

**CITY OF CONCORD POLICE DEPARTMENT
CONCORD, NEW HAMPSHIRE**

GENERAL ORDER	NUMBER: 26-2
SUBJECT: CITIZEN COMPLAINTS	
DISTRIBUTION: A	EFFECTIVE DATE: 07/18/22

I. PURPOSE:

To provide procedures for accepting and processing complaints made against the Concord Police Department or its members.

II. POLICY:

It is the policy of the Concord Police Department to receive and investigate all complaints against the Department or its members in a manner that will assure the community of prompt corrective action if Department members conduct themselves improperly and to protect Department members from unwarranted criticism when properly performing their official duties.

III. DEFINITIONS:

Complaint - An accusation against a member of the Police Department for alleged misconduct or violation of statutes, ordinances, or Department directives. Complaints may be lodged in person, over the telephone, or by written correspondence. Anonymous complaints shall be accepted and investigated to the fullest extent possible.

A citizen's reported disagreement with an Officer's decision to make an arrest or issue a summons shall not be considered a complaint, provided there is no other allegation of wrongdoing on the Officer's part. Such persons shall be advised of their right to contest the charge through the judicial system.

Allegations of misconduct initiated by supervisory personnel against a subordinate shall be processed in accordance with General Orders 26-1 and 26-3.

Complainant - A person who lodges a complaint against a Department member. This includes citizens, prisoners, and members of the Department.

Accepting Member - Any police official who is initially made aware of a complaint and conducts the preliminary interview with the complainant to obtain the details of the allegation.

Corruption - An act or acts involving the misuse of authority by a member in a manner designed to produce personal gain for himself or others.

IV. AUTHORITY:

The responsibility for overall supervision and control of the Concord Police Department's Internal Affairs Investigation component shall reside with the Deputy Chief - Administration, who shall report directly to the Chief of Police on any matter relating to the investigation of Department members.

V. COMPLAINT RECEPTION:

- A. When a member of the public indicates a desire to file a complaint against a Department employee, they shall be referred to the on-duty Watch Commander. If the complainant does not wish to contact the Watch Commander, then the Department member receiving the initial complaint shall obtain the complainant's name, address, and telephone number. This information shall be given to the Watch Commander, who shall initiate a preliminary investigation.
- B. Department members wishing to file a complaint against another member shall normally file the complaint with their own supervisor. Where this is not practical, the member may file the complaint with another supervisor.
- C. Except in cases of anonymous complaints, the Watch Commander or other accepting member shall interview the complainant in a private area. The complainant shall be allowed to verbally relate their entire version of the incident without interruption, after which the accepting member should ask questions for clarification and detail.
- D. The accepting member should consider whether or not the complainant's concern could be the result of a misunderstanding about the employee's actions or responsibilities. If this appears to be possible, the accepting member should discuss the situation with the complainant in order to resolve any such issues. It is not unusual for a citizen who initially expresses a complaint to be fully satisfied once the probable reasons for the employee's actions are properly explained. When providing such information, the accepting member must be very careful not to discourage the citizen from filing a legitimate complaint involving improper conduct by the employee.
 - 1. If the matter is resolved at this stage and the citizen is satisfied that the employee did not act improperly in any way, the accepting member shall submit to the employee's Deputy Chief a memorandum providing the citizen's name, address, telephone number, a summary of the citizen's concerns, and an explanation of how the complaint was resolved. The accepting member need not take any further action at that point.
 - 2. The Deputy Chief shall contact the citizen as soon as practicable to ensure that the matter has been resolved to the citizen's satisfaction. If so, the Deputy Chief shall prepare memorandum for the file and the incident shall be considered closed. If the Deputy Chief determines that the citizen is not satisfied with the manner in which the complaint was handled, he/she shall initiate a complete investigation into the matter.
 - 3. If the matter is not resolved to the complainant's satisfaction, the accepting member shall process the complaint in accordance with section VI of this order.

VI. PROCEDURES FOR PROCESSING COMPLAINTS:

Once the complainant has verbally stated his complaint, the accepting member shall:

- A. Ask the complainant to complete the Citizen Complaint Affirmation form (CPD 26.10) indicating that any information provided is true and complete to the best of the complainant's knowledge and belief. Completion of this form is not mandatory and even if the complainant declines to sign it, the investigation will proceed.

- B. Obtain a written statement from the complainant, in narrative form. Allow the complainant to make the statement as complete as he/she desires. Follow up with a question and answer format to fill in any areas that are not clear. The complainant should be requested to sign the statement.
- C. Obtain information for the Citizen Complaint Face Sheet (CPD 26.11).
- D. Complete and sign the Complaint Reception Receipt (CPD 26.12) and give it to the complainant after retaining a copy for the file.
- E. Complete an Authorization For Release of Medical Information to Law Enforcement Agency form (CPD 26.13) when a complainant indicates that they sustained injuries or may require medical attention. Photographs of injuries shall be taken, if possible.
- F. If the complaint alleges corruption, brutality, misuse of force, breach of civil rights, or criminal conduct by the member, notify the involved member's Deputy Chief and the Chief of Police.
- G. Complete and sign the Citizen Complaint Face Sheet.
- H. Prepare a narrative report stating as concisely as possible the specific allegation(s). Give a chronological summary of the incident, as told by the complainant.
- I. Forward the complaint package containing all information and completed forms directly to the accepting member's Deputy Chief in a confidential manner, as soon as possible. In no case shall the submission of these reports exceed 24 hours, weekends and holidays excluded.

VII. INVESTIGATION OF COMPLAINTS:

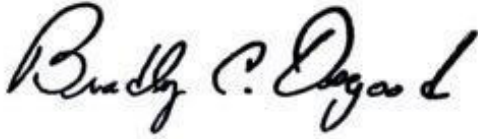
Upon receipt of the complaint package, the Deputy Chief shall ensure the incident is reviewed and investigated in accordance with General Order 26-3, Personnel Incident Reports and Investigations.

VIII. DISSEMINATION OF COMPLAINT PROCEDURE:

- A. Community Resources Unit personnel shall include information about how to file a complaint in their programs to the public.
- B. All Department members shall become familiar with this procedure and shall inform anyone desiring to make a complaint of the proper steps to take.

IX. SUPERSESSION:

This order replaces Concord Police Department General Order issued December 31, 2014.



Bradley C. Osgood, Chief of Police

07/18/2022

Date

APPENDIX

Forms Package

The following forms are to be used for accepting and processing complaints made against Concord Police Department personnel.

A. Citizen Complaint Affirmation (CPD 26.10):

The accepting member shall ask the complainant to complete this form for all complaints.

B. Citizen Complaint Face Sheet (CPD 26.11):

To be used as the cover page for all citizen complaints.

C. Complaint Reception Receipt (CPD 26.12):

To be given to the complainant in all citizen complaints, by the accepting member. A copy shall be retained for the file.

D. Authorization for Release of Medical Information to Law Enforcement Agency (CPD 26.13):

To be completed by the accepting member and signed by the complainant whenever the complainant alleges injury and medical attention has been or will be sought.



City of Concord, New Hampshire

POLICE DEPARTMENT
 35 GREEN STREET - 03301- 4299
 (603) 225-8600
 FAX (603) 228-2703

BRADLEY C. OSGOOD
 Chief of Police

PI # _____

CITIZEN COMPLAINT AFFIRMATION

I, _____, do hereby affirm that the foregoing information and all information that I will give in the future concerning my complaint against a member of the Concord Police Department is true and complete to the best of my knowledge and belief. I understand that any false, misleading or untrue statements, accusations or allegations made by me, either orally or in writing, to any person investigating this complaint may subject me to civil and/or criminal prosecution.

I realize that it may become necessary during the investigation of this complaint for me to meet with members of the Concord Police Department to discuss this complaint, either in the presence or absence of the accused Department member or members, at the discretion of the Department.

I agree that if action is initiated through a court or administrative hearing as a result of my complaint and testimony is required, I will make myself available when requested to do so.

Signature of the Complainant

Date and Time

Accepting Member's Signature / ID #

Date and Time

Witness Signature

Date and Time

Original to be retained with the complaint investigation file.

