



WRITTEN DIRECTIVE	No.	PD18-1601	Page:	1 of 18
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	INTERNAL INVESTIGATIONS	Date:		
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I. Purpose

The purpose of this directive is to establish guidelines for conducting Lynchburg Police Department internal investigations.

52.1.1

II. Policy

It shall be the policy of the Lynchburg Police Department to conduct internal investigations in an impartial and objective manner as well as maintain security of related administrative files.

III. Procedure

A. GENERAL

1. For the purposes of this directive, *internal investigations* will be defined as investigations related to the activities of department employees and conducted by department supervisory staff;
2. Internal investigations will include the following types of investigations:
 - a. *administrative investigations* -- conducted for LPD administrative and personnel management purposes to include the following:
 - 1) determination of fact in cases where department employees are alleged to have:
 - a) improperly performed their duties, or
 - b) displayed unprofessional or inappropriate demeanor in performing their duties, or
 - c) engaged in some form of misconduct.
 - 2) review of employee actions and related circumstances associated with:
 - a) use of force incidents documented by means of BlueTeam [see directive PD-0602 (*Use of Force*)]
 - i. Incidents involving the euthanizing of a seriously injured animal will be reviewed by the involved officer's immediate supervisor when such incidents occur and when the related IBR is filed.

1.3.7

- b) vehicle pursuit incidents [see directive PD-0702 (*Vehicle Pursuit*)]
 - c) employee motor vehicle accidents [see directive PD-0207 (*Employee Motor Vehicle Accidents*)]
 - d) high-profile incidents (see directive PD-0402 *Significant Incident Management*)
- 3) evaluation of employee fitness for duty
 - 4) other departmental fact-finding purposes, as directed by the Chief of Police.
- b. *criminal investigations* – conducted for law enforcement purposes to include determining whether any crime has been committed, gathering necessary evidence, and preparing cases for prosecution review.

B. BASIC INTERNAL INVESTIGATION GUIDELINES

- 1. Every effort will be made to ensure that internal investigations are conducted with confidentiality and in a thorough, timely fashion.
 - a. Internal investigations will be conducted by supervisory staff.
 - b. Internal investigations should be completed within the timeframe allocated to each type of investigation: additional time to complete an investigation may be approved, as necessary, by a supervisory level designated to oversee that particular type of investigation.
- 2. An employee, whether the subject of or a witness in an administrative internal investigation, shall be subject to disciplinary action, including discharge, for failure to:
 - a. promptly and fully cooperate with internal administrative investigation procedures
 - b. truthfully and completely discuss matters and incidents related to an internal investigation
 - c. comply with required examinations, procedures, and disclosures.
- 3. Employee interviews related to an internal administrative investigation will be conducted as follows:
 - a. Whenever possible, employee interviews will be scheduled at a reasonable time and place – preferably during the employee's regular working hours.
 - 1) The needs of the investigation may dictate that interviews be scheduled outside these parameters.
 - 2) Interview scheduling will be the responsibility of the investigating supervisor.

- 3) Interviews will be conducted so as to maintain the confidentiality of the investigation and the employee interviewed.
- b. Whenever circumstances permit, the investigating supervisor will notify an employee's unit or division commander prior to interviewing the employee.
- c. Prior to being questioned as part of an internal investigation, an employee will be informed of:
 - 1) the name and rank of the investigating officer and of any person to be present during the questioning
 - 2) the nature of the investigation being conducted.
- d. A *Statement for Administrative Purposes* form will be reviewed and completed by the investigating supervisor and the employee interviewed (as either the subject of the investigation or as a witness) prior to initiation of any administrative investigation interview.
 - 1) The *Statement for Administrative Purposes* form will clearly indicate that the statement given:
 - a) is an ordered employee statement for Lynchburg Police Department internal investigative purposes
 - b) is protected from use for any other purpose under the *Garrity v. New Jersey* and *Gardner v. Broderick* Supreme Court decisions.
 - 2) The investigating supervisor will provide the interviewed employee with a copy of the signed *Statement for Administrative Purposes* form on request.
 - 3) The original, signed *Statement for Administrative Purposes* form will be scanned and attached to the investigation in IAPro.

