I. **PURPOSE**

The purpose of this General Order is to ensure the integrity of the Sheriff’s Office by establishing procedures for handling complaints against members of the agency. The procedures outlined will ensure the prompt and thorough investigation of incidents to clear the innocent or establish cause for a sustained finding, safeguard the rights of employees who are the subject of such investigations, and facilitate suitable disciplinary action, policy revision, or applicable training.

II. **POLICY**

The mission of the Internal Affairs Unit is to protect the public trust and to maintain the integrity of the Loudoun County Sheriff’s Office. The policy of the unit is to conduct thorough, fair, and objective investigations. Investigations must be designed to develop all relevant facts necessary for a fair determination of the issue in question. They should not be slanted to favor any particular interest, affect any particular outcome or shield any relevant facts from disclosure. Law enforcement personnel, like all citizens, are protected by the guarantees of the Constitution, but as public employees, they are in a special and unique position of public trust and responsibility. The public and the agency each have an important interest in expecting employees to provide frank and honest replies to questions that are directly related to the performance of their official duties and/or fitness for duty. This policy is promulgated in accordance with these considerations.

III. **DEFINITIONS**

A. Administrative Investigation: A non-criminal investigation conducted for the purpose of documenting the conduct, action or performance of an employee and to determine whether such conduct, action or performance is in compliance with agency policy or General Orders.

B. Administrative Inquiry: Initial inquiries are conducted and documented by command or supervisory personnel after receiving a complaint into the actions of an employee to determine the validity and seriousness of the complaint. These inquiries that do not lead to an official administrative investigation and would be considered minor misconduct, if proven true, shall be documented utilizing Blue Team.

C. Blue Team: A performance management software system that is used to support frontline or employee documentation, supervisory performance awareness, and accountability.
D. Complaint: Any allegation by an individual regarding an employee’s services, practices or procedures, claims for damages that allege employee misconduct, and any allegation of possible misconduct by an employee of the Sheriff.

E. Complainant: Any person who files a complaint regarding the conduct of any Sheriff’s Office employee, or the agency’s policies, procedures, or action.

F. Initial Review: Actions taken by command or supervisory personnel to gather sufficient facts regarding an incident involving an employee to determine if an administrative investigation is warranted. Initial reviews that do not lead to an administrative investigation are documented in Blue Team as an Inquiry.

G. Dissatisfaction with Service: Notification or complaint to the Sheriff’s Office of a situation or incident where an individual feels he/she was unfairly affected or where he/she is displeased with an agency policy or action. This could include:

1. Differences of opinion between a deputy and a citizen arising from the deputy’s performance of his/her duty.
2. The manner in which a deputy investigated a crime, traffic accident, or another service incident.
3. Challenge a deputy’s authority to arrest or write a summons for a particular charge.

H. Misconduct: Act or omission by an employee which, if proven true, would normally result in some form of discipline. This could include:

1. Commission of a criminal act
2. Neglect of duty
3. Violation of an agency policy, procedure, rule or regulation
4. Conduct that may tend to reflect unfavorably on the employee or agency

I. Relief from Duty: An administrative action whereby an employee’s official authority is suspended and the employee is temporarily relieved from performing the duties of his/her position.

J. Senior Management Assessment (“SMA”): Method of notification that a complaint was received by a supervisor and the evaluation made by senior management personnel for appropriate investigative assignment.
K.  CONFIDENTIALITY OF ONGOING OR COMPLETED INVESTIGATIONS

1. All personnel assigned to administer or review inquiries and investigations have an obligation to maintain the confidentiality of ongoing and completed investigations. Any release of investigative details, regardless of how minor in nature, seriously undermines the operational effectiveness of the Sheriff’s Office. Such disclosures may damage the reputations and careers of agency personnel. Those same disclosures may also expose the agency to unnecessary liability. Personnel found to be responsible for disclosing investigative details may be subject to disciplinary action.

IV.  COMPLAINTS/RESPONSIBILITIES

A.  Source of Complaints

1. A complaint can come from either an internal or external source. A complaint is an indication of a potential problem or misunderstanding. The openness of the agency’s acceptance of a complaint is a principal element of professionalism, accountability to the public, and community responsiveness.

