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**ADMINISTRATIVE DIRECTIVE – 108.003**  
**ADMINISTRATIVE INVESTIGATIONS**

**EFFECTIVE DATE: September 23, 1982**  
**AFFECTS: All Personnel**

**REVISION DATE: June 8, 2020**

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**I. PURPOSE**

- A. The administrative investigation process is important to the maintenance of professional conduct in a law enforcement agency. The integrity of the agency depends on the personal integrity and discipline of each employee. To a large degree, the public image of this department is determined by the quality of the internal affairs function in responding to allegations of misconduct by the department or its employees.
- B. The administrative investigation function examines not only the conduct of individual employees of the department, but also the various procedures and rules of conduct which impact employee performance. This process provides the agency with a means of regularly assessing its efficiency and effectiveness and provides information necessary to plan for change. The objectives of the administrative investigation process are:
  - 1. Maintain efficient, fair, and impartial law enforcement – The public has the right to expect efficient, fair and impartial law enforcement. Therefore, all properly submitted complaints or allegations of misconduct against department employees must be promptly and thoroughly evaluated, and properly adjudicated, as allowed by law.
  - 2. Establish an informed citizenry – It is imperative the entire organization not be subjected to public censure because of misconduct by a few of its employees. When an informed public knows its police department objectively evaluates and adjudicates all allegations of misconduct, as allowed by law, they will be less likely to feel the need to raise a cry of indignation over alleged incidents of misconduct.
  - 3. Protect employees against false allegations – Employees must be protected against false allegations of misconduct. This can only be accomplished through a consistently thorough investigative process.
  - 4. Identify employees who engage in misconduct – Personnel who engage in acts of misconduct must be identified so appropriate corrective measures can be taken to professionally develop the individual. Personnel who engage in serious acts of misconduct, or who have demonstrated they are unfit for law enforcement work, must be removed for the protection of the public and the department.
  - 5. Improve proficiency and efficiency – Occasionally, investigations disclose faulty procedures that would otherwise have gone undetected. These procedures can then be improved or corrected to ensure that policy and practice are consistent.

**II. POLICY**

- A. Any person who believes any department employee has been involved in improper conduct or has a criticism of department services has the right to make a complaint. The Professional Standards Unit accepts and reviews all complaints against the department or its employees. However, for a complaint to be investigated, it shall be in writing and signed by the person making the complaint. Any person filing a complaint can be assured the Office of the Chief of Police will evaluate such matters thoroughly and objectively.
- B. As a general rule, complaints must be received within thirty (30) days of the incident in question unless special circumstances exist. The Chief of Police or designee will make a determination of the investigation of a complaint greater than thirty (30) days old.
- C. Employees who tolerate misconduct are, in effect, condoning and participating in the conduct and

may share the consequences. The department is committed to high standards and will take the

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necessary steps to avoid ethical conflict or the appearance of ethical conflict.

- D. For purposes of this directive, an employee refers to both non-sworn and sworn employees of the Plano Police Department unless otherwise stated.
- E. Sworn employees, or those employees appointed and regulated by local and state civil service laws, will be governed by departmental policies, City Of Plano Civil Service Rules And Regulations, and Chapter 143 of the Local Government Code. Should a conflict arise, Chapter 143 of the Local Government Code will supersede department policy.
- F. The City of Plano Disciplinary Process procedure (216.000) governs non-sworn employees but will not be applicable to or govern sworn personnel (civil service and probationary employees) in the police department.

