

Indianapolis Metropolitan Police Department



RULES AND REGULATIONS

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Indianapolis Metropolitan Police Department

MISSION STATEMENT

We are dedicated to upholding the highest professional standards while serving the community in which we work and live. We are committed to the enforcement of laws to protect life and property, while also respecting individual rights, human dignity, and community values. We are committed to creating and maintaining active police/community partnerships and assisting citizens in identifying and solving problems to improve the quality of life in their neighborhoods.

VALUES THAT GUIDE OUR ACTIONS

- The protection and preservation of life is our fundamental objective. We will only use deadly force when absolutely necessary to protect the life of a citizen or officer when no other options are available.
- We are committed to developing a partnership with the community, employing creativity, patience, persistence, and an appreciation of diversity both in the police department and in the community.
- We shall perform our duties with an unwavering commitment to integrity and professionalism.
- We will be accountable to those we serve for our decisions and actions.
- We will accomplish our mission with empathy, compassion, and sensitivity at all times, with the highest regard for individual and constitutional rights.
- We recognize that each member of this department is valuable, and we accept our obligation to each other and to the community to provide the maximum opportunity for each person to achieve his or her professional potential.



GLOSSARY

When a word or term is not defined, the proper and fitting definition, as used within the context, or the generally accepted definition, as defined by the context, shall be used. When a male pronoun is used, the female pronoun is implied. When a singular word or term is used, the plural is implied unless otherwise specified.

Agency – The Indianapolis Metropolitan Police Department.

Appointed Police Administrator – Non-sworn person with statutory authority over members of the department (e.g., the merit board members).

Chain of Command – Line of authority (up and down) commencing with one's immediate supervisor and/or immediate subordinate.

Confidential – Not to be revealed except to authorized persons.

Demotion – Disciplinary action taken by the chief of police as a result of department rule, regulation, order, policy, or standard operating procedure violation which includes reduction of the member's permanent rank by one level.

Department – The Indianapolis Metropolitan Police Department

Discharge – Disciplinary action recommended by the chief of police as a result of department rule, regulation, order, policy, or standard operating procedure violation which, if upheld by the Merit Board, results in termination of employment.

Disciplinary Action Report – The Disciplinary Action Report is the official reporting document to the chief of police of any department rule, regulation, order, policy, or standard operating procedure violation which shall include a citation and narrative description of the violation, and shall be signed by the disciplined officer to acknowledge initiation of the action.

Equipment – All wearing apparel and items issued to or used by a member which are necessary in the performance of his duties.

Gross Misconduct – Gross misconduct shall be any intentional act or behavior committed outside the scope of a member's employment that is so far removed from accepted professional practice or societal expectation that it egregiously violates the public trust, the oath of office, or the chief's ability to maintain good order and discipline, to the point of presumptively rendering the member unfit for continued employment with the department. This behavior may or may not be criminal in nature. A charge of gross misconduct shall not be applied to any action taken within the performance of a member's official duties or responsibilities, whether on-duty or off-duty, in furtherance of the business of the police department.

Note – The definition above shall not apply if the conduct at issue is already specifically addressed by the Rules and Regulations and/or the General Orders of the department unless the penalty under that Rule and Regulation and/or General Order is clearly deficient in light of the extraordinary severity and magnitude of the conduct at issue.



GLOSSARY

- Continued -

Firearm – Any handgun, shotgun, or rifle authorized by the department for use by its members.

Immediate Supervisor – Person to whom one is directly responsible (no one intervening).

Inter-Department – Inter-department communication which is used for any everyday flow of information.

Insubordinate – Not submitting to authority; disobedient; disrespectful.

Leave – Excused absence from duty.

Line of Duty – Any action taken by a member while acting in his official capacity as a police officer for the Consolidated City of Indianapolis.

Member – Any sworn police officer of the department.

Metropolitan Law Enforcement Agency – The Indianapolis Metropolitan Police Department

Necessary Force – Any force used by a member to affect an arrest or subdue someone which is reasonable under all the circumstances.

Neglect – Failure to perform.

Obey – Must comply or perform.

Off Duty – That period of time when a member is not scheduled in normal assigned duties as a police officer.

Off-Duty Employment – Any service rendered outside the department for work during the off duty period which is voluntary or for which goods, services, or pay are received in return.

Officer – A duly sworn member of the department.

On Duty – On duty shall begin at that time when a member reports for a scheduled work period as designated by the department, whereby that member performs duties as a police officer for the Consolidated City of Indianapolis. It shall also include such times any member is ordered to duty by the chief of police. It shall also pertain to those periods of time when any member of the Indianapolis Metropolitan Police Department acts in an official capacity as a police officer, even while technically off duty, if that member is enforcing a law of the State of Indiana, Consolidated City of Indianapolis, or while performing those duties in the protection of life and property.

Order – Any directive, verbal and/or written, issued by a department supervisor or member who has been directed to give orders.

Overtime – The time worked in excess of the regular tour of duty.

Plain Clothes Duty – Assigned to duty in clothing other than the departmental uniform.



GLOSSARY

- Continued -

Police Action – Activity expected or required by law, order, rule, regulation, and/or procedure.

Regulation – Order, policy, standard operating procedure, and/or rule of the department.

Rule – All specifically enumerated categories regulating conduct within the Rules & Regulations of the department.

Shall – Must perform or comply.

Standard Operating Procedure – Detailed directive specifying procedures for performance of various tasks within the department.

Substandard Performance – Below the acceptable level of performance as defined by policy or work standards.

Supervisor – Any member with the rank of sergeant or above.

Suspension – Disciplinary action taken as a result of department rule, regulation, order, policy, or standard operating procedure violation which may include loss of police powers and monetary loss.

Violation – Action or inaction that is contrary to rule, regulation, order, policy, or standard operating procedure.

Weapons – Any department issued instrument used by a member for defense or to control a crowd or individual, or to effect a lawful arrest, e.g., handgun, baton, chemical repellent.

Working Day – A member's regular shift or tour of duty.

Written Reprimand – Disciplinary action taken as a result of department rule, regulation, order, policy, or standard operating procedure violation for which there is no loss of pay or police powers.

This Shall Be The Official Departmental Glossary

Additions and deletions may be made from time to time at the direction of the chief of police



I. POLICE OFFICER'S BILL OF RIGHTS

Section 1. As used in this Chapter, "police officer" shall mean all persons who are sworn members of the Indianapolis Metropolitan Police Department.

