



Missoula Police Department

Information about our Complaint Policy

The Missoula Police Department is committed to receiving and accepting complaints and compliments about the actions and performance of all our personnel. We believe the public is entitled to efficient, fair, and impartial service. We investigate all allegations of employee misconduct respond to inquiries about employee actions or department policy, and document all commendations received from the public.

We formally investigate allegations and inquiries for the following reasons:

1. To protect citizens from misconduct by an employee;
2. To protect the department and those employees who conduct themselves appropriately;
3. To identify policies and procedure that may need review or change, and to find way to improve the quality of our service to the community.

As a citizen, you are encouraged to contact the Police Department if you have a complaint about the actions of a police officer or other department employee or if you believe his/her conduct was inappropriate or that he/she has violated the law. The supervisory members of the department can answer questions about policies and procedures, laws and about the actions of department officers and employees. They can help you initiate a complaint against an officer or employee and conduct investigations of department personnel.

Although we encourage citizens to report employee misconduct, complaints must be made in good faith. False or highly exaggerated complaints serve no good purpose for either the citizens or the officer and only tend to thwart our complaint-taking process. Anyone who willfully makes any false accusation for the purpose of discrediting a police employee may be prosecuted under Montana Code Annotated 45-7-201 (Perjury) or 45-7-202 (False Swearing).

How to Begin:

To initiate a complaint, compliment or inquiry you should contact the Police Department. The department is open from 8:00 a.m. to 5:00 p.m. (Monday through Friday) and may be reached by calling 552-6320. The office is located in City Hall at 435 Ryman Street. During non-business hours, if you need to make immediate contact concerning an inquiry or complaint, you may call the Police Desk at 552-6300 and ask to speak to the Shift Commander.

The Inquiry/Complaint Process

1. Initial inquiries may be made by phone or in person to any Police Department employee. If they are unable to satisfy your inquiry, you will be referred to a Shift Commander. If the Shift Commander is able to satisfy your inquiry, the matter will be considered resolved. If not, your inquiry will be treated as a complaint and will require written documentation from you to proceed further.
2. You may mail or hand-deliver your written complaint on the Missoula Police Department Employee Complaint Form. Depending on the severity of the complaint, you may be asked to provide additional written or taped statements of your complaint with more detail concerning the incident and why you believe the officer's conduct is inappropriate.
3. Complaints should be made by the person aggrieved/wronged. Third party and anonymous complaints will be accepted, but please be aware that anonymous complaints can sometimes be difficult to investigate as an investigator may need additional information and the complainant may be the only source available. For this reason, please consider providing contact information when submitting your complaint. Complaints received from parents or legal guardians of aggrieved minors will be investigated in the same manner as a complaint received directly from an aggrieved adult.
4. Your complaint will be investigated in a timely manner and you will likely be contacted for an interview by the assigned investigator.

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5. If your complaint is an allegation of criminal wrong doing, the investigation may be referred to an outside agency.

6. After completing the investigation and obtaining a preliminary finding, the investigation will be passed up the employees' chain of command for review. Upon concurrence, one of the following findings will be used to close the complaint.

Findings:

Inquiry	If during the investigation it is determined that a citizen is merely requesting clarification of a policy or procedure, that complaint, with the concurrence of the investigating supervisor's commanding officer, may be considered an inquiry.
No Finding	The investigation cannot proceed because the complainant failed to disclose promised information to further the investigation; or the complainant wishes to withdraw the complaint; or the complainant is no longer available for clarification. This finding may also be used when the information provided is not sufficient to determine the identity of the officer(s) or employee(s) involved.
Exonerated	The acts that formed the basis for the complaint or allegation did occur, but were justified, lawful, and proper according to departmental policy or standard operating procedures.
Not Sustained	The investigation failed to discover sufficient evidence to clearly prove or disprove the allegations made.
Sustained	The investigation disclosed a preponderance of evidence to prove the allegation(s) made.
Unfounded	The investigation conclusively proved that the act or act complained of did not occur.

