

CITIZEN COMPLAINT INFORMATION

It is the policy of the Riverside Police Department to receive and investigate citizen complaints regarding this organization and/or its officers and employees. The objective of this policy is to provide citizens with a fair and effective avenue for redress of their legitimate grievances against this law enforcement agency or its personnel, to protect officers and employees from false allegations of misconduct, and to provide both citizens and police personnel with due process safeguards.

The Riverside Police Department seeks to maintain its organizational integrity and that of its personnel. It is committed to providing police services that are fair, effective, efficient, and impartial, and does not condone or excuse any acts of misconduct committed by its officers or employees.

To preserve these standards, the Chief of Police will:

1. Initiate corrective and/or disciplinary action against police personnel guilty of misconduct.
2. Request dismissal from employment of those officers or employees who have demonstrated their unfitness for continued employment.
3. Commence criminal charges against police personnel when the misconduct is of a criminal nature supported by sufficient evidence.
4. Dismiss unjustified allegations against innocent officers and employees.
5. Initiate criminal charges against persons who knowingly make a false report of an offense or knowingly make a false statement to mislead the investigation of alleged police misconduct.

Citizen complaints alleging police department or personnel misconduct will be accepted from any source whether made in person, by mail, fax, or telephone. Complainants are encouraged, however, to make their complaints in person in order to complete as thorough a report as possible.

Sergeants may complete an inquiry investigation. The method of investigation typically includes communication, in person, voice mail or e-mail with the employee to clarify action. The purpose being to determine if in fact policy violations have occurred, and/or a formal investigation request is submitted to the Chief of Police.

Citizen complaint processing includes the following:

1. The complaint will be received from the citizen and documented as an investigative report by a Sergeant or shift supervisor.
2. The written report will be reviewed and signed by the complainant.

3. A police department representative may be assigned to subsequently interview the complainant as soon as practicable (usually within five days) to obtain a signed, written, notarized statement relative to the specifics of the complaint and/or possible information.
4. Citizens who allege excessive use of police force will be asked to sign a written authorization for release of their relevant medical records, if any, to this police department.
5. All documents concerning complaints of police department or personnel misconduct will be considered confidential until completion of the investigation.
6. Investigations will be concluded generally within thirty calendar days from the date the complaint was made unless an extension is granted by the Chief of Police to enhance thoroughness and quality.

Disposition of Personnel Complaints

1. Each allegation shall be classified with one of the following dispositions based on a finding of fact and considering the totality of circumstances:

Unfounded – When the investigation discloses that the alleged acts did not occur or did not involve Department personnel. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated – When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained – When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained – When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct. Evidence in a sustained complaint will be weighed by a preponderance of the factual evidence.

Sustained Other – When an investigation discloses misconduct or improper job performance which was not alleged in the original complaint. The investigator shall take appropriate action with regard to any additional allegations.

2. The Chief of Police will notify the complainant in writing of the complaint disposition and what, if any, corrective and/or disciplinary action will be taken.
3. The complainant may appeal the complaint disposition to the Riverside City Manager.

The Riverside Police Department has the responsibility to protect the rights of all persons within its jurisdiction. This includes protecting its officers and employees from false allegations of misconduct. In this context, complainants should be aware of the following sections of the Ohio Revised Code:

Section 2917.32(A)(3): No person shall knowingly report to any law enforcement agency an alleged offence or other incident within its concern, knowing that such offense did not occur.

Section 2921.13(A): No person shall knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when any of the following apply:

- (3) The statement is made with purpose to mislead a public official in performing his function.
- (6) The statement is sworn or affirmed before a notary or other person empowered to administer oaths.

Both of these crimes are misdemeanors of the first degree, punishable upon conviction by a fine not more than \$1000.00 and/or imprisonment not more than six months.

Respectfully,
Riverside Police Department