Section 2. There is hereby created a Police Officer's Bill of Rights which applies to all police officers, after completion of a required probationary period.

Section 3. Except when on duty or when acting in an official capacity, no police officer shall be prohibited from engaging in political activities or be denied the right to refrain from engaging in political activities, provided such activities do not impede or impair the efficient operation of the department.

Section 4. Whenever a police officer is under investigation and subjected to interrogation by Internal Affairs, the following procedures shall apply:

- A. The interrogation shall be conducted at a reasonable hour, preferably at a time when the police officer is on-duty, unless, in the judgment of the interrogating officer(s), the seriousness of the investigation is of such a degree that an immediate interrogation is required.
- B. The interrogation shall take place either at the office of Internal Affairs or an equivalent office setting as designated by the interrogating officer.
- C. Prior to such interrogation of any police officer, he shall be provided a "Statement of Rights."
- D. The police officer being interrogated shall be informed of the name, rank, and assignment of the officer in charge of the investigation, the interrogating officer(s), and all persons present during the interrogation.
- E. In non-criminal cases, once an officer is scheduled for interrogation by Internal Affairs, he will be provided a copy of the complaint where one exists. In criminal cases, the officer will be informed of the nature of the complaint. In neither case will the name of the complainant necessarily be disclosed.
- F. Interrogation sessions shall be for reasonable periods of time and shall allow for such personal necessities and rest periods as are reasonably necessary.
- G. The interrogation of a police officer by Internal Affairs shall be tape recorded upon the request of either party. A written transcript of the tape shall be provided to the officer upon request and at no cost to the officer.
- H. If the police officer under interrogation is under arrest or is likely to be placed under arrest, he shall be completely informed of all of his rights under Miranda prior to the commencement of the interrogation.
- I. Questions posed to a police officer under investigation shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or fitness for serving as a police officer. Under no circumstances shall the police officer being investigated be required to waive his immunity with respect to the use of the police officer's answers or the fruits thereof in a criminal prosecution.



- J. At the request of the police officer under interrogation by Internal Affairs, he shall have the right to have an attorney or a representative of his choice from within the department present during such interrogation whenever the interrogation relates to the officer's continued fitness for law enforcement service. At the officer's request for representation, he shall be provided a reasonable period of time to obtain such representation, which shall not exceed seventy-two (72) hours, unless agreed upon by both parties. The attorney or representative shall not participate in the interrogation except to advise the police officer.
- K. Only in criminal and corruption matters under department investigation, or as a condition of assignment to certain sensitive positions as provided in the General Orders, may a police officer be required to submit to a polygraph examination or voice stress analysis test. The questions comprising such tests shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or continued fitness to serve as a police officer. Under no circumstances shall the police officer being investigated be required to waive his immunity with respect to the use of the police officer's answers or fruits thereof in a criminal prosecution. The results of such an examination shall not be used in any subsequent criminal court action without the consent of the police officer.

Section 5. Whenever a police officer is ordered to appear for a hearing before a board of captains as directed by the chief in accordance with Indiana Code, the following procedures shall apply:

- A. The hearing shall be administrative in nature.
- B. The hearing shall be conducted at a reasonable hour, and the officer shall receive proper notice to appear.
- C. The hearing shall take place either in the chief's conference room or an equivalent setting as designated by the board of captains.
- D. Prior to such hearing, the officer shall be provided a "Statement of Rights."
- E. The police officer shall be informed of the name, rank, and assignment of the officer in charge of the hearing, the board members, and all persons present during the hearing.
- F. In non-criminal cases, once an officer is scheduled for a hearing, he will be provided a copy of the complaint where one exists. In criminal cases, the officer will be informed of the nature of the complaint. In neither case will the name of the complainant necessarily be disclosed.
- G. Hearing sessions shall be for reasonable periods of time and shall allow for such personal necessities and rest periods as are reasonably necessary.
- H. The board of captains hearing shall be tape recorded upon the request of either party. A copy of the tape shall be provided to the officer for the purpose of appeal to the Merit Board. The tape copy shall be at no cost to the officer.
- I. Questions posed to a police officer during the hearing shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or fitness for serving as a police officer. Under no circumstances shall the police officer be required to waive his immunity with respect to the use of the police officer's answers or the fruits thereof in a criminal prosecution.



- J. At the request of the police officer, he shall have the right to have an attorney or a representative of his choice from within the department present at all times during such hearing whenever the hearing relates to the officer's continued fitness for law enforcement service. The attorney or representative shall be allowed to address the board, present evidence, and question witnesses to clarify testimony pursuant to the guidelines established by the board. The attorney or representative must abide by the policies, procedures, and rulings of the board. At the sole discretion of the board, counsel may be expelled or excluded from the hearing for cause. Such cause includes, but is not limited to, counsel's failure to follow the board's guidelines, policies, procedures, or rulings; or disruptive conduct. The board of captains shall have final authority and full responsibility for the hearing.
- K. Only in criminal and corruption matters under department investigation, or as a condition of assignment to certain sensitive positions as provided in the General Orders, may a police officer be required to submit to a polygraph examination or voice stress analysis test. The questions comprising such tests shall specifically, directly, and narrowly relate to the performance of the police officer's official duties or continued fitness to serve as a police officer. Under no circumstances shall the police officer being investigated be required to waive his immunity with respect to the use of the police officer's answers or fruits thereof in a criminal prosecution. The results of such an examination shall not be used in any subsequent criminal court action without the consent of the police officer.
- L. The officer shall have the right to appeal any decision/findings of the board of captains in accordance with the Indiana Code.
- M. The procedure contained in this Section (5) does not apply to administrative reviews by the board of captains.

Section 6. No police officer shall be required, for purposes of assignment or other personnel action, to disclose any item of his property, income, assets, source of income, debts, or personal or domestic expenditures (including those of any member of his family or household), unless such information is obtained under proper legal procedures or tends to indicate a conflict of interest with respect to the performance of his official duties. This Section shall not prevent inquiries made by authorized agents of a tax collecting agency in accordance with acceptable and legally established procedures.

Section 7. No dismissal, transfer, reassignment, or other personnel action which might result in loss of pay or benefits, or other punitive measures resulting in monetary loss, shall be taken against a police officer unless such police officer is notified of the action and the reason or reasons therefore prior to the effective date of such action.

Section 8. No police officer shall be discharged, disciplined, or demoted; or denied promotion, transfer, or reassignment; or otherwise be discriminated against in regard to his employment; or be threatened with any such treatment by reason of his exercise of the rights granted in this Police Officer's Bill of Rights.

