

A. **PURPOSE.** To outline the organization and responsibilities of the Internal Affairs Unit

B. **GOALS**

1. Investigate and promptly resolve all allegations of employee misconduct.
2. Maintain the integrity of the Grand Rapids Police Department through the operation of a competent, objective, fair, and impartial internal investigation and review system.

C. **ORGANIZATION.** The Unit Commander reports directly to the Chief of Police.

D. **SPECIFIC RESPONSIBILITIES**

1. Receive and investigate allegations regarding misconduct of Police Department personnel, including allegations which fall under City Commission Policy 800-02 made by individuals who contend that they have been mistreated by police officers through the use of excessive force; falsification/lying; civil rights violations; or through hostility, discourtesy, or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice.
 - a. Class 1 Complaints involve allegations of Civil Rights or criminal law violations. Class 1 complaints, if sustained, may include discipline, up to and including termination.
 - b. Class 2 Complaints, while serious, do NOT constitute Civil Rights or criminal law violations. If sustained the corrective action may include discipline, up to and including termination.
 - c. Class 3 Complaints involve minor allegations and are NOT Civil Rights or criminal law violations. If sustained the corrective action would be non-disciplinary in nature, such as verbal coaching or supplemental training.
 - d. The described classes serve as a guideline and are not meant to be all inclusive. Extenuating circumstances and other factors may be taken into account when determining the Complaint Disposition Report.

2. Jointly investigate any notice of claim or civil suit regarding any Police Department personnel with the City Attorney's office.
3. Investigate all incidents involving the discharge of firearms by Police Department officers.
4. Maintain liaison with the state and/or federal prosecuting attorney's office while conducting investigations involving alleged criminal conduct on the part of any Police Department officer or employee.
5. Make available to the community, in an appropriate manner, the procedures for registering complaints against the Police Department and/or any of its personnel.
6. Maintain, in a secured area, records pertaining to Internal Affairs Unit investigations.
7. Other related tasks assigned by the Chief of Police.

E. COMPLAINT FILING PROCEDURE

1. Allegations of misconduct arise out of direct citizen complaints; information received from anonymous callers, fellow co-workers, and supervisors; and from a review of notes, reports, or documents generated as a result of the Police Department's operations.
2. Individuals may make complaints alleging misconduct by Police Department employees to the Internal Affairs Unit or any GRPD Supervisor, in person, by telephone, Internet, or through the mail.
3. Police Department employees who are contacted by an individual desiring to make a complaint of misconduct:
 - a. May attempt to amicably resolve the complaint, but shall not prevent or discourage any citizen from lodging a formal complaint.
 - b. Shall refer the complainant to the Internal Affairs Unit or their immediate supervisor.
4. Complaints of misconduct may also be made directly to the City Attorney or the Labor Relations Manager.

F. INVESTIGATION

1. All complaints received will be fully and properly investigated by the Internal Affairs Unit with a view toward maintaining the integrity of the Police Department and the confidence and trust of the community regarding the Police Department and its employees. Investigations will be completed within sixty (60) days. Extensions for investigations may be granted by the Chief of Police and documented in the report.
2. The Internal Affairs Unit will prepare a Complaint Intake Report after receiving a complaint from an individual or an employee of the Police Department, or after receiving a complaint filed with the City Attorney or the Labor Relations Manager. The Complaint Intake Report contains a summary of the allegations that have been received for investigation. The original of the Complaint Intake Report will be retained by the Internal Affairs Unit in its centralized complaint file. A copy of the Complaint Intake Report will be provided to any employee against whom a complaint has been filed unless the complaint involves alleged criminal activity; but the provision of a copy of the Complaint Intake Report to the employee is not a condition precedent to beginning investigative activity or the City's later imposition of disciplinary action.
3. The Internal Affairs Unit investigation will include collection of documentary evidence, witness interviews, and an examination of relevant laws, policies and procedures. At the completion of the investigation, the Internal Affairs Unit, with the assistance of an Assistant City Attorney, will prepare a Complaint Investigation Report and a proposed Complaint Disposition Report. The Complaint Investigation Report is a summary of the facts regarding the complaint and contains witness statements and relevant reports. The Complaint Disposition Report analyzes the facts and contains conclusions regarding whether the actions of the police officer(s) violated Police Department Rules or Regulations. The Complaint Investigation Report and the proposed Complaint Disposition Report will be submitted to the Chief of Police. In the event that the proposed Complaint Disposition Report includes a conclusion that the actions of the police officer(s) violated Police Department Rules or Regulations, a copy of the proposed Complaint Disposition Report will be submitted to the Labor Relations Division for a recommendation regarding appropriate disciplinary action.

4. No Internal Affairs Investigator will investigate a complaint against an employee of equal or greater rank, unless approved by the Chief of Police.
5. Internal Affairs Investigators shall advise the Chief of Police of any actual or apparent conflict of interest, or the inability to conduct an objective and unbiased investigation, with the parties involved in the investigation. Conflict of interest includes, but is not limited to, financial dealings, business dealings outside of the GRPD, familial ties or close social relationships.
6. Final determination for investigation shall rest with the Chief of Police, unless the investigation involves the Chief of Police, in which case the final determination shall rest with the City Manager. The assignment of a special investigator shall be documented in the report.

