

PROCEDURE FOR REGISTERING COMPLAINTS BY CITIZENS

This agency is very concerned about the demeanor, appearance, and actions of the members of the agency.

In many instances, a complaint can be handled very informally. Many times a “complaint” originates because of a misunderstanding about this agency’s function, its policies and procedures, or the duties and responsibilities of its members. Quite often, if a potential complainant asks some questions about our procedures or inquires about the reason(s) some particular action was taken, it will be possible for an officer or supervisor to provide a very adequate explanation. If your questions or concerns cannot be resolved in an informal manner, you have the right to make a formal complaint.

If you wish to file a complaint against an officer and the complaint is of a minor nature, the supervisor will ask some questions about the conduct or demeanor that led to the complaint. Furthermore, while we cannot demand that you provide your name, address, phone, etc., it is very difficult for us to fully investigate a complaint against an officer if we cannot contact you at a later time to confirm details and to keep you informed of the status or outcome of the investigation. (In addition, Section 13.1 of the police contract requires a signed complaint in order to be considered as possible grounds for disciplinary action.) The Captain, who will also personally talk to the employee in question or will assign the investigation to a supervisor, will investigate the complaint. Complaints will be fully investigated – allowing both sides to represent their view of the circumstances. You will be notified of the result of any investigation at its conclusion.

If you wish to file a complaint against an officer and the complaint is of a major nature, such as a complaint which could lead to the suspension or dismissal of an employee or particularly if the complaint is of a criminal nature, you will be asked to leave your name, address, and phone number. This procedure is required in order to protect your rights and the rights of the employee and to ensure that a thorough investigation is conducted. If serious charges are brought against an employee or against the agency, we want to ensure the investigation is handled in such a manner that all rules of evidence are carefully followed, that interviews and/or interrogations are handled correctly, and that no shred of evidence is lost due to improper handling of the case. If you have questions about other policies and procedures that affect the handling of complaints or the investigations procedure, do not hesitate to ask.

NOTE: It is a violation of Ohio Revised Code to knowingly file a complaint against a peace officer that alleges the peace officer engaged in misconduct in the performance of the officer’s duties if the person knows the allegation is false. Making a false allegation is a misdemeanor of the first degree and is punishable by a fine up to \$1000 and by incarceration of up to 180 days. (ORC 2921.15)

The first step in filing a complaint is to contact our agency either via email to the Captain of Police (rhurvey@ci.athens.oh.us) or by calling our administrative offices during business hours at 740-592-3315. Your patience in dealing with the investigation of complaints is appreciated. Certain contractual issues limit the amount of time we can spend on any phase of the complaint process or the investigation. We will try to resolve the complaint as soon as possible, while trying to safeguard your rights and the rights of the employee.