Section 9. In the event a complaint has been dismissed or the complaint has resulted in an investigation and/or hearing where the police officer has been found innocent of the allegations, there shall be no record placed in the police officer's personnel file.

Section 10. Modification of this document by the chief of police will not occur without entering into discussions with the President of Fraternal Order of Police, Lodge 86.



SAMPLE FORM

**INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT
STATEMENT OF RIGHTS**

I wish to advise you that you are being questioned as part of an official investigation of the Indianapolis Metropolitan Police Department. You will be asked questions specifically, directly and narrowly relating to the performance of your official duties as a police officer or concerning your fitness for service as a police officer. You have the constitutional right not to incriminate yourself.

Under no circumstances will the results of this investigation or your statement be used in any subsequent criminal court action against you. However, factual information contained in the Internal Affairs file on this investigation, including your statement, is generally discoverable in civil rights litigation filed in either Federal court or in a State court, and may be used to impeach your testimony in such a suit.

I further wish to advise you that if you refuse to testify, or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to Departmental charges which could result in your dismissal from the Indianapolis Metropolitan Police Department.

Internal Affairs Investigator _____ IMPD

I have read the above and understand it fully. I sign this statement having been advised of the above rights before any questions have been asked of me.

Metropolitan Police Department _____ Police Officer, Indianapolis

Signed at _____ O'clock ____ M. this _____ day of _____, 20_____,
at Indianapolis, Indiana.

(Form Reduced From Actual Size)



II. ASSUMPTION OF DEFENSE IN POLICE LIABILITY CASES

Assumption of Defense in Police Liability Cases – Certain standards are to be applied by the Office of Corporation Counsel with respect to civil cases where the county, city, the department, and/or a member of the department is named as a party defendant.

- A. The standards provide, in substance, that the Office of Corporation Counsel will provide counsel and assume any costs of defense in the following instances:
1. Where an Indianapolis Metropolitan Police Department officer is on duty and engaged in conduct within the scope of his appointment as a police officer for the Consolidated City of Indianapolis. Any conduct within the scope of the officer's employment which generally benefits the citizens of Marion County would be included.
 2. Where the officer is off duty but is engaged in conduct in the line of duty, which, in the opinion and discretion of the Office of Corporation Counsel, generally benefits the citizens of Marion County and which would be within the scope of his employment if he had been on duty. The most common example of this situation is where an off duty officer observes a crime in progress and makes an arrest which subsequently results in the filing of suit by the arrestee.
 3. Where an officer is employed on a part time basis as a security guard by a private employer, said employer will be responsible for defending and indemnifying the officer if suit is filed against the officer for conduct which is within the scope of his responsibilities as a police officer and which was undertaken in the course of his employment as a security guard. The employer will be responsible for providing the officer with counsel, paying the cost of the defense, and for any liability resulting from a judgment. Nevertheless, if the employer refuses to provide the defense and indemnification for the officer, the Office of Corporation Counsel, in consultation with the chief of police as may be determined appropriate under the circumstances, may agree to assume the cost of defense of the police officer subject to an action back against the employer to recoup the cost of litigation and defense.
- B. The Office of Corporation Counsel will neither provide counsel nor assume liability for the costs of defense in the following circumstances, as set forth in Chapter 292 of the "Revised Code of the Consolidated City and County."
1. Where the officer is engaged in conduct of a personal nature outside the scope of his employment, even though such conduct takes place during on duty hours.
 2. Where the officer has engaged in conduct in violation of the Rules and Regulations of the department, disciplinary action has been taken with respect to such conduct, and such violation is the basis upon which liability is alleged. However, if the officer has engaged in conduct in violation of the Rules and Regulations of the department and such conduct is not the basis for liability in the alleged incident, the City will, nevertheless, accept the defense. For example, assume the officer was a party defendant in a suit alleging the plaintiff was unlawfully arrested. Further assume the officer was found by the department to be carrying an unauthorized weapon. Since the carrying of the unauthorized weapon is not the basis for liability, the Office of Corporation Counsel would assume the defense.
- C. The Consolidated City and County may not be liable for punitive damages. For this reason, an officer will need to procure his or her own counsel to defend against a claim for punitive damages, even in cases where the Office of Corporation Counsel defends the officer against a claim for compensatory damages.



III. RULES AND REGULATIONS

Section I. Violation of any Rule, Regulation, or Order of the Department

- A. Members shall obey all written and oral orders, rules, regulations, policy, and standard operating procedures of the department.
- B. Members who are off duty, or on suspension, or on leave shall conform to the department's rules, regulations, orders, policies, and standard operating procedures to the same extent as if they were not off duty, or on suspension, or on leave.

Section II. Any Breach of Discipline

- A. Members shall not conduct themselves in a manner which is detrimental to the efficient operation and/or general discipline of the department.
- B. Members shall improve performance, conduct, or attitude following disciplinary action concerning same.
- C. Members shall not have a record of continued and/or intentional violations of department policies and/or directives.
- D. Members shall treat the official business, communications, records, and data of the department as confidential. Information regarding official business, communications, records, and data shall be disseminated only to those for whom it is intended, in accordance with established departmental procedures.
- E. Members shall not take, destroy, or tamper with any official document, report or record of the department except in accordance with departmental procedures.
- F. Members shall not divulge the identity of persons giving confidential information except as required to do so by law.
- G. Members shall not criticize the department or any of its officers if that criticism is in any way defamatory, obscene, or unlawful, or tends to impair the efficient operation of the department.
- H. Members shall not make untruthful comments on the official action of a supervisor or any other member of the department.
- I. Members shall not commit any act or engage in any behavior that would constitute gross misconduct.
- J. Members shall not remove or copy any official document, report, or record of the department, except in accordance with departmental procedures.



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Section III. Insubordination

- A. Members shall not be insubordinate or act with disrespect to any supervisor or appointed police administrator.
- B. Members shall not circumvent the chain of command unless otherwise authorized by departmental order.
- C. Members shall promptly obey any lawful order of a supervisor or appointed police administrator.

