

**EASTON POLICE DEPARTMENT  
ADMINISTRATIVE ORDER  
CHAPTER 5: COUNSELING AND DISCIPLINE**

	Title: <b>Internal Affairs Unit</b>		Number: <b>05-2</b>
	Effective: <b>December 29, 2011</b>	Revised: Oct. 1, 2016	General Order <b>#16-008</b>
	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amends	Notes: Replaces Administrative Manual Chapter 5-2.0 (12-11)	
Authority: _____ <div style="text-align: center;">Chief of Police</div>			Total Pages: <b>3</b>

**5-2.0 PURPOSE**

The purpose of this General Order is to establish the guidelines and responsibilities of the Internal Affairs Unit.

**5-2.1 DEFINITIONS/ABBREVIATIONS**

LEOBR                      Law Enforcement Officers' Bill of Rights  
 IAU                         Internal Affairs Unit

**5-2.2 FORMS**

Form 31A                      Employee Non Disciplinary/Disciplinary Action Record

**5-2.3 POLICY**

The Internal Affairs Unit consists of officers who have received specialized training in the investigation of allegations and complaints of misconduct against members of the Department. Members of the Internal Affairs unit will ensure that all allegations are thoroughly investigated, without partiality or prejudice, to ensure the Department's mission is achieved and its values are upheld to maintain the public's trust.

**5-2.4 RESPONSIBILITIES OF DEPUTY CHIEF OF POLICE**

1. Determines whether an investigation will be conducted by the Internal Affairs Unit or at the command level and assigns the case to an IAU investigator or a commander.
2. Supervises all investigations initiated under this article in accordance with the LEOBR.
3. Reviews the disposition of all disciplinary action taken against Easton Police Department members and maintains all records pertaining to administrative investigations.

**5-2.5 NOTIFICATIONS**

1. The Internal Affairs Unit will be notified immediately when:
  - a. A member shoots an individual or has been shot.

- b. A member is charged with a criminal offense.
- c. An allegation of criminal activity is directed at a member warranting a police investigation, regardless of jurisdiction of occurrence.
- d. A members weapon is discharged other than at the range or the killing of a dangerous or injured animal.
- e. A member is found driving an EPD vehicle while under the influence of alcohol, while under the influence of alcohol per se, while impaired by alcohol, or while impaired by a drug, a combination of drugs, a combination of one or more drugs and alcohol, or while impaired by a controlled dangerous substance.
- f. A member has been served with an ex parte protective order or is the respondent in a non-ex parte protective order (protective order).
- g. Any member commits any act of serious misconduct warranting an immediate investigation.

#### **5-2.6 INTERNAL AFFAIRS INVESTIGATIONS**

1. Generally, the Internal Affairs Unit will conduct administrative investigations concerning the following:
  - a. When a member has shot someone or has been shot. IAU will determine if the member complied with Easton Police policy.
  - b. Criminal violations committed by a member resulting in policy violations.
  - c. Sexual Harassment.
  - e. Discrimination.
  - f. Excessive use of force or brutality.
2. The Internal Affairs Unit will conduct any investigation or allegation requested by the Chief or Deputy Chief of Police.

#### **5-2.7 RECORDS AND FILES**

1. A “Complaint Against Personnel” master file will be securely maintained by the Deputy Chief of Police. The file is available for review only to the involved member, the commander or supervisor who supervises the members work and the Department’s Legal Counsel.
2. The Law Enforcement Officers Bill of Rights provides for the expungement of any record of formal complaint if the member has been exonerated on all charges or if the charges are non-sustained or unfounded and three years have passed since the findings were rendered by the Department.
3. The Office of the Deputy Chief of Police will periodically review its records and without request from a member, expunge a formal complaint or other material for a member pursuant to the LEOBR.
4. All original reports and tapes will be forwarded to the Office of the Deputy Chief for filing.

#### **5-2.8 INTERNAL AFFAIRS TRACKING NUMBERS**

1. Upon receiving any citizen complaint the Deputy Chief will assign a tracking number to the complaint. Tracking numbers will be issued in numerical sequence and prefixed using the letters IA, for Internal Affairs, followed by the last two digits of the year (IA# 11-001).
2. The Deputy Chief will assign a separate tracking number upon notification of a member becoming involved in a departmental collision. Tracking numbers will be issued in

numerical sequence and prefixed using the letters DC, for Departmental Collision, followed by the last two digits of the year (DC# 11-001). If the collision is deemed preventable, then an IA Tracking Number will also be issued.

3. The Deputy Chief will record all dispositions in a tracking number master record.

#### **5-2.9 EMPLOYEE DISCIPLINARY ACTION RECORD**

1. The Office of the Deputy Chief shall enter the disposition of all disciplinary and non-disciplinary proceedings on the Employee Non Disciplinary/Disciplinary Action Record, Form 31A.
2. The Form 31A is maintained in the member's personnel file.
3. If a departmental motor vehicle collision is found to be non-preventable, all records of the collision will be expunged for the purpose of the disciplinary process. The Department retains the right to collect administrative information on damage to all departmental equipment.