



Complaint Process

3/10/2025 - CPAC

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Suggested Reading

- ▶ TPD Policy Sub-Sections:
 - ▶ **P1.1 – Vision Mission Values**
 - ▶ P1.8 – Department Complaints
 - ▶ P3.1 – Use of Force
 - ▶ P3.2 – Use of Force Vehicle Operations
 - ▶ P307 – Pursuits (Lexipol)
 - ▶ Procedure - Body-Worn Camera and In-Car Video

Web links:

[Tacoma Police Department Policies](#)

[Body Worn Camera Procedure](#)

Complaint Defined

- ▶ TPD Policy 1.8 defines a complaint as:
 - ▶ *Any communication, verbal or written specifically, conveying dissatisfaction with the performance or conduct of the Department or member(s) of the Department, or alleging misconduct or unlawful acts by member(s) of the Department. Complaints may be handled at the supervisory level or referred to Internal Affairs, as appropriate.*

How Complaints are Received

- ▶ From Community Members:
 - ▶ In person: (3701 South Pine Street) or an on-duty Officer/Supervisor
 - ▶ By phone: (253) 591-5283 (Internal Affairs)
 - ▶ Via South Sound 911 Dispatch: (253) 287-4455 (non-emergency)
 - ▶ By Mail (3701 South Pine Street, Tacoma WA 98409)
 - ▶ Email: TPD-IA@cityoftacoma.org
 - ▶ CPAC, City Officials, or other City Entity
 - ▶ Via compliance agency (DOJ, EEO, Washington State AG)
 - ▶ Online: SeeClickFix [Tacoma FIRST 311 - City of Tacoma](#)
 - ▶ Any other feasible way

How Complaints are Received

- ▶ Internally generated:
 - ▶ Post-incident chain-of-command review
 - ▶ Employee complaints
 - ▶ Officer self-reports
 - ▶ Duty to Intervene

How Complaints are Received

- ▶ Anonymous Complaints
- ▶ TPD accepts and investigate anonymous complaints as per TPD Policy P1.8:
 - ▶ *In cases of anonymous complaints, receiving Supervisors will use their discretion in evaluating whether there is sufficient information for follow-up or further investigation. If, after a preliminary investigation and when feasible, the complaint is not supported by some corroborating facts or evidence, the information will not be entered against any member's record as a complaint, but will be entered as an inquiry. (Refer to Blue Team Complaint Process.) If the preliminary investigation does develop some corroborating facts or evidence, it will be handled in the same manner as any other complaint. A finding of sustained will not be used as the final disposition of an anonymous complaint unless the finding is supported by facts or evidence independent of the anonymous complaint.*

Complaint Allegations

- ▶ Complaints can express dissatisfaction or allege a violation of a department/city policy or law by any department member.
- ▶ Policy Sub-Section P1.1
- ▶ Driving (Pursuits, emergency incident response, routine driving)
- ▶ Body-Worn Camera and In-Car Video Procedure
- ▶ Use of Force

Complainants *do not need to know or identify a specific policy*. A narrative of the complaint is sufficient, and will be investigated under the appropriate policy sub-section(s).

P1.1.6.A.11 – Unsatisfactory Performance

- ▶ *Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by:*
- ▶ *A lack of knowledge of the application of laws required to be enforced.*
- ▶ *An unwillingness or inability to perform assigned tasks.*
- ▶ *The failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving Police attention.*
- ▶ *Absence without leave.*
- ▶ *Officers shall submit all necessary reports on time and in accordance with established departmental procedures. Reports submitted by Officers shall be truthful and complete, and no Officer shall knowingly report or cause to be reported any inaccurate, false, or improper information.*
- ▶ *In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance:*
- ▶ *Repeated poor evaluation or a written record of repeated infractions of rules, regulations, directives, or orders of the Department.*

P1.1.6.A.17 – Courtesy

- ▶ *Members shall be courteous to the public. Members shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, members shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle, or similar personal characteristics*

