



General Order 52.2 - Professional Standards Unit (PSU)

PURPOSE: Define Professional Standards Unit investigative procedures, complaint records, receiving complaints, complainant notifications, complaints requiring immediate notification, and Professional Standards Unit summaries.

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ISSUED BY : Sheriff Jeffrey T. Easter

REVIEWED BY: Standard Review Committee

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52.2.1 PROFESSIONAL STANDARDS UNIT INVESTIGATIVE PROCEDURES

- A. An appropriate investigation of all complaints, including anonymous complaints against the department or employees, shall be completed.
 - 1. In some cases, the extent of the investigation may be limited to substantiating the falsity of malicious or baseless accusations.

- B. The Professional Standards Unit shall, on receipt of an alleged complaint, collect all information that is available at the time and present this information to the sheriff/undersheriff.
- C. Upon receipt of a complaint of misconduct, the sheriff shall either:
1. Instruct the Professional Standards Unit to make an investigation; or
 2. Refer the complaint to the appropriate command.
- D. When a complaint is assigned to the Professional Standards Unit by the sheriff, the investigator will notify the division and bureau commanders of the concerned employee(s) regarding the existence of the complaint and the allegations therein.
1. The employee will be notified as outlined in [section 52.1.7](#).
- E. At the outset of an investigation or at any time in the course of investigating a complaint of misconduct when it appears that an employee has committed a criminal offense, the procedure listed below will be included in the investigation process:
1. One (1) or more deputies from the Investigations Division will be assigned to investigate the criminal aspects of the allegation.
 2. The suspected employee shall be afforded every safeguard of his/her rights whether outlined in this regulation or not.
 3. It shall not be taken for granted by investigators that the suspected employee(s) are aware of their rights through law enforcement experience, nor shall they be expected to waive any rights because of their employment by this department.
 4. When an investigation ceases to be a general inquiry and begins to focus on a particular aspect, a written Miranda warning will be given before any interrogation commences.
 5. When the suspected employee does not wish the inquiry be extended to interrogation, the interrogation will cease.
 6. When a suspected employee requests his/her lawyer to be present, no interrogation will take place until the lawyer is present.
 7. (R) The ~~Garrity Warning~~[Kalkines Warning](#) will be issued when appropriate.
 8. No statement, comment, writing, suggestion, gesture, or innuendo that suggest lenience, prosecution, no prosecution, or disciplinary action will be made or directed to an employee being investigated by any person assigned to the investigation.
 9. See also [52.3.5](#) for additional investigative guidelines.
- F. When the investigation is concluded and reports have been submitted to the sheriff, the sheriff will determine if the investigation is completed and if any course of action should be taken. The sheriff may make this decision individually or may appoint a review deputy to assist in this task. The mission of the review deputy is:

1. To determine whether the investigation is or is not complete;
 2. To cause further investigation to be conducted, if necessary;
 3. To determine that the complaint or allegation is or is not valid; and
 4. To recommend to the sheriff a course of disciplinary action or that a criminal charge should be filed when the complaint or allegation is valid.
- G. The sheriff has authority to amend, modify, reject, or approve the recommendation of any investigator(s) or investigation board. The final decision with regard to discipline or the filing of a criminal charge against an employee rests with the sheriff.

52.2.2 COMPLAINT RECORDS

- A. Records of complaints made against employees and the Sheriff's Office as a whole shall be maintained by the Professional Standards Unit.
1. Such records shall be kept in a secure manner.

52.2.3 OPEN

52.2.4 RECEIVING COMPLAINTS

- A. A complaint affidavit is the intended means for a citizen to register a complaint of misconduct against an employee. When a citizen appears in person, the complaint will be put in writing. When a citizen is unable, or refuses, to appear in person, an employee will write the complaint on the complaint affidavit form.
- B. A citizen who makes a complaint by telephone should be encouraged to register the complaint in writing.
- C. When a complaint is made by letter, the letter itself will be the complaint document.
- D. The appropriate Office reporting procedure will be used by employees in registering, responding to or investigating acts of misconduct (e.g., deputy's report, Dictaphone, or generating a case) depending on the circumstances.
- E. The procedures for registering a complaint will be freely disseminated by all members of the department.
- F. Employees shall not discourage members of the public from registering complaints about employees or the department.
1. Employees may suggest that members of the public contact the Professional Standards Unit directly with their complaint, but in no event will employees refuse to take a complaint.

52.2.5 COMPLAINANT NOTIFICATIONS

- A. **(R)** Professional Standards Unit will notify the complainants of the outcome of complaints against the Sheriff's Office or its employees at the conclusion of the investigation.

- B. **(R)** First-line supervisors investigating minor violations may notify the complainants of the outcome of complaints against the Sheriff's Office or its employees at the conclusion of the investigation.

52.2.6 COMPLAINTS REQUIRING IMMEDIATE NOTIFICATION

- A. Those occurrences investigated by the Professional Standards Unit requiring immediate notification of the sheriff are:
 - 1. Discharge of a firearm where death, injury, or property damage occurs;
 - 2. Allegations of criminal misconduct; and
 - 3. Allegations of corruption.
- B. Such notification is to be made in the most expeditious manner.

52.2.7 INVESTIGATION RECORDS

- A. Records pertaining to Professional Standards Unit investigations shall be maintained in a secure and confidential manner by the lieutenant charged with the Professional Standards Unit functions.
- B. Professional Standards Unit records shall not be released except with direct authorization from the sheriff.

52.2.8 OPEN