### **III. PROCEDURES**

#### **A. Administrative Investigation Classifications.**

- 1. Administrative investigations will be classified according to the nature of the incident or misconduct alleged. The classifications are Class I Internal Affairs Complaint, Class II Internal Affairs Complaint and Administrative Inquiry. To ensure compliance with the legal aspects of administrative investigations and consistency with departmental procedures, the Professional Standards Unit will investigate all administrative investigations, unless otherwise directed by the Chief of Police.
  - a. Class I incidents are comprised of serious allegations of misconduct, which may involve criminal acts; corruption; brutality or unnecessary force; discharge of a firearm – to include SAGE launcher – except where the discharge placed no human being in jeopardy and was for the purpose of training, hunting, recreation, ballistic examination, or authorized destruction of an animal; civil rights violations; harassment; discrimination; and notice of intent to sue.
    - (1) An internal investigation or administrative inquiry generated as a result of a lawsuit filed against the City of Plano and/or the department will be coordinated through the office of the Police Legal Advisor and the City Attorney's Office.
    - (2) Supervisory personnel should assess the appropriateness of placing an employee on administrative leave with pay when a Class I Internal Affairs Complaint contains allegations that reasonably indicate that an employee's continued performance of duties might be detrimental to the public or subject the city to undue liability.
      - (a) All supervisory personnel have the authority to place an employee on administrative leave with pay. If an employee is on administrative leave with pay and then works extra during the pay period, the extra duty will be paid at straight time rate until 40 hours are worked.
      - (b) When any employee is involved in an incident which requires immediate administrative leave with pay pending a further review of the circumstances, his/her Assistant Chief and the Chief of Police must be notified immediately.
      - (c) Administrative leave with pay is not a disciplinary action, but is intended to remove the employee from the work environment until such time a determination can be made of further action.
  - b. Class II incidents include allegations of rudeness; tardiness; absence without leave; insubordination; neglect of duty; acts of incompetence, violation of department rules and regulations not involving a Class I incident and criticism of department services.

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- c. Administrative inquiries will be initiated at the direction of the Chief of Police and may be utilized to determine the necessity of an internal affairs complaint investigation, the effectiveness of a policy or procedure, the merit of any claim against the department or City of Plano or to clarify the circumstances surrounding any event.
  2. The scope of this directive shall include, but not be limited to, any incident listed above which involves employees of the Plano Police Department.
  3. Some incidents may be more appropriately handled using conflict management as determined by the Chief of Police or designee. In doing so, members of the Professional Standards Unit have the authority to contact involved employees or supervisors to facilitate resolution. If conflict management efforts are unsuccessful the employee has the option of utilizing the City Conflict Management program if applicable (City of Plano Policies and Procedures 217.000).
- B. Receiving complaints
1. Police department employees at all levels should attempt to satisfy the public's questions and concerns immediately. However, should the complainant continue to express dissatisfaction, he or she may cause the complaint to be documented by contacting the Professional Standards Unit or any police supervisor.
  2. Employees shall treat citizen complaints seriously and accord any person making a complaint a courteous and professional response, regardless of the apparent validity or nature of the complaint. Where serious misconduct on the part of a police department employee is alleged, to include criminal misconduct, an internal investigation will be conducted in accordance with this directive. The on-duty Watch Commander and Professional Standards Unit Sergeant will be notified immediately regarding the alleged behavior. The Professional Standards Unit sergeant will immediately notify the Office of the Chief of Police.
  3. Employees shall refer any complainant to the Professional Standards Unit during normal duty hours or to an on-duty supervisor if someone assigned to Professional Standards Unit is not available. The on-duty supervisor should enter the complaint into the complaint database and provide the complainant with a complaint form or information on how to obtain a complaint form. When a Professional Standards Unit employee or on-duty supervisor is not available, employees shall record the complainant's name, address, phone number, and nature of the complaint and forward that information to a supervisor or the Professional Standards Unit as soon as practical.
    - a. If a complainant indicates a reluctance to provide his or her contact information, the complainant shall be informed that he or she may contact the Professional Standards Unit by telephone, during office hours, to discuss the matter. Any information obtained from the complainant shall be provided to the Professional Standards Unit as soon as practical.
  4. If the person claiming to be the victim of misconduct is intoxicated or otherwise impaired, initial information will be taken and a second interview will be scheduled for a later date.
- C. Responsibilities
1. All department employees shall:
    - a. Establish and maintain a working knowledge of all applicable laws and ordinances in force in the City of Plano and State of Texas as well as the rules, regulations, policies, and procedures of the city and the police department. In the event of improper action or breach of discipline, it will be presumed the employee was familiar with the law, policy,

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rule, regulation, or procedure in question.

