



Subject: Review of Supervisor's Complaint Report		
Date Issued: 9-6-85	Effective Date: 12-30-05	Revision Number: 4

PURPOSE:

To process a Supervisor's Complaint Report (PP-141) after it has been received by a Commanding Officer.

PROCEDURE:

Upon receiving a Supervisor's Complaint Report (PP141) concerning a violation by a subordinate member the following steps shall be taken:

SHIFT/UNIT

COMMANDER:

1. Review the Supervisor's Complaint Report (PP141)
 - a. The investigation into the complaint will be completed and forwarded to the Division Commander within 21 days, from the date Form PP141 was initiated.
 - b. The Professional Standards and Development Division may grant extension of the due date. If an extension is needed it must be requested via the chain of command on a memorandum (PP27) or via email, to the Professional Standards and Development Division.
 - c. If it will not hinder the investigation and the allegations are not criminal, notify the member of the complaint via memorandum.
2. After reviewing the PP141, initiate an investigation as follows:
 - a. If the complaint is not about a supervisor or commanding officer, assign the investigation to a supervisor under your command, to conduct a review of the circumstances surrounding the complaint to determine the validity of the report.
 - b. If the complaint is about a supervisor, you will conduct the investigation.
 - c. If the complaint is about a commanding officer, forward the PP141 to the Professional Standards and Development Division.
3. When the investigating supervisor returns the results of the completed investigation to you:
 - a. Determine if the violation reported has been substantiated as extremely minor and after checking the member's Work History:
 - 1) Evaluate whether there have been similar violations in the past by the same member. If there is no history for the member for similar violations, execute the instruction.
 - 2) Forward the complaint file with your findings to the Professional Standards and Development Division via the Chain of Command.
 - b. If there have been similar violations in the past, no longer making instructions a valid resolution, or if you determined that the complaint has been substantiated but warrants a Division Reprimand, Professional Standards and Development Division Discipline, or Chief's Discipline forward the PP141 and complaint file under a cover memorandum, to the Division Commander for their review, including the following:
 - 1) Basic circumstances of the violation
 - 2) Results of the Shift-Level investigation
 - 3) Recommended action to be taken
4. Upon receipt of the Division Commander's review of the PP141 and complaint file, execute the discipline indicated on the Discipline Report (PP142), as approved or directed by the Professional Standards and Development Division through the Division Commander.
5. Insure that any actions taken against the member to discipline him or her is noted in the member's Work History.

6. Inform the member of:
 - a. Results of the investigation.
 - b. Proposed penalty or action.
7. Furnish member with copy of Form PP142.
8. Advise the member he/she is entitled to:
 - a. Accept findings and proposed disciplinary action.
 - b. Accept findings and request appeal of proposed disciplinary action.
 - c. Request appeal of findings and proposed disciplinary action.
9. If the affected member accepts the findings and proposed discipline, complete Form PP-142 and forward it, along with all reports to:
 - a. Professional Standards and Development Division / Internal Affairs - original
 - b. Member's Division Commander (form PP-142 only).
 - c. Training Lieutenant (if probationary officer involved, Form PP142 only.)
 - d. Member involved (Form PP142 only).
10. If a loss of time is involved, notify the Deputy Chief of the Support Services Division of the type and amount of time to be deducted.
11. If the member rejects a penalty involving a Division Reprimand or Professional Standards and Development Division Discipline, advise member to record the appeal on the back of Form PP142. Forward all reports to the Chief for a review and a decision.
12. Upon receipt of the Chief's findings, notify the affected member of the decision:
 - a. Advise the member that since the penalty is a Division Reprimand or Professional Standards and Development Division Discipline, the decision of the Chief is final
 - b. If the member requests a further appeal of the Division Reprimand or Professional Standards and Development Division rendered by the Chief, advise the member that the Police and Fire Commission does not hear cases involving a Division Reprimand or Professional Standards and Development Division Discipline.
 - c. Make appropriate adjustments, as described in Step 9, after member is advised of the Chief's decision.
13. Upon receipt of Charges and Specifications (PP143), Notice of Suspension, and Affidavit of Service refer to Procedure 504 for service guidelines.

INVESTIGATING SUPERVISOR:

1. Thoroughly and completely investigate any complaint including reviewing the information provided on the Supervisor's Complaint Report (PP141)
2. When you conduct the interview with the member:
 - a. Notify the member of the allegation.
 - b. Ensure that during any interview of the violating member they have the opportunity to appear with up to two (2) members of their association or any two (2) representatives of their choosing.
 - c. If appropriate, give the member the Internal Affairs Warning (Garrity), prior to the interview, and provide them with a copy.
3. Prepare an investigative report on a PP27 and forward the report to the Shift/Unit Commander or Division Commander (If investigated by a Shift/Unit Commander). (Follow the investigative report format as outlined in Policy 500, Attachment A)

DIVISION COMMANDER:

1. Upon receiving the Supervisor's Complaint Report (PP141) and complaint file from the submitting Shift/Unit Commander review the complaint file and determine whether the circumstances of the violation appear to warrant an instruction, Division Reprimand, Professional Standards and Development Division Discipline, or Chief's Discipline.
 - a. If the incident appears to warrant an instruction or no action, notify the Shift/Unit Commander, via memorandum, to take the appropriate action. Attach a copy of the memorandum to the complaint file and forward to the Professional Standards and Development Division.
 - b. If the incident appears to warrant a Division Reprimand, prepare a Discipline Report (PP-142), to be served on the member.

