

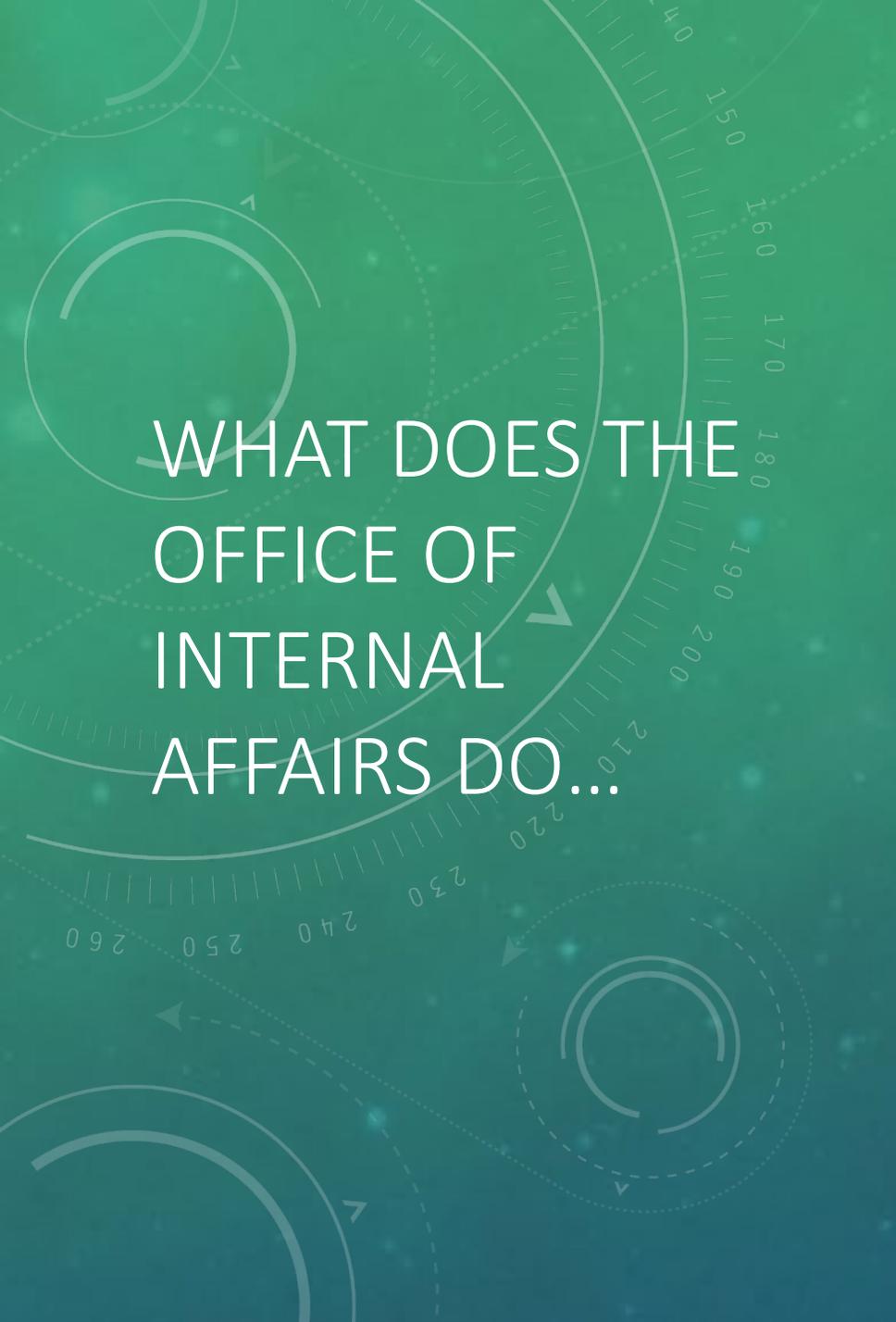


INTERNAL INVESTIGATIONS AND CITIZEN COMPLAINTS

CHARLOTTESVILLE POLICE DEPARTMENT

LT. R. HANEY

SGT. G. WADE



WHAT DOES THE OFFICE OF INTERNAL AFFAIRS DO...

Internal Affairs (often known as IA) is a section of a law enforcement agency that investigates incidents involving allegations of law-breaking and professional misconduct attributed to officers and professional staff in the Department.

The Office Reports directly to the Office of the Chief of Police.

- ❖ In person
- ❖ Mail
- ❖ Email
- ❖ Telephone
- ❖ Fax
- ❖ Online
- ❖ Anonymously
- ❖ Third Party



ALL COMPLAINTS,
REGARDLESS OF
NATURE, CAN BE
FILED AS
FOLLOWS:



WHERE DO YOU
MAKE
COMPLAINTS?