G. DISPOSITION OF INTERNAL COMPLAINTS

1. The Chief of Police will review the Complaint Investigation Report and the proposed Complaint Disposition Report, and may review the investigation file. After completion of this review, the Chief of Police will approve a Complaint Disposition Report. A copy of the proposed Complaint Disposition Report will be provided to the City Manager.
2. If the Complaint Disposition report concludes that the complaint is sustained because the actions of the police officer(s) violated Police Department Rules or Regulations, the Chief of Police will review the recommendations of the Labor Relations Division and issue a Complaint Action Report specifying the disciplinary or other action to be taken as a result of the conclusions reached in the Complaint Disposition Report. A copy of the Complaint Disposition Report and the Complaint Action Report will be provided to the police officer(s) involved. A copy of the Complaint Disposition Report will be mailed to complainant at their last known address.
3. If the Complaint Disposition Report concludes that the complaint is not sustained, was unfounded, or that the officer is exonerated, a copy of the Complaint Disposition Report will be provided to the police officer(s) involved. A copy of the Complaint Disposition Report will be mailed to the complainant at their last known address together with information advising the complainant regarding their right to appeal the conclusion reached in the Complaint Disposition Report to the Civilian Appeal Board if the investigation concerned complaints within the

scope of City Commission Policy No. 800-02. In instances where the investigation concerned complaints within the scope of City Commission Policy No. 800-02, the complainant and the officer will be advised that the conclusions contained in the Complaint Disposition Report will become final unless the complainant files a timely written appeal to the Civilian Appeal Board. If the nature of the complaint does not fall within the scope of the Civilian Appeal Board Policy, the Complaint Disposition Report will be mailed to the complainant's last known address, and the complainant and the officer will be advised that the disposition is final.

4. If a timely appeal is taken to the Civilian Appeal Board, the staff of the Internal Affairs Unit will provide a copy of the Complaint Investigation Report and the Complaint Disposition Report along with the evidence secured by the Grand Rapids Police Department during the investigation to the Civilian Appeal Board for its review. A member of the Internal Affairs Unit will be present at the meeting of the Civilian Appeals Board to answer procedural questions regarding the investigation. If the Civilian Appeal Board concludes that the police officer(s) violated Grand Rapids Police Department Rules or Regulations, the City Manager will review the recommendations of the Labor Relations Division, and issue a Complaint Action Report specifying the disciplinary or other action to be taken as a result of the decision of the Civilian Appeal Board. A copy of the decision of the Civilian Appeal Board and the Complaint Action Report will be provided to the police officer(s) involved.
5. A copy of the approved Complaint Disposition Report, the decision of the Civilian Appeal Board, and any Complaint Action Report that is issued will be placed in the Internal Affairs Unit investigative file.
6. After an internal investigation is "closed," the investigative file will be maintained by the Internal Affairs Unit.
7. Except as otherwise provided by law or judicial directive, no one is permitted to review any record, document, or file in the Internal Affairs Unit without the approval of the Chief of Police.

H. MONITORING

1. The Chief of Police, the City Manager, the City Attorney, and the Labor Relations Manager, in addition to other City staff deemed appropriate, shall meet periodically to review police misconduct complaints in the City of Grand Rapids and to make recommendations

on policy changes and other matters affecting the efficient and effective operation of the Internal Affairs Unit.

2. Internal Affairs Unit summaries of complaint investigations shall be regularly provided to the Chief of Police, the City Manager, the City Attorney, and the Labor Relations Manager.
3. Annual Internal Affairs Unit statistical summaries, based upon the records of internal investigations, shall be provided to the Chief of Police and the City Manager.

I. EARLY INTERVENTION SYSTEM (EIS)

1. The Internal Affairs Unit shall administer an EIS. The EIS will provide a systematic review of select activities regarding employee performance.
 - a. 12 Use of Force incidents in a 12 month period
 - b. 5 Internal Affairs complaints in a 12 month period
2. An alert for supervisory review will be generated by the EIS when an employee reaches an established threshold for select activities. Supervisory review will be conducted by the employee's Unit Commander and will include a review of the incidents which contributed to the alert. Upon completion of the review, the Unit Commander shall prepare a summary of the review, including any supervisory recommendations, which shall be forwarded to the IAU. The Unit Commander shall coordinate and monitor any recommendations established for the employee.
3. The EIS employs intervention strategies that are not punitive or disciplinary in nature. The consideration of incidents that led to an alert does not imply that these incidents have been or will be sustained and intervention strategies may include coaching, supplemental training, or referrals to employee wellness services.

