recuse themselves from a disciplinary review committee for any reason, including any conflict of interest or relation to the employee.

ix) If an employee submits a response to a Loudermill letter or the Superintendent or their designee determines a matter warrants additional consideration, any disciplinary review committee convened to initially consider the case may be reconvened by the Assistant Superintendent/Chief of Staff. The Assistant Superintendent/Chief of Staff may include additional persons in any subsequent meeting to aid the Superintendent or their designee in reaching a final decision.

x) Any meetings of any disciplinary review committee are considered to be a use of the deliberative process for determining findings of administrative investigations and discipline and are, therefore, privileged and confidential. Anyone revealing any information regarding the substance of any disciplinary review committee without the express permission of the Deputy Secretary/Superintendent is subject to discipline or other appropriate action. Furthermore, any legal advice or opinion that agency attorneys provide concerning administrative investigations and the disciplinary process is subject to the attorney-client privilege.