



## FLOYD COUNTY SHERIFF'S OFFICE

### *Commendation & Complaint Procedures*

**Sheriff Tim Burkhalter**

**February 22, 2016**

The Floyd County Sheriff's Office (FCSO) is a community minded, mission driven agency. Our mission is:

*...to protect the lives and property of the citizens of this community, to preserve the peace and to prevent crime and disorder while constantly guarding personal liberties as prescribed by the law.*

To maintain the integrity of our mission and further strengthen our relationships with the community, the FCSO:

- Welcomes commendations of Sheriff's Office personnel who excel in the performance of their duties;
- Encourages citizens' recommendations for improvements in our policing; and
- Responds to complaints and/or questions about the performance of the Sheriff's Office and/or the actions of its members and employees.

This document explains how you can commend an employee, or how to file a complaint. It also describes what you can do if you are unhappy with the outcome of a complaint.

### **How and Where To Give A Commendation, Register A Complaint, or Ask a Question**

If you wish to commend or file a formal complaint against an employee, you may do so in three ways:

1. Telephone the Floyd County Sheriff's Office at 706-291-4111 or the Professional Development Division at 706-314-0706 Monday through Friday, 6:00 A.M. to 4:00 P.M.
2. Come in person to the Floyd County Sheriff's Office to present your complaint in person. A formal complaint form will be provided for completion. A copy of the complaint will be provided to you to serve as a receipt. The form will be forwarded to the Chief Deputy.
3. Come in person to the Floyd County Sheriff's Office and personally present your commendation or complaint to a supervisor, commander or an Internal Affairs Investigator.
4. Communicate in writing to the Professional Development Division, 2526 New Calhoun Highway, Rome, Georgia 30161.

### **What Happens To Your Commendation/ Complaint?**

1. When a commendation is received by the Sheriff's Office, the employee is advised of your gratitude. The Commendation is permanently recorded in the employee's personnel file. Commendations may also be utilized in consideration of other agency/community awards or recognition.
2. Regardless of the nature of a complaint, they are assigned for investigation. Complaints of minor breaches of policy are typically assigned to the accused employee's supervisor for investigation. Complaints of a more serious nature may be investigated by the Floyd County Sheriff's Office Professional Development Division through an Internal Affairs Investigation. These types of serious complaints generally fall under the following categories: excessive force, unlawful arrest, missing property or money, improper or unlawful conduct. Complaints of any nature are thoroughly investigated.
3. Statements, videotaping, audio recording, photographs and/or a polygraph may be utilized as a part of a thorough, impartial and confidential investigation. The investigative report will not contain personal opinions, it will be a representation of unbiased and factual circumstances as they actually occurred.



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4. The Sheriff, or his designee, will review the findings of all formal investigations. The designee may then make a recommendation to the Sheriff on any further investigative or disciplinary action. The Sheriff, or his designee, then reviews this recommendation.
5. Once the investigation and review are complete, you will be notified of the final outcome of your complaint in writing. If necessary, you will be personally visited by a member of staff.
6. If the investigative process exceeds 30 business days, you will be notified. You may inquire, at any time, about the progress of your complaint.

### **The Professional Development Division**

The function of the Professional Development Division is to protect the integrity of the Sheriff's Office and its personnel, both sworn and non-sworn. The Sheriff's Office requires the fostering of professional relationships, through confidence and trust, between its employees and citizens. Employees must feel free to exercise their best judgment and act in a sensible, lawful, impartial manner without fear of reprisal. At the same time, all employees must respect the rights of all individuals.

### **Dispositions of Internal Affairs (IA) Investigations**

1. Unfounded- The allegation was demonstrably false or there is no credible evidence to support the complaint;
2. Exonerated- The incident occurred but the individual's actions were lawful and proper;
3. Not Sustained- The investigation failed to disclose sufficient evidence to prove or disprove the allegation; or
4. Sustained- The allegation is supported by sufficient evidence.

### **Corrective Action Options**

There are six types of corrective action which can be recommended when an allegation is sustained: verbal counseling, written counseling, training, suspension without pay, demotion, or dismissal

The totality of the circumstances surrounding the incident and all mitigating circumstances are taken into account in determining corrective action options.

Our system of complaint and corrective action procedures not only subjects employees to corrective action when they conduct themselves inappropriately, but also protects them from unwarranted reproach when they perform their duties properly.

### **Public Record**

Ten days after the final determination and resolution, all investigations of complaints become a matter of public record. Any information that is exempt from public disclosure is excised prior to release.

### **What You Can Do If You Are Not Satisfied**

If you are not satisfied with the disposition of your complaint, you can call the Professional Development Division at 706-314-0706 and ask for a more detailed explanation. Cooperation with the Sheriff's Office in its investigation of your complaint insures prompt consideration and proper handling of our mutual concerns.

### **Your Responsibility**

Though the Floyd County Sheriff's Office accepts and responds to all filed complaints, complaints must be made in good faith. Should the person or persons filing a complaint or acting as a witness make statements which he/she knew or believed to be false the Sheriff's Office could institute criminal action against the involved person(s). Additionally, if the charges are found to be false, unfounded, or exonerated, the accused employee may exercise his/ her right to pursue civil recourse.

### **Why is it Important?**

The standards of the Floyd County Sheriff's Office are among the highest in the nation and our officers among the best. Our level of law enforcement service and ultimately our community can best prosper by your joint support of these standards through commendation, recommendation, question or complaint.

