JEFFERSON POLICE DEPARTMENT POLICY	TITLE: CITIZEN COMPLAINTS		
ISSUE DATE: 07-07-2005	LAST UPDATE/REVIEW: 02-15-2023 04-30-2025 11-10-2025	SECTION: Administrative	FILE NAME: A24
POLICY SOURCE: Chief of Police			TOTAL PAGES: 10
SPECIAL INSTRUCTIONS: Amends:			

I. PURPOSE

The purpose of this policy is to fulfill the statutory requirements of 66.0511(3) requiring a specific procedure for processing and resolving a complaint by any person regarding the conduct of a law enforcement officer of the department. This policy also requires that all complaints against the department or its employees are investigated and specifies the authority and responsibility assigned by the type of complaint. The policy will also address the protection of an officer's rights when confronted with frivolous and false complaints made against them.

II. POLICY

It is the policy of this department to accept and resolve complaints made regarding the conduct of an officer employed by this department, while protecting the officer against frivolous complaints.

III. DISCUSSION

IV. DEFINITIONS

Informal Complaint: The complainant tenders a complaint, either written or verbal, alleging inappropriate behavior by an employee. The nature of the complaint is often of a less serious allegation such as officer driving behavior, rudeness, and officer enforcement decisions. The Department's Line Supervisors take the lead on informal complaint investigations.

Formal Complaint: The complainant tenders a written complaint alleging inappropriate behavior by an employee using the Department's Citizen Complaint Form. The allegations are of a more serious nature such as criminal activity, civil rights violations, use of force, corruption or brutality. The Chief will assign a supervisor for the internal investigation of the

complaint.

V. PROCEDURE

A. Filing a Complaint

1. Any person, including a member of the department may file a complaint.

2. Any person wishing to file a complaint against a member of this department shall be referred to a supervisor. Non-supervisory members shall in no way attempt to deter a citizen from making a complaint and are prohibited from questioning citizens as to the nature of the complaint.

   a. The supervisor will make every attempt to obtain the specifics of the alleged incident including, but not limited to: dates and times, location of occurrences, witnesses and complainant' relationship to the employee (if any).

   b. The supervisor will attempt to obtain the complainant's identifying information so later contact can be made if necessary.

   c. The supervisor will notify the Chief or his/her designee of the allegation being made.

   d. If no supervisor is available, and the aggrieved person requests a formal complaint package, one will be provided without question to the individual. That employee shall notify the Chief that a formal complaint may be forthcoming.

3. The complaint does not have to be made in person, it may be made by:

   a. Telephone contact.

   b. Mail contact.

   c. Email contact.

4. In the event a complaint is not made in person, the complaining party may need to be contacted for follow up investigation.

5. The complaint may be of an informal nature or of a formal nature.

6. An informal complaint will be handled by the line supervisor on duty. The Lieutenants are the line supervisors. The Captain may handle an informal

complaint if on duty and no Lieutenant is available.

a. In an informal complaint, the supervisor will attempt to mediate the complaint to a result which is satisfactory to all parties.

b. In the event the matter is resolved, the line supervisors will complete the Internal Investigation Template and forward same to the Captain for review indicating the steps taken to resolve the complaint and the resolution of the complaint.

c. After review, the Chief or Captain will place the report in the appropriate personnel file.

d. In the event the line supervisor is unable to mediate the complaint, the supervisor will indicate to the complainant the steps necessary to file a formal complaint.

7. Persons wishing to file a formal complaint are to use the department form designed for that purpose.

8. Upon obtaining information and assembling any preliminary reports, the supervisor shall place all information in a sealed envelope and provide the envelope to the Chief.

9. In the event the person wishes to file a complaint against the Chief, that person will be referred to the President of the Jefferson Police and Fire Commission.

a. The complaining person will be provided an Officer Complaint Form.

b. The commission will investigate consistent with their Rules of Procedure manual.

10. The citizen complaint shall be treated as confidential and the contents disclosed only as necessary for the investigation.

B. Investigation of the Complaint

1. The Chief of Police holds the Internal Affairs Function and will assign the Internal Affairs Investigation as he/she determines based on the complaint circumstances to a;

a. Supervisor

b. Investigator
c. External Agency

2. The person assigned the complaint will proceed in the investigation to the conclusion, (unless replaced by the Chief), reporting to the Chief on the progress at regular intervals.

