

## INFORMAL VS. FORMAL COMPLAINT

The Emporia Police Department provides two methods for the investigation and resolution of complaints against its members. One method is informal and the other is formal.

**INFORMAL:** Most complaints against employees will be resolved by the employee's supervisor. This is considered an information complaint/investigation. In an informal investigation, the officer's supervisor (generally a sergeant) will meet with the complainant and then meets with the employee involved with the complaint. After meeting with both parties, the supervisor then informs the lieutenant of his/her determination and an appropriate course of action is taken to resolve the complaint. The complainant will be notified by the supervisor of the outcome of the investigation.

**FORMAL:** Formal complaints of misconduct or criminal behavior will be handled by a senior administrative officer of the department. The ranking officer will take the initial complaint report. The incident will then be referred to the department's Office of Professional Standards for investigation.

## PROFESSIONAL STANDARDS DIVISION

The Office of Professional Standards is under the direct authority of the Chief of Police. By that authority, members assigned as needed to this division are responsible for investigating all complaints of misconduct by department personnel.

The goal and function of the Office of Professional Standards is to ensure that the integrity of the department is maintained and that objectivity, fairness and justice are ensured. An impartial investigation and review of each complaint brought to the department's attention is vital.

Should your complaint result in a formal investigation, it is reported to the Chief of Police. A thorough and impartial investigation will be conducted by an officer assigned to the Professional Standards Office directly under the supervision of the Police Chief. After the allegations are fully investigated, senior members of the department will meet to recommend what actions will be taken to resolve the complaint. The complainant is notified in writing of the results of the investigation.

## DO YOU HAVE QUESTIONS OR RECOMMENDATIONS?

The Emporia Police Department is committed to providing the best law enforcement services possible. Citizen cooperation and participation are essential if the Department is to succeed in this goal.

If you have questions about specific actions taken by the Department, how the Department operates, or have a recommendation on how we can improve our police services, please call the Emporia Police Department Administrative Services Division at 620.343.4211.

Your questions or recommendations can also be mailed directly to:

Chief Gary G. Smith  
Emporia Police Department  
518 Mechanic Street  
Emporia, KS 66801

### FOR YOUR INFORMATION...

All Emergencies	9-1-1
General Info/Police Records	620.343.4200
Administration	620.343.4211
Professional Standards	620.343.4211
Patrol/Traffic Division	620.343.4202
Criminal/Special Inv.	620.343.4200
Dispatch Center	620.343.4200
FAX Number	620.343.4228
E-Mail Address	epd@emporia-kansas.gov

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## EMPORIA POLICE DEPARTMENT

## COMMENDATION OR COMPLAINT PROCEDURES



## MISSION STATEMENT

*The Emporia Police Department is dedicated to providing the citizens of Emporia with professional quality law enforcement with a commitment towards ensuring protection of life, liberty and property.*

## ABOUT THE EMPORIA POLICE DEPARTMENT

To fulfill our mission, vision and values, the Department offers a range of professional services through a dedicated, well-trained, professional staff. We offer the services indicative of a modern progressive police department. Services range from traditional reactive police services to proactive programs such as neighborhood and business watch programs.

The Emporia Police Department is committed to excellence in service to the community. Each day we offer professional police service to our resident population and the daily influx of citizens from other communities who work in Emporia or seek the services and entertainment by our city.

The Emporia Police Department responds to thousands of calls for service per year resulting in many arrests and criminal reports. In a typical year, less than 1% of these incidents result in formal citizen complaints against members of the Department.

The standards of the Emporia Police Department are among the highest in the State, and our officers are among the best trained. Our community and the level of police service that we all benefit from, can best prosper by your support of these standards by commendation, recommendation, question or complaint.

By way of maintaining both department performance and police/community relations, the Emporia Police Department encourages citizen recommendations for improvements in our policing. We welcome the commendations of police personnel who admirably perform their duties, and encourage questions or complaints about the Department's performance or actions of its members.

## COMMENDING SUPERIOR PERFORMANCE

If you wish to commend the actions of any Emporia Police Department employee, you can:

- Ask to speak with the employee's supervisor and verbally express your commendation;
- You can write a letter to the Chief of Police explaining your commendation; or
- You can call the Police Department and explain your commendation.

Commendations received by the Police Chief for any Emporia Police Department employee results in advising the employee of your gratitude, and your kindness in informing us of your appreciation. His/her actions and your appreciation are relayed through a note from the Police Chief, a copy of which is placed into the employee's personnel file.

## FILING A COMPLAINT

- It is normally the responsibility of the employee's sergeant to meet with you to discuss your complaint. If the employee's sergeant is not available or you cannot meet with him/her because of scheduling, you may ask to speak with the lieutenant or deputy chief.
- You will meet privately with the sergeant or lieutenant to discuss your complaint. Your complaint will be received in a courteous manner and you will be expected to conduct yourself in a similar manner. If your conduct is considered inappropriate, the lieutenant may request that you return at another time to discuss your concerns.
- If appropriate, the sergeant or lieutenant will resolve the matter directly.

- When appropriate, the sergeant or lieutenant will begin the formal investigation process. You will be asked to provide a written and recorded sworn statement detailing your complaint.
- You will sign a complaint form saying that you understand that any false or untrue statement by you during this complaint process may be subject to criminal or civil liability.
- You will be provided with a copy of your complaint.
- An investigator assigned to investigate the formal complaint will contact you to schedule an interview.
- The Department will, based on a preponderance of the facts, decide whether the employee violated any of the rules and regulations of the Emporia Police Department, the City of Emporia, or the State of Kansas.
- If the Department learns that the employee did violate rules and regulations of this Department, the employee will be subject to provisions to the department policy and procedures in such matters.
- If the Department learns that the employee violated the law of the State of Kansas, the appropriate court action will be initiated through the county attorney or Police Officer Standards and Training Office.
- Your complaint will be reviewed for indications of ways we can improve policies, procedures, or training in the future.
- You will receive written notification of the determination made by the Department regardless of the outcome.
- While the Emporia Police Department does encourage citizens to file legitimate complaints, the complaints must be made in good faith. Should the Department discover that the person or persons acting as complainants or witnesses issued statements known to be false, the Department may pursue criminal action against the person. Civil action against an untruthful complainant can be initiated by the employee who is the subject of a false complaint.