



SPRINGFIELD TOWNSHIP POLICE DEPARTMENT
Wyndmoor, Pennsylvania

Policy 2-12

Policy Title: Internal Affairs

Date of Issue: December 1, 2022

Rescinds: None

By Authority of:

Chief of Police

I. Purpose

This directive shall establish procedures for documenting and investigating complaints and allegations against employees and to maintain the integrity and professionalism of the Springfield Township Police Department.

II. Policy

The accurate and unbiased investigation of complaints and allegations against employees of the Springfield Township Police Department is one of the basic requirements of good law enforcement and effective public relations. It must be expected that complaints will be received from persons who feel that they have been subjected to unfair, unwarranted or criminal actions, since the majority of our duties involve the regulation and control of human conduct. It is the policy of the Springfield Township Police Department to investigate complaints against an employee through a regulated and impartial internal process.

III. Complaints Against the Agency or Employees Investigated

- A. The Chief of Police, or his designee, coordinates internal investigations for all personnel within the police department.
- B. The Springfield Township Police Department is responsible for documenting and investigating, either formally or informally, allegations of employee misconduct.
 - 1. The Springfield Township Police Department will investigate all complaints that are made against the department or its employees, including anonymous complaints.
 - 2. Complaints and disciplinary actions, which shall be handled in accordance with the provisions of this policy, are alleged or suspected violations of statutes, ordinances,

department rules, orders or policies by all sworn or civilian employees of the Springfield Township Police Department.

C. Complaints can be made by:

1. Members of the department who report them to supervisory or command staff. The department encourages these complaints to be in writing and signed. In instances that will obviously require a formal investigation, a Complaint Against Department Member Form (Attachment B) shall be utilized.
2. Citizens who report them to any employee of the department, whether in writing, in person, or by phone. In instances that will obviously require a formal investigation or when the citizen insists on filing a complaint in writing, the citizen should be provided with a How To Make A Complaint Information Booklet (Attachment A).
 - i. The form will notify complainants of Title 18 PA C.S., sections 4904 and 4906, regarding False Reports and Unsworn Falsification.
 - ii. Except as directed by the Chief of Police or his designee, the department will only proceed with formal complaints after the complainant has signed the statement.

D. Types of Complaints:

1. Formal Complaint.
 - i. A formal complaint investigation is conducted by investigators selected by the Chief of Police, or his designee.
 - ii. A formal complaint investigation is conducted on serious or repeated allegations of misconduct.
 - iii. An internal affairs investigation is determined to be formal by the Chief of Police, or his designee. The Chief, or his designee, should take into account the nature of the violation, the frequency of the violation, and the complexity of the investigation.
 - iv. Examples of internal investigations that may be determined as formal include, but are not limited to:
 - a. Allegations of violations of law.
 - b. Allegations of brutality.
 - c. Violations of rules, regulations, and / or policies and procedures.

- v. Information about formal complaints shall be documented on the Complaint Tracking Form. The report shall include the nature of the complaint and the response to the citizen, if applicable. If the citizen is not satisfied by the explanation, the Chief of Police, or his designee, will contact the citizen to again attempt to thoroughly explain the employee's actions, policy, procedure, or tactic. The Complaint Tracking Form shall be held in a confidential manner as to safeguard the privacy of the involved employee/s. The Complaint Against Employee Form shall also be used for documentation, if applicable.

2. Informal Complaint.

- i. An informal complaint investigation is conducted on less serious allegations of misconduct.
- ii. An internal affairs investigation is determined to be informal by the Chief of Police, or his designee. The Chief, or his designee, should take into account the nature of the violation, the frequency of the violation, and the complexity of the investigation.
- iii. An informal investigation is conducted by investigators selected by the Chief of Police, or his designee.
- iv. Examples of investigations that may be classified as informal include, but are not limited to:
 - a. Slow or no response to calls for service.
 - b. Failure to take proper police action.
 - c. Unprofessional demeanor displayed by department employee.
 - d. Violation of policy.
- v. Information about informal complaints shall be documented on the Complaint Tracking Form. The report shall include the nature of the complaint and the response to the citizen, if applicable. If the citizen is not satisfied by the explanation, the Chief of Police, or his designee, will contact the citizen to again attempt to thoroughly explain the employee's actions, policy, procedure, or tactic. The Complaint Tracking Form shall be held in a confidential manner as to safeguard the privacy of the involved employee/s. The Complaint Against Employee Form shall also be used for documentation, if applicable.