B.  Receipt of a Complaint

1. A complaint may be presented to the agency in person, by telephone, electronically, or by letter. No employee shall attempt to discourage, interfere with or delay an individual from making a complaint.

2. If a complainant refuses to identify him/herself or the complaint is made anonymously, that fact alone will not preclude recording and forwarding the complaint for review, classification, and assignment. Anonymous complaints can be difficult to investigate; however, the receiving supervisor should carefully review each complaint for validation before disregarding it for lack of credibility.

3. Once the investigative authority has been assigned a complaint, it shall make every effort to contact the complainant immediately. The complainant should be provided with the reviewer’s contact information and be advised that he/she will be contacted upon the conclusion of the review and when the complaint is considered closed.

C.  Acceptance of a Complaint

1. Complaints received in-person/by telephone
a. The complainant should be referred to the on-duty supervisor of the applicable division. If an on-duty supervisor is not available or it is after hours, then the complaint will be initially taken by an on-duty Field Supervisor.

b. If a supervisor is not available, the complainant shall be provided with a Citizen’s Complaint form and should be told that the form may be completed online, if preferred.

c. Should a supervisor not be available and the complainant elects not to wait for one, contact information shall be obtained from the complainant and forwarded to an on-duty supervisor.

d. A complaint shall be accepted at any agency facility or by any supervisor, regardless of the assignment of the employee at issue. The receiving supervisor shall synopsize all practical information from the complainant and forward that information by email for a SMA. The SMA will review the details of the allegation(s) and determine the appropriate course of action.

e. In all cases, the complainant shall be provided with the name and telephone number of the receiving supervisor and, if known, the assigned supervisor or commander.

2. Complaints received in writing/electronically

a. When a complaint is received by mail or electronically, it will be synopsized forwarded by email to the SMA. The SMA will review the details of the allegation(s) and determine the appropriate course of action.

3. All complaints, no matter how they are received, shall be documented in Blue Team by the supervisor assigned to investigate the complaint.

V. ADMINISTRATIVE INQUIRIES/INVESTIGATIVE PROCEDURE

A. Complaint Review

1. Supervisors shall review all complaints received to determine their nature and extent. Whenever possible, supervisors should review the complaint with the complainant.

2. The reviewing supervisor may seek direction from the appropriate Division or Station Commander in determining the seriousness of the complaint and
how it should be handled.

3. The Sheriff shall be notified immediately by any member of the agency receiving information or a complaint of another member’s involvement in any alleged incident concerning the use of deadly force or criminal misconduct. Complaints of a minor nature should be forwarded to the Division or Station Commander for assignment to the investigating authority.

4. The Sheriff or Undersheriff will be advised by the investigating authority of any new information developed during the course of an investigation that may necessitate:

   a. Reassigning the accused deputy to other duties so he/she may receive closer supervision or be separated from the public or other deputies

   b. Relieving the accused deputy from duty or placing him/her on Administrative Leave.

5. The Internal Affairs supervisor should be notified immediately of incidents or complaints involving:

   a. Death or life-threatening injury due to a deputy’s actions

   b. The criminal arrest of an employee of the Sheriff

   c. Allegations of serious misconduct

6. If the complaint is received in person or the reviewing supervisor is present at the scene of the complaint, the supervisor shall take action to ensure that all relevant information and evidence is obtained at that time. All information obtained shall be forwarded to the assigned investigative entity as soon as possible.

7. An Initial Review should be conducted to establish the elements of the complaint and to determine the appropriate investigative entity if warranted. For a complaint to be valid, it must contain either:

   a. An allegation of a specific act or omission which, if proven true, would amount to employee misconduct, a violation of General Orders, or the Human Resources Handbook.

   b. An expression of dissatisfaction with a policy, procedure, practice, service level or legal standard of the agency.
c. A disagreement over the validity of a traffic summons is not normally grounds for a complaint. The complainant shall be advised that this is a matter for adjudication through the appropriate court system.

8. In some cases, the Initial Review of the complaint will determine that the actions of the employee were in compliance with the policy. In some cases, even if the allegations in the complaint were true, they would not constitute a violation of law or agency policy. The complainant should immediately be advised of this and provided with an explanation. The complaint shall be documented in Blue Team and forwarded to the Division or Station commander for review. Should he/she review and concur with the Initial Review, no further action will be taken.

9. If the Initial Review determines that a specific allegation exists which, if true, would involve serious employee misconduct or involve conduct or actions that would necessitate a formal investigation, the Division or Station Commander will determine how such investigations shall be documented. He/she may seek direction from the Undersheriff to determine who will investigate the complaint and how it will proceed.

10. When there are indications or accusations that an employee has been consuming alcohol while on duty and a complaint has been filed regarding such behavior, the accused employee may request alcohol and/or drug analysis test. Additionally, if reasonable suspicion exists that an employee has been consuming alcohol, using illegal drugs, is impaired or intoxicated while on duty, the investigating supervisor may require the employee to take an alcohol and/or drug analysis test in accordance with the Human Resources Employee Handbook. The time-lapse between the initial report or observation and the time of the test will be included in the initiating supervisor’s report, along with the result of the drug or alcohol analysis.

11. When there are sufficient facts to indicate that the act complained of is unethical, indecent, involves the physical mistreatment of another person, or when the accused has been drinking or is under the influence of drugs on duty, the employee may be immediately relieved from duty by any supervisor.

12. When the act complained of is a crime that might have resulted in arrest if the perpetrator had been a private citizen, the Sheriff shall be consulted for a decision as to whether the employee should be arrested forthwith, if a warrant for his/her arrest should first be obtained, or if criminal action should be delayed until the completion of the investigation. The Internal
Affairs Unit shall liaise with the criminal investigation in all investigations involving alleged criminal conduct on the part of an employee. In the absence of the Sheriff, the next ranking member of the Command Staff shall make the determination.

13. Statements will be taken from the accused and from witnesses and complainants when they are helpful or desirable in arriving at a sound conclusion. The criminal investigation shall be handled separately from the administrative investigation.

14. Should it be determined at any time during the investigation that the complaint is clearly unfounded, the investigation shall be terminated and, the evidence giving justification for the termination shall be forwarded to the Internal Affairs Unit. If the Internal Affairs Unit has investigated the case, the findings shall be forwarded to the Sheriff or his/her designee for review.

B. Investigative Responsibility

The Internal Affairs Unit shall be responsible for oversight of the acceptance, investigation, and adjudication of all complaints of employee conduct. The Internal Affairs Unit is directly responsible to the Sheriff and his/her designees.

1. The Internal Affairs Unit shall be responsible for the following administrative investigations unless otherwise assigned by the Sheriff or his/her designee:

   a. Allegations of:
   b. Criminal misconduct by an employee
   c. Unlawful discrimination
   d. Hostile work environment complaints by employees. These will be handled in conjunction with Loudoun County Human Resources staff.
   e. Excessive use of force
   f. Sexual misconduct by employees
   g. Corruption
   h. Workplace violence
i. Domestic violence incidents involving employees of the Sheriff’s Office

j. Crashes where a deputy, citizen, or offender is seriously injured because of a vehicle pursuit

k. Other complaints or incidents as directed by the Sheriff or his/her designee

2. Division or Station Commanders shall be responsible for the investigation of the following unless otherwise assigned by the Sheriff or his/her designee:

a. Complaints relative to differences of opinion between an employee and a citizen arising from the performance of duty

b. Complaints concerning the manner in which an employee investigated a crime, crash, or other calls for service

c. Complaints concerning minor infractions of regulations and/or the manner in which employee duties are performed

d. Complaints concerning a deputy’s authority to arrest or the propriety of a particular charge

e. Complaints concerning the dissatisfaction with policy, procedure, practice, service level, or legal authority of any core transaction or contact with the public and members of the agency.

f. Other complaints or incidents as directed by the Sheriff or his/her designee

C. Conducting the Investigation

1. For the supervisor(s) assigned a complaint to investigate, the following factors should be considered:

a. A detailed interview should be conducted with the complainant for the purpose of obtaining all available information on the alleged incident. Whenever possible, it is preferred that the interview be audio or video recorded and/or reduced to writing.