- b. Completely, thoroughly, and truthfully answer all questions posed to him or her at every stage of the administrative investigation and review process. Failure or refusal to answer any questions completely, thoroughly, and truthfully; or failure to comply with lawful orders to submit to any tests, be photographed or participate in a line up, or provide any documentation as directed by the Chief of Police, will constitute grounds for disciplinary action. Disciplinary action may include dismissal from the department, in accordance with Local Government Code Section 143.051.
    - (1) Employees may assume, unless advised otherwise, the department's investigation of allegations is an administrative, not criminal, investigation.
    - (2) The U.S. Supreme Court, in *Garrity v New Jersey*, held that refusal by employees under administrative investigation to answer questions or otherwise cooperate with the investigation is grounds for disciplinary action, to include dismissal. That decision also states that neither self-incriminating statements nor the fruits of such statements, made by an employee under administrative investigation, can be used against the employee in criminal proceedings except as allowed by law. When any officer or employee is questioned in reference to an internal investigation the rules under *Garrity* automatically apply, regardless of whether the officer or employee has received a formal written *Garrity* statement.
  - c. Ensure all matters related to administrative investigations are kept in the strictest confidence. To this end, all employees of the department, regardless of investigative responsibility, shall take those measures necessary to ensure the integrity and confidentiality of all documents and other records in any way associated with the reporting, investigation, or resolution of administrative investigations.
    - (1) Employees shall not discuss the subject matter of a pending investigation with, or in the presence of, any person except the employee assigned investigative responsibility of the matter, Professional Standards Unit Sergeant, Chief of Police or designee. This order shall not be construed as to prohibit communications between an employee and his or her legal counsel or any other communications recognized by law as privileged. The intent of this order is to ensure and preserve the integrity and confidentiality of administrative matters under investigation.
  - d. Make themselves available for interviews relative to the administrative process.
    - (1) Any interview of the employee shall be held at a reasonable time in relation to the employee's work schedule, unless the circumstances of the situation require expediency or delay.
  - e. Periodically review the content of his/her personnel file.
2. Professional Standards Unit Sergeant will:
- a. Manage investigations within the Professional Standards Unit as well as those assigned to line supervisors to ensure they are conducted and completed in accordance with this directive. The Professional Standards Unit sergeant will report directly to the Office of the Chief of Police.
  - b. Maintain a secure database of internal incidents reported during the preceding 36-month period and ensure a case ID number is assigned to all internal affairs complaints and administrative inquiries.
  - c. Maintain an administrative database of all internal incidents reported to the Professional

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Standards Unit during the calendar year. The database will include the following information particular to each issue:

- (1) Case ID number,
  - (2) Incident or allegation,
  - (3) Name of the employee, if applicable,
  - (4) Date of report,
  - (5) Name of complainant, if any,
  - (6) Disposition, and
  - (7) Disciplinary action taken, if any.
- d. Maintain an employee disciplinary record within the personnel file on all current employees reflecting all sustained violations of law, policy, or procedure. Discipline issues recognized by Local Government Code Chapter 143 will be recorded and stored separately from those not recognized by the statute.
- (1) The employee disciplinary record within the employee's official personnel file for all non-sworn employees, and for sworn personnel as defined by Local Government Code section 143.089(a), will be available for review by the following personnel:
    - (a) Chief of Police,
    - (b) Assistant Chief of Police,
    - (c) Professional Standards Unit employees,
    - (d) Police Legal Advisor,
    - (e) City of Plano, City Attorney's Office
    - (f) Employee listed on the record,
    - (g) Supervisors of the employee listed on the record,
    - (h) Members of a selection board assigned to review the employee's file for assignment consideration, and
    - (i) Civil Service Director or designee
  - (2) The employee disciplinary record within the employee's confidential department personnel file (for sworn personnel only), as defined by Local Government Code section 143.089(g) will be available for the department's use by the following personnel:
    - (a) Chief of Police,
    - (b) Assistant Chief of Police,
    - (c) Professional Standards Unit employees,
    - (d) Police Legal Advisor,
    - (e) City of Plano, City Attorney's Office,
    - (f) Employee's chain of command for consideration during a pending administrative investigation, and

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- (g) A supervisor on a selection board assigned to review the employee's file for assignment consideration.
    - (3) The employee disciplinary record shall include the following information:
      - (a) Employee name and ID number,
      - (b) Date of hire, and date of separation,
      - (c) Case ID number and incident or allegation,
      - (d) Date of incident for which discipline was administered, and
      - (e) Level of disciplinary action taken.
    - e. Ensure the integrity and security of all employee and confidential files maintained in the Professional Standards Unit.
    - f. Provide an annual summary of internal incidents summarizing, at a minimum, the number, nature, and dispositions of complaints and administrative inquiries. Additionally, the Professional Standards Unit Sergeant shall annually review the administrative investigation policy.
    - g. Review all internal affairs complaints to determine:
      - (1) Appropriate assignment of investigative responsibility,
      - (2) A conclusion of fact (finding), in accordance with this directive, on all initial internal affairs complaint entries requiring no further investigation;
      - (3) The thoroughness of completed investigations;
      - (4) Where appropriate, consistency in the application of discipline.
  - 3. Office of the Chief of Police Shall:
    - a. Make final disposition in administrative investigations containing recommendations of suspension, demotion, indefinite suspension and those incidents involving death or serious bodily injury of any person.
- D. Reporting Requirements
- 1. All complaints against sworn employees or detention officers must comply with Chapter 614 of the Texas Government Code.
  - 2. A complaint may be initiated either internally or externally as a means of alleging policy violations, misconduct or displeasure with service rendered by an employee. In general, to be considered for investigation, the complaint must be in writing and signed by the person making the complaint.
  - 3. If a complaint is received, but the complainant refuses to sign a complaint, the information will be collected and provided to the Chief of Police, the Assistant Chief of Police or the Administrative Services Bureau Manager the employee reports to for review. The information will be reviewed and a determination will be made as to whether the allegation will be investigated. If special circumstances exist that indicate the complaint merits further investigation, a designated departmental employee may be the complainant.
  - 4. An internal incident report (entry into the complaint database) must be completed, as soon as practical, any time an employee is notified or aware of an act, including but not limited to the examples listed in this directive, which alleges a department employee has engaged in misconduct or an unsatisfactory level of departmental service.

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- a. A Professional Standards Unit investigator or on-duty supervisor shall document the complaint and forward the matter to the attention of the Professional Standards Unit Sergeant.
  - b. Prior to submitting an internal incident for initial review by the Professional Standards Unit sergeant (or Chief's Office, as necessary), the entry must include sufficient information to reach an informed decision as to the appropriateness of additional investigation. The complaint shall enumerate each allegation and include commentary relative to applicable police reports, written statements, and evidence.
  - c. The submitting supervisor shall notify, preferably in writing, the Professional Standards Sergeant of any information that is lacking in the entry. This notice should include:
    - (1) The names and contact information of persons who are not contacted,
    - (2) Their role in the incident, and
    - (3) Any related paperwork or recordings that exist, but were not available to review at the time of entry.
  - d. Any available supporting documentation shall be obtained by the reporting employee and forwarded to the Professional Standards Unit office. Such documentation may include but is not limited to the items described in this directive.
5. If a complainant alleges an issue of racial profiling as described in Texas Code of Criminal Procedure Article 2.132 (b) (3), the employee is entitled to a copy of any video or audio recording of the occurrence on which the complaint is based. The Professional Standards Unit shall provide a copy of the recording to the affected employee on written request by that employee. Written requests for a recording should be made to the Professional Standards Unit Sergeant.
- E. Conducting the Administrative Investigation.
- 1. Upon determination by the Professional Standards Unit Sergeant (or Chief's office as necessary) that an administrative investigation will be conducted, the Professional Standards Unit sergeant will forward a copy of the internal incident report and any related documents to the assigned investigator.
    - a. Generally, an investigation is initiated when a written complaint is received and there is a need to ascertain information that is not readily accessible to supervisors or Professional Standards Unit investigators. Examples of what is readily available include but are not limited to: offense or incident reports in RMS, video or digital recordings, internal or public databases and citations.
      - (1) Nothing written or implied in this policy is intended to restrict the normal duties and obligations of supervisors. Administrative reviews are required to be completed by the immediate supervisor, or designee, for employees involved in incidents requiring use of force reports, pursuit reports, accident reports, personal injury, equipment/property damage, and risk management reports. Supervisors must ask fact finding questions to properly evaluate, monitor, train, and professionally develop employees under their supervision. Such fact finding questions do not constitute an investigation. In the event that an administrative review or other supervisory observation concludes potential policy violations, the employee will be given notice of complaint. An internal affairs investigation will then be initiated (unless the supervisory review determined no further investigation is needed and summary discipline is determined to be the appropriate course of action).