3. In the event it appears that the complaint may involve criminal activity, the Chief will be notified and he/she will in turn notify the District Attorney.

4. If necessary, investigators shall obtain sworn statements from the complainant and/or any witnesses or other party.

5. Upon the order of the Chief or his/her designee, a member shall submit to any medical, ballistic, chemical, or other test, photographing, or lineup. All procedures carried out under this section shall be specifically directed and narrowly related to a particular investigation being carried out.

6. Prior to conducting an investigation that requires an accused member to provide oral statements, the investigating supervisor shall complete the Internal Investigation – Informing the Member report (Form PI-1).

   a. Although not required, interviews should be scheduled at least seven (7) days after issuance of the PI-1 Form.

   b. The department member under investigation may request an earlier interview provided the member has had the opportunity to obtain appropriate representation for the interview.

   c. If for whatever reason a scheduled PI-1 Interview has to be rescheduled to a different time or date, it is not necessary to re-issue a new PI-1 Form.

7. The Chief may return the complaint back to the investigator, or another investigator for further investigation.

8. The Chief may request individuals from an outside agency to investigate a complaint.

   a. In the event the Chief requests an outside investigation, there shall be a clear understanding between the Chief and the outside investigator of the investigator’s responsibility to keep the Chief informed of the investigation at all times.

b. Members shall cooperate with the investigator from the outside agency as they would with an investigator from this agency.

9. Any person assigned to a complaint investigation shall keep the matter private and confidential.

10. The department will attempt to resolve any complaint in a timely manner and will strive to complete the investigation within 30 days from the Chief initiating the investigation.

a. In the event the investigation is prolonged the Chief will notify the complainant and the officer about the delay.

C. Resolution of the Complaint

1. Upon the completion of the internal investigation, the investigating supervisor shall submit a summary report to the Chief. The report shall, if applicable, cite violations of specific rules, Code of Conduct and/or policy (including the section number), with a brief statement on how each rule, Code of Conduct tenet, procedure and/or policy was violated. The investigating supervisor shall state their conclusion(s) at the end of their summary with any of the following dispositions for each rule violated:

a. SUSTAINED – There is sufficient evidence to prove either the allegation(s) made in the complaint or the allegation identified through the subsequent investigation.

b. NOT SUSTAINED – There is insufficient evidence either to prove or disprove the allegation(s).

c. EXONERATED – The incident alleged as occurred, however the department member's actions were lawful and proper.

d. UNFOUNDED – The allegation(s) is false and not factual.

Note: A combination of dispositions may be used when multiple allegations exist within the same complaint.

2. Not Sustained/Exonerated/Unfounded Complaints

a. Upon the completion of the investigation, the Chief may determine that the complaint was not sustained, exonerated, or unfounded during his/her

review of the Internal Affairs Investigation.

b. If the complaint is not sustained, exonerated, or unfounded, the Chief shall (for the department) retain the complaint and all investigatory information in a location determined by s/he.

c. Notify the complainant and the affected employee of the results of the investigation.

3. Sustained Complaints

a. Upon completion of the investigation and if the Chief finds that the complainant's claim was substantiated, h/she may:

1. Assign employee to additional or remedial training.

2. Begin a disciplinary process utilizing the disciplinary decision making process guide located at the end of the Code of Conduct.

b. Notify the complainant and employee of the disposition of the complaint. This notification does not include informing the complainant of any disciplinary action taken against the employee.

c. The original complaint and all supporting documents will be placed in the employee's personnel/disciplinary file.

D. Redress Against False Accusations

1. Whoever knowingly makes a false complaint regarding the conduct of a police officer is subject to a Class A forfeiture, Wisconsin Statute 946.66(2) entitled "False Complaints of Police Misconduct".

2. Civilian members shall be bound by this rule with the exception of D(1), D(2) as they do not have the same redress as a sworn officer.

F. Discipline

1. Discipline will be handled as outlined in the General Rules policy and in conjunction with the Code of Conduct Disciplinary Decision Making Process.