Section IV. Neglect of Duty

- A. Members shall report for duty at the assigned time and place with all necessary equipment and properly attired to perform their duties.
- B. Members shall devote full time to their duties during the time they are working for the department. Members shall not engage in any activities or personal business which would cause them to be inattentive to duty.
- C. Members shall not leave their assigned duty unless properly relieved, or by permission of a supervisor, or unless authorized to do so by Communications.
- D. Members shall not sleep while on duty.
- E. Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.
- F. Members shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their duties.
- G. Members shall not take unauthorized sick leave or be absent excessively.
- H. Members shall not deliberately restrict their work output or the work output of others.
- I. Members shall take proper action when they observe wrongful or negligent behavior by departmental members.
- J. Supervisors shall take prompt action when they observe wrongful or negligent behavior by department members.
- K. Members shall utilize all department equipment and public property only for its intended purpose, in accordance with established departmental procedures. Members shall maintain such equipment and property and ensure it is in good working condition and/or proper order.
- L. Members shall not negligently abuse, damage or lose department-issued equipment or public property.



- M. Members shall not negligently abuse, damage or lose department-issued firearms.
- N. Members shall keep and maintain all essential information on any police investigation for which they have primary responsibility.
- O. Members shall make and turn in all reports promptly, accurately, and completely in conformity with departmental orders.
- P. Members making arrests or otherwise coming into control of a prisoner shall make an immediate and thorough search of the prisoner and surrounding area as defined by law and department policy.
- Q. Members who recover or come into possession, custody, or control of any lost, stolen, seized, or abandoned property shall secure and transport it to the Property Branch in conformity with law and department policy.
- R. Members shall not testify in any court case, civil or criminal, or administrative hearing except where required by law, or departmental order, or when subpoenaed.

Section V. Immoral Conduct

- A. Members shall not conduct themselves in an immoral and/or indecent manner which impairs their ability to perform as police officers or causes the department to be brought into disrepute.

Section VI. Conduct Unbecoming an Officer

- A. When dealing with the public, members shall not use language or gestures which are rude, demeaning or affronting.
- B. When dealing with the public, members shall not use language or gestures which are lewd, obscene or indecent.
- C. Members shall not act with disrespect to any other employee of the department, sworn or civilian.
- D. Members shall not use any controlled substance or dangerous drug unless prescribed by someone permitted by law to prescribe such drugs.
- E. Members shall not report for full-duty status, or perform said duty, when the use of any drug or medication impairs their effectiveness.
- F. Members shall not partake of any intoxicating beverage while on duty, except in the performance of their duty, nor shall any member report for duty under the influence of intoxicants to any degree whatsoever.
- G. Members while in uniform shall not consume alcoholic beverages or engage in any activity that would be demeaning to the uniform and the department.
- H. Members shall not mistreat persons who are in their custody and shall handle such persons in accordance with law and departmental order.



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- I. Members shall not mistreat animals that are in their custody and shall handle such animals in accordance with law and departmental order.
- J. Members shall not use more force in any situation than is reasonably necessary under the circumstances. Members shall use force in accordance with law and departmental order.
- K. Members shall only use their weapons in accordance with state law and department order.
- L. Members shall not enter into official departmental correspondence or official verbal communication with anyone, except in performance of their official duty.
- M. Members shall not intervene in the assigned case of another member without permission of their commanding officer, but shall give assistance when and where necessary.
- N. Members shall not officially recommend or suggest the service of any person, company, or other organization doing business for profit.
- O. Members shall not use their official position, badge, or credentials for personal advantage nor to solicit goods, services, or gratuities.
- P. Members shall not use their official position, badge, or credentials to avoid the consequences of an illegal act.

Section VII. Substandard Performance

- A. Members shall perform their duties in a manner which will maintain satisfactory standards of efficiency in carrying out the objectives of the department.
- B. Members shall conform to established work standards according to their rank or position. Non-conformity shall include, but not be limited to, inability or unwillingness to perform assigned duties.
- C. Supervisors or commanding officers shall not issue any orders which are contrary to law, or departmental rule or order.

Section VIII. Violation, with the determination by the Chief based on a preponderance of the evidence, of any Federal, State, or local laws.

- A. Members shall obey all federal, state, or local laws.
- B. Members shall obey all laws of any state or local jurisdiction where the member is present.



Section IX. Failing to Cooperate or Be Truthful

- A. Members shall be cooperative and truthful when testifying in any court or administrative hearing or internal investigation, in accordance with the "Police Officer's Bill of Rights."
- B. Members shall be truthful in all official reports and correspondence.
- C. Upon the order of the chief of police or his designee, or a supervisor, members shall answer truthfully all questions specifically, directly, and narrowly relating to the performance of their official duties or their fitness for serving as a police officer.

Section X. Financial Responsibility

- A. Members with a financial interest that they believe, or reasonably should have believed, may be affected by actions of the department shall disclose the precise nature and value of such interest. The disclosure shall be made in writing and shall be submitted to the chief of police.

Section XI. Gambling

- A. No game of chance or wagers in violation of any law shall be played by any member.
- B. Members shall not place any legal gambling wagers (including the lottery, bingo, etc.) while wearing a department uniform.

Section XII. Vice

- A. Members shall not knowingly visit any place of questionable character, such as a house of prostitution, gambling establishment, or any place frequented by criminals, except in an official capacity, and if a member becomes aware of such a place, he shall report it to a supervisor immediately.

Section XIII. Public Appearance

- A. A member shall obtain the permission of his Division Commander prior to appearing as a representative of the department for the purposes of making a speech, participating in a panel discussion, or other similar functions.



IV. DISCIPLINARY PROCESS

I. PURPOSE

This manual is designed to outline the disciplinary process for the Indianapolis Metropolitan Police Department. The policies and procedures relating to this process shall be established in accordance with Sec. 279-237 of the "Revised Code of the Consolidated City and County" (As added G.O. No. 110, 2005) This manual is to serve as a guide for all members to enable them to understand and comply with the process. As an administrative guide, it shall outline the scope of duties and responsibilities for members and for the review, investigative, and hearing boards. This manual shall attempt to establish procedural review and due process within the framework of departmental policy, and City, State, and Federal Law.

II. SEC. 279-237 of the "Revised Code of the Consolidated City and County," as added G.O. No. 110, 2005, reads as follows:

(a) The civilian police merit board of the metropolitan law enforcement agency shall establish disciplinary policies for use in all disciplinary matters of the agency. The merit board, in conjunction with the chief, subject to the approval of the Director of Public Safety, shall establish the rules and regulations for the agency. All disciplinary charges shall be based on these rules and regulations.

(b) Disciplinary actions within the agency shall be in one (1) of the following forms:

- (1) Written reprimand;
- (2) Suspension without pay;
- (3) Demotion;
- (4) Discharge.