P1.1.6.A.3 – Unbecoming Conduct

- ▶ *Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Unbecoming conduct shall include that which brings the Department into disrepute or reflects discredit upon the individual as a member of the Department, or that which impairs the operation or efficiency of the Department or member.*

P1.1.6.A.14 – Non-Discrimination Policy

- ▶ *Members will endeavor to ensure that Police services provided by the Department are available to all persons in the community on an equal basis without regard to a person's race, religion, gender, ethnicity, age, disability, politics, national origin, sexual orientation or other personal characteristics or view points.*
- ▶ *No member shall deny access to Police service, or provide a lower level of Police service than is reasonable by the Department to any person based solely on any personal characteristics or viewpoints.*
- ▶ *No member shall engage in the practice of race-based profiling or any other type of discrimination within the scope of their daily contact with individuals in the community or anyone driving or moving about the city streets or neighborhoods.*

Complaint Findings

- ▶ **Sustained:**

- ▶ *Sustained is a final disposition of a complaint when it is found that the member acted improperly with respect to the Department policy.*

- ▶ **Not Sustained:**

- ▶ *Not sustained is a final disposition of a complaint when the investigation is unable to substantiate whether or not misconduct or violation of policy or procedures occurred*

- ▶ **Unfounded:**

- ▶ *Unfounded is a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

- ▶ **Exonerated:**

- ▶ *Exonerated is a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

Department or Bureau?

- ▶ The Chief of Police is the Department Director
- ▶ The Department is divided into three bureaus. (OPS, IB, ASB)
- ▶ Each Bureau is led by an Assistant Chief, who are referred to as 'Bureau Commanders.'
- ▶ Each Bureau contains Divisions
- ▶ Divisions are led by Captains, who are referred to as 'Division Commanders'
- ▶ Divisions may contain Sections or Shifts, which are led by Lieutenant rank Section or Shift Commanders
- ▶ Sections and Shifts contain Units or Squads, led by Sergeants

Department or Bureau?

- ▶ Complaints may be investigated at the **Department** Level, or at the **Bureau** Level
- ▶ Department level investigations are conducted by the Internal Affairs Section
- ▶ Bureau level investigations are typically conducted by the subject employee's immediate supervisor

Department or Bureau?

- ▶ Economic Sanctions?
 - ▶ Suspension
 - ▶ Termination
- ▶ If economic sanctions are likely in the event of a sustained finding, the complaint will be investigated at the Department Level by Internal Affairs.
- ▶ All other complaints are investigated at the Bureau Level.
- ▶ Complaints can be transferred to Internal Affairs if new information comes to light

Bureau Level Complaint Process

- ▶ What happens when I file a complaint?
 - ▶ The receiving supervisor completes an initial information document, which includes:
 - ▶ Incident Number
 - ▶ Complainant
 - ▶ Allegations
 - ▶ Involved Officers
 - ▶ Date/Time of incident
 - ▶ Submitted By
 - ▶ Date of Submission
 - ▶ A brief summary of the complaint to be investigated
 - ▶ Routing

Bureau Level Complaint Process

- ▶ The receiving supervisor then creates a complaint incident in BlueTeam, and:
 - ▶ Attaches the Initial Information document
 - ▶ Attaches any other known relevant documents
 - ▶ Written statement/email from complainant
 - ▶ Police Reports
 - ▶ CAD Printouts
 - ▶ BWC/ICV
 - ▶ Any other item of significance
 - ▶ Forwards the initial entry through the Chain of Command to the Division Commander of the involved employee

Bureau Level Complaint Process

- ▶ The Division Commander reviews the complaint and determines whether it will be handled at the bureau or department (IA) level.
- ▶ The complaint is then forwarded to the assigned supervisor/investigator

Bureau Level Investigations

- ▶ The assigned supervisor will gather facts, conduct interviews, gather any additional evidence, and review documents.
- ▶ Once the investigation is complete, the assigned supervisor will complete a comprehensive report of their investigation.
- ▶ The report, along with all other evidence, will be submitted to the Bureau Commander through the chain of command.
- ▶ Each employee in the chain of command will review the incident and provide feedback and an opinion as to finding
- ▶ The Division Commander will suggest discipline, with the Bureau Commander responsible for making the final disciplinary decision and rendering.

