

3-04/020.05 - Initiation of Administrative Investigations

Upon receipt of a personnel complaint or upon notification that a personnel incident involving possible misconduct has occurred, a unit commander or higher ranking executive may order an administrative investigation.

Administrative investigations may be conducted by the concerned unit, at the direction of the unit commander, or may be conducted by the Internal Affairs Bureau.

Only a division chief or division director or above may request an administrative investigation by the Internal Affairs Bureau. A division chief's or division director's decision to request an investigation by Internal Affairs Bureau shall be based upon the severity, complexity, and/or the far-reaching effect that the incident may have or may produce. All requests for Internal Affairs Bureau to conduct an administrative investigation shall be initiated by written memorandum (SH-AD-32A) from the concerned division chief or division director to Captain of Internal Affairs Bureau. The memo may be sent via e-mail (Use Exchange Group, "IAB Investigation Request").

When an administrative investigation is the result of a complaint from the public, the sequential number of the Watch Commander's Service Comment Report shall be referred to in the memorandum requesting the investigation.

NOTE: Upon receipt of a citizen's complaint or an internally initiated complaint of employee misconduct, the concerned unit commander shall review the incident for the purpose of determining if it involves criminal culpability on the part of the accused Department member(s). If the unit commander determines that criminal culpability may exist, he shall, through channels, discuss the matter with his division chief or division director. If the division chief or division director feels that criminal culpability may exist, he will direct that an investigation be conducted by the Internal Criminal Investigations Bureau. Requests for an ICIB investigation shall be initiated by written memorandum (SH-AD-32A) from the concerned division chief or division director to the Captain of ICIB. The memo may be sent via e-mail (Use Exchange Group, "ICIB Investigation Request").

If a criminal investigation is conducted and there appears to be no basis for filing or insufficient evidence for prosecution, the Internal Criminal Investigations Bureau will close the case and will notify the concerned unit commander and division chief or division director of the reasons for the closure. It is the responsibility of the unit commander to assess the case and to determine whether or not an administrative investigation is warranted. If so, the administrative investigation can be completed at the unit level or by Internal Affairs Bureau if the case meets the criteria for investigation by IAB.

NOTE: A request for Internal Affairs Bureau to conduct the investigation shall be initiated by written memorandum from the division chief or division director to the Captain of Internal Affairs Bureau.

NOTE: Criminal prosecution of a complainant charged with resisting arrest, interfering with a peace officer or assaulting a peace officer may be cause for delaying the commencement of an administrative investigation. Depending on the circumstances of the case, the concerned division chief or division director will determine whether to proceed with the administrative investigation or to postpone it until adjudication of the criminal proceedings. In the event an administrative investigation is delayed, the

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complainant shall be notified that the investigation will commence at the close of criminal proceedings.