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4. An employee may be relieved from their regular duty assignment pending disposition of an internal investigation when their continued presence on the job is deemed not to be in the best interest of the department or the employee.
 - a. In the case of Captain rank or lower, it will be at the discretion of a Major to accomplish removal from regular duty by means of administrative leave or special duty assignment.
 - b. In the case of rank of Major, it will be at the discretion of the Chief of Police to accomplish removal from regular duty by means of administrative leave or special duty assignment.
 - c. Such removal from regular duty will not be considered as a disciplinary action.

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5. The Chief of Police or a Major may require a department employee to submit to certain examinations, procedures, and/or disclosures as listed below when those examinations, procedures or disclosures are specifically directed and narrowly related to a particular internal investigation being conducted. Such examinations (to include, but not be limited to, those listed below) will be at departmental expense:

52.2.6 A & E

- a. medical, laboratory, psychological or polygraph examinations (the Chief of Police has sole authority to direct use of a polygraph examination)

52.2.6 B

- b. alcohol/drug screening tests (Code of Virginia, Section 9.1-501)

- c. the taking and display of employee photographs

52.2.6 C

- d. audio/video recordings

52.2.6 D

- e. participation in a line-up

- f. disclosure of financial information (Code of Virginia, Section 9.1-503).

6. Procedures for employee drug/alcohol screen testing:

- a. Any supervisor considering the use of such testing must obtain prior approval from either the Chief or a Major.

- b. HealthWorks will be available to perform drug/alcohol screen testing for the department during business hours.

- 1) Such testing will be conducted according to the City of Lynchburg *Drug-Free Workplace Policy*.

- 2) HealthWorks or the Lynchburg General Hospital (LGH) Laboratory will be responsible for the proper collection, labeling, chain of custody, testing, and dissemination of results of all specimens collected by HealthWorks

- c. After normal business hours, employees of the Lynchburg General Hospital laboratory will be available to perform drug/alcohol screen testing for the department.

- 1) Such testing will be conducted according to the City of Lynchburg *Drug-Free Workplace Policy*.

- 2) The LGH Laboratory staff will be responsible for the proper collection, labeling, chain of custody, testing, and dissemination of results of all specimens collected within that facility.

- a) Employees should go directly to the LGH Laboratory, not to the Emergency Department, to have drug/alcohol screen testing performed.

- b) Results of testing conducted at the LGH Laboratory will be forwarded to the City Occupational Health Nurse.

7. Information obtained in the course of an administrative internal investigation will not be used by this department for any purpose other than the completion of that investigation and the determination of appropriate departmental action, if any, to be taken.
8. The supervisor completing an internal investigation will document his investigative findings – to include a summary report and a conclusion of fact -- within a report that will be reviewed by the involved employee's chain of command.

C. ALLEGATION OF MISCONDUCT INVESTIGATION

1. For the purposes of this directive, an *Allegation of Misconduct* will be defined as an allegation made by any person indicating that an LPD employee's action, or failure to act, has constituted:
 - a. any form of corruption
 - b. misuse of force, or use of excessive force
 - c. a violation of any person's civil rights
 - d. a violation of criminal law
 - e. a serious breach of departmental or City policy, procedure, or employee rules of conduct.
2. All allegations of employee misconduct – including anonymous allegations --communicated to the Lynchburg Police Department in any fashion will be documented and investigated according to procedures set forth within this directive.
3. Employee receipt and forwarding of misconduct allegations:
 - a. An employee receiving a citizen's allegation of misconduct in person or by telephone will refer the complainant to:
 - 1) the involved employee's immediate supervisor, or (if unavailable)
 - 2) the highest ranking supervisory officer available within a reasonable period of time, or (if unavailable)
 - 3) the involved employee's Major
 - b. An employee receiving a citizen's allegation of misconduct by mail or facsimile will forward the allegation directly to the involved employee's Major.
 - c. Employees receiving a citizen's allegation of misconduct will not discuss it with persons other than:
 - 1) the supervisor to whom they report the allegation
 - 2) the supervisor subsequently designated to investigate the allegation
 - 3) the involved employee's Major