Chief's Office and City Manager Review

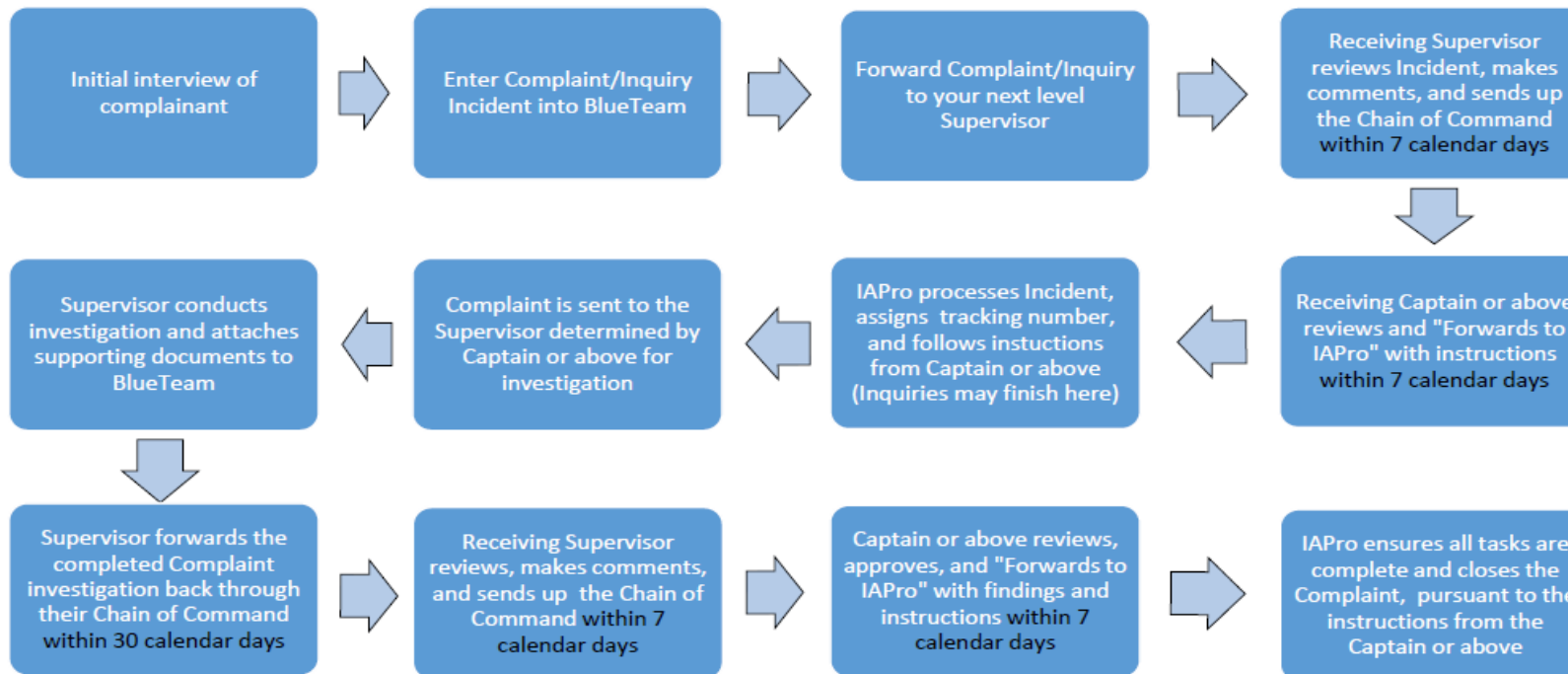
- ▶ Once the Bureau review is complete, Internal Affairs completes an Interdepartmental Memorandum (IDM) Complaint Summary.
- ▶ The summary is sent to the Chief of Police for review
- ▶ If the Chief of Police approves the investigation and concurs with the findings, the IDM is sent to the City Manager's Office
- ▶ The City Manager's Office reviews the complaints and notifies the complainant of the outcome, including the IDM.
- ▶ The City Manager can reject complaints and send them back to the Department for further follow-up.
- ▶ The City Manager's Office forwards the completed IDM to CPAC

