



## A Guide to the Personnel/Department Complaint Process

**A Message from the Chief of Police.....** The mission of the Cortland Police Department is: *"To work in partnership with the citizens of the City of Cortland to ensure a safe and peaceful environment, and to assist in providing and improving the quality of life consistent with the needs of our community."*

We take this duty to our citizens seriously, and for that reason, we have adopted internal safeguards to discourage abuses of authority by police employees. Complaints regarding such abuses are vigorously investigated. If you feel that an employee of this department has acted in an abusive or unprofessional manner toward you or others, I encourage you to report that employee to a police supervisor. The information in this brochure is provided to explain our complaint process to you. Our goal is to provide you with quality police service in a spirit of community cooperation. You help all of us when you report incidents that you consider improper police conduct.

*F. Michael Catalano*

Chief of Police

**OUR POLICY:** It is the policy of the Cortland Police Department to courteously receive and fairly investigate all complaints made against the department and its activities, practices and personnel. The goal is to correct deficiencies in policies and procedures, detect and deter misconduct, instill confidence in citizens regarding the integrity of the department and its personnel, and seek redress for false accusations made against the agency and its members.

**WHO MAY COMPLAIN?** Any person who witnesses or has direct knowledge of police misconduct, may file a complaint with the Cortland Police Department.

**WHEN SHOULD YOU COMPLAIN?** You should contact the Department whenever you witness behavior by any Department employee that is a violation of city, state, or federal law, involves the excessive use of force, or involves discourteous or abusive treatment.

**HOW DO YOU FILE A COMPLAINT?** Generally, complaints are filed through the supervisor of the employee involved. If the immediate supervisor is unavailable, another supervisor may take the complaint. The provided personnel complaint form can be printed. After completing the form, it can be delivered to a Sergeant or Lieutenant at the Police Department. The Police Department is located at 25 Court Street Cortland, New York 10345. The form may also be attached to an email and sent to [police@cutland.org](mailto:police@cutland.org). Once the form is received by the police department an internal investigation shall commence. A staff member will contact you as a part of their investigation.

**EXPLANATION:** Experience has shown that many complaints we have received are due to a lack of knowledge, or misunderstanding, of police policies and procedures. The supervisor receiving your complaint will offer to mediate your complaint, which may include an explanation of our policies and procedures.

**WHO INVESTIGATES MY COMPLAINT?** Department supervisors are responsible for maintaining discipline and overseeing the conduct of employees assigned to them. The Internal Affairs Officer has the primary responsibility to see that all reports or accusations made against members of the Department are completely investigated.

**WHAT IS THE COMPLAINT PROCEDURE?** Once the complaint has been received and fully investigated, the investigating supervisor shall document the actions, conclusions and recommendations on the Personnel/Department Complaint Report follow-up and submit it via the Chain of Command to the Internal Affairs officer. The finding will be one of the following:

**SUSTAINED** – The allegation(s) are found to be factual and are substantiated by competent evidence.

**UNFOUNDED** – The allegation(s) are not supported by the facts or is a false allegation.

**EXONERATED** – The allegation(s) is factual and did occur, however, the involved employee acted lawfully and properly within the bounds of policy and acceptable conduct.

**NOT SUSTAINED** – Insufficient evidence exists to prove or disprove the allegation(s).

**MISCONDUCT NOT BASED ON COMPLAINT** – Unsubstantiated conduct, which was other than, the allegation(s) identified in the original complaint.

**INCOMPLETE INVESTIGATION** – Complainant failed to cooperate with the investigation and there is not enough evidence available to draw a fair conclusion and apply a finding.

**WHAT IS THE DISCIPLINARY PROCESS?** If a complaint is sustained, the officer may receive remedial training, counseling or disciplinary action may be taken which may consist of one of the following measures:

**WRITTEN REPRIMAND  
SUSPENSION**

**LOSS OF PAY  
DEMOTION**

**LOSS OF LEAVE  
DISMISSAL**

In addition to any disciplinary action, the employee may receive counseling and, where appropriate, training to correct deficiencies. When an employee faces suspension, demotion or dismissal, there maybe a review and appeal process.

**WHAT WILL YOU BE TOLD?** After a thorough investigation of the complaint, you will be advised of the investigation's finding.

**RESPONSIBILITY – OURS AND YOURS:** The Cortland Police Department views all complaints against its employees very seriously and actively pursues investigation into misconduct. For this reason, you must ensure that your complaint is based on fact and you have provided us with all of these facts to the best of your ability. If you intentionally make a false report to this Department, criminal and/or civil proceedings may be initiated against you.

**OUR COMMITMENT TO YOU:** Employees of the Cortland Police Department at all times shall strive to be courteous and professional in all dealings with the citizens we serve. It is the hope of the Cortland Police Department that all of your contacts with our officers are positive. If not, we will endeavor to resolve your complaint to your satisfaction in a prompt and objective way.

### **How to Contact the Cortland Police Department:**

**Mailing Address:**

Cortland Police Department  
25 Court Street, Cortland, New York 13045

Web site: [www.cityofcortland.org](http://www.cityofcortland.org)

email address: [police@cortland.org](mailto:police@cortland.org)

Emergency calls dial: 911

Non Emergency Calls Dial: 607-753-3001(0)