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- d. Any employee wishing to make an allegation of misconduct against another employee will do so either
 - 1) to that employee's immediate supervisor, or
 - 2) to the involved employee's Major, or
 - 3) to the Professional Standards Division, or
 - 4) to the City of Lynchburg Human Resources office.
4. Supervisory receipt and forwarding of misconduct allegations:
 - a. The supervisor receiving an allegation of misconduct will:
 - 1) complete, prior to the end of that duty tour, document the allegation in Blue Team
 - 2) forward the *Allegation of Misconduct* and all linked attachments to the involved employee's Major.
 - 3) Upon receiving and documenting a complaint, the supervisor will notify the involved employee's bureau Captain:
 - a) immediately -- in the case of a serious allegation, or at any time when delay would negatively impact the conducting of a fair, complete and objective investigation
 - b) the next business day --in cases where the delay would not negatively impact the conducting of a fair, complete and objective investigation.
 - 4) The Bureau Captain will notify the involved employee's Major.
 - b. The supervisor receiving an allegation of misconduct will request that the complainant(s) complete and sign an *Allegation of Misconduct Statement* form.
 - 1) Completion of this form is not mandatory prior to the initiation of an investigation.
 - 2) On request, the complainant may be given a copy of the completed *Statement* form *only* if the complainant has signed the form.
 - 3) The original *Allegation of Misconduct Statement* form will be linked as an attachment in Blue Team
5. The *Allegation of Misconduct* complaint, the *Allegation of Misconduct Statement* form, and any attachment will be considered attorney work products -- no copy in addition to those specified by directive will be made without prior authorization from the Chief of Police.

52.2.1 B

6. The Administration Bureau Captain will be responsible for:

- a. Coordinating the allegation of misconduct investigation process, to include:
 - 1) assigning a unique number to each allegation of misconduct received
 - 2) conferring with the involved employees Major, the Chief of Police and other supervisory staff as necessary to confirm what type of investigative action is required
 - 3) assigning allegation of misconduct investigative responsibility to a supervisory staff member
 - 4) providing the complainant with:
 - a) verification that the allegation of misconduct complaint has been received
 - b) periodic reports, as necessary, on the progress of the related internal investigation
 - c) notice on conclusion of the related internal investigation.
 - 5) providing the accused employee with the following investigation-related information (unless providing such information is deemed likely to jeopardize any investigation):
 - a) notice (in letter form) that an allegation of misconduct has been made
 - b) information on the specific nature of the misconduct alleged
 - c) information on the employee's rights and responsibilities pertaining to the related internal investigation
 - d) the name of the supervisor conducting the investigation
 - e) periodic reports, as necessary, on the progress of the related internal investigation
 - f) notice (in letter form) on conclusion of the related internal investigation, and on the investigating supervisor's conclusion of fact.
 - 6) generally monitoring and assisting with ongoing internal investigations
 - 7) conferring with the Chief of Police and other authorities as necessary to appropriately direct the course of the investigation.

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7. The supervisor(s) assigned to investigate an allegation of employee misconduct will be responsible for:
 - a. complying with the general internal investigation guidelines set forth in section III, B of this directive
 - b. ensuring that the investigation conducted:

- 1) is both adequate and appropriate to the nature and gravity of the complaint received
- 2) is narrowly focused on the specific misconduct alleged
- 3) is completed in a timely manner
 - a) Investigating supervisors will make every effort to complete allegation of misconduct investigations within 90 calendar days.
 - b) As necessary, the investigating supervisor may request the Administration Bureau Captain to grant additional time for completion of an ongoing investigation.
- c. informing the Major of the Administration Bureau of any significant investigative developments as soon as possible after these developments become known

52.2.2, 52.2.8

- d. including within the allegation of misconduct investigation report one of the following conclusions of fact for each identified allegation of misconduct:
 - 1) **Sustained** - there is sufficient evidence to prove the allegation.
 - 2) **Non Sustained** - there is insufficient evidence to either prove or disprove the allegation.
 - 3) **Exonerated** - the alleged incident occurred, but the involved employee's action was lawful and proper.
 - 4) **Unfounded** - the allegation is false or not factual.
 - 5) **Policy Failure** - the allegation is true, however the employee's practices were consistent with departmental policy: as result, the policy should be reviewed to ensure that operational practices remain consistent with the department's philosophy.
 - 6) **Complaint Withdrawn** – the person who made the allegation of misconduct withdraws the complaint and indicates they no longer wish to pursue the matter.
 - a) The Administration Bureau Captain will confer with the involved employee's Major to determine the need for further investigation.