Bureau Level Complaint Process

- ▶ At any point in the review process, an employee in the chain of command may disagree with the previous finding, and/or may refer to investigation back to the supervisor for additional investigation.
- ▶ Investigations are not closed until the City Manager's Office has reviewed and signed off on the investigation and findings.

Review Process

The first 3 steps together must be completed within 7 days, absent extenuating circumstances



Internal Affairs Investigations

- ▶ Process outlined by Collective Bargaining Agreements and Policy 1.8
- ▶ Notices and Memoranda:
 - ▶ Notice of Investigation
 - ▶ 30 day notice
 - ▶ 48 Hour Notice
 - ▶ Notice of Completion
- ▶ Sufficiency Meeting
- ▶ Findings and Recommendations
- ▶ Chief Review
- ▶ Loudermill Hearing
- ▶ Rendering of Discipline

2023 Statistics

2023 Complaint Count and Findings	
113 Community Member Complaints	
181 Total Allegations	
FINDINGS	COUNT
Sustained	12
Not Sustained	29
Exonerated	67
Unfounded	73
Pending	0
Total	181

2023 Statistics

Most Frequent Allegations - 2023	
Allegation	Count
Unsatisfactory Performance	113
Courtesy	39
Unbecoming Conduct	9
Vehicle Operations	11

Community Member Generated Complaints Per Year				
<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
127	120	92	85	113

WSCJTC Certification Review

- ▶ The Washington State Criminal Justice Training Commission (WSCJTC) issues, maintains, and may revoke Peace Officer certifications for all Washington State Law Enforcement Officers
- ▶ Law Enforcement Agencies have a duty to report any misconduct that may lead to decertification to the WSCJTC within 14 days of an initial disciplinary decision
- ▶ [RCW 43.101.135: Separation of peace or corrections officer—Notification to commission—Investigation—Civil penalty.](#)
- ▶ [RCW 43.101.105: Denial, suspension, or revocation of peace and corrections officer certification.](#)
- ▶ [Certification Information | Washington State Criminal Justice Training Commission](#)

RCW 43.101.135

- ▶ Notification to the CJTC is required for:
 - ▶ Separation of an employee for any reason (15 days)
 - ▶ Resignation or retirement in lieu of termination
 - ▶ Death or serious injury caused by the use of force by an officer, or any time an officer has been charged with a crime.
 - ▶ Notify the commission within 15 days of an initial disciplinary decision by an employing agency for alleged behavior or conduct by an officer that is noncriminal and may result in revocation of certification pursuant to [RCW 43.101.105](#).



CJTC 1915: Agency Report

Pursuant to [RCW 43.101.135](#) and [WAC 139-06-020](#), this form must be submitted to the Washington State Criminal Justice Training Commission (WSCJTC) within 15 days of the following "occurrences":

- Agency learns of use of force that causes serious injury or death,
- Agency learns that officer has been charged with a crime,
- Agency makes an initial disciplinary decision for any misconduct listed in [RCW 43.101.105](#).

Notes:

- See [WAC 139-01-310\(3\)](#) and [RCW 9A.04.110\(4\)\(b\) and \(c\)](#) for the definition of "serious injury".
- "Date of Incident" is the date the alleged misconduct occurred. "Date of Occurrence" is the date the agency: 1) learned of the use of force; 2) learned of the criminal charges; or 3) made an initial disciplinary decision.
- List **all** ongoing and completed criminal and administrative investigations by agency and case/incident number.