CITY COMMISSION POLICY 800-02

SUBJECT: GRAND RAPIDS POLICE DEPARTMENT CIVILIAN APPEAL BOARD

PURPOSE: To encourage compliance with rules and regulations concerning the conduct of police officers during interactions with citizens; to encourage individuals who believe they have been mistreated by police officers to use the internal complaint process of the Grand Rapids Police Department to have that officer's conduct reviewed; to create a process that fairly and evenhandedly evaluates and judges the conduct of everyone involved to determine whether or not a breach of departmental rules and regulations has occurred; and to afford the community a sense of confidence that the community itself is involved as necessary in reviewing the activities of its police officers.

POLICY: A Civilian Appeal Board is hereby established within the Grand Rapids Police Department to act as a reviewing body for findings of fact made by the Grand Rapids Police Department with respect to complaints made by individuals who believe that they have been mistreated by police officers through:

- (a) the use of excessive force;
- (b) falsification/lying;
- (c) civil rights violations; and
- (d) hostility, discourtesy or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice.

For purposes of this policy, "racial animosity or prejudice" is evidenced by derogatory conduct or discriminatory behavior which involves expressions of prejudice through words, gestures, or actions directed at an individual based upon that person's race, color, religion, gender or national origin.

(1) Membership, Term of Office and Vacancy. The Civilian Appeal Board shall be comprised of nine (9) members. Each City Commissioner shall nominate one member, and the Mayor shall nominate three (3) members. The Mayor's nominations shall be made so as to encourage that the members selected for the Civilian Appeal Board constitute a diverse representation of the community at large. The Civilian Appeal Board shall be composed of those nominees approved by the City Commission.

Appointments to the Civilian Appeal Board shall be effective the first Monday in May for a term of two (2) years. No member shall serve on the Civilian Appeal Board more than three (3) consecutive full or partial terms or a total of six (6) years. Residency within the city is a continuing qualification for office for those members appointed. Members shall be deemed to have vacated and resigned their office if they cease to be a resident of the city during their appointed term. Mid-term vacancies will be filled as they occur by the appropriate appointing authority for the remainder of the term of the member leaving the Civilian Appeal Board. No individual may be appointed to fill a vacancy unless they would be able to serve out the entire term.

(2) Investigation of Complaints. Individuals with complaints alleging that they have been mistreated by police officers through the use of excessive force; falsification/lying; civil rights violations; or through hostility, discourtesy or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice, will be referred to the Internal Affairs Unit of the Grand Rapids Police Department. The Staff of the Internal Affairs Unit, with the assistance of an Assistant City Attorney, will conduct an investigation and prepare a proposed "Complaint Disposition Report" containing a summary of the facts regarding the complaint and a conclusion regarding whether the police officer(s) violated Grand Rapids Police Department Rules or Regulations. The Complaint Disposition Report, when approved by the Chief of Police, will be provided to the police officer(s)

involved, the City Manager, the City Attorney, and the Labor Relations Division of the Human Resources Department. A copy of the Complaint Disposition Report will also be mailed to the complainant(s) at their last known address together with information advising the complainant regarding their right to appeal the conclusion reached in the Complaint Disposition Report to the Civilian Appeal Board.

(3) Review by Civilian Appeal Board. If the Complaint Disposition Report concludes that the complaint is not sustained, was unfounded or that the officer is exonerated, the complainant may appeal to the Civilian Appeal Board by filing a written request for review with the City Attorney's Office within fourteen (14) calendar days after the date of mailing of the Complaint Disposition Report. If a timely appeal is filed, the Civilian Appeal Board will review the conclusions contained in the Complaint Disposition Report and the evidence secured by the Grand Rapids Police Department during the investigation. The Civilian Appeal Board is not authorized to engage in separate investigations, to interview witnesses, or to hold evidentiary hearings, but it may remand the case to the Labor Relations Division to conduct supplementary interviews with the complainant, the officer(s), and witnesses in the event that it considers the record to be inadequate to complete its review. The Labor Relations Division will provide a written report to the Civilian Appeal Board summarizing the actions taken and information received during the supplemental investigation.

The Civilian Appeal Board will meet as necessary to consider the matters referred to it in a timely fashion. Representatives of the Grand Rapids Police Department and the City Attorney's Office will be present during the review process to provide information regarding the scope of the investigation and to answer legal questions. At the conclusion of its deliberations, the Civilian Appeal Board will prepare a written decision affirming, reversing, or modifying the conclusions contained in the Complaint Disposition Report. If the Civilian Appeal Board reverses or modifies the conclusions in the Complaint Disposition Report, the written decision must contain sufficient detail to explain the reason for the reversal or modification. The Civilian Appeal Board has no jurisdiction to impose discipline or to recommend that discipline be imposed and its decision will not address or recommend potential disciplinary action. The decision of the Civilian Appeal Board will be submitted to the City Manager and a copy of the decision will be provided to the complainant(s), the police officer(s) involved, the City Attorney, the Police Chief, and the Labor Relations Division.

(4) Final Disposition. The Complaint Disposition Report as affirmed, modified or reversed by the decision of the Civilian Appeal Board will constitute the City's final disposition regarding the complaint. If the decision of the Civilian Appeal Board concludes that the police officer(s) violated Grand Rapids Police Department Rules or Regulations, the City Manager will determine the disciplinary or other action to be taken.