- 1) Forward the complaint file, Supervisor's Complaint Report (PP141) and Discipline Report (PP142) to the Professional Standards and Development Division for review.
 - 2) If the Professional Standards and Development Division agrees that a Division Reprimand is appropriate for the circumstances and returns it to you for service make arrangements for the member to be served.
 - 3) If the incident appears to warrant Professional Standards and Development Division Discipline, prepare a Discipline Report (PP142), leaving the Proposed Disciplinary Action portion blank. Include a cover memorandum with your discipline recommendation.
 - 4) Forward the complaint file and the Discipline Report (PP142) to the Professional Standards and Development Division, for their review.
 - 5) If the incident appears to warrant Chief's Discipline, place a cover memorandum on the complaint file, forwarding it with your recommendations to the Professional Standards and Development Division.
2. Upon receipt of the Discipline Report (PP142) from the Professional Standards and Development Division (in the case of Professional Standards and Development Division Discipline) forward the Discipline Report to the Shift/Unit Commander, under cover memorandum, to be served on the member.
 3. Upon receipt of Charges and Specifications and a Notice of Suspension (in the case of Chief's Discipline) from the Professional Standards and Development Division forward the Charges and Specifications, Notice of Suspension, and Affidavit of Service to the Shift/Unit Commander, under cover memorandum, to be served on the member.

**PROFESSIONAL
STANDARDS
AND
DEVELOPMENT
DIVISION:**

1. Upon receipt of a Discipline Report (PP142), and related reports, from a Division Commander requesting the approval of a Division Reprimand review the Discipline Report, Supervisor's Complaint Report, and supporting documents and determine if the recommendation is fair and consistent with the manner in which other similar violations have been treated in the past.
 - a. If the violation warrants a Division Reprimand:
 - 1) Issue a Discipline Log Number and record the appropriate information in the Discipline Log.
 - 2) Return the Discipline Report, and related paperwork, to the Division Commander under a cover memorandum approving the recommended Division Reprimand.
 - b. If the violation warrants Professional Standards and Development Division Discipline or Chief's Discipline:
 - 1) Inform the Division Commander of your decision via memorandum.
 - 2) Follow the guidelines under step 2.
2. Upon receipt of a Discipline Report (PP142), and related reports, from a Division Commander requesting review for Professional Standards and Development Division Discipline or Chief's Discipline:
 - a. Review the Discipline Report, Supervisor's Complaint Report, and supporting documents and:
 - b. Determine if the violation warrants Professional Standards and Development Division Discipline, or Chief's Discipline.
 - 1) If the violation warrants Professional Standards and Development Division Discipline:
 - a) Review previous cases of similar violations to determine a fair and consistent penalty.
 - b) Issue a Discipline Log Number and record the appropriate information in the Discipline Log.
 - c) Complete the Proposed Disciplinary Action portion of the Form PP142, which was provided by the Division Commander.

- d) Return the completed Discipline Report, and complaint file, to the Division Commander under a cover memorandum, to be served on the member.
- 2) If it is determined the violation warrants Chief's Discipline, prepare Charges and Specifications, with a recommendation, and forward all related paperwork to the Chief for review and endorsement.

CHIEF OF POLICE:

1. Upon receipt of a discipline appeal review the complaint file and determine if the violation(s) can be substantiated based on the information provided.
 - a. Contact the affected member and offer them the opportunity to meet with you to discuss the complaint.
 - b. Confer with any other members as appropriate.
2. If it is determined that the violation(s) cannot be substantiated, notify the submitting Division Commander in writing, noting the reason for the decision. Forward the complaint file to Professional Standards and Development Division.
3. If it is determined that the violation(s) can be substantiated, proposed discipline determined to be inappropriate may be increased or decreased as necessary
4. Notify the Division Commander and the Professional Standards and Development Division, in writing, of the decision reached.
5. Upon receipt of Charges and Specifications (PP143) and complaint file from the Professional Standards and Development Division recommending Chief's Discipline:
 - a. Review the Charges and Specifications and complaint file.
 - b. Schedule a due process conference with the member.
 - c. If a suspension is appropriate for the violation, instruct the Professional Standards and Development Division to prepare a Notice of Suspension document.
 - d. If a suspension is not appropriate and you decide to dismiss the charges, notify the following:
 - 1) Professional Standards and Development Division
 - 2) Affected member's Division Commander
 - 3) Affected member
6. If the suspension is rejected within the specified time and a hearing before the Police and Fire Commission is requested, initiate "Appeal of Chief's Discipline", Procedure 506.

MEMBER:

1. Within five (5) calendar days after the receipt of the Discipline Report (PP142) return said form to the issuing Commander with a decision concerning the option selected, as stated in Step 7 (On page 2 of this policy.)
 - a. If an appeal is requested check the appropriate box on the Discipline Report (PP142) and record any comments on the form.
 - b. If a reply is not received within five (5) calendar days, exclusive of date of receipt, you shall be deemed to have accepted the decision and penalty.
2. Within five (5) business days (weekends and holidays excluded) after the receipt of the Charges and Specifications (PP143) and Notice of Suspension, forward a Memorandum (PP27) to the Chief of Police requesting a hearing before the Police and Fire Commission.

RELATED PROCEDURES:

- [400 - Rules of Conduct](#)
- [500 - 500 Series Definitions and Guidelines](#)
- [501 - Reporting Violations Observed by a Supervisory Officer](#)
- [502 - Reporting Violations Observed by Non-Supervisory Member](#)
- [504 - Preparation Charges and Specifications](#)
- [505 - Processing Civilian Complaints](#)
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