

UNIVERSITY OF ILLINOIS
AT URBANA - CHAMPAIGN

Division of Public Safety

Police Department
1110 West Springfield Avenue
Urbana, IL 61801



Citizen Complaint

COMPLAINANT INFORMATION					
Name:			Date of Birth:		File #:
Address:		City:	State:	Zip:	Phone:
WITNESS INFORMATION					
Name:		Address:			Phone:
Name:		Address:			Phone:
OFFICER INFORMATION					
Officer #1:		Badge #:	Officer #2:		Badge #:
NATURE OF COMPLAINT					
Location of Incident:			Date:		Time:
The University of Illinois Police Department recognizes the need for the filing of legitimate complaints against officers as a means by which they can be held accountable to the public; however, the Department will also seek to hold members of the public responsible for the filing of false allegations against police officers. In the event your complaint gives rise to formal disciplinary action against one of our officers, you will be required to sign a sworn affidavit specifically alleging the officer's misconduct.					
Complainant's Signature:			Date:		Time:
Accepting Supervisor's Signature			Date:		Time:

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SWORN AFFIDAVIT

Under penalties as provided by law the undersigned certifies that the statements set forth in the attached University of Illinois Police Department's Citizen Complaint form are true and correct.

Complainant Signature

Date

The signature of _____, was subscribed and sworn before me,
this _____ day of _____, 20_____.

Notary Signature

SEAL



ILEAP STANDARD: ADM.18.01/ADM.18.02/ADM.18.06
CALEA STANDARD: 52.1.1/52.2.2/52.2.4/52.2.5

- 102.9.1 TYPES OF COMPLAINTS
- 102.9.2 COMPLAINT PROCEDURE
- 102.9.3 INVESTIGATION RESPONSIBILITIES
- 102.9.4 TIME LIMITS
- 102.9.5 COMPLAINT CLASSIFICATION AND DISPOSITION
- 102.9.6 COMPLAINT PROCESS INFORMATION

PURPOSE:

The purpose of this directive is to provide guidelines and procedures for the prompt investigation and just disposition of complaints against employees.

DEFINITIONS

Formal Complaint: A written complaint which requires automatic referral to the Chief of Police. All formal complaints against sworn peace officers shall be supported by a sworn affidavit signed by the complainant describing the alleged misconduct, and sworn before a notary public. The investigating supervisor shall seek an affidavit from the complainant if one is not obtained during the initial process. Nothing in this policy prohibits the department from instituting an investigation without an outside complainant.

Formal Inquiry: An investigation intended to gather evidence of misconduct, which may be the basis for filing charges seeking removal, discharge or suspension.

Informal Complaint: Complaints of a minor nature or those in which the complainant does not wish a formal investigation may be resolved at the supervisory level of the employee in question. These are generally inquiries of citizens concerning a procedure or enforcement action.

Misconduct: Wrongful actions by an employee, which result (intentionally or unintentionally) from erroneous judgment or disregard for established policies or procedures.

Uniform Peace Officers' Disciplinary Act: 50 ILCS 725/1 commonly known as the Police Officer's Bill of Rights.

DIRECTIVE

102.9.1 CITIZEN COMPLAINTS

- A. The University Police Department shall record, investigate, and adjudicate all complaints, to include anonymous complaints, against Department personnel.
- B. Investigations of the complaints through standardized procedures will demonstrate the Department's desire to provide honest, effective police service and will inspire public confidence in its personnel.
- C. A regulated program of complaint review will also ensure the fair and impartial treatment of all Department employees who become subject to the internal investigation procedure.

102.9.2 TYPES OF COMPLAINTS

- A. Based upon the nature or complexity of a complaint, all allegations of employee misconduct are classified as an informal complaint/inquiry or as a formal complaint by the Chief of Police.
 - 1. An informal complaint is a classification used by the Chief of Police to address complaints of a minor nature or those in which the complainant does not wish a formal investigation. An informal complaint may be resolved at the supervisory level of the employee in question. These are generally citizen inquires concerning a policy, procedure, tactic or enforcement action.
 - a. Examples of inquires include, but are not limited to:

- 1) Why a person was handcuffed
 - 2) Why an individual was detained or subjected to a field interview
 - 3) Why a felony car stop was conducted
 - 4) Why a citation was issued
- b. The supervisor receiving the inquiry from the citizen should make every attempt to explain to the citizen why a particular policy, procedure, or tactic is sanctioned by the Department.
 - c. Non-acceptance by the citizen of an inquiry explanation shall be cause for the inquiry to proceed through the formal complaint process.
2. A formal complaint is a classification used by the Chief of Police to address minor, serious and extremely serious allegations of misconduct. All formal complaints against a sworn peace officer shall be supported by a sworn affidavit.
 - a. Examples of complaints of behavior that would constitute minor misconduct include, but are not limited to:
 - 1) Complaints of slow response
 - 2) Alleged failure to take proper police action
 - 3) Alleged rudeness or discourtesy by an employee
 - b. Examples of complaints of behavior that would constitute serious misconduct include, but are not limited to:
 - 1) Excessive force
 - 2) Improper or unlawful arrest
 - 3) Improper or unlawful entry
 - 4) Improper or unlawful search
 - 5) Discrimination
 - 6) Serious rule violations
 - 7) Repeated minor rule violations
 - 8) Sexual harassment
 - 9) Any behavior considered minor misconduct may be considered serious misconduct depending upon the specific circumstance/incident
 - c. Examples of complaints of behavior that would constitute egregious misconduct include, but not limited to:
 - 1) Criminal Activity
 - 2) Any behavior considered serious misconduct may be considered extremely serious misconduct depending upon the specific circumstance/incident
 - B. Allegations of misconduct, other than those considered egregious in nature, may be investigated at the supervisory level.
 - C. Allegations of misconduct, which are considered egregious in nature, shall immediately be reported to the Chief of Police and will be investigated within the internal affairs function.
 - D. A disagreement simply over the validity of a traffic/vehicle code citation is not grounds for the initiation of a personnel complaint. Complaining persons should be advised that this is a matter for adjudication by the proper court system.

102.9.3 COMPLAINT PROCEDURE

- A. Formal complaints of sworn or non-sworn employee misconduct will be forwarded to the Chief of Police. The Chief of Police will designate a supervisor/command level officer to investigate the complaint.
- B. Complaints received by mail will be forwarded directly to the Chief of Police.
- C. Complaints received in person or by telephone will be received by the ranking shift supervisor on duty and then forwarded directly to the Chief of Police.
 1. Complainants should be advised that anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.
 2. Complaints will be written on the Department's Citizen Complaint form ([Attachment A](#)). It is preferred to have complaints written by the complainant in the interest of accuracy; however, the supervisor may transcribe a verbal account on the form which will be sent to the complainant for authentication by signature prior to the initiation of an investigation.
 3. The supervisor shall provide the complainant a University Police Department Sworn Affidavit ([Attachment B](#)) in addition to the complaint form. The complainant will be informed that their complaint must be sworn to before a notary public. The Department shall make notaries available to assist a complainant. The complainant may take

the complaint and sworn affidavit forms to a notary of his/her choice and return both forms at a later time if he/she choose.

4. A complainant wishing to make a formal complaint over the telephone will be mailed the Department's complaint and sworn affidavit forms. The complainant will be informed that his/her complaint must be sworn to before a notary public before it is returned.
 5. In cases where the complainant refuses to sign a complaint form or sworn affidavit, the Chief of Police may order an investigation at his/her discretion if serious misconduct is alleged.
- D. Complaints from individuals who are under the influence of alcohol or drugs will not be accepted until such time that the complainant has attained full sobriety. Supervisors will take into account the nature and severity of the complaint and the extent to which the intoxication would interfere with proper investigation.
 - E. The Chief of Police will advise complainants by letter of the nature of the Department's investigation process at the outset of the investigation.
 - F. Complaints will be investigated in accordance with S.O.G.102.8 Internal Affairs Function.
 - G. An employee who has had a complaint filed against him/her should not have contact with the complainant without the prior approval of his/her supervisor. If contact does occur, the employee shall immediately notify his/her supervisor.

102.9.4 TIME LIMITS

- A. Complaints shall be filed within 30 days of the date of the incident giving rise to the complaint unless the complainant is physically unable to file a complaint because he/she has been hospitalized or called to active military duty. In such case, the complaint must be filed within 15 days of the date the person becomes physically able to file or on active military service.
- B. In the absence of extenuating circumstances, all authenticated employee complaint investigations shall be completed within 60 days of acceptance of said complaint without the approval of the Chief of Police.

102.9.5 COMPLAINT CLASSIFICATION AND DISPOSITION

- A. Disposition of Complaints
 1. Complainants and employees will be advised in writing of the complaint disposition.
 2. Dispositions shall be labeled as follows:
 - a. Unfounded: The investigation supported the conclusion that the officer did not engage in the alleged conduct and did not violate a rule by doing so.
 - b. Exonerated: The investigation supported the conclusion that the incident did occur, but the officer's actions were legal, proper and reasonable.
 - c. Not Sustained: The investigation did not prove or disprove the alleged conduct.
 - d. Sustained: The allegation made in the complaint was proven.
 - e. Need for policy or procedural revision.
- B. Employees will be disciplined accordingly only in cases of sustained complaints.
- C. The Department will seek to hold members of the public responsible for the filing of false allegations against police officers. If it is determined that a member of the public filed a false allegation against a police officer, the department will forward the findings to the State's Attorney for prosecution.

102.9.6 COMPLAINT PROCESS INFORMATION

The Department will make information on procedures for registering complaints available to the public.

- A. The Department will maintain brochures outlining procedures to register a complaint. These brochures will be located in the lobby of the Public Safety Building, and posted on the Department's website.
- B. Information about filing a complaint or commending an employee will be given upon request, and posted on the Department's website. Any employee not familiar with the procedures shall refer the requesting individual to a supervisor, who will explain the procedures.