

UNIVERSITY OF WISCONSIN – EAU CLAIRE POLICE

TITLE: CITIZEN COMPLAINT POLICY	
EFFECTIVE DATE: November 27, 1987	REVIEWED/REVISED: May 24, 2018

I. Policy

In order to maintain the highest ethical and professional standards of service, the University of Wisconsin – Eau Claire Police accept complaints against its members and those that concern its policies or procedures and fully investigates all such complaints to the appropriate disposition.

Any violations of the directives of the policy or any violations of other official policies, orders, or University of Wisconsin – Eau Claire work rules will be grounds for initiating disciplinary procedures.

In the text of this policy, reference to the use of the term “officers” may include other employees, whether full or part-time, sworn or unsworn.

II. Procedure

A. Receiving Complaints

Citizens who wish to file complaints against officers will be informed of the manner in which this may be done. Complainants are to be directed to a supervisor including a supervisor’s name, university address and work phone number. The supervisor shall furnish the complainant with a written statement form. If the complainant alleges officer misconduct or illegal activity by an officer, the Attestation and Notary form is to be completed.

B. Harassment of Complainants

No officer will harass, verbally abuse, or threaten any citizen who files a complaint against that officer, or any other officer.

C. Processing Complaints

Complaints against officers (whether originating from a citizen, a fellow officer, a supervisor or commanding officer, or another agency) will be thoroughly reviewed. Assuming that the complaint does not involve illegal activity, the officer will be informed of the charges and permitted to provide an explanation or comment on the charges. When possible illegal activity is involved, officers will

be given every right due any other person in the context of a criminal investigation. Officers may have a legal representative or other representative of the officer's choice.

D. Duty Status of Officer

At the discretion of the Chief of the University of Wisconsin – Eau Claire Police, officers may be relieved from active duty status pending the outcome of the complaint process.

E. Disposition of Complaints

Upon completion of the review of the charges in a complaint, the matter will be classified as:

1. Not Involved - The accused was not involved in the alleged complaint.
2. Exonerated – The alleged conduct occurred, but it was lawful and proper.
3. Unfounded – The complaint was false or unfounded.
4. Not Sustained – There was insufficient evidence to prove or disprove the allegation.
5. Sustained – The allegation was supported by proper and sufficient evidence.

*Officers will be promptly notified of the disposition of the complaint.

F. Disciplinary Action

If a complaint is found to be sustained, disciplinary action will be taken. Depending on the severity of the violation involved and the officer's past record, such action could include but will not necessarily be limited to:

1. Oral reprimand
2. Written reprimand
3. Loss of pay or privileges
4. Suspension without pay
5. Demotion
6. Termination of employment
7. Criminal/Forfeiture court action

*Officers will be promptly notified of any disciplinary action to be taken. A copy of the final disposition of any disciplinary action shall be placed in the employee's personnel file along with copies of the investigation report.

G. Complaints of Criminal Activity

Complaints against officers, which allege criminal violation, will be grounds for bringing criminal charges. The action will not serve to prevent the internal disciplinary process from acting on the same matter.

H. Duty to Reply/Cooperate

Officers will answer fully all questions which a superior officer, supervisor, or command staff may ask regarding performance of official duties. The officer will be afforded all applicable constitutional and contractual rights.

I. Appeal of Disciplinary Action

All appeals will be governed by the rules of the State of Wisconsin, the University of Wisconsin System or the justice system.



UNIVERSITY OF WISCONSIN – EAU CLAIRE POLICE

Internal Investigation Report

Re: Officer: _____ Date: _____

Complainant: _____

Address: _____ Phone Number: _____

Background:

Nature of Complaint:

Investigation Summary:



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Internal Investigation Report

Re: Officer _____

Date: _____

Findings (Check Appropriate Category):

- Not Involved: The accused was not involved in the alleged complaint.
- Exonerated: The acts did occur but were justified as lawful and proper.
- Unfounded: The investigation indicates that the act or acts complained of did not occur or failed to involve police personnel.
- Not Sustained: The investigation failed to uncover sufficient evidence to clearly prove or disprove the allegations made in the complaint.
- Sustained: The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.

Recommendations:

Comments:

I have read the information listed above and I understand the same.

Signature of Officer: _____

Signature of Investigator(s): _____



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Attestation and Notary Form

State of Wisconsin
University of Wisconsin – Eau Claire
Office of University Police

_____, being first duly sworn on oath, deposes and says that he/she is the complainant in the above described matter; that he/she has read the foregoing complaint and knows the contents thereof; that the same are true and complete to his/her knowledge, except as to those matters therein stated upon information and belief and as to those matters he/she believes the same to be true.

Witnesses:

(Complainant's signature under oath)

(Date)

Subscribed and sworn to before me this

_____ day of _____, 20_____.

Notary Public, _____ County, Wisconsin

My Commission is (permanent) or (expires on _____).