In Person or Mail:

- Charlottesville Police Department
Internal Affairs Unit
- 606 East Market Street
- Charlottesville, VA 22902

Email: charlottesville.gov/police

Phone: Internal Affairs Unit:

- 434-970-3600
- 434-970-3888

COMPLAINTS VERSUS INQUIRY

Complaint: A matter of concern brought forth to the department alleging a violation(s) of departmental policy and/or a violation(s) of the law.



Service - Related Inquiry: A matter of concern brought forth to the department, which does not rise to a violation(s) of departmental policy and/or a violation of the law. (Inquiry's will be accepted as a complaint and will later be updated to an inquiry if the evidence supports such a change.)

INVESTIGATION PROCESS

❖ Citizen Complaint Form (CPD-30)

Once the complainant completes and signs the Citizen Complaint Form, the receiving supervisor shall provide the complainant a copy of the completed Citizen Complaint Form and the telephone number of the Internal Affairs Office.



INVESTIGATION PROCESS

- ❖ The Internal Affairs Investigator shall review the complaint, record the complaint for tracking purposes (Case Number), and assign investigative responsibility.
- ❖ Upon receipt of an assigned complaint, the Internal Affairs Investigator shall mail or e-mail a letter to the complainant acknowledging receipt of the complaint and provide notification that a supervisor will be in contact with them.
- ❖ The Internal Affairs Investigator will promptly notify employees named in complaints and they shall receive a copy of said complaint.

INVESTIGATION PROCESS

Investigators will have 45 days in which to complete the investigation.



Investigations exceeding the 45-day limit will require an extension.



The complainant and named employee shall be notified in writing of the continued investigation every 30 days from the approval of the extension, until the investigation is completed

- ❖ A request for an extension requires the following in order to be approved: In writing (memo or email)
- ❖ The Office of Internal Affairs is seeking a 30-day extension for the below case. All matters related to the below complaints should be completed by May 20, 2019.

Case number: IA2022 – 00XX-C

Date complaint received: February 26, 20XX

Complainant: John Doe

Reason for extension: Review statements, document and interview complainant.

Expected completion date: 05/20/20XX

EXTENSION REQUEST

INVESTIGATION PROCESS

- ❖ Interview Complainant
- ❖ Interview Complainant's Witness'
- ❖ Collect and review all relevant evidence to include, but limited to: CAD data, incident reports, Body Worn Camera (BWC) or other video evidence, photographic, electronic, or cellphone evidence.
- ❖ Interview accused officer(s) and other CPD personnel.
 - *Garrity v. New Jersey*, 385 U.S. 493 (1967), was a case in which the Supreme Court of the United States held that law enforcement officers and other public employees have the right to be free from compulsory self-incrimination.
- ❖ Complete report to include findings and present the FACTS and Evidence, (Not Opinions).
- ❖ We find and provide FACTS, not opinions for the Decision Makers. The final decisions are based on the preponderance of evidence that has been gathered.

COMPLETED
INTERNAL
INVESTIGATIONS
SHALL BE
CLASSIFIED AS:

Unfounded - no basis
of fact to support the
allegation.

Exonerated -
allegations true, but
officer is not guilty of
any misconduct, due to
adherence to
applicable procedures,
techniques, and
regulations.

Not Resolved - unable
to verify the truth or
falsity of the
complainant's
allegations.

Sustained - Allegations
true and officer is
determined to have
acted in violation of
applicable procedures,
techniques, and
regulations.

INVESTIGATION PROCESS

- ❖ Once the investigation is completed and a finding is reached, the case file shall be forwarded to the Chief of Police through the investigating supervisor's chain-of-command.
- ❖ Upon the Chief's review and approval, the case file will be returned to the Internal Affairs Investigator for disposition notifications and filings.

REVIEW PROCESS

A Closure letter is sent to the complainant and the Officer.

The Letter will contain the finding(s) or classification and justification for the finding.

The complainant will also be notified of their opportunity to speak with the investigating supervisor, internal affairs investigator, or the Chief of Police regard to the finding.

Officers shall be afforded an opportunity to speak with their immediate Chain-of-Command regard to the finding if they have questions.

Officers shall be given instructions on the City's grievance **procedures**. Officers shall have a 10-day window to file their grievance on the findings.

City of Charlottesville Police Civilian Oversight Board

As an additional layer of accountability and transparency, the City of Charlottesville City Council created the Police Civilian Oversight Board to serve as an independent venue to objectively and impartially review investigations of complaints involving the City of Charlottesville Police Department.



INTERNAL AFFAIRS

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