



SACRAMENTO POLICE DEPARTMENT
GENERAL ORDERS



220.01
PERSONNEL COMPLAINTS
8-1-19

PURPOSE

The purpose of this order is to outline the procedures of the personnel complaint process.

POLICY

It shall be the policy of the Sacramento Police Department to accept, document, and investigate all personnel complaints in accordance with all Department General Orders and the Internal Investigations Manual (RM 220.01).

A. General

1. Complaints are allegations of misconduct against any Department employee involving a violation of any law, rule, regulation, policy, or other improper job performance.
2. All complaints shall be investigated.
3. The Internal Affairs Division (IAD) is responsible for maintaining the software, which is used to record personnel complaint data, manage internal investigations, automate forms, and provide statistical reports.
4. All complaints shall be retained by the IAD in accordance with Department records retention schedules.
 - a. The IAD shall record and assign all complaints with an "IAD" case number preceded by the year that the complaint was received.
 - b. If known, all complaints shall be associated to Department personnel involved.
5. Complaints may be received from the following sources:
 - a. Internal - Reported by an employee of a federal, state, or local agency (including the City of Sacramento) acting within the scope of their employment, agency, or official position.
 - b. External - Originating from any other member of the public.

B. Acceptance of Complaints

1. All department employees (while on-duty) shall accept any request to file a personnel complaint at any time.
 - a. If available, an employee shall immediately refer the complaint to an available supervisor for acceptance and documentation.
 - b. If a supervisor is not available, employees shall notify their direct supervisor as soon as possible upon receiving a complaint.
 - c. Employees shall not receive complaints regarding their own conduct or performance and shall refer such complainants to their immediate supervisor
2. Complaints shall be accepted in any form (i.e. in person, by telephone, mail, email, etc.).
3. Complaints shall be accepted from any person including, but not limited to:
 - a. A parent or legal guardian filing a complaint on behalf of their juvenile dependent.
 - b. Non-English-speaking persons.
 - c. Third-party complainants.
 - d. Anonymous parties.
4. Employees shall make every effort to find an interpreter for non-English speaking complainants.
5. With their knowledge, a complainant's statement should be recorded using a departmentally-approved recording device (i.e. body-worn camera, in-car camera, audio recording device). The lack of availability of a recording device or if a complainant wishes not to be recorded shall not be justification to refuse acceptance of a complaint.

C. Complaint Documentation

1. All complaints shall be documented on a Personnel Complaint Form (SPD 330) and routed, via email, to:



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- a. Assigned Division Captain/Manager.
 - b. IAD - IAconcerns@pd.cityofsacramento.org.
2. When a Personnel Complaint Form is completed in person, it should be accompanied by a detailed narrative. If this is not feasible, the complaint shall be entered by the receiving employee.
 3. The complainant's signature should be obtained on the Personnel Complaint Form. If the complainant refuses to sign the Personnel Complaint Form, the complaint shall still be accepted and documented.
 4. Upon request, the complainant shall be provided a copy of their completed Personnel Complaint Form.

D. Personnel Complaint Classifications

1. Conduct Unbecoming an Employee - Behavior that is malicious, criminal, brings discredit upon the department, or fails to follow ordinary and reasonable rules of good conduct while on or off duty.
2. Discourtesy - Rude or abusive actions directed towards another person.
3. Discrimination - Actions or misconduct due to the race, ethnicity, nationality, gender, age, religion, gender identity or expression, sexual orientation, or mental or physical disability of any person.
4. Dishonesty - Knowingly giving false or misleading information.
5. Force - Any unreasonable amount of force, ranging from any physical contact to use of any weapon.
6. False Arrest - Removal of personal liberty without proper authority or legal justification.
7. Firearm Discharge - Anytime a firearm is discharged in violation of Department policy.
8. Harassment - Any unsolicited or unwarranted employee action or conduct that reasonably appears meant to annoy, threaten, intimidate, or alarm any person.
9. Improper Search and Seizure - A detention, arrest, search, or seizure of an individual's person or property that is unlawful or in violation of Department policy.
10. Improper Tactics - Procedures utilized by an employee that are different from approved practices or procedures.
11. In-Custody Death – Administrative review of an in-custody death incident.
12. Insubordination - Failure or refusal to follow a lawful written or verbal order issued by a superior.
13. Intoxication – On-duty personnel under the influence of any intoxicant.
14. Missing Property - Property that has been in the custody of an employee and becomes unaccounted for or missing. This also includes the misappropriation or theft of funds or property.
15. Neglect of Duty - The failure to perform a required duty.
16. Officer Involved Shooting – Administrative review of an officer involved shooting incident.
17. Profiling - The consideration or reliance on actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability when deciding to subject a person to law enforcement activities. However, an officer may consider or rely on characteristics listed in a specific suspect description.
18. Service - The failure to adequately provide timely and required police action.
19. Traffic - Improper or illegal driving by an employee.
20. Wage Garnishment - Failure to pay just debts.