



## DUXBURY POLICE DEPARTMENT CITIZEN'S COMPLAINT INFORMATION

**DPD USE ONLY**

COMPLAINT NUMBER -

PERSON FILING COMPLAINT (LAST, FIRST, M.I.)		
CHECK THE APPROPRIATE BOX TO INDICATE HOW/WHERE YOU WISH TO BE CONTACTED BY AN INVESTIGATOR.		
MAILING ADDRESS (STREET, APARTMENT NUMBER)		
<input type="checkbox"/> CITY, STATE, ZIP CODE		
HOME PHONE NUMBER (INCLUDE AREA CODE)		LOCATION OF OCCURRENCE
<input type="checkbox"/>		
WORK PHONE NUMBER (INCLUDE AREA CODE)		DAY, DATE, AND TIME OF OCCURRENCE
<input type="checkbox"/>		
YOUR DATE OF BIRTH	YOUR DRIVER'S LICENSE NUMBER	ARREST/ACCIDENT REPORT OR CITATION NUMBER (IF KNOWN)
DESCRIPTION OF OFFICER(S) INVOLVED or PRESENT		
UNIFORMED? YES NO	BADGE #(S) and/or RANK	DESCRIBE CLOTHING IF NOT UNIFORMED
VEHICLE DESCRIPTION AND OR #	OFFICER NAME(S)	
LIST THE NAMES, ADDRESSES, AND PHONE NUMBERS OF ANY OTHER KNOWN WITNESSES BELOW		

### IMPORTANT! READ THE ATTACHED INFORMATION AND SIGN BELOW

The reverse side of this form may be used to initiate the complaint process. In addition, you may telephone or contact the Duxbury Police Department at (781) 934-5656 or contact the Office of Internal Affairs, at extension 5921.

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER CONDUCT. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY.**

*I HAVE READ AND UNDERSTAND THE ATTACHED INFORMATION REGARDING THE DUXBURY POLICE DEPARTMENT COMPLAINT PROCEDURE.*

*I FURTHER UNDERSTAND THAT I AM FILING AN **OFFICIAL POLICE REPORT** AND THAT KNOWINGLY PROVIDING FALSE OR UNTRUE INFORMATION ARE PUNISHABLE UNDER THE PENALTY OF PERJURY. WHOEVER KNOWINGLY MAKES A FALSE WRITTEN STATEMENT ON THIS FORM SHALL BE PUNISHED BY IMPRISONMENT UP TO 2 YEARS OR FACE A FINE OF UP TO \$2,500.00 OR BOTH FINE AND IMPRISONMENT. (M.G.L. 268 S.39 OR M.G.L. 269 S.13A.) PERSONS CONVICTED MORE THAN ONCE OF KNOWINGLY MAKING FALSE REPORTS SHALL BE PUNISHED BY A MANDATORY MINIMUM ONE YEAR JAIL TERM.*

Complainant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Telephone: (781) 934-5656  
Fax: (781) 934-0688

155 MAYFLOWER STREET  
DUXBURY, MA 02332

COMPLAINT NUMBER -

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

155 MAYFLOWER STREET  
DUXBURY, MA 02332



# POLICE DEPARTMENT

## *Town of Duxbury*

### *Commonwealth of Massachusetts*



**Michael A. Carbone**  
Chief of Police

**Friend S. Weiler, Jr.**  
Deputy Chief

[www.duxburypolice.org](http://www.duxburypolice.org)

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#### Our Policy

It is the policy of the Duxbury Police Department to thoroughly investigate all complaints against its employees. To insure the integrity of the Police Department, procedures have been established which will assure the prompt and thorough investigation of all alleged or suspected personnel misconduct. Such procedures are intended to clear the innocent, establish guilt of wrongdoers, facilitate prompt and just disciplinary action, and uncover improper procedures.

#### Who May Make a Complaint?

Any person who has experienced, witnessed, or has knowledge of police employee misconduct, may make a complaint. Complaints can be made by community members, co-workers and other Town employees.

The Duxbury Police Department will investigate complaints made for alleged violations of Department Policy; of local, state and federal laws; and for other conduct that is deemed inappropriate.