b. Identifying information should be obtained on all individuals present at the alleged incident, whether or not they actually observed
the actions in question. If they are employees, the investigator should make sure they have documented the event or have written a supplemental report. Non-employees should be asked to provide a written statement as to what they witnessed.

c. Ensure that all other physical evidence is properly preserved. Take color photographs of all reported injuries, impact locations, and property damage. Document any alteration to the injury as the result of medical treatment (i.e., discoloration due to medication). Consult with CSI or an ID Technician if needed. Request that all individuals claiming injury arising out of the incident sign a medical records release form.

d. Obtain copies or request the preservation of all official documents related to the alleged incident. Video from cruisers, homes or businesses, copies of CAD event history, CAD unit history, CAD messages and logs, ECC audio, telephone and radio communications, IBR reports, arrest documents, and ADC booking and custodial documents should be obtained whenever possible.

e. Determine the administrative scope and appropriate course of review: administrative inquiry or administrative investigation.

f. The supervisor assigned to investigate an allegation shall ensure the following general protocols are applied in all inquiries and investigations:

i. Every complaint must be investigated and evaluated based on the preponderance of evidence standards.

ii. Any supervisor who is the subject of a complaint or who authorized the conduct that led to the complaint, is explicitly prohibited from investigating the said incident.

iii. During the investigation of a citizen complaint, all relevant evidence (including circumstantial, direct, and physical) will be considered, and credibility determinations made, if feasible. Every effort will be made to resolve material inconsistencies or discrepancies between witness statements and other collected evidence.

iv. The supervisor will not close an investigation because the
The complaint is withdrawn, the alleged victim is unwilling or unable to provide medical records or proof of injury, or the complainant will not provide additional medical statements or written statements.

v. The supervisor will consider whether any rule, policy, or procedure of the Sheriff’s Office was violated.

g. All Inquiries and Administrative Investigations, regardless of training, coaching, or disciplinary outcome, shall be entered into the Blue Team system to accurately account for the investigation and assessment of employee performance reviews. Supervisors shall begin the Blue Team entry upon discovery or assignment of an allegation if proven true, would constitute misconduct or a violation of the General Orders, Post Orders, or other directives.

D. Administrative Inquiries

1. Many times a review is warranted into the actions of an employee that does not rise to the level of a formal internal investigation. During these instances the facts and circumstances surrounding the event should be documented in Blue Team.

2. Administrative Inquiries should be handled by the employee’s chain of command. Generally, the command in which the subject deputy is currently assigned will handle the inquiry; if the allegation for which the deputy is being investigated occurred while working overtime, a specialty assignment, or for another division when the incident took place, that division commander shall be responsible for the investigation or assignment. When possible, the investigating supervisor should be at least one rank higher than the employee being investigated.

3. The investigating supervisor shall designate a reasonable time and place for questioning the employee. The investigating authority shall advise the deputy being questioned of his/her name and rank and the nature of the inquiry.

4. When the scope of the inquiry or investigation; (1) is in relation to possible employee serious misconduct, (2) which could relate to possible constitutional injury, (3) criminal investigation, or (4) any other reason the supervisor feels it is appropriate when an interview is required, the investigating supervisor shall serve the employee with an Administrative
Investigation Warning. A signed copy should be kept with the case file and attached to any Blue Team entry.

5. It shall be the responsibility of any employee to answer fully and truthfully any question pertaining to the investigation of an infraction of law or regulation that might be asked by the investigating authority in the course of an investigation. An employee does not have the right to refuse to answer any question concerning his performance of duty or his adherence to agency rules and regulations. Refusal to answer any such questions will result in the employee being relieved of duty.

6. During investigations, there are times when it may be necessary to prohibit employees from discussing the investigation in order to safeguard its confidentiality. When necessary, an Order of Confidentiality form shall be provided to the employee. A signed copy should be kept with the case file.