8. The Chief of Police will be responsible for:

- a. Final review and approval of allegation of misconduct investigative reports.
- b. Initiating an internal criminal investigation at any time that available factual information indicates that criminal investigative procedures are necessary in order to appropriately address the matter under investigation. In such case, the Chief of Police will:

- 1) determine whether criminal internal investigations will be conducted by departmental investigators, outside agency investigators, or both
 - 2) request criminal investigative assistance from an outside agency, as deemed appropriate.
 - 3) designate a Major to coordinate the criminal internal investigation, and to maintain liaison with other involved investigative and prosecuting authorities.
9. Criminal internal investigations will be conducted in accordance with guidelines set forth within directive PD-0902 (*Criminal and Special Purpose Investigations*).
- a. Concurrent criminal and administrative internal investigations may be conducted, at the discretion of the Chief of Police, with the criminal investigation being considered the higher priority.
 - b. At any time that a department employee is interviewed with the intent of developing evidence for use in a criminal prosecution of that employee:
 - 1) The employee will be advised that the investigation is criminal in nature prior to being interviewed.
 - 2) Where applicable, the employee being interviewed as part of a criminal investigation will be advised of his or her constitutional rights in accordance with the *Miranda v. Arizona* Supreme Court decision.
 - 3) Any waiver of rights granted by the employee will be documented by means of an *Interview: Advice of Rights* form.
 - 4) The *Statement for Internal Investigative and Administrative Purposes* form will not be utilized in criminal internal investigation interviews.
 - c. Criminal internal investigations will be conducted separately from administrative internal investigations.
 - 1) Related criminal and administrative internal investigations will be assigned to separate investigators/investigative teams.
 - 2) Criminal and administrative investigation files will be separately maintained.
 - 3) Department personnel conducting a criminal investigation of an employee's activities will have no access to *Garrity*-protected statements made by that employee, or to administrative investigation findings based upon that employee's *Garrity*-protected statements.
 - 4) Department personnel conducting administrative internal investigations will not share either *Garrity*-protected statements made by an employee, nor administrative investigation findings based upon an employee's *Garrity*-protected statements, with

personnel conducting a criminal investigation targeting that employee.

- 5) Personnel conducting administrative internal investigations will be granted access to related criminal internal investigation interviews and information.

D. PERFORMANCE AND DEMEANOR COMPLAINT INVESTIGATION

1. For the purposes of this directive, a *Performance Complaint* and a *Demeanor Complaint* will be defined as an allegation made by any person indicating that an LPD employee's action, or failure to act, has constituted:
 - a. improper or inappropriate action or response
 - b. improper operation of a police vehicle
 - c. a violation of established departmental or City operational policies or procedures
 - d. a violation of established departmental or City employee rules of conduct.
 - e. any act, or failure to act, that does not rise to the level of constituting an *Allegation of Misconduct* as defined in III.C.1.
2. An allegation that does not specifically identify an act, or failure to act, that constitutes a performance or demeanor complaint as defined in III.D.1 will not be considered a valid complaint and will not require investigation.
3. All valid demeanor complaints and performance complaints – including anonymous complaints --communicated to the Lynchburg Police Department in any fashion:
 - a. will be documented and investigated according to procedures set forth within this directive.
 - b. These investigations will be initiated as administrative investigations to serve departmental purposes.
4. Receipt and forwarding of performance or demeanor complaints will be handled as follows:
 - a. An employee receiving a citizen's complaint in person or by telephone will refer the complainant to:
 - 1) the involved employee's immediate supervisor, or (if unavailable)
 - 2) the highest ranking supervisory officer available within a reasonable period of time.
 - b. An employee receiving a citizen's complaint by mail or facsimile will forward the complaint directly to the involved employee's immediate supervisor.
 - c. Employees receiving a citizen's complaint will not discuss it with persons other than those within the involved employee's chain of

command, or the supervisor who is subsequently designated to investigate the complaint.