3. Inquiries.

- i. An inquiry may be generated by:

- a. A citizen who contacts the Springfield Township Police Department with a complaint about a policy, procedure, or tactic used by the department. This is generally a verbal complaint.
 - b. A supervisor who witnesses or learns of an infraction of policies or procedures. Generally, this is a verbal complaint or a minor infraction.
 - ii. When a citizen questions the action of a police department employee, and it is determined by the supervisor receiving the complaint that the employee acted within prescribed Springfield Township Police Department policy, the manner will be handled as an inquiry.
 - iii. It is the responsibility of the supervisor on duty receiving the complaint to obtain all pertinent details from the citizen necessary to make an inquiry into the employee's actions.
 - iv. The supervisor receiving the complaint from the citizen will make every attempt to explain to the citizen the circumstances as to why a particular policy, procedure or tactic is sanctioned by the Springfield Township Police Department.
 - v. If the supervisor receiving the complaint determines that the employee has not acted within prescribed Springfield Township Police Department policy, procedure, or tactics, the supervisor will reflect the matter as an allegation of misconduct. It is up to the supervisor, given the available information, to determine whether action other than an inquiry is warranted. Should the supervisor feel that an informal or formal investigation is warranted, the supervisor shall complete the Complaint Tracking Form and forward it, and the subsequent investigation, to the Chief of Police, or his designee, who will then determine how to proceed. The Complaint Against Employee Form should also be included, if appropriate.
 - vi. Examples of an inquiry include, but are not limited to:
 - a. Why did an officer handcuff a prisoner?
 - b. Why was a police vehicle's emergency equipment used?
 - c. Why was a police vehicle exceeding the speed limit?
 - d. A violation of policy.
- E. Internal Affairs activities for sworn personnel are as follows:
1. Supervisors will try to resolve any and all complaints and / or grievances at the lowest level of the chain of command. Supervisors should notify the employee or their immediate supervisor with whom they have a grievance and / or complaint. An

exception to this procedure would be an allegation involving criminal acts, which is reported directly up the chain of command to the Chief of Police.

2. The Chief of Police, or his designee, is responsible for documenting and investigating, either formally or informally, allegations of misconduct. The Chief of Police may ask an outside law enforcement agency to handle any alleged criminal investigation against an employee.
3. The Chief of Police, or his designee, shall investigate all allegations of employee misconduct. If the complaint or allegation is against the Chief of Police, the complaint shall be forwarded to the Township Manager, who shall be responsible for the investigation.
4. Employees are not to interfere with the investigation or attempt to persuade witnesses concerning their information in the investigation. Under certain circumstances, the employee may be ordered by the person leading the investigation not to have contact with various witnesses until the department has gathered information from the witnesses.
5. The Chief of Police shall maintain the confidentiality of the internal affairs investigation and records. Such records will be kept separately from the personnel file of the employee and maintained within the police department.

F. Penalties

1. As the result of an inquiry, supervisory and command personnel can take the following disciplinary action, which will then be forwarded through the chain of command for review. Those in the chain of command may change or reverse the action.
 - i. Warning / Counseling
 - ii. Recommend other penalties
 - iii. Emergency Suspension
2. As the result of a formal or informal investigation, supervisory and command personnel can recommend the following disciplinary action following approval from the Chief of Police:
 - i. Reprimand (Oral or Written)
 - ii. Remedial Training
 - iii. Suspension
 - iv. Demotion

v. Termination / Dismissal From the Force

3. All recommendations or actions shall be documented on the Complaint Against Department Member Form (Attachment B) and sent through the chain of command. In the matter of an inquiry, a copy of the form shall be kept by the employee's immediate supervisor for a period of one year and for evaluation purposes.
4. Generally, discipline should be administered in a progressive fashion. The seriousness of the incident, the circumstances surrounding the incident, the employee's past work performance, the overall negative impact on the department, and the prognosis for future problems will all be taken into account in the administration of discipline.
5. The training manager of the police department is responsible for developing and conducting in-service training for police department employees designed to further their knowledge and understanding of proper and effective police methods and techniques. The training should foster positive and constructive techniques for improving employee productivity, effectiveness, and morale. The department may mandate remedial training for employees found to be deficient in some necessary skills.
6. Disciplinary counseling calls to the employee's attention a specific deficiency in performance or improper action and suggests or details corrective measures that will assist in correcting the problem. If a supervisor determines that poor or inadequate performance results not from insufficient training, but rather from an individual's personal feelings or attitudes about the job, the supervisor may determine that personal counseling is appropriate.
7. The reckoning period is that period of time during which an employee is expected to have a clean record for the same type of offense that they were previously found guilty of. All reckoning periods shall be computed from the date of the last similar offense.
8. If, through the course of an investigation, it is determined that a policy failure occurred, corrections should be recommended to the Chief of Police.
9. To achieve a speedy resolution to internal issues, an investigation should be completed within 30 days. In cases where extenuating circumstances exist, the Chief of Police or his designee may extend the time limit. Any employee who is the subject of the investigation shall be notified in writing (e-mail is appropriate) of the extension.
10. In cases where a citizen complaint is filed greater than 90 days after the date of the alleged event, which if true cannot lead to a criminal charge, the complaint shall be classified as unfounded and the employee shall not be required to submit a written report. The employee shall still be notified in writing of such claim.

IV. Internal Affairs Reporting

- A. The Chief of Police, or his designee, is responsible for the department's internal affairs function.
- B. Personnel assigned to conduct internal investigations shall have training in the process relevant to the level of investigation they are charged with conducting. This training may be in-house or from outside resources.

V. Notification of the Chief of Police

- A. Upon receipt of a complaint that will obviously require a formal investigation, or when a signed complaint is received, the Chief of Police or his designee will be notified, via written communication, which includes e-mail, by the supervisory personnel receiving the complaint.
- B. If an allegation of misconduct is extremely serious in nature, the Chief of Police, or his designee, and the supervisor of the employee involved will be notified immediately.
- C. Complaints received by other than supervisory personnel shall be brought to the attention of the receiving employee's supervisor. Thereafter, notification of the complaint shall proceed as in A and B above.

VI. Employee Notification and Rights

- A. Affected employees will be promptly notified in all cases of a formal or informal internal affairs investigation, except in the case of a criminal investigation or an investigation which has been turned over to another investigative agency. Notification shall occur using the Internal Affairs Investigation Advisement Notice Form (Attachment C). If applicable, a copy of the Complaint Against Employee Form shall also be provided. In cases where the alleged conduct is ongoing, supervisory and / or command personnel may elect to delay notification to the employee.
- B. Weingarten Rights
 - 1. Under NLRB v. Weingarten, Inc. (1975), "the right of employees to have a union representative at an investigatory interview" shall be adhered to.
 - 2. While not required, the department shall advise affected employees of this right prior to questioning.
 - 3. An Internal Affairs Investigation Weingarten Rights Notice Form (Attachment D) shall be completed, noting which union representative was chosen / used, if applicable.
- C. Garrity Warnings

1. Under *Garrity v. New Jersey* (1967), affected employees who are directed to answer questions which are specifically, directly, and narrowly related to the performance of duty or fitness for office, shall be required to answer those questions truthfully.
2. Refusal to answer directed questions shall constitute a violation of the Code of Conduct, which may serve as a basis for more serious disciplinary action, up to, and including, termination / discharge from the police department.
3. Any statement given by an affected employee, as well as any information or evidence gained through a statement cannot be used against the affected employee in a criminal proceeding, except that it may subject the affected employee to criminal prosecution for any false statement which they include in any written internal statement.
4. Affected employees are allowed to have an attorney / representative of their choice present during any interview in a formal or firearms discharge investigation. It is the responsibility of the affected employee to make arrangements for an attorney / representative to be present during questioning. Similarly, all financial liability incurred through the use of an attorney is the responsibility of the affected employee.
5. An Internal Affairs Investigation Administrative Warning Notice Form (Attachment E) shall be completed prior to questioning.

D. Other Rights

1. The department seeks to observe due process of law in the philosophy of the 14th Amendment to the United States Constitution.
 2. The department also recognizes that all members enjoy the rights and protections provided by the laws and Constitution of the United States, the Commonwealth of Pennsylvania, and the provisions of the Springfield Township Civil Service Commission.
 3. In the case of sworn officers, all Collective Bargaining Agreement terms will be adhered to.
- E. At the conclusion of the investigation, the officer will receive notification of the finding as soon as possible and practical upon completion of the investigation.

VII. Complainant Notification

- A. Verification that the complaint has been received shall be provided to the complainant. This may be verbally or in writing. If a citizen complaint form is completed, a copy of the completed form may serve as verification.
- B. If the investigation takes longer than 45 days, the Chief of Police, or his designee, will provide a periodic status report to the complainant. This may be verbally or in writing, and shall be documented in the investigative report.

- C. The complainant will be notified in writing of the results of the investigation by the Chief of Police, or his designee.

VIII. Use of Scientific, Medical, or Other Evidence Collection Circumstances in Internal Investigations

- A. Employees may be required to submit to a chemical test at the agency's expense when objective symptoms of alcohol or drug use exist to either prove or disprove the allegation(s) under investigation. The employee shall not be forced, coerced, or intimidated into taking such test, except as permitted by law or department policy.
- B. Employees may be required to submit to photographs or participate in a line up if probable cause exists to believe they are involved in a criminal offense and the evidence is material to a particular offense being investigated. In all cases, the provisions of all legal rights and applicable laws shall prevail.
- C. Employees may be requested to submit financial records that are deemed appropriate to either prove or disprove the allegations under investigation. Requests for financial records shall be in accordance with the provisions of all legal rights and applicable laws.
- D. Employees shall not be required to stand in a line-up, except when permitted in accordance with all legal rights and applicable laws.
- E. Employees accused of misconduct shall not be required to submit to a polygraph.

IX. Relief From Duty

- A. Any command or supervisory officer shall have the authority to impose an emergency administrative suspension with pay until the next business day under the following circumstances:
 - 1. Employee conduct personally observed by the supervisor or command officer, which is extremely serious in nature, involves criteria requiring a "formal complaint" under Section III of this policy, and creates actual or potential harm to the officer or others.
 - 2. The employee is unfit for duty due to physical or psychological reasons (e.g., intoxication, etc.).
- B. The Chief of Police may impose an administrative suspension with pay during a formal investigation if deemed necessary for the good of the department.
- C. An employee receiving an emergency administrative suspension shall be required to report to the Chief of Police on the next business day at 9:00 AM, unless otherwise directed by competent authority. The command or supervisor imposing or recommending the

suspension shall submit a written report detailing the action. This report shall be delivered to the Chief of Police on the next business day, prior to 8:00 AM.

X. Conclusion of Fact

- A. The investigator shall consider all relevant documents, testimony, and evidence in order to determine what actually happened. The investigator shall prepare a summary report in the form of an internal confidential memorandum that provides a complete account of the situation. Gaps or conflicts in evidence and testimony shall be noted and the investigator shall not draw conclusions of fact from them.
- B. At the end of the report, the investigator shall state a conclusion of fact for each allegation of misconduct from among the following dispositions:
 - 1. Exonerated – The alleged act occurred, but was justified, legal, and proper.
 - 2. Sustained – The employee committed all or part of the alleged acts of misconduct.
 - 3. Not Sustained – The investigation failed to produce sufficient evidence to prove clearly, or to disprove the allegation.
 - 4. Unfounded - The alleged act did not occur.
- C. If the investigator concludes that the conduct of any officer was improper, the investigator shall cite in the disposition report the department rule, regulation, or policy which was violated. The investigator shall also note any mitigating circumstances surrounding the situation, such as unclear or poorly drafted agency policy, inadequate training, or lack of proper supervision.
- D. The investigation report shall be delivered directly to the Chief of Police, or his designee, with a recommendation of appropriate disciplinary action if it is a complaint.
- E. The Chief of Police, or his designee, will accept the investigation and adjudicate the case to ensure the integrity of the Springfield Township Police Department.
- F. In the event of a policy failure, a determination will be made and corrections implemented (e.g., modify policy, training, etc.).

XI. Confidentiality of Internal Affairs Records

- A. Internal affairs and discipline records, including complaints and all subsequent investigation files and documents, shall be confidential.
 - 1. The Chief of Police shall be responsible to maintain the confidentiality of all internal affairs records generated as a result of this policy.

- i. The Chief of Police shall determine which employees shall be involved in, and / or, have access to any investigation case file.
 - ii. Any employee with knowledge of an internal affairs complaint and / or investigation shall also maintain the confidentiality of the complaint / investigation and discuss the matter only with the Chief of Police, or an authorized case investigator.
 - iii. Nothing in this section shall prohibit any employee who is the subject of an investigation from consulting with union representation, legal counsel, or other persons as may be appropriate to the finding of facts.
- B. The Chief of Police shall maintain records of all complaints filed, and / or investigated against the agency or its employees in a securely locked file. Access to the secured record shall be at the direction of the Chief of Police.

XII. Annual Statistical Summary

- A. The Chief of Police shall compile an annual statistical summary of the number of complaints and their outcomes.
- B. The annual statistical summary shall be completed in January and is available to department employees and the public, upon request.

XIII. Offenses and Penalties

- A. The offenses listed in the Guidelines for Disciplinary Action Procedures (Attachment F) shall be a guide in administering fair and uniform penalties for violations of the rules and policies of the Springfield Township Police Department.
- B. Penalties recommended for offenses listed shall be within the prescribed limits. The schedule shall in no way limit any penalty which the Chief of Police may impose.
- C. Offenses not included in the following list shall result in penalties similar to those specified for listed offenses of comparable seriousness.
- D. Any penalties are predicated on an eight-hour schedule. This should be considered when penalties are recommended.

XIV. Supervisory Role

- A. In the discipline process, the role of the supervisor is:

1. To observe the conduct and appearance of officers and detect those instances when commendations or disciplinary actions are warranted.
2. To investigate allegations of employee misconduct within the scope of their authority and responsibility and as per this policy.
3. To recommend the most effective means of discipline, taking into consideration the behavior history and personality traits of the personnel under their supervision.
4. To implement any disciplinary action, approved by the Chief of Police.

XV. Termination or Dismissal From the Police Department

- A. If employee misconduct results in termination or dismissal from the police department, the employee shall receive written notice which includes the following information:
 1. Reason for dismissal
 2. Effective date of dismissal
 3. Status of the fringe and retirement benefits after dismissal
- B. This section does not apply to entry level probationary employees.

XVI. Appeal Procedures

- A. Appeal procedures follow guidelines set forth As follows:
 1. For sworn employees – the agreement between the collective bargaining unit and the Township of Springfield.
 2. For non-sworn employees – the personnel manual of Township of Springfield.

XVII. Attachments

- A. How To Make A Complaint Information Booklet
- B. Complaint Against Department Member Form
- C. Internal Affairs Investigation Advisement Notice
- D. Internal Affairs Investigation Weingarten Rights Notice Form
- E. Internal Affairs Investigation Administrative Warning Notice Form

F. Guidelines for Disciplinary Action Procedures

ATTACHMENT A

HOW TO MAKE A COMPLAINT INFORMATION BOOKLET



Springfