1. Purpose

The purpose of this rule is to outline procedures for commendations and complaints to NCCU's Police Department. NCCU is a constituent institution of the University of North Carolina and an agency of the State of North Carolina. In order to enhance the NCCU Police Department's efforts to continue to provide the highest level of service, the performance of its employees must be closely monitored.

2. Scope

All complaints that allege misconduct by a member of the University Police Department that pertain to departmental policies and procedures shall be documented and investigated to the fullest extent possible.

3. Citizen Commendation Procedure

3.1 To commend or compliment the performance of a member of the NCCU Police Department, the Operations Commander, Watch Commander or Supervisor should be notified in one of the following ways:

3.1.1 In person by coming the NCCU Police Department located at 2010 Fayetteville St. Durham, NC 27707;

3.1.2 By calling 919-530-6106 and requesting a Supervisor; or

3.1.3 By mailing the information to: North Carolina Central University Police Department, 2010

RUL - 30.03.1 - COMMENDATIONS AND COMPLAINTS RULE
4. Citizen Compliant Procedure

4.1 The NCCU Police Department will investigate all allegations and complaints of misconduct against any member of the Department. Proper adherence to this procedure will facilitate prompt and equitable corrective disciplinary action, and clear the innocent.

4.1.1 A complaint against an employee may be made to any supervisor within the Department. Complaints may be made in person, by telephone or in writing. Complaints from citizens who wish their names to be held in confidence will be accepted for investigation. The Department representative receiving the complaint will fill out a Department Complaint Report and promptly forward it to the Professional Standards Commander or his/her designee for determination of the complaint type and assignment for investigation.

4.1.2 Personnel who are notified of a complaint against the department or any of its members are to direct the complainant to the Watch Commander, depending upon the nature of the complaint. In the absence of the Watch Commander/Lieutenant, the highest-ranking supervisor on duty should be contacted to take the complaint.

4.1.3 A supervisor will have the complainant complete the NCCU Citizen Complaint Form unless the complainant is unable to write. In such a case, the supervisor will record the complaint on the Citizen Complaint Form.

4.1.4 The supervisor who takes the complaint is to complete a Departmental Complaint Report. A copy of this report, the Citizen Complaint Form and any necessary documentation must be forwarded to the Internal Affairs Supervisor by the next business day for administrative processing.

4.1.4.1 When applicable, the supervisor will attempt to resolve a complaint during the initial contact with the complainant. If the supervisor who takes the complaint is not the first-line supervisor of the involved member(s), he/she will notify the involved member(s) supervisor. The complaint may be forwarded to the appropriate supervisor for investigation by the Internal Affairs supervisor. If the complaint alleges a non-disciplinary incident and the matter is resolved at the time the complaint is filed, the Watch Commander/Lieutenant shall retain a copy of the complaint file within his or her squad for appropriate action.

4.1.4.2 Attempts to resolve complaints shall be noted on the complaint report. Original complaint reports shall be forwarded to Internal Affairs even in those instances when the complaint is resolved.

4.1.4.3 The Watch Commander/Lieutenant will explain the departmental complaint process to the complainant.

4.1.4.4 In the event that a delay would hamper the investigation of serious allegations, supervisors and/or a lieutenant are authorized to initiate inquiries prior to review by the chief.

4.1.4.5 Allegations that are likely to have an adverse impact upon the department (for example, the use of deadly force) are to be reported immediately to the administrative and operations commanders and the chief of police.

5. Upon review by the chief of police, complaints will be assigned for investigation as necessary. The investigations will be completed within 30 days unless a request for an extension is granted.

6. A record of complaints filed against the Department or its members will be maintained by the Internal Affairs Unit in a secure file, separate and apart from the central records system.
and personnel files.

7. Upon receipt of the complaint, the chief of police must notify the complainant in writing that the complaint has been received and identify the supervisor responsible for follow-up investigation.

8. The chief will notify the complainant of the investigative findings at the conclusion of the process. The information provided in this notification will be at the discretion of the chief of police.

8.1 The disposition of the complaints are classified as follows:

8.1.1 Unfounded – The incident did not occur or the employee investigated was not involved.

8.1.2 Not Sustained – There is insufficient evidence to either prove or disprove the allegation.

8.1.3 Exonerated – The incident occurred but was lawful and proper.

8.1.4 Sustained – The allegation is supported by sufficient evidence to indicate the allegation is true.

8.1.5 Withdrawn – The complainant withdraws the allegation before conclusion of the investigation or finding of fault.

8.1.6 Discontinued – Circumstances exist where the investigation can no longer be furthered on a member.

8.1.7 Policy Failure – The allegation is true. There is, however, no written policy governing the conduct in question or the written policy has not been enforced.