CPD 26.10 7/2022

City of Concord Police Department
Concord, New Hampshire

PI # _____

CITIZEN COMPLAINT FACE SHEET

FOR POLICE DEPARTMENT USE ONLY: To be completed by the Accepting Member for all complaints.

DATE REPORTED _____ TIME _____ CASE # _____

COMPLAINANT'S NAME _____ DOB _____

ADDRESS _____ PHONE _____
city/town state zip

PLACE OF EMPLOYMENT _____ PHONE _____
city/town state

ACCEPTING MEMBER'S OBSERVATION OF THE COMPLAINANT:

SOBRIETY: SOBER _____ HAD BEEN DRINKING _____ INTOXICATED _____

CLOTHING: Describe type and condition. (Orderly, soiled, torn, etc.)

Hat or Cap _____

Jacket or Coat _____

Shirt or Dress _____

Pants or Skirt _____

Comments _____

ATTITUDE: EXCITED _____ COMBATIVE _____ INSULTING _____
POLITE _____ COOPERATIVE _____ PROFANE _____ ARGUMENTATIVE _____

PHYSICAL CONDITION: (Describe any bruises, cuts, swelling or other injuries)

NATURE OF THE ALLEGATION:

DATE/TIME OF THE ALLEGED INCIDENT: _____

LOCATION OF THE ALLEGED INCIDENT: _____

EMPLOYEE(S) INVOLVED: _____

Accepting Member's Signature / ID # / Date

Original to File



City of Concord, New Hampshire

POLICE DEPARTMENT

35 GREEN STREET - 03301-4299

(603) 225-8600

FAX (603) 228-2703

BRADLEY C. OSGOOD

Chief of Police

PI # _____

COMPLAINT RECEPTION RECEIPT

The Concord Police Department hereby acknowledges the receipt of a complaint filed against one or more of its members on _____

Date

by _____ of _____
Name of Complainant Street and Number

_____ / _____ / _____
City State Zip

Your complaint will be brought to the attention of the Chief of Police for review. You may be contacted by a member of the Concord Police Department for further investigation.

After the investigator has filed their report, it will be carefully reviewed by senior police officials, including the Chief of Police. You will be notified as to the results of the investigation.

Accepting Member's Signature ID # Date

Original to Complainant
Copy to File

CPD 26.12 7/2022



City of Concord, New Hampshire

POLICE DEPARTMENT
35 GREEN STREET - 03301-4299
(603) 225-8600
FAX (603) 228-2703

BRADLEY C. OSGOOD
Chief of Police

PI # _____

AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION TO LAW ENFORCEMENT AGENCY

PATIENT/VICTIM _____
Last Name First Middle

DATE OF BIRTH: _____

ADDRESS: _____
Street

City State Zip

PHONE NUMBER: _____

I hereby authorize _____ to release to the Concord Police Department a complete copy of medical records, including, but not limited to, medical bills, history and physicals, office notes, progress notes, physician orders, prescriptions, admission and discharge summaries, consultation reports, laboratory studies, pathology reports, radiology reports, x-rays and other diagnostic imaging studies and all other medical information pertaining to injuries sustained on or about _____, as well as to verbally communicate the same information to the Concord Police Department.

I specifically authorize the release of records which may relate to mental illness, psychiatric records, HIV related illness, substance use disorder treatment records and/or AIDS, where applicable.

I understand that the provider will not condition treatment on my providing authorization for the requested disclosure and that I may refuse to sign this authorization.

I understand that I may revoke this authorization in writing by delivering such written revocation to the provider. This authorization shall become invalid immediately upon revocation. I also understand that such revocation will

not be effective as to the disclosure of records whose release I have previously authorized, or where other action has been taken in reliance on an authorization I have signed.

The purpose of this authorization is for an internal investigation by the Concord Police Department.

This authorization shall expire one year from the date specified below.

A copy of this authorization shall have the same validity as an original.

Patient/Victim Signature Date

Parent/Guardian Name _____
Last First Middle

Parent/Guardian Signature Date

_____/_____/_____
Officer's Signature ID #

Date