7. The Division and Station Commanders will be responsible for assuring a complete and expeditious investigation of all cases directed to them. Investigations conducted at the station/division level should be completed within 30 days of receipt unless circumstances develop, which necessitate additional time to ensure a thorough investigation. The investigating supervisor should keep his/her chain of command informed of any delays and obtain approval for additional time.

8. Once an Administrative Inquiry is completed, the Division or Station Commander shall review it and the evidence collected to determine the following:
   a. If the complaint was handled properly and is documented accurately
   b. If the complainant was contacted as part of the inquiry
   c. If further investigation is needed
   d. If the complaint warrants a formal Internal Investigation by the supervisor or a member of the Internal Affairs Unit
   e. If the inquiry concludes that the deputy was in violation of policy, whether there is a pattern of similar behavior and make a recommended finding for disciplinary action upon the conclusion of the review process. The Sheriff, or his designee, will make the final decisions on discipline depending on the level of the event.
f. The employee(s) involved should be notified that the inquiry is complete.

  g. Once the incident has been reviewed and a decision has been made, the Division/Station Commander will send a letter to the complainant advising him/her the incident has been investigated and is no longer active. The letter is not to include any details of the investigation or whether the employee received any disciplinary action. If the address of the complainant is unknown, some other form of notification should be attempted. Notification should be documented, and a copy should be kept with the case file.

E. Administrative Investigations

1. Investigations must be fair, thorough, timely, and in accordance with accepted department policies and procedures. Investigations must be conducted professionally, with full regard to the rights of all deputies. Likewise, these investigations must be conducted respectfully and with regard to the rights of non-sworn members of the agency, complainants, witnesses, and members of the public. Investigations shall not discriminate against anyone on the basis of actual or perceived race, color, creed, national origin, gender/sex, sexual orientation, age, religion, political affiliation, physical or mental disability, marital status, or other basis protected by Federal, State, or local law or regulation.

2. Investigations must be designed to develop all relevant facts necessary for a fair determination of the issue in question. They should not be slanted to favor any particular interest, affect any particular outcome or shield any relevant facts from disclosure.

3. Deputies questioned in connection with an administrative investigation shall be notified of the nature of the investigation and given an Administrative Investigation Warning. A signed copy should be kept with the case file. It shall be the responsibility of any employee to answer fully and truthfully any question pertaining to the investigation of an infraction of law or regulation that might be asked by the investigating authority in the course of an investigation. An employee does not have the right to refuse to answer any question concerning his performance of duty or his adherence to agency rules and regulations. Refusal to answer any such questions will result in the employee being relieved of duty.

  a. A polygraph examination may be used in an effort to confirm or
disprove inconsistencies after all other reasonable methods have been exhausted. No employee shall be required to submit to a polygraph examination unless ordered by the Sheriff or his/her designee as part of an administrative investigation concerning allegations of misconduct.

b. The polygraph will not be the sole basis for a disciplinary determination or for establishing the elements of an allegation.

4. During investigations, there are times when it may be necessary to prohibit employees from discussing the investigation in order to safeguard its confidentiality. When necessary, an Order of Confidentiality form shall be delivered to the employee. A signed copy should be kept with a case file.

5. During the course of an administrative investigation, an employee may be required to submit to a medical/laboratory examination or photographs. Medical and/or laboratory test requests will be based on reasonable suspicion that an employee may be under the influence of alcohol, an illicit drug, or prescription medication that could affect the employee’s ability to perform his or her job. The employee shall submit to such test(s) or exam(s) when ordered to do so by a competent authority. Tests and exams will be performed in a reasonable manner and will be paid for by the agency.

6. Desks, lockers, storage space, rooms, offices, equipment, information systems, work areas, instrumentalities of misconduct, any device that was used to obtain unauthorized work-related information, any device that was used to facilitate misconduct, financial records, documents, and vehicles within secure areas or property of the Sheriff’s Office are subject to inspection. These areas may also be searched to retrieve agency-owned property or to discover evidence of work-related misconduct if there is reasonable suspicion that such evidence is contained therein. The Internal Affairs Unit should be consulted upon such suspicions.

7. During the course of the investigation, should it appear that there may be a violation of a criminal law or actions that result in criminal charges, the employee must be advised of the following:

a. If a criminal investigation is undertaken, it will be conducted by a member of the agency who is not in the chain of command for the accused. In most cases the Division Commander of the Criminal Investigations Division (“CID”) will be consulted and he/she will assign a detective to handle the criminal investigation. There might
be times when an outside agency is brought in to investigate the criminal aspects of a case. That determination shall be made by the Sheriff or his/her designee. All of the employee’s constitutional rights would apply in any criminal investigation.

8. During administrative investigations, employees must answer all questions and provide a statement. Such statements are considered compelled testimony and are not admissible in any criminal proceeding in which the employee is a defendant, except as provided by law. The compelled statement is not shared with the detective or other investigators handling the criminal investigation. Unless otherwise court-ordered after due process, no compelled statement may be used in violation of the employee’s 5th Amendment and Constitutional protections for any judicial process.

9. The administrative and criminal investigations may be conducted simultaneously; however, the investigations will be kept totally separate to ensure that the employee’s rights are protected.

10. During the administrative investigation, it is the assigned investigator’s responsibility to ensure the detailed and complete examination of all aspects of the investigation. The goal of the investigating supervisor is to re-create the incident for the reviewing authority through the use of written descriptions, diagrams, and any other appropriate aids. In cases involving an allegation of misconduct, it is only through the careful identification and presentation of relevant facts that the reviewing authority can render a proper decision. All incident investigations demand thoroughness and accuracy, as the information developed may be vital in defending the employee and the agency in a civil action. Investigations should be completed within 30 days of receipt, unless circumstances develop which necessitate additional time to ensure a thorough investigation. The investigating supervisor should keep his/her chain of command informed of any delays.

11. The employee(s) involved should be notified that the investigation is complete.

12. Investigative paperwork and any other relevant evidence collected shall be documented in Blue Team.

VI. INTERNAL AFFAIRS UNIT

A. Internal Affairs Unit
1. The Internal Affairs Unit reports directly to the Sheriff or his/her designee. The unit controls, coordinates, and exercises staff supervision over investigations of all complaints or allegations against the agency or members of the agency.

2. The Internal Affairs Unit may, upon receiving minor complaints or complaints involving the performance of duty issues, refer them to the Division or Station Commander for investigative assignment.

3. In addition to entering investigations into Blue Team, the Internal Affairs Unit shall maintain a ledger of all administrative investigations handled explicitly by the unit in the Internal Affairs Control Log. Spaces will be provided in the ledger for:
   a. A control number
   b. Date and nature of the complaint
   c. Name of person filing complaint
   d. Name of the person who complained against
   e. Finding

4. Records and related items pertaining to Internal Affairs investigations shall be maintained in a locked cabinet in a secured area. Access to the Internal Affairs records or the control logs will be prohibited to all personnel except
   a. The Sheriff
   b. The Undersheriff
   c. Chief Deputies
   d. Internal Affairs Unit

5. The Internal Affairs Unit will administer any implemented early intervention systems and coordinate such performance with command staff personnel. The unit may also provide general and non-specific data or trend information to division commanders or the Training Section for awareness, guidance, and training purposes.

VII. SPECIAL PROCEDURES

A. When it is necessary to ask for an arrest warrant for a member of the Sheriff’s
Office, the Sheriff or Undersheriff shall be notified without delay.

1. In general, an immediate arrest shall be undertaken only if necessary to ensure public safety, safeguard the accused employee, or to protect and/or collect evidence pursuant to the criminal investigation.

2. Should exigent circumstances dictate the immediate arrest of an employee of the Sheriff, such arrest shall not be delayed for the purpose of making supervisory or command notifications. If an immediate arrest becomes necessary, it shall be undertaken and the aforementioned notifications made as soon as the situation is stabilized.

B. If it becomes known that a complainant is seeking the issuance of a warrant for an employee of the Sheriff, the CID Commander or the ranking supervisor on duty shall be immediately notified. The CID Commander or the ranking supervisor will consult with the complainant and request a delay so that the Sheriff’s Office may conduct a criminal investigation.