(c) An officer may be placed on leave with pay for up to thirty (30) calendar days by the chief pending determination of final disciplinary action. Such leave with pay shall be considered a duty status and not a punishment.

(d) The chief shall have the ultimate authority to discipline any member of the agency, subject only to the restrictions outlined below. In making his determination, the chief may refer the matter to a disciplinary board of captains for recommendation. Following his determination in a disciplinary matter, the chief may:

- (1) Issue a written reprimand.
- (2) Suspend an officer without pay for up to six (6) calendar months. If the suspension is for more than ten (10) working days, the officer may appeal that portion of the suspension greater than ten (10) days to the merit board. Such appeal must be made within thirty (30) calendar days of notice of the action.
- (3) Demote the officer in rank by one (1) merit rank. Any demotion may be appealed to the merit board within thirty (30) calendar days of notice of action.
- (4) Recommend discharge of the officer to the merit board. Upon referral of the matter to the merit board, the merit board shall conduct a de novo administrative hearing of record. Pending determination by the merit board, the officer shall be placed on suspension without pay.



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(5) Reinstate with pay any officer who previously was suspended without pay.

Provided, however, that the chief shall consult with the Director of Public Safety regarding any discipline exceeding a ten (10) day suspension.

(e) Departmental superiors shall have the authority to discipline subordinate officers as outlined below. However, these superiors may recommend any of the above disciplinary actions to the chief through the chain of command.

The assistant chief, deputy chiefs, and majors may: (1) issue a written reprimand or (2) suspend an officer for not more than ten (10) working days without pay. The chief of police may delegate additional disciplinary authority to the assistant chief(s) and deputy chiefs.

Captains may: (1) issue a written reprimand or (2) suspend an officer for not more than three (3) working days without pay.

Lieutenants may: (1) issue a written reprimand or (2) suspend an officer for not more than two (2) working days without pay.

Sergeants may (1) issue a written reprimand or (2) suspend an officer for one (1) working day without pay.

(f) Officers in non-merit appointed ranks who are classified by the agency as exempt executive, administrative or professional employees pursuant to the provisions of the Fair Labor Standards Act are not subject to unpaid disciplinary suspensions other than for violations of safety rules of major significance unless the suspension is for the period of an entire workweek or a specified number of full workweeks.

(g) All disciplinary actions taken by anyone except the chief shall be forwarded in writing to the disciplinary board of captains through the chain of command within three (3) working days of the action. The disciplinary board of captains shall ensure due process and consistency of discipline throughout the department. This disciplinary board may conduct an administrative review of the matter, request further investigation by Internal Affairs or other appropriate personnel, or hold a hearing on the matter.

(h) If a hearing is held by the disciplinary board of captains the officer charged shall be notified in writing of the charges and the time and date for the hearing. In such hearings, and pursuant to departmental policy, the officer shall have the right to have counsel present and to have witnesses subpoenaed by the board of captains to testify in his or her behalf upon advance notice to the board. All testimony before the captains' board shall be under oath, and any individual appearing before the board shall cooperate fully and answer all questions truthfully and directly. The hearing before the captains' board shall be conducted in accordance with the written directives of the chief and the merit board. After the hearing, the board of captains shall, upon majority vote, reduce to writing its findings of either guilty or not guilty.

(i) The disciplinary board of captains shall report the results of its review and/or hearing to the chief for determination. Included in this report shall be the disciplinary board's findings and recommendations. If the finding is "guilty," the disciplinary board shall also make its recommendations for punishment. The chief may concur with the captain's board in full or in part or may fully or partially reverse its recommendations.



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- (j) The disciplinary board of captains shall consist of three (3) officers holding the permanent merit rank of captain, who shall serve for a period of three (3) months. Each captain shall be selected at random. The names of the captains shall be drawn from a list of all eligible captains by the police officer ranking first on the most current sergeant's promotion list who shall serve for a period of three (3) months and who shall then be succeeded by the next highest ranking officer on such list who shall serve for a three-month period and so forth. If a vacancy occurs on the board of captains by reason of a board member becoming unable to perform his duties and serve on such board, the vacancy shall be filled in the same manner in which the board was selected.
- (k) Disciplinary actions addressed by the merit board on appeal from the officer shall be handled through administrative hearing. This hearing shall be de novo and shall be a hearing of record. In making an appeal, the officer shall submit a written request for appeal to the merit board within thirty (30) calendar days of notice of disciplinary action. The merit board then shall schedule the hearing, providing the officer with at least fifteen (15) calendar days' notice prior to the hearing date. The evidence before the merit board shall consist of the written charges and action taken on such charges, the findings of fact and recommendations from the chief and/or the disciplinary board of captains, and any other evidence requested by the merit board or presented by the charged officer.
- (l) The officer requesting an appeal and the chief may be represented by legal counsel before the merit board.
- (m) After hearing the evidence, the merit board shall, by majority vote, reduce its findings and decision to writing. The merit board may fully or partially affirm or reverse any portion of the chief's determination which is appealable. In addition, the merit board may remand the action for further review by the chief.
- (n) If the officer is found not guilty by the merit board, any pay he or she may have lost due to suspension, or any rank lost due to demotion, shall be returned to the officer.
- (o) Any officer who disagrees with the findings of the merit board shall have the right to file a verified petition to the superior or circuit court of Marion County for a review of the decision. The petition for review must be filed within thirty (30) calendar days after the written decision of the board. The City of Indianapolis shall be the sole defendant in the petition for review. Within thirty (30) calendar days after receipt of a summons, the city shall cause the merit board to file a true and complete copy of the transcript of the hearing with the court. The court, without jury, shall review the record and render its decision as in other administrative reviews. The clerk of the court shall send a copy of the court's decision to the metropolitan law enforcement agency and the appealing officer. Either party may appeal the decision of the court.
- (p) For the purpose of all hearings before the disciplinary board of captains and the merit board, each shall have subpoena power enforceable by the circuit or superior court of the county.
- (q) A copy of any disciplinary action taken and of the findings of fact and recommendations of the board shall be forwarded to the charged officer. In addition, if an officer is found guilty, notice of the action shall be forwarded to the merit board and made a permanent part of the officer's personnel record.



V. DEFINITION OF DISCIPLINARY ACTIONS

A. Written Reprimand

Disciplinary action taken as a result of department rule, order, or policy violation. Documentation of the violation is forwarded to the disciplinary board of captains for review, except when the chief's authority to discipline is involved. The disciplinary board of captains shall report its findings and recommendations to the chief. Copies of the findings of the disciplinary board of captains and of the chief's determination shall be forwarded to the charged officer, the Director of Public Safety, and the merit board. If sustained by the chief, a copy of the findings and recommendations of the disciplinary board of captains and/or the chief's determination shall be made a permanent part of the member's personnel file. There is no loss of police powers or monetary loss, only written documentation. Written reprimands should be used to document misconduct, or as a step in progressive discipline. Counseling should be made by the supervisor initiating the written reprimand.

In response to a written reprimand issued by a supervisor other than the chief of police, the officer receiving the written reprimand may attach an inter-department to the disciplinary action report. This inter-department shall explain the reasons for the conduct leading to the disciplinary action and any other pertinent information concerning the conduct.

B. Suspension

Disciplinary action taken as a result of department rule, order, or policy violation which may include loss of police powers and monetary loss. A copy of the written documentation of the suspension is sent to the disciplinary board of captains, within three (3) working days, for review, except where the chief's authority to discipline is involved. The disciplinary board of captains shall report its findings and recommendations to the chief. Copies of the findings of the disciplinary board of captains and of the chief's determination shall be forwarded to the charged officer, the Director of Public Safety, and the merit board. If the suspension is sustained by the chief, a copy of the findings and recommendations of the disciplinary board of captains and/or the chief's determination shall be made a permanent part of the member's personnel file.

In designating the actual dates of an officer's suspension, the chief and/or the board of captains shall consider the officer's work schedule and letter day rotation. The chief's determination and/or the findings of the board of captains shall list the calendar dates of the suspension as well as the number of working days suspended. An officer shall forfeit pay for working days suspended only. Police powers shall be forfeited for the entire calendar day period.

In response to a suspension issued by a supervisor other than the chief of police, the officer receiving the suspension may attach an inter-department to the disciplinary action report. This inter-department shall explain the reasons for the conduct leading to the disciplinary action and any other pertinent information concerning the conduct. In addition, the disciplinary board of captains will hold a hearing on the suspension at the request of the charged officer.

If the suspension is for more than ten (10) working days, the officer may appeal that portion of the suspension over ten (10) working days to the merit board. Such appeal must be made within thirty (30) calendar days of notification of the action.



C. Demotion

Disciplinary action taken by the chief as a result of department rule, order, or policy violation which results in reduction of the member's permanent rank. The chief may refer the matter to the disciplinary board of captains for recommendation. The disciplinary board of captains shall report its findings and recommendations to the chief. Copies of the findings of the disciplinary board of captains and the chief's determination shall be forwarded to the charged officer, the Director of Public Safety, and the merit board. Copies of the findings and recommendations of the disciplinary board of captains and/or the chief's determination shall be made a permanent part of the member's personnel file. A demotion may be appealed to the merit board within thirty (30) calendar days after the member receives notification of the demotion.

Any Indianapolis Metropolitan Police Department officer reduced in rank will become ineligible for promotion for three years following the date of demotion. This does not, however, preclude a reduced officer from participating in any promotional process.

D. Discharge

Disciplinary action recommended by the chief as a result of department rule, order, or policy violation, which includes loss of police powers and monetary loss, pending hearing before the merit board. The chief may refer the matter to the disciplinary board of captains for recommendation. The disciplinary board of captains shall report its findings and recommendations to the chief. Copies of the findings of the disciplinary board of captains and the chief's determination shall be forwarded to the charged officer, the Director of Public Safety, and the merit board. Copies of the findings and recommendation of the disciplinary board of captains and/or the chief's determination shall be made a permanent part of the member's personnel file. A recommendation for discharge is automatically heard by the merit board the same as an appeal hearing.



VI. AUTHORITY TO DISCIPLINE

A. Chief of Police

The Chief of Police may:

1. Issue a written reprimand; or
2. Suspend an officer without pay for up to six (6) calendar months. If the suspension is for more than ten (10) working days, the officer may appeal that portion of the suspension greater than ten (10) days to the merit board. Such appeal must be made within thirty (30) calendar days of notice of action.
3. Demote the officer in rank by one merit rank. Any demotion may be appealed to the merit board within thirty (30) calendar days of notice of the action.
4. Recommend discharge of the officer to the merit board. Upon referral of the matter to the merit board, the merit board shall conduct a de novo administrative hearing of record. Pending determination by the merit board, the officer shall be placed on suspension without pay.
5. Reinstate with pay any officer who previously was suspended without pay.

Provided, however, that the chief shall consult with the Director of Public Safety regarding any discipline exceeding a ten (10) day suspension.

B. Assistant Chief, Deputy Chief, or Major

Any assistant chief, deputy chief, or major may :

1. Issue a written reprimand; or
2. Suspend any subordinate for up to ten (10) working days without pay and without a hearing before the merit board. The documentation regarding said action shall be forwarded to the disciplinary board of captains for review, investigation, and/or hearing. The board of captains shall report its findings and recommendations to the chief who may affirm, revise, or reverse said action. Copies of the findings and recommendations of the disciplinary board of captains and the chief's determination are sent to the charged officer, the Director of Public Safety, and the merit board. In addition, if an officer is found guilty, notice of the action shall be forwarded to the merit board and made a permanent part of the officer's personnel file.

The chief may delegate additional disciplinary authority to the assistant chief(s) and deputy chiefs.

All disciplinary actions taken by anyone except the chief of police shall be forwarded in writing to the disciplinary board of captains through the chain of command within three (3) working days of the action.



C. Captain

Any captain or above may:

1. Issue a written reprimand; or
2. Suspend any subordinate for up to three (3) working days without pay and without a hearing before the merit board. The documentation regarding said action shall be forwarded to the disciplinary board of captains for review, investigation, and/or hearing. The board of captains shall report its findings and recommendations to the chief, the Director of Public Safety, and the merit board. The chief may affirm, revise, or reverse said action. Copies of the findings and recommendations of the disciplinary board of captains and the chief's determination are sent to the charged officer. In addition, if an officer is found guilty, notice of the action shall be forwarded to the merit board and made a permanent part of the officer's personnel record.

D. Lieutenant

Any lieutenant or above may:

1. Issue a written reprimand; or
2. Suspend any subordinate for two (2) working days without pay and without a hearing before the merit board. The documentation regarding said action shall be forwarded to the disciplinary board of captains for review, investigation, and/or hearing. The board of captains shall report its finding to the chief, the Director of Public Safety, and the merit board. The chief may affirm, revise, or reverse said action. Copies of the findings and recommendations of the disciplinary board of captains and the chief's determination are sent to the charged officer. In addition, if an officer is found guilty, notice of the action shall be forwarded to the merit board and made a permanent part of the officer's personnel record.