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- (2) All supervisory personnel are encouraged to address policy violations and employee performance when they first surface, if possible. Summary discipline may involve the issuance of documented counseling reports and written reprimands and are administered outside of internal affairs investigations. These most commonly occur when infractions are directly observed by the supervisor or incidents that are brought to the supervisor's attention but need no further investigation. The employee shall be given notice of complaint prior to a decision whether to issue summary discipline to the employee. After providing a copy of the notice of the complaint, the supervisor will allow the employee an opportunity to present information that may bear on the supervisor's final decision on issuance of the discipline.
- b. The Professional Standards Unit Sergeant or designee shall notify the affected employee and his or her chain of command, in writing, of the allegations and provide the affected employee with a signed notice of complaint. A copy of a signed complaint shall be given to the employee within a reasonable time period after the complaint is filed. However, the Chief of Police may determine the notification should be delayed for good cause.
- c. Disciplinary action may not be taken against a sworn employee or detention officer unless a copy of the signed complaint is given to the sworn employee or detention officer. The term disciplinary action refers to suspensions, demotions, or terminations.
- d. The Professional Standards Unit Sergeant shall notify the complainant, in writing, whether a complaint will be assigned for further investigation. The notification shall provide the complainant an estimate of when the investigation will be completed and inform him or her that notice of final disposition will be provided, in writing, upon the conclusion of the investigation.
- 2. The assigned investigator shall make every effort to interview the complainant, the employee under investigation, any witnesses, and any other person whose statement could assist in the just resolution of the case.
  - a. The assigned investigator should attempt to obtain statements, whether recorded or in writing, from all persons with information that could assist in the just resolution of the case.
  - b. Prior to making any statements regarding an investigation of an incident captured by a body-cam (PVR), the involved officer will have access to the recordings made of the incident.
- 3. The assigned investigator will gather all documentation and evidence relative to the matter being investigated. This may include but is not limited to dispatch recordings, mobile data computer transmissions, e-mail, mobile video recordings, digital video recordings, jail vestibule and DWI room recordings, training bulletins, administrative directives, training records, time sheets, memoranda, photographs, and police reports.
- 4. The assigned investigator will complete a summary of the investigation addressing each aspect of every allegation identified in the complaint and each allegation or concern discovered during the course of the investigation.
- 5. Only the Chief of Police shall have the authority to order an employee to submit to chemical or other tests to determine the presence of narcotics, alcohol, or the presence of other substances which would have bearing on the just resolution of the investigation; submit to a polygraph examination; submit to a medical examination; submit to a psychological examination; disclose financial records; cooperate with the creation of an audio/video recording exemplar; or to be photographed or participate in a line-up. Any chemical or



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medical examination or other procedure required by the Chief of Police as a part of the investigation will be at the department's expense.

6. All investigations will be completed within thirty (30) working days of assignment. The Chief of Police, however, may extend the thirty-day time limit when appropriate.
  - a. The complainant and affected employee shall be notified of the extension.
  - b. If deemed necessary, the Professional Standards Unit Sergeant may request a status report on any investigation at any given time.

**F. Concurrent Investigations**

1. The Chief of Police has the authority to order a criminal investigation of any allegation of wrongdoing instead of, or in addition to, an administrative investigation.
2. Due to the differing purposes of the administrative investigation and the criminal investigation, administrative investigators will have access to any evidence, including statements, obtained in the criminal investigation, but criminal investigators will not have access to any evidence obtained in the administrative investigation.
3. The imposition of discipline by the department, in whatever form, shall in no way preclude a further sanction imposed against an employee in subsequent criminal or civil proceedings. Any sanctions imposed in criminal or civil proceedings against an employee of this department shall not preclude the imposition of administrative sanctions.

**G. Review Process**

1. Upon completion of an internal affairs complaint investigation, all reports and documentation will be forwarded to the affected employee's first line supervisor who shall review the information and complete the following:

Note: These steps must be completed by the affected employee's entire chain of command within five (5) working days. If it is determined by any member of the chain of command that additional time is necessary to complete the review process, an extension request must be made in writing to the Chief of Police via the chain of command.

- a. Determine an appropriate conclusion of fact and explain the justification for the determination in a memorandum addressed to the file. Indicate if the finding is of a substantiated nature.
- b. If the finding is substantiated, recommend an appropriate level of discipline. This documentation shall be completed and placed into the investigative file.
  - (1) Only the Chief of Police may suspend, demote, or indefinitely suspend an employee.
  - (2) Supervisory recommendation of suspension, involuntary demotion, or indefinite suspension must be forwarded, via the chain of command, to the Office of the Chief of Police within five (5) working days of the date of receipt of supervisory and/or Internal Review Board recommendations, by the division commander or designee.
  - (3) Review of internal affairs complaint investigations shall be completed in an expeditious manner.
    - (a) If a supervisor will be absent from duty for an extended period of time (vacation, training, etc.) the review process will not be delayed, but will be forwarded to the next level.