The Duxbury Police Department recognizes the need for the filing of legitimate complaints against employees as a means by which they can be held accountable to the public; however, the Department will also seek to hold members of the public responsible for the filing of false allegations. It is against the law to make a complaint that you know to be false.

#### How Do You File a Complaint?

A complaint must be made in person, utilizing the Department's Citizen Complaint Form. Complaints are usually received by the Watch Commander on duty, the supervisor of the involved employee, or by the Investigations Unit. A person who wants to make a complaint may contact any police employee for assistance in contacting an officer who will receive their complaint.

It is important that the complainant provide as much information as possible about the event in question to aid in a thorough, accurate and timely investigation. At a minimum, the complainant will need to provide the approximate date and time of the incident, the location of the incident, and the name of the officer or officers involved (if known). The name or names of other involved persons or potential witnesses, and the report numbers of any associated police reports would also be helpful. The complainant needs to provide a summary of the events in question and needs to specify the reason for the complaint. Follow-up contact may be made with the complainant to clarify points during the investigation. Each complainant will be advised of the consequences for knowingly filing a false allegation of misconduct.

#### Who Investigates the Complaint?

In most cases, the immediate supervisor of the employee will conduct an inquiry into the alleged misconduct. In more serious allegations, it will be formally assigned to the Internal Affairs Division (IAD) to conduct an Administrative Investigation. The Internal Affairs Division may investigate alleged criminal conduct, with the assistance of the District Attorney's Office. A criminal investigation may commence at any point in the administrative investigation process.

#### What is the Complaint Process?

##### Informal

In some instances, the person with concerns about Police Department policy or officer conduct may want the matter handled informally. In these cases, a department supervisor will discuss the issue with the complainant and/or the involved officers and provide prompt feedback to the complainant. The determination of how the issue will be handled will be discussed with the complainant at the time of the call. The Citizen Complaint Form will be retained on file under the assigned IAD Number.

##### Formal

The person assigned the investigation will interview witnesses and other parties who can provide relevant information about the investigation; will review any applicable evidence; and will interview the involved police employee(s). The investigator will then

complete the investigation, to include a recommended finding on the allegation of misconduct. The finding will be one of the following:

- *Sustained...*There is sufficient evidence to support the allegation; it shows that the employee did engage in the alleged misconduct.
- *Not Sustained...*There is insufficient evidence to prove or disprove the allegation.
- *Exonerated...*The evidence supports the allegation, but the actions of the employee were lawful and proper.
- *Unfounded...*The investigation shows that the alleged act did not occur.

The completed investigation with findings is forwarded to the Chief of Police for his review. If the investigation into the alleged misconduct is sustained, recommendations for discipline are requested from supervisors in the involved employee's chain-of-command. If the investigation reveals that the employee may have committed a criminal act, a separate, independent criminal investigation will be conducted and forwarded to the District Attorney's Office for review.

If the finding is Not Sustained, Exonerated or Unfounded, and if the Chief of Police agrees with the finding, the investigation will be reviewed with the named employee and it will be retained in departmental files as prescribed by law.

#### What is the Disciplinary Process?

If the complaint is Sustained, one or more of the following actions will be taken:

- *Counseling/Training...*Counseling and/or corrective training is provided to the employee to insure the improper behavior does not occur again.
- *Written Reprimand...*A formal written disciplinary report documenting the misconduct will be placed into the employee's personnel file.
- *Suspension...*The employee is suspended from duty without pay.
- *Demotion...*The employee is reduced in rank.
- *Dismissal...*The employee is terminated from the City work force.

#### What will you be told?

Once the investigation has been completed and approved by the Chief's office, a letter will be mailed to the complainant, explaining the outcome of the investigation. A copy of the complainant's statement will be included with the letter. The investigator's name will be provided in case the complainant needs further clarification. The Town must comply with state and federal personnel laws pertaining to employee's privacy rights, therefore only the finding will be disclosed.

#### Our Commitment to You

Complaints about alleged employee misconduct are opportunities for our department to identify actions by our employees that are inappropriate or to educate others about why the conduct was appropriate and lawful. In either case the community and the Duxbury Police Department benefit from gaining your input. We are committed to providing quality police service to the public. Working with you, we will perform this service professionally and with integrity.