1. If the complainant declines to permit a delay in the issuance of a warrant, the CID Commander or ranking duty supervisor will ask the Magistrate or the Loudoun County Commonwealth’s Attorney for a delay to permit a criminal investigation by the Sheriff’s Office.

2. If the warrant has already been issued, the Records Section staff or other employee having knowledge of the warrant will notify the CID Commander or the ranking duty officer if after regular business hours. The ranking duty officer shall notify the CID Commander and the Internal Affairs Unit supervisor prior to executing the warrant.

VIII. CLASSIFICATION OF ALLEGATIONS

1. Upon completion of an investigation, each allegation shall be classified with one of the following findings:

1. Exonerated: The incident complained of occurred but the actions taken by the employee were lawful and did not violate rules and regulations of the agency.

2. Unfounded: The allegation is false and did not occur.

3. Not Sustained: Insufficient evidence exists to either prove or disprove the allegation.

4. Sustained: The allegation is supported by a preponderance of the evidence.
Only findings in this category will be included in an employee’s personnel file.

5. Policy Failure: The deputy’s actions were consistent with current policy and procedure. These policies and procedures have been identified as being inconsistent with the agency’s goals and objectives.

2. As it relates to an inquiry or investigation involving Response to Resistance, the following shall be used for classification:

1. Exonerated: Within Policy – The response of the deputy was appropriate, necessary, or objectively reasonable to gain control of the resistance the subject was presented to the deputy and his/her actions were in accordance with current agency policy and training guidelines.

2. Sustained: Not Within Policy – The actions applied by the deputy in light of the amount of resistance that the subject was offering the deputy and/or the control measures applied were not objectively reasonable and have been identified as being inconsistent with the agency’s goals and objectives.

3. Upon completion of the investigation, the final report shall include:

1. Classification of the allegation

2. When sustained, include the following information:

3. The rule(s) violated

4. The nature of the violation(s)

IX. RELIEF FROM DUTY

A. Authority

1. Any sworn supervisor may immediately relieve from duty any sworn employee of subordinate rank, irrespective of the organizational assignment of either deputy when it appears that such action is necessary or prudent to protect the interests of the agency.

2. Sworn personnel assigned to the Internal Affairs Unit are authorized to relieve from duty any sworn employee, regardless of rank, when necessary in the course of an administrative investigation. The period of relief shall continue until reinstated to duty. The relieved employee shall remain available during this period as set forth in Chapter 10 (10.0, F) of the
3. A civilian employee may be placed on administrative leave with pay in accordance with the provisions of Chapter 10 of the Loudoun County Human Resources Handbook.

4. Any deputy whose actions or application of force results in serious physical injury or death may be relieved from duty or placed in a different line duty assignment pending an administrative review.

5. The Sheriff or his/her designee shall be notified as soon as practical of any employee who is being relieved from duty. The Relief of Duty form shall be completed. The property taken shall be maintained by the relieving supervisor until it can be turned over to a member of the Internal Affairs Unit.

X. CASE REVIEW AND MAINTENANCE PROCEDURES

A. The completed administrative investigations and inquiries shall be submitted through Blue Team for final review by the investigating supervisors (Division or Station Commander) unless otherwise directed. The commander shall examine the report and determine if it presents a full and complete examination of all facts and circumstances relevant to the incident in question. If it is determined that the matter requires additional investigation, the entire case file shall be returned through Blue Team to the investigating supervisor with specific direction as to the action required. No other review system or method shall be used to facilitate the review process.

B. Once the reviewing authority is satisfied that the administrative investigation or inquiry report is accurate and complete, he/she shall sign off on the investigation or inquiry after the conclusion portion of the report. A copy of the printable version may be kept for the commander’s file; all other investigative paperwork, and any other relevant evidence collected shall be documented in Blue Team. If treated as an administrative investigation, the report, all investigative paperwork, and any other relevant evidence collected shall be recorded in Blue Team. All materials, notes, and correspondence shall be attached in Blue Team.

C. All closed-circuit video files, discs (CCTV), proprietary, or non-web-based video that is unattachable to the Blue Team entry shall be provided, promptly delivered, and held in the Internal Affairs Unit.