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- (b) An Administrative Sergeant may assume the responsibility of the first line supervisor if the second line supervisor determines such abdication is appropriate.
  - (c) Supervisors will generally not make recommendations regarding conduct or performance of supervisors of the same rank, but these investigations will be forwarded to the next level.
- (4) Final disposition of an investigation containing recommendations of suspension, involuntary demotion, indefinite suspension, or where death or serious bodily injury of any person has occurred, will be made by the Chief of Police within five (5) working days of receipt of supervisory and/or Internal Review Board recommendations. If a determination is made that more time is needed to review the investigation and make a determination the affected employee will be notified by the Chief of Police designee.
- c. Upon completion of the review and recommendation, forward the completed investigation, via the chain of command, to the division commander or civilian manager for his/her review.

Discipline will not be administered, nor resolution announced, in relation to an internal affairs complaint until the division commander, civilian manager, or Chief of Police, has deemed such action appropriate.
- 2. The division commander or civilian manager will review the investigation for completeness and the soundness of the supervisor's decision-making. The division commander or civilian manager will:
  - a. Ratify the first line supervisor's decision and return the matter to the first line supervisor for administration of any resulting discipline; or
  - b. Disapprove the first line supervisor's determination and return the matter to the supervisor for further consideration.
- 3. The division commander or civilian manager will forward a recommendation to the Chief of Police where incidents involve the death or serious bodily injury of any person.
- 4. Once the issue has been resolved to his/her satisfaction, the division commander, civilian manager, or Chief of Police (as applicable) will provide written notification of the final disposition of the investigation to the Professional Standards Unit, and the Professional Standards Unit will notify the complainant within five (5) working days of that disposition.
- 5. The division commander, civilian manager, or designee will generally notify the affected employee of the final disposition within five (5) working days of the disposition.
- 6. A copy of the citizen and employee notifications, and any resulting corrective or disciplinary action, will be placed in the investigative file and the file will be returned to the Professional Standards Unit.
- 7. The Chief of Police may, at his/her discretion, refer any investigation conducted pursuant to this directive to the Plano Police Department Internal Review Board (Refer to Administrative Directive 102.003).
- 8. Under certain circumstances, a roundtable meeting may be held with the chain of command, the Professional Standards Unit investigator and/or Professional Standards Unit Sergeant, or others as determined by the Chief of Police, to discuss the facts surrounding an internal affairs complaint in order to further the review process. Following the conference each member in the chain of command will have the ability to draw their own independent

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conclusion and make a recommendation.

**H. Findings**

1. Upon review of any administrative investigation, the chain of command will determine a finding on each allegation according to the following list. Each member of the chain of command shall recommend appropriate disciplinary action relative to any substantiated violation.
  - a. Sustained: The evidence tends to support the allegation of misconduct.
  - b. Not Sustained: There is insufficient evidence either to prove or disprove the allegation of misconduct.
  - c. Unfounded: The evidence tends to disprove the allegation of misconduct.
  - d. Exonerated: The evidence tends to support factual occurrence, but conduct does not appear improper.
  - e. Misconduct Not Based on Complaint--Sustained: The evidence tends to support misconduct, which was not alleged in the complaint.
  - f. Policy/Training Failure: The evidence tends to support a finding of improper action, which may or may not have been consistent with policy.
2. The investigation of specific complaints against departmental personnel, which result in a finding of "Sustained" or "Policy Failure," may indicate a need for training rather than, or in conjunction with disciplinary action.
3. The Chief of Police or designee will determine the disposition of administrative inquiries. The disposition of an administrative inquiry may result in a finding of closed, or internal affairs investigation directed.
4. When an administrative investigation occurs, where the employee's judgment, decision-making, ethics, and/or integrity is an issue, and the findings of investigation is either "Sustained" or "Misconduct Not Based on Complaint-Sustained," and the employee is a department instructor, field training officer, an employee working in any training capacity, and/or the employee is a member of a part-time specialized assignment the following procedures shall apply;
  - a. The Professional Standards Unit Sergeant or the employee's supervisor, shall notify the training lieutenant, field training lieutenant, specialized unit commander or civilian manager having command responsible for the employee's training and/or part-time specialized assignment.
  - b. The employee's training and/or part-time specialized assignment chain of command shall review the investigation results and determine if the employee should continue to serve in a training capacity or in the specialized unit.

**I. File Retention**

After review and final disposition, all administrative investigation reports and documents will be filed in a secure area of the Office of the Professional Standards Unit and retained in accordance with the Local Government Records Control Schedule, as established pursuant to Local Government Code 203.041.