City of Jefferson Police Department

425 Collins Road • Jefferson, Wisconsin 53549

(920)674-7707 • FAX (920) 674-7702

ALAN D. RICHTER, CHIEF OF POLICE

CITIZEN COMPLAINT PROCEDURE AND FORM

Dear Citizen:

The public's trust, confidence, and support are vital to the success of the City of Jefferson Police Department. The administration has sworn to serve the public and to hold its members accountable for improper or undesirable practices in conjunction with the officer's Code of Conduct. In order to accomplish this, the administration of the department needs to be available to all citizens who feel they have been treated unfairly.

Complaints against members of the City of Jefferson Police Department may be filed by contacting a police department supervisor. Provide the supervisor with all the details regarding the incident. The complaint will be forwarded to the Chief of Police to review and assign for investigation.

All complaints filed with the City of Jefferson Police Department will be thoroughly investigated in a fair and unbiased manner.

When the investigation is complete, the Police Chief will review the case and make a determination for a course of action. Complaint dispositions are as follows:

Sustained – There is sufficient evidence to prove the allegations

Not sustained – There is insufficient evidence to prove or disprove the allegations.

Exonerated – The incident as alleged occurred; however, the Department member's actions were lawful/proper.

Unfounded – The allegation is false and not factual.

You will receive a written response as to the disposition of the investigation. If the complaint is sustained and discipline is given to the employee, we are unable to provide you with the specific punishment. We may only advise you that discipline has been issued.

If you are not satisfied with the Police Chief's decision, you may appeal the matter to the City of Jefferson Police Commission (sworn police officers only). The Police Commission may be contacted through the President, contact information is listed below:

Police and Fire Commission President
425 Collins Road
Jefferson, WI 53549
Telephone: (920)674-4200

NOTICE: Wisconsin State Statute #946.66 provides, "Whoever knowingly makes a false complaint regarding the conduct of a Law Enforcement Officer is subject to a Class 'A' forfeiture, which calls for a fine not to exceed $10,000.

A complaint found to be Not-sustained or Unfounded does not mean a complaint is false.

City of Jefferson Police Department

425 Collins Road
Jefferson, Wisconsin 53549
Telephone (920)674-7702
Fax (920)674-7702

Alan D. Richter,
Chief of Police

CITIZEN COMPLAINT FORM

Complaint # _____

Please Print Legibly

INFORMATION ABOUT YOU

Last Name: _____ **First Name:** _____ **Middle Initial:** _____

Birth Date: _____ **Address:** _____

City: _____ **State:** _____ **Zip Code:** _____

Home Phone: _____ **Cell Phone:** _____

INFORMATION ABOUT THE INCIDENT

Date of Incident: _____ **Time of Incident** _____ **AM**

_____ **PM**

Location of Incident: _____

INFORMATION ABOUT POLICE DEPARTMENT EMPLOYEE

Name(s) of Police Department Employee(s) involved: _____

If name(s) no known, physical description of employee(s): _____

_____

STATEMENT / DESCRIPTION OF INCIDENT

Describe the incident in detail:

_____

_____

_____

_____

_____

(You may use additional sheets of paper to continue or submit a separate written statement)

WITNESSES / OTHERS INVOLVED

Last Name: ______________________ **First Name:** __________________ **Middle Initial:** ____________

Birth Date: ______________________ **Address:** ____

City: ______________________________ **State:** _________________ **Zip Code:** __________________

Home Phone: ______________________________ **Cell Phone:** ________________________________

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Last Name: ______________________ **First Name:** __________________ **Middle Initial:** ____________

Birth Date: ______________________ **Address:** ____

City: ______________________________ **State:** _________________ **Zip Code:** __________________

Home Phone: ______________________________ **Cell Phone:** ________________________________

(You may use additional sheets if necessary to list other involved persons/witnesses)

DESIRED OUTCOME

Did you speak to a supervisor of the City of Jefferson Police Department regarding this incident? YES

____NO

If yes, please indicate the name of the supervisor you spoke to:

____________________________________ Would you like to speak with a supervisor prior to making a formal complaint? YES NO

What would you like to happen as a result of filing this complaint?: __________________________________

_____ _____

Complainant's signature *Date*

DO NOT WRITE BELOW / FOR DEPARTMENT USE ONLY

Date Received:_____ **Supervisor receiving complaint:** _____

Type of Complaint: _____ **Finding:** **Sustained** ☐
Not Sustained ☐
Exonerated ☐
Unfounded ☐

_____

Alan D. Richter 04-30-2025
Chief of Police Date