

## Complaint Investigative Process

Every complaint of misconduct will be supervised by the NYSP Internal Affairs Bureau (IAB).

Upon receipt of a complaint, the IAB will assign the case for investigation. Generally, complaints of a routine nature will be assigned to the employee's supervisor or commander. More serious or complex matters will be investigated by the Regional IAB Offices.

Investigators will:

- Attempt to contact the complainant, the accused employee and witnesses;
- Examine physical evidence;
- Review reports and records, and
- Thoroughly document the facts surrounding the incident and allegation.

The investigator's report will be submitted to the IAB where it will be reviewed for completeness and objectivity, then it will be forwarded to the superintendent.

### Disposition of the Investigation

The NYSP uses the following terminology when resolving complaints:

- **Founded:** The facts substantiate the specific allegation(s) made or other misconduct.
- **Unsubstantiated:** Insufficient facts exist to either prove or disprove the allegation(s) made.
- **Unfounded:** The facts substantiate the allegation(s) made are false.

### Disciplinary Action

If the investigation indicates an employee has Committed an offense, under the NYSP Rules and Regulations, disciplinary action will be taken commensurate with the severity of the offense (mitigating circumstances may be considered).

After final disposition is reached by management, appropriate action will be taken. Disciplinary action may involve loss of vacation days, remedial training, suspension, or termination.

## Submitting Compliment/Complaint

The New York State Division of State Police is dedicated to providing the highest quality police services to residents of and visitors to New York State. Your compliments and complaints are important to the State Police and we appreciate you taking the time to communicate with us.

To e-mail a compliment or complaint visit the NYSP website and follow the instructions therein.

To mail a compliment or complaint, complete a Public Compliment or Complaint Form. The form is available:

- On the NYSP website ([www.troopers.state.ny.us](http://www.troopers.state.ny.us)) .
- At you local troop headquarters.

The public can file a complaint in person or by telephoning a regional office during regular business hours of 8 a.m. to 5:30 p.m.

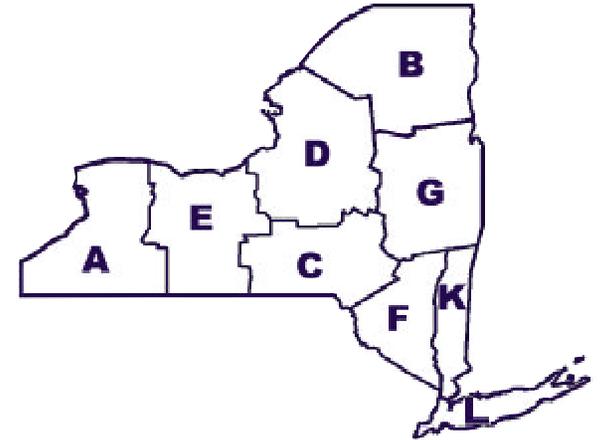
## Internal Affairs Bureau Regional Offices

- Western Regional Office  
200 Air Park Drive, Suite 90  
Rochester, New York 14624 (585)436-2007
- Central Regional Office  
290 Elmwood Davis Road  
Thruway Office Bldg., Suite 202  
Liverpool, NY 13088 (315)461-9002
- Southern Regional Office  
P.O. Box 119  
Hopewell Junction, NY 12533 (845)227-9815
- Northern Regional Office (IAB HQ)  
Bldg. 22, 1220 Washington Avenue  
Albany, NY 12226 (518)457-6554

The disposition of the complaint is a confidential, personnel matter and is not released to the complainant pursuant to Section 50-A of the NYS Civil Rights Law.

# New York State Police

To serve, protect and defend the people while preserving the rights and dignity of all



# Public Compliment or Complaint Process

[www.troopers.state.ny.us](http://www.troopers.state.ny.us)

## Responsibilities

### The NYSP's Responsibilities

The NYSP recognizes its responsibility to maintain the public confidence and trust, and the need to ensure integrity and accountability both by the agency and by each employee.

### The Public's Responsibilities

As we recognize the rights of all citizens, the public should recognize that NYSP employees must be able to exercise their best judgment in taking necessary and reasonable action in the performance of their duties without fear of reprisal.

### New York State Police Policy

It is the policy of the NYSP to respond to compliments or complaints received from the public.

#### Complimentary letters are:

- Reviewed by the employees first line supervisor,
- Forwarded to the employee,
- Placed in the employees personnel file and
- Forwarded for possible inclusion in the State Police internal newsletter.
- Included in the information distributed at the NYSP Annual Awards Ceremony.

Complaint letters follow a very specific complaint procedure that:

- Ensures fair and proper action is taken when an employee is accused of misconduct,
- Protects employees from unwarranted or false accusations and
- Helps identify and correct deficiencies in policies, procedures and/or training.

## Public Complaint Protocol

### Anyone can submit a complaint.

Normally, the person most directly affected by the alleged conduct should be the person to complain. For example, a complaint of rudeness to a driver should be made by the driver, not a passenger in the vehicle.

Exceptions would include a parent filing a complaint for a minor child or similar situations. Under certain circumstances, third party complaints will be accepted.

### Complaints can be made at any time.

To help ensure evidence is still available and recollections of the incident are fresh, complaints should be made within a reasonable time after the alleged misconduct occurred .

### Complaints may be made:

- By e-mail to the Internal Affairs Bureau at NYSP headquarters - IAffairs@troopers.state.ny.us
- In person at or by writing to or telephoning one of the IAB Regional Offices (see back panel).

If you are making a complaint in person, you can make it to any NYSP employee. Most complaints are directed, initially, to the employee's local supervisor, local troop or zone headquarters.

All complaints are forwarded to the Internal Affairs Bureau, NYSP Headquarters for appropriate action

### Complaints should be concise and specific.

Describe the conduct of the employee that was found to be improper, rather than saying the employee was rude. Explain how the employee was rude by:

- Providing the specific words or phrases used
- Describing the employee's tone of voice or
- Citing particular acts of rudeness.

Identify the employee as much as possible by providing the:

- Employee's name, badge number and patrol vehicle

license number.

- Date, time and location of the incident.

Note: NYSP employees are required by policy to properly identify themselves, upon request.

If available, include the names, addresses and telephone numbers of all witnesses.

### The subject of the complaint should involve alleged misconduct by an employee.

The focus of NYSP complaint procedures is on alleged misconduct by a NYSP employee which encompasses violations of laws or NYSP rules and regulations.

A disagreement with or the application of a policy or law is not considered a "complaint" and will normally be referred to the commander most directly involved with the policy or law in question for response.

### Anonymous complaints are investigated, but not recommended.

Although anonymous complaints are investigated, the investigations are less likely to reveal all the facts surrounding an alleged incident when the investigator is unable to contact the complainant. The NYSP encourages individuals with allegations of misconduct by our employees to identify themselves and submit to an interview.

### Making a complaint will not affect actions or charges against the complainant.

Employees are prohibited from retaliating against you for reporting truthful information in lodging a complaint against them.

Any charges or legal issues (present or future) must be decided by the appropriate court. The investigation of your complaint will focus on the conduct of the employee, not charges against you. Therefore, any charges against you are a separate issue which you will have to resolve in court.