7. If a complaint is sustained against an employee, appropriate action will be taken. The action may involve counseling, verbal or written reprimand, suspension from duty or termination. The investigator will call to inform you of the finding and you will receive a follow-up letter within 30 days.
8. In accordance with the law and to respect an employee's privacy, we cannot release what specific discipline was imposed on the employee.
9. If you are dissatisfied with the results, you may contact the Chief of Police or Mayor for information on a hearing with the Missoula Police Commission.
10. The Missoula Police Commission meets quarterly to review all complaints and compliments received by the department.

Complaint Form Instructions

Please fill out the attached form completely and describe in detail the incident that led to this complaint. Please be clear and as specific as you can be and include as much information as possible. If you do not know the name(s) or badge number(s) of the employee(s) involved, please try and describe the individual to the best of your ability. If you need more space, please attach additional sheets as needed. Please type or print neatly.

Your statement must be accurate and true and you must sign it. You may mail or hand-deliver the complaint forms to:

**Missoula Police Department
435 Ryman Street
Missoula, Montana 59802-4297**

If you have further questions or need help, you may contact our office at 552-6320 (Monday-Friday 8am-5pm) or at 552-6300 (24 hours per day). Should you move or change phone numbers, please let the investigating officer know so he/she may be able to contact you when necessary. You will receive a letter advising you of our receipt of your complaint and an initial status update.



Missoula Police Department Employee Complaint Form

☐ Initial Complaint ☐ Request for hearing by Police Commission

Complaint #

Name of Complainant

Address (Street & Apt. #), City, State, Zip Code

Telephone Number(s)

Best time to Contact

Date of Birth

Date & Time of Incident

Location of Incident

Statement of Complaint

Please state in exact detail what occurred, names of all witnesses and police officers or department employees who observed the incident, name(s) of all officers or department employees who engaged in the alleged misconduct and what misconduct occurred, what injuries, if any, you suffered and all other facts related to the incident. Do not include unsubstantiated information such as gossip or rumor. Attach any reports or documentation, such as photographs, medical records, etc. which relate to the incident. Continue your statement on additional sheets of paper, if needed, and attach pages to this document.

I HEREBY REQUEST the Missoula Police Department investigate the conduct alleged in this complaint and take appropriate action, as authorized by law. Having been duly sworn, I hereby state under penalty of Perjury (45-7-201 MCA) or False Swearing (45-7-202 MCA) that I am the complainant in this complaint, that I have prepared, read and fully understand all matters set forth in this complaint, that this investigation as an official proceeding is confidential to the degree required by law and that all information provided in this complaint is true and complete, to my knowledge.

Signature of Complainant

Date

Departmental Use Only

Missoula Police Department Complaint Information

Date Received: _____

Related CFS #: _____

Employee(s) Involved: _____

Status: _____ Investigator Assigned: _____

Type of Complaint: _____
(force, arrest, discrimination, slurs, criminal conduct, courtesy, conduct, procedure, service, harassment)

Complaint Checklist

- ☐ Initial Complaint Reviewed by Professional Standards

- ☐ Complainant notified

By: _____ Date: _____

- ☐ Involved Employee(s) informed of complaint

By: _____ Date: _____

- ☐ Investigation completed _____ days

- ☐ Investigative narrative and additional statements attached

- ☐
- Staff Officer Review

- ☐ Complaint Resolved

- ☐ Involved Employee(s) informed of resolution

By: _____

Date: _____

- ☐ Resolution letter sent to Complainant

By: _____

Date: _____

Findings:

- ☐ Inquiry

- ☐ No Finding

- ☐ Exonerated

- ☐ Not Sustained

- ☐ Sustained

- ☐ Unfounded

Recommendations:

- ☐ Department Policy Review

- ❑ Employee Counseling

- ☐ Employee Disciplinary Action

- ☐ Other (Specify)_____

Final Action Taken:

- ☐ Department Policy Review

- ❑ Employee Counseling

- ☐ Employee Disciplinary Action

- Reprimand: _____

- Suspension: _____

- Termination: _____

- ☐ Other - Specify: _____

Synopsis of Complaint, Finding & Resolution:

[illegible]

Investigating Officer _____

Signature

Date Resolved: