



# Policy Revision Request

Requestor Name Christina Angeles / Matthew Wright Emp # 5200 / 4418

This revision applies to Existing Policy 08-15-23

If new, recommended section \_\_\_\_\_

This revision is necessary to comply with Best Practices

Whom does this revision affect? Department

This revision has an unbudgeted financial impact of \$ 0

### Brief reason for the revision:

Lt Wright for section A: This revision is requested to better reflect the current process for processing Complainant Contact Forms submitted to Internal Affairs by supervisors.

Sgt Angeles for section C: We have identified the need to revise the term SR-MPV. To this effect, 'Corrective Action MPV' replaces the term 'SR-MPV.' This alteration signifies a new name and an improved, explicit definition incorporated into policy.

**Document the changes or additions to the policy below. Please include the specific policy number. ~~Red strikethroughs~~ are used for deletions and blue underlined for text insertions. Please email completed forms to [APDPolicy@austintexas.gov](mailto:APDPolicy@austintexas.gov). Use this email for any related questions or issues for policy.**

## 902 Administrative Investigations

### 902.2 COMPLAINT ACCEPTANCE PROCESS

#### 902.2.4 INITIAL SUPERVISOR RESPONSIBILITY

Unless a complaint is submitted directly to the OPO or IA, the initial response to an internal or external complaint shall generally rest with the employee's immediate supervisor.

- (a) Supervisors investigating a complaint shall adhere to the following guidelines:
  1. If the incident is force related, follow the guidelines set forth in GOeneral Order 211 ~~(Response to Resistance Inquiry, Reporting, and Review)~~.
  2. Supervisors shall ensure the procedural rights of the accused employee are followed pursuant to state and federal law (generally TLGC §143 & §614), ~~as well as the~~ and/or any Meet and Confer Agreement currently in effect. Questions concerning the rights of the accused employee shall be directed to the Legal Advisor for Internal Affairs.
  3. During the preliminary investigation of any complaint, supervisors should make every reasonable effort to obtain additional witnesses' names, addresses, and telephone numbers ~~of additional witnesses.~~
- (b) Allegations of a Minor Nature:
  1. Supervisors notified of a minor complaint ~~are required to~~ must contact the complainant within one (1) calendar week of ~~the time the complaint was~~

~~received~~receiving the complaint and attempt to resolve the issue. After attempting to resolve any minor complaint, supervisors shall ensure that an IA External Complainant Contact Form PD0084 has been completed as fully as possible and should indicate whether the complainant was satisfied. ~~Forms will be emailed to;~~ email the form to Internal.Affairs@austintexas.gov.

~~2. Minor complaints that are marked as "satisfied" on the form~~ All IA External Complainant Contact Forms received by IA shall be entered into the IA Tracking Database as ~~i~~Information and ~~marked as~~ closed.

~~(a)~~3. Whether a complainant is satisfied or not satisfied, supervisors shall inform the complainant of their option for contacting the OPO, should the complainant choose to file a formal complaint.

~~(b)~~4. Minor complaints that are marked as "not satisfied" on the form shall be entered into the IA Tracking Database and will follow the normal complaint assessment, classification and investigation process as outlined in this order. If a complainant is not satisfied, supervisors shall refer the complainant to the OPO. If a supervisor determines an allegation of a minor nature should be referred to IA, they should follow the Internally Initiated Complaints process outlined in this General Order.

2.5.

(c) CORRECTIVE ACTION (MINOR POLICY VIOLATION)

Corrective Action is the documentation process for all minor policy violations that generally result in informal discipline below an Oral Reprimand. It is also an option for minor policy violations that generally result in an Oral Reprimand, excluding crashes to Departmental vehicles, per GO 346.6 Crashes and Damage to APD City Vehicles.

1. Corrective Action Process:

(a) Internal Complaints

1. The chain of command (COC) will identify the policy violation and check the Matrix to ensure it meets the definition of a minor policy violation.
2. The COC will complete and send an unsigned Corrective Action form PD0006 (including the type of discipline) with policy number(s) and nature of the complaint(s) to Internal.Affairs@austintexas.gov.
3. IA will review the documentation for completeness and determine if the policy violation is eligible for the Corrective Action process.
4. If eligible, IA will assign the Corrective Action an IA case number, enter it into ICMS as Corrective Action, and notify the COC.
5. Once notified, the COC will take the appropriate corrective action (e.g., Oral Counseling, Training, CCM, ESP, or Oral Reprimand).
6. The officer and appropriate supervisor will sign the Corrective Action form.
7. Forward the signed Corrective Action form and, if applicable, any additional related documents, such as CCM, ESP, or Oral Reprimand, to IA.
8. IA will review, sign, and store the completed forms in the Corrective Action folder.
9. If IA determines that the policy violation is not eligible for the Corrective Action process, the COC will send an Internal Complaint Memo to IA to be handled as a Class A/B investigation or an OFCA, if eligible.

(b) External Complaints:

1. When determined to be appropriate, IA will classify an external complaint that meets the criteria of a minor policy violation and forward it to the officer's COC to handle as a Corrective Action.

~~(e)~~(d) Allegations of a Serious or Criminal Nature:

1. ~~Allegations of a serious or criminal nature shall be initially investigated by a supervisor the rank of sergeant or above.~~ A supervisor with the rank of sergeant or above shall initially review allegations of a serious or criminal nature.
2. Supervisors receiving a complaint involving allegations of a potentially serious administrative nature shall notify an IA investigator as soon as possible. Serious administrative allegations include, but are not limited to:
  - (a) Serious violations of a ~~g~~General ~~e~~Orders, rules, or regulations.
  - (b) Conduct that challenges the Department's integrity, good order, or discipline ~~of the Department.~~
3. A supervisor receiving a complaint involving allegations of a criminal nature shall notify the following personnel as soon as possible:
  - (a) The Watch Lieutenant.
  - (b) The Duty Commander.
  - (c) An SIU supervisor.
  - (d) An IA investigator.
  - (e) The involved employee's chain-of-command.