

# Citizen Complaint Procedure



## Who May Complain and How

Any citizen who feels that they have knowledge of police corruption or misconduct is encouraged to use the Buxton Police Department complaint procedure.

A complaint may be made by contacting the police department Officer-in-Charge either in person or by phone. The Officer-in-Charge will provide a complaint form that will be forwarded to the office of the Sergeant who is responsible for internal investigations. Complaints may also be made directly to the Corporal or the Chief of Police, during normal business hours.

Every complaint, regardless of its nature, is assigned for investigation. Whenever possible, minor breaches of regulations are assigned to the supervisor of the accused officer's unit since discipline is recognized as a function of command.

## Internal Affairs

The function of Internal Affairs is to protect the integrity of the Buxton Police Department and its personnel, both sworn and non-sworn.

It is the goal of the Citizen Complaint Procedure that the rights of all citizens be protected and that police officers be free to exercise their best judgment and to initiate action in a reasonable, lawful, impartial manner without fear of reprisal. A proper relationship between the police and the citizens of Buxton fostered by trust and confidence is essential to effective law enforcement.

This system of complaint and disciplinary procedures not only subjects officers to corrective action when behaving improperly, but also protects them from unwarranted criticism when discharging their duties properly.

## What Should Be Reported

Police behavior that should be subject to citizen complaints include:

Corruption such as:

- Theft
- Bribery
- Acceptance of gratuities etc.

## Misconduct such as

- Excessive force
- Unlawful arrest
- Harassment

These complaints are thoroughly investigated and a report is prepared which includes sworn statements from the complainant, the accused and all witnesses.

The completed investigative report also includes a narrative summary of the events and a finding of facts as determined by the sworn statements of those involved. Prior to leaving the Internal Affairs function for disciplinary recommendation, the report is reviewed by the supervisor for completeness and objectivity.

The report must not reflect any personal opinion but rather present an unbiased picture of the circumstances as they actually occurred. This permits the examiner to make a proper recommendation, based on the investigative findings presented.

The report is then given to the Chief of Police for his/her evaluation. If the Chief of Police has reason to believe that there was misconduct or corruption on the part of the employee, the Chief shall request that the complaining person meet with the Chief and the officer in question.

The disposition of complaints are classified as follows:

### Unfounded

Incident did not occur or officer not involved.

### Exonerated

Incident occurred but officer acted lawfully and properly

### Not Sustained

Insufficient evidence to prove or disprove the allegation.

### Sustained

Allegation is supported by sufficient evidence.

In all cases, the officer is notified of the disposition.

There are four types of disciplinary action, which can be recommended for a sustained case:

- Verbal Reprimand
- Written Reprimand
- Suspension
- Dismissal



**Summary Of Complaint Procedures**

- Telephone the Police Department, any time and ask for the Officer-in-Charge. Call (207) 929-6612.
- Come in person to the Police Department at 185 Portland Road.
- Present complaint to the Officer-in-Charge.
- Your case is then assigned for investigation and a report made to the Chief of Police.
- Administrative handling of the report with resulting staff recommendations.
- Final disposition by the Chief of Police.
- You are informed of departmental disposition.

[Download Complaint Form](#)