E. Sergeant

Any sergeant or above may:

1. Issue a written reprimand; or
2. Suspend any subordinate for one (1) working day without pay and without a hearing before the merit board. The documentation regarding said action shall be forwarded to the disciplinary board of captains for review, investigation, and/or hearing. The board of captains shall report its findings and recommendations to the chief, the Director of Public Safety, and the merit board. The chief may affirm, revise, or reverse said action. Copies of the findings and recommendations of the disciplinary board of captains and the chief's determination are sent to the charged officer. In addition, if an officer is found guilty, notice of the action shall be forwarded to the merit board and made a permanent part of the officer's personnel record.



VII. DISCIPLINARY BOARD OF CAPTAINS

A. Selection of the Board

Pursuant to Sec. 279-237, Subsection (j) of the "Revised Code of the Consolidated City and County," "The disciplinary board of captains shall consist of three (3) officers holding the permanent merit rank of captain, who shall serve for a period of three (3) months. Each captain shall be selected at random. The names of the captains shall be drawn from a list of all eligible captains by the police officer ranking first on the most current sergeant's promotion list who shall serve for a period of three (3) months and who shall then be succeeded by the next highest ranking officer on such list who shall serve for a three-month period and so forth. If a vacancy occurs on the board of captains by reason of a board member becoming unable to perform his duties and serve on said board, the vacancy shall be filled in the same manner in which the board was selected."

Members of the disciplinary board of captains shall serve for three (3) months. After serving the three (3) month term, the selected members shall be exempt from the drawing for the remainder of the calendar year.

The chief may excuse or dismiss any member of the board of captains for cause. The vacancy would then be filled in the same manner in which the board is selected.

B. Duties Of The Disciplinary Board Of Captains

All disciplinary actions, except those involving the chief's authority to discipline (direct or delegated) shall be forwarded in writing to the disciplinary board of captains through the chain of command within three (3) working days of the action. The disciplinary action report shall include a citation and narrative description of the Rule violation, and it shall be signed by the disciplined officer to acknowledge initiation of the action. Each level of supervision within the chain of command shall attach their recommendation with respect to the action, and the total disciplinary action taken through the chain of command shall not exceed the maximum authorized for the highest ranking supervisor in the chain of command. However, additional discipline may be recommended in accordance with Sec. 279-237, Subsection "e" of the "Revised Code of the Consolidated City and County."

Any officer being disciplined may attach a separate inter-department to the disciplinary action report, explaining the reasons for the conduct leading to the disciplinary action and any other pertinent information concerning the conduct.

The disciplinary board of captains shall automatically review every disciplinary recommendation taken by anyone except the chief of police. This board shall ensure due process and consistency of discipline throughout the department:

Where the recommended discipline is a written reprimand, the disciplinary board of captains may, at its discretion, either conduct an administrative review of the matter, request further investigation by Internal Affairs or other appropriate personnel, or hold a hearing on the matter.

Where the recommended discipline is a suspension, the disciplinary board of captains shall, at the request of the officer, hold a hearing on the matter. If the officer does not request such a hearing, the board may, at its discretion, either conduct an administrative review of the matter, request further investigation by Internal Affairs or other appropriate personnel, or hold a hearing on the matter.



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Disciplinary referrals may be made by any supervisor of the department, Internal Affairs, the Accident Review Board, or the Firearms Review Board. However, no discipline is considered final until the board of captains has presented its findings to the chief and the chief has taken an action.

1. Administrative Review

Any time a member is disciplined by a supervisor, except where the chief's authority to discipline (direct or delegated) is involved, the documentation of the discipline shall be sent to the disciplinary board of captains for administrative review. The review shall include analysis of the action in terms of disciplinary authority, process consistency, the past record of the disciplined member, etc. The review may result in affirmation, revision, or reversal of the action; further investigation; or a hearing regarding the matter. A written report of the board's findings and recommendations shall be submitted to the chief (or his designee), the Director of Public Safety, and the merit board. The chief (or his designee) may concur with, revise, or reverse any part or all of the board's recommendations.

2. Investigation

In making its determination in disciplinary matters, the disciplinary board of captains may request further investigation of a case by Internal Affairs or other appropriate personnel. The disciplinary board of captains shall review the investigation and shall report to the chief (or his designee), the Director of Public Safety, and the merit board its findings and recommendations (i.e., whether charges should be placed against the member, and, if so, what charges; concurrence, revision, or reversal of a disciplinary action already taken; a hearing should be scheduled; etc.) The chief (or his designee) may concur with the board's finding and recommendations, or he may revise or reverse any part or all of them.

3. Hearing

After receiving the finding and recommendations of the disciplinary board of captains, the chief (or his designee) may charge a member with any rule, order, or policy violation, including any recommended by the disciplinary board of captains, and order said member to appear before the disciplinary board of captains for a hearing. Alternatively, the hearing may be initiated at the request of the officer in response to a suspension issued by a supervisor other than the chief of police.

The hearing shall be conducted at a reasonable hour, and the member shall receive written notification of the charges, time, date, and location of the hearing.

The hearing shall take place either in the chief's conference room or an equivalent setting as designated by the board of captains, and shall be administrative in nature.

The charged member shall have the right to have witnesses subpoenaed by the disciplinary board of captains pursuant to advance notice to, and approval by, the disciplinary board of captains.

At the request of the member, he shall have the right to have an attorney or a representative of his choice from within the department present at all times during such hearings, whenever such hearings relate to the member's continued fitness for law enforcement service. The attorney or representative shall be allowed to address the disciplinary board of captains, present evidence, and question witnesses to clarify testimony, pursuant to the guidelines established by the disciplinary board of captains.



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The attorney or representative must abide by the policies, procedures, and rulings of the disciplinary board of captains. At the sole discretion of the disciplinary board of captains, counsel may be expelled or excluded from the hearing for cause. Such cause includes, but is not limited to, counsel's failure to follow the disciplinary board of captains' guidelines, policies, procedures, and rulings; or disruptive conduct. The disciplinary board of captains shall have final authority and full responsibility for the hearing.

In non-criminal cases, once a member is scheduled for a hearing, he will be provided a copy of the complaint where one exists. In criminal cases, the member will be informed of the nature of the complaint. In neither case, will the name of the complainant necessarily be disclosed.

The disciplinary board of captains' hearing shall be tape-recorded upon the request of either party. A copy of the tape shall be provided to the member for the purpose of appeal to the merit board. The tape copy shall be at no cost to the member.

Prior to the hearing, the member shall be provided a "Statement of Rights." The member shall be informed of the name, rank, and assignment of the officer in charge of the hearing, the members of the disciplinary board of captains, and all persons present during the hearing.

Hearing sessions shall be for reasonable periods of time, and shall allow for such personal necessities and rest periods as are reasonably necessary.

All testimony before the disciplinary board of captains shall be sworn. Questions posed to a member during the hearing shall specifically, directly, and narrowly relate to the performance of the member's official duties or his fitness for serving as a police officer. Under no circumstances shall the member be required to waive his immunity with respect to the use of the member's answers, or the fruits thereof in a criminal prosecution.

When a member is charged in a non-criminal matter for violation of any rule, order, or policy violation, the member shall answer truthfully, all questions concerning the matter posed to him by the board of captains. When the member refuses to answer such question, he will be informed that refusal to answer can become the subject for disciplinary action.

After concluding the hearing, the disciplinary board of captains shall reduce to writing its finding of either guilty or not guilty. If the finding is guilty, it shall also make recommendations for punishment. The disciplinary board of captains' report shall be forwarded to the chief (or his designee), the Director of Public Safety, and the merit board, and shall be made available to the charged member.

The chief (or his designee), after receiving the report from the disciplinary board of captains, may concur with the board or may revise or reverse the disciplinary board of captains in full or in part. The chief (or his designee) shall notify the charged member, in writing, of his determination and shall include a copy of the disciplinary board of captains' report. A copy of the chief's (or his designee's) determination shall also be sent to the Director of Public Safety and the merit board. If the charged member is found guilty, copies of the finding and recommendations of the disciplinary board of captains and the chief's determination are included in the member's personnel file.



VIII. APPEALS

A. Merit Board

Any member may appeal, in writing, that portion of any suspension, without pay, exceeding ten (10) working days, or any demotion in rank to the merit board within thirty (30) calendar days after receipt of notification by the chief (or his designee) of his determination. Any recommendation by the chief for discharge of a member is automatically forwarded to the merit board for a hearing.

An appeal should be submitted, in writing, to the merit board.

The member shall be notified, by registered letter, of the date, time, and location of the hearing before the merit board.

The hearing shall be conducted at a reasonable hour and shall take place either in the chief's conference room or an equivalent setting, as designated by the merit board.

The member shall be given at least fifteen (15) days notice prior to the hearing before the merit board. The member may have witnesses subpoenaed on his behalf and may be fully represented by counsel. The chief shall be represented by the city attorney or his designee.

The hearing before the merit board shall be an administrative hearing, *de novo*, and shall be a hearing of record.

The merit board shall consider the findings and recommendations of the disciplinary board of captains, the written charges, and the determination of the chief (or his designee), and other evidence requested by the merit board or presented by the charged member.

The merit board, after hearing evidence, shall make its decision, by majority vote, and thereafter reduce its findings and decision to writing. The merit board may fully or partially affirm, revise, or reverse any portion of the chief's determination which is appealable. In addition, the merit board may remand the action for further review by the chief of police. The merit board may demote a member only one (1) permanent rank at a time. The merit board may order a member reinstated with pay for any suspension or demotion appealable by law, and it also may recommend that the chief reinstate pay to an officer for that portion of an appealed suspension that is under ten (10) days.

If the merit board partially reduces the number of days in an appealable suspension, the merit board shall calculate calendar days and working days reduced in accordance with the officer's work schedule and letter day rotation.

Copies of the merit board's findings and decision shall be forwarded to the chief, the charged member, the Director of Public Safety, the merit board, and the member's personnel file.

B. Review by Superior or Circuit Court

Pursuant to Sec. 279-237, Subsection (o), of the "Revised Code of the Consolidated City and County," "any officer who disagrees with the findings of the merit board shall have the right to file a verified petition to the superior or circuit court of Marion County for a review of the decision. The petition for review must be filed within thirty (30) calendar days after the written decision of the board. The Consolidated City/County shall be the sole defendant in the petition for review. Within thirty (30) calendar days after receipt of a summons, the city shall cause the merit board to file a true and complete copy of the transcript of the hearing with the court. The court, without jury, shall review the record and render its decision as in other administrative reviews. The clerk of the court shall send a copy of the court's decision to the metropolitan law enforcement agency and the appealing officer. Either party may appeal the decision of the court."



IX. INTERNAL AFFAIRS

The purpose of the Internal Affairs Office is to investigate allegations of misconduct by sworn and civilian members of the department, and to perform other investigations as assigned by the chief of police, assistant chiefs, divisional chiefs, the Executive Director of the citizen's police complaint office, and the Office of Corporation Counsel.

Internal Affairs shall review complaints made by citizens, or by sworn or civilian members of the department. The commander of Internal Affairs shall evaluate the complaints and determine to what extent they should be investigated. Complaints of a minor nature may be referred to the commanding officer of the member in question for proper action, or may be disposed of by the commander of the Internal Affairs Office. The commander of Internal Affairs shall maintain a record of investigations sent to members' commanders to ensure each complaint is properly disposed of and a record of the investigation is maintained.

More serious complaints are assigned to an investigator, who shall obtain all pertinent information regarding the complaint, including statements, reports, photographs, tape recordings, etc. Upon completion of the investigation, the investigator shall forward his report to the Internal Affairs commander. The investigative report shall include the opinion of the commander of the Internal Affairs Office and shall be given a disposition classification.

The Internal Affairs commander shall forward to the chief or his designee the investigative report with the disposition classification of the case. If the complaint is classified as sustained, the chief or his designee may take disciplinary action, send the case to the involved member's commander for action, or refer the case to the disciplinary board of captains, in which case the procedures under Section VII herein shall be followed.

The Internal Affairs Office shall also provide support, cooperation, and investigative assistance on complaints taken by the Citizens Police Complaint Office, established in accordance with Section 281-631 of the "Revised Code of the Consolidated City and County." (As added G.O. No. 110, 2005)

In addition, the Internal Affairs Office, when requested, shall gather all pertinent information, including statements, reports, photographs, tape recordings, etc. with respect to civil cases where the county, city, and/or department is named as a party defendant. Said information is provided for use by the Office of Corporation Counsel.

X. COMPLAINT REVIEW BOARD

Refer to "Revised Code of the Consolidated City and County." **Sec. 281-631 at et. seq.**

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