3-04/020.30 - Internal Administrative and Criminal Investigations

All administrative investigations, whether investigated by the unit or the Internal Affairs Bureau (IAB), shall be completed 120 calendar days before the expiration of the statute date for cases involving sworn personnel and, absent good cause, shall be completed within 240 calendar days from the date of Department knowledge for cases involving non-sworn personnel.

When an administrative investigation is completed at the unit level, the unit commander shall adjudicate the case and determine an appropriate disposition. The case shall then be forwarded to the concerned area commander, division chief, or division director for review. The case shall be forwarded to the constitutional policing advisor (CPA), if the case is being monitored by the CPA, for review.

When an administrative investigation is completed by IAB, the completed case file shall be sent to the unit commander of the unit that the subject(s) was assigned to at the time the incident occurred, or to the unit where the subject was working overtime, CARPing, or loaned at the time the incident occurred, and to the CPA, if the case is being monitored by the CPA, within five business days. The unit commander shall adjudicate the case and determine an appropriate disposition. The case shall then be forwarded to the concerned area commander and division chief or division director, for review.

> **NOTE**: Department managers shall consult with a CPA on cases being monitored by the CPA and should consult with the Advocacy Unit when adjudicating an investigation.

The disposition sheet shall be prepared by the unit that adjudicates the case and processed through the concerned division. It shall be forwarded to IAB (along with the completed investigation) according to the following time frames:

- Within 30 calendar days after completion of the investigation and no later than 90 calendar days before the statute date for cases involving sworn personnel; or
- Within 30 to 90 calendar days after completion of the investigation for cases involving non-sworn personnel.

The area commander and division chief or division director shall review all adjudicated investigations.The concerned unit commander may impose a written reprimand or a suspension of up to 15 days for violations of the Department's Manual of Policy and Procedures.The concerned division chief or division director may impose a suspension of 16 to 30 days.

> **NOTE**: Division chiefs and division directors may, without further review, remove an employee from bonus status ("Bonus removal") for a violation(s) of the Manual of Policy and Procedures.

When a division chief or division director determines that the discipline is to be a demotion or discharge, the case shall be presented to the Department's Case Review Committee no later than 45 calendar days prior to the expiration of the statute for cases involving sworn personnel. The committee will assess the factors pertaining to the findings and discipline.

Criminal investigations of employees are monitored by IAB:

- When an internal criminal investigation is completed (which is the date the Internal Criminal Investigations Bureau (ICIB) Captain signed the ICIB case cover), ICIB shall advise the employee's unit, IAB, and the CPA within five business days of the completion. ICIB shall also provide IAB with a copy of the criminal investigation within five business days. IAB will close the criminal monitor and forward the investigation to the unit within ten business days. The unit must review the criminal investigation and make a recommendation regarding the disposition to the concerned area commander and division chief or director within ten business days. The recommendations include inactivation, referral for administrative investigation by IAB, or initiation of a unit-level administrative investigation; or
- When IAB receives a completed outside agency criminal investigation, IAB shall advise the CPA within five business days of receipt of the criminal investigation, and shall close the criminal monitor and forward the criminal investigation to the employee's unit within ten business days. The unit must review the investigation and make a recommendation regarding the disposition to the concerned area commander and division chief or division director within ten business days. The recommendations include inactivation, request for an administrative investigation by IAB, or initiation of a unit-level administrative investigation.