- d. Any employee wishing to make a performance or demeanor complaint against another employee will do so to that employee's immediate supervisor, or to the next available person within that employee's chain of command.

5. Investigation of performance and demeanor complaints :

52.2.1 A

- a. An employee's immediate supervisor will normally be responsible for investigating performance and demeanor complaints.
- b. The involved employee's bureau Captain may, as deemed necessary, direct that a demeanor or performance complaint be investigated by a supervisor outside the affected employee's chain of command.
- c. The investigating supervisor will be responsible for ensuring that the investigation conducted:
 - 1) is both adequate and appropriate to the nature and gravity of the complaint received
 - 2) is narrowly focused on the specific performance or demeanor problem alleged.
 - 3) is completed in a timely manner.
 - a) Due to the importance of providing timely feedback to involved employees, investigating supervisors will make every effort to complete performance / demeanor investigations within 30 calendar days.
 - b) As necessary, the investigating supervisor may request the involved employee's Bureau Captain to grant additional time for completion of an ongoing investigation.
- d. The investigating supervisor's responsibilities will include:
 - 1) complying with the general internal investigation guidelines set forth in section III.B of this directive
 - 2) speaking directly with the complainant, whenever the complainant is known and will agree to do so, in order to:
 - a) verify that the complaint has been received by supervisory staff
 - b) ensure that the complainant's allegation does constitute a valid performance or demeanor complaint
 - c) obtain and discuss details of the complaint-related incident(s)
 - d) provide periodic reports, as necessary, on the progress of the investigation.
 - e) notify the complainant(s) of investigation conclusion

- 3) speaking with the involved employee, in order to:
 - a) notify the employee that a complaint has been received
 - b) obtain and discuss details of the complaint-related incident(s)
 - c) notify the employee of investigation conclusion and findings
- 4) interviewing any other employee and/or civilian witnesses to the basis of the complaint
- 5) assessing all available information related to the incident
- 6) noting on the *Performance/Demeanor Complaint* in Blue Team
 - a) a detailed account of the original complaint
 - b) all contacts with the complainant(s)
 - c) contact with the involved employee
 - d) his investigative findings and conclusion of fact
 - e) his recommendation for departmental action
- 7) reviewing the investigative findings and action recommendation with:
 - a) the involved employee
 - b) the involved employee's chain of command
- e. The involved employee's chain of command will be responsible for:
 - 1) conducting or arranging for any remedial training deemed appropriate
 - 2) initiating any disciplinary action deemed appropriate according to procedures set forth within directive PD-0212 (*Disciplinary System*).
- f. Supervisors investigating a performance/demeanor complaint will not be required to request that the complainant(s) complete a written statement form.
 - 1) However, the investigating supervisor can request the complainant(s) to complete a written statement in any case where the supervisor deems such a written statement to be a significant investigative aid.
 - a) Such written statement will be documented by means of the *Allegation of Misconduct Statement* form.

- b) On request, the complainant may be given a copy of the completed *Statement* form *only* if the complainant has signed the form.
 - c) The original *Allegation of Misconduct Statement* form will be linked to the *Performance/Demeanor Complaint* in Blue Team.
- 2) A complainant's failure or refusal to provide a written statement will not preclude conducting a performance or demeanor complaint investigation.

52.1.3, 52.1.9

6. The investigating supervisor will indicate in the space provided on the *Performance/Demeanor Complaint* form his conclusion of fact as one of the following:
- a. **Sustained** - there is sufficient evidence to prove the allegation.
 - b. **Non Sustained** - there is insufficient evidence to either prove or disprove the allegation.
 - c. **Exonerated** - the alleged incident occurred, but the involved employee's action was lawful and proper.
 - d. **Unfounded** - the allegation is false or not factual.
 - e. **Policy Failure** - the allegation is true, however the employee's practices were consistent with departmental policy: as result, the policy should be reviewed to ensure that operational practices remain consistent with the department's philosophy.
 - f. **Complaint Withdrawn** – the person who made the performance/demeanor complaint withdraws the complaint and indicates they no longer wish to pursue the matter.
- 1) The Administration Bureau Captain will determine the need for further investigation.
7. On completing his investigation, the investigating supervisor will forward the *Performance/Demeanor Complaint* (and any attachment) to his Bureau Captain for review through Blue Team.
- a. On approval, the Division Captain will forward the *Performance/Demeanor Complaint* (and all attachments) to the Professional Standards Division to have an internal investigation case number assigned and to maintain all investigation documents in IA Pro
 - 1) performance and demeanor complaints found to be *sustained* will be:
 - a) cited within the employee's annual performance evaluation
 - b) considered in rating employee work performance during that evaluation period.
 - 2) performance and demeanor complaints found to be *non-sustained*, employee *exonerated*, *unfounded*, or to have resulted from *policy failure* will not be cited within the employee's