Submission via [Kaseware Web Portal](#)

Section 1: Officer's Information

FULL Legal Name (Last, First Middle):	Acadis ID:	Gender Identity:
		<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> X
Agency:	Hire Date (MM/DD/YYYY):	Certification type:
		Select

Section 2: Occurrence Details:

Occurrence Type: Initial Disciplinary Decision <input type="checkbox"/>	Date of Occurrence:	Date of Incident	
Is there an ongoing investigation related to the occurrence?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Which agency or team is investigating?	Case/incident number		
Are there previous sustained findings for the same type of behavior?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the officer on administrative leave?			Yes <input type="checkbox"/> No <input type="checkbox"/>

Brief factual summary

Section 3: This section must be signed by the agency head or designee.

I understand that the WSCJTC will rely on the information provided in Section 2 for matters pertaining to officer certification, and I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this _____ day of _____, 20____, in _____, Washington.

Signature

Printed/Typed Name:	Rank/Title:	Contact Email:	Contact Phone:

RCW 43.101.105

- ▶ [RCW 43.101.105: Denial, suspension, or revocation of peace and corrections officer certification.](#)
- ▶ Should be read in its entirety – there are *many* situations which either must or may lead to decertification. Some situations may be addressed through remedial training. The following is a summary:
- ▶ These commission **must** deny or revoke certification upon:
 - ▶ Conviction of a qualifying crime, including any felony, gross misdemeanor domestic violence offense, or offense with sexual motivation
 - ▶ Termination due to unlawful use of force which resulted in death or serious injury

RCW 43.101.105

- ▶ The commission **must** deny or revoke certification upon (cont):
 - ▶ Failure to intervene in an excessive use of force incident when in a position to do so
 - ▶ Knowingly made misleading, deceptive, untrue or fraudulent representations in the practice of being a peace officer (Perjury, etc)
 - ▶ Officer is prohibited from possessing weapons by law or court order

RCW 43.101.105

- ▶ The commission **may** deny, suspend, or revoke certification or require remedial training of an applicant or officer if the applicant or officer:
 - ▶ Fails to meet academy training standards or timelines
 - ▶ Was issued a certification in error
 - ▶ Knowingly falsified or omitted material on an application to the employer
 - ▶ Interfered with an investigation or action for denial or revocation of certification
 - ▶ Knowingly makes a materially false statement to the commission
 - ▶ Failing to timely and accurately report information to the commission
 - ▶ Tampering with evidence or tampering with/intimidating a witness in any matter under review by the commission

RCW 43.101.105

- ▶ (cont):
 - ▶ Engaged in an unlawful or outside of policy use of force that could reasonably be expected to cause physical injury
 - ▶ Committed sexual harassment as defined by state law
 - ▶ Uses their position for personal gain
 - ▶ Engaged in conduct involving prejudice or discrimination
 - ▶ Has affiliation with one or more extremist organizations
 - ▶ Found to have committed a felony, without regard to conviction
 - ▶ Engaged in a pattern of acts showing an intentional or reckless disregard for the rights of others

RCW 43.101.105

- ▶ (cont):
 - ▶ Engaged in unsafe practice involving firearms, weapons, or vehicles
 - ▶ *“Engaged in any conduct or pattern of conduct that: Fails to meet the ethical and professional standards required of a peace officer or corrections officer; disrupts, diminishes, or otherwise jeopardizes public trust or confidence in the law enforcement profession and correctional system; or demonstrates an inability or unwillingness to uphold the officer's sworn oath to enforce the Constitution and laws of the United States and the state of Washington”*
 - ▶ Separates from an agency after alleged misconduct listed in this section occurs

Complaint Process

▶ Questions?