performance evaluation, or considered in rating employee performance during that evaluation period.

- b. The employee's Bureau Captain will be responsible for:
 - 1) ensuring that *sustained* performance and demeanor complaints are appropriately cited within the affected employee's annual performance evaluation for that period
8. The *Performance/Demeanor Complaint* (and attachments) will be considered attorney work products -- no copy in addition to those specified by directive will be made without prior authorization from the Chief of Police.
9. The Administration Bureau Captain will be responsible for:
 - a. periodically providing the Chief of Police with statistical and other information pertaining to performance and demeanor complaints received.

E. USE OF FORCE INCIDENT REVIEW

1.3.7

1. Sworn employee use of force incidents will be reviewed by supervisory staff according to:
 - a. the specific guidelines and timeframe set forth within directive PD-0602 (*Use of Force*)
 - b. the general internal investigation guidelines set forth within this directive.
2. Such reviews will be initiated as administrative investigations to serve departmental purposes.
3. High profile use of force incidents [as defined within directive PD-0402 (*Significant Incident Management*)] will be managed according to procedures set forth within that directive.

F. VEHICLE PURSUIT REVIEW

1. Vehicle pursuits conducted by sworn employees will be reviewed by supervisory staff according to:
 - a. the specific guidelines and timeframe set forth within directive PD-0702 (*Vehicle Pursuit*)
 - b. the general internal investigation guidelines set forth within this directive.
2. Such reviews will be initiated as administrative investigations to serve departmental purposes.
3. High profile vehicle pursuit incidents [as defined within directive PD-0403 (*Significant Incident Management*)] will be managed according to procedures set forth within that directive.

G. EMPLOYEE-INVOLVED MOTOR VEHICLE CRASH INVESTIGATION

1. Investigation of traffic crashes involving on-duty employees will be conducted according to:
 - a. the specific guidelines and timeframe set forth within directive PD-0207 (*Employee-Related Injuries and Motor Vehicle Crashes*)
 - b. the general internal investigation guidelines set forth within this directive.
2. Such investigations will be initiated as administrative investigations to serve departmental purposes.
3. High profile employee-involved motor vehicle crashes [as defined within directive PD-0402 (*Significant Incident Management*)] will be managed according to procedures set forth within that directive.

35.1.9**H.****REVIEW OF EMPLOYEE "EARLY INTERVENTION SYSTEM" ALERTS**
(see also *Ill. C of PD-0209 Dealing With Stress Related Incidents*)

1. Supervisory staff will initiate an investigative review of circumstances constituting a departmental Early Intervention System "alert" situation as set forth within directive PD-0209 (*Dealing with Stress-Related Incidents*).
2. Such "alert" may be generated by the department's Early Intervention System employee information database, by supervisory review, or by information provided by coworkers or other persons.
3. Such investigative reviews will be initiated as administrative investigations to serve departmental purposes that will include, but not be limited to, the following:
 - a. identifying and addressing employee training and/or developmental needs
 - b. identifying and addressing problem situations or work-related stress deemed to affect, or be likely to affect, employee well being or work performance.
4. When the Administration Bureau Captain receives a notification from the Early Intervention System that an employee has met or exceeded the criteria for a review, the Administration Bureau Captain will:
 - a. review the data base to determine what has activated the system and the accuracy of the data.
 - b. report the findings to the employee's Bureau Captain.
 - c. confer with the Bureau Captain on the appropriateness of assigning a supervisor to conduct an EIS administrative investigation.
5. The Bureau Captain will ensure a review of the early intervention report is done to determine what, if any, actions need to be taken related to the alert and will speak with the involved employee, in order to:

- a. notify the employee that the Early Intervention System has indicated a review is in order
- b. obtain and discuss details of the system alert
- c. notify the employee of conclusion and findings of the review.

I. FITNESS FOR DUTY AND OTHER INTERNAL INVESTIGATIONS

1. Fitness for duty and other fact-finding investigations will be conducted according to general internal investigation guidelines set forth within this directive.
2. Fitness for duty and other fact-finding investigations will be initiated as administrative investigations to serve departmental purposes.
3. Guidelines and procedures for specialized internal investigations will be developed at the direction of the Chief of Police, based upon the specific requirements of the situation at hand.
4. The investigating supervisor will be responsible for ensuring that the investigation conducted:
 - a. is both adequate and appropriate to the situation being investigated
 - b. is narrowly focused on the specific performance or demeanor problem alleged.
 - c. is completed in a timely manner.
 - 1) Investigating supervisors will make every effort to complete fitness for duty investigations within 50 calendar days.
 - 2) As necessary, the investigating supervisor may request the Chief of Police to grant additional time for completion of an ongoing investigation.

J. INTERNAL INVESTIGATION FILE MAINTENANCE

1. The Administration Bureau Captain will be responsible for secure maintenance of records pertaining to completed:
 - a. allegation of misconduct investigations
 - b. performance complaint investigations
 - c. demeanor complaint investigations
 - d. fitness for duty investigations
 - e. other internal investigations, as directed by the Chief of Police.
 - f. use of force investigations
 - g. vehicle pursuit investigations
 - h. other internal investigations, as directed by the Chief of Police.

3. Allegation of misconduct investigative reports and all related attachments will be identified and filed by a unique control number, and will include the following documentation:
 - a. a copy of the *Allegation of Misconduct Complaint* and attachments
 - b. copies of all required departmental notification letters
 - c. all investigative reports and attachments
 - d. the findings of the investigating supervisor with regard to the specific allegation(s) made, and any ancillary issues or allegations identified during the course of the investigation.
 4. Performance Complaint and Demeanor Complaint investigative reports and all related attachments will be identified and filed by a unique control number, and will include the following documentation:
 - 1) a copy of the *Performance/Demeanor Complaint Investigation* completed to document case information and findings
 - 2) supporting information, attachments.
 5. All Allegation of Misconduct, Performance Complaint and Demeanor Complaint internal investigation files will be maintained according to guidelines set forth by the Library of Virginia.
- 52.1.2
6. All internal investigation files and related records will be maintained in IA Pro.
- 52.1.11

K. DISSEMINATION OF INTERNAL INVESTIGATION INFORMATION

1. The Major of the Administration Bureau will be responsible for submitting an annual report to the Chief of Police, compiling calendar year statistical summaries drawn from:
 - a. allegation of misconduct investigations conducted during the study period
 - b. performance and demeanor complaint investigations conducted during the study period.
 2. Annual statistical summary information on citizen-initiated allegations of misconduct, performance complaints and demeanor complaints may be made available to any Lynchburg Police Department employee or any member of the general public upon request to the Administration Bureau Captain.
- 52.2.2
3. The Chief of Police will be notified of all demeanor/performance and allegation of misconduct complaints made against agency employees.
 - a. Demeanor/performance and allegation of misconduct complaints will be assigned a case control number by the Professional Standards Lieutenant.

b. The employee's Captain will ensure the Major is notified of all serious or potentially "high profile" complaints (i.e. domestic violence, bribery, criminal law violations, etc.) in a timely manner.

1) The Major will promptly forward this information to the Chief of Police if deemed appropriate and necessary.

1.3.13

- 4. The department's Field Operations Bureau Captain will be responsible for submitting an annual report to the Chief of Police, compiling calendar year statistical summaries drawn from use of force investigative reviews conducted during the study period.
- 5. The department's Crime Analyst will be responsible for submitting an annual report to the Chief of Police, compiling calendar year statistical summaries drawn from vehicle pursuit investigative reviews conducted during the study period.

Original Signed

Raul M. Diaz
Chief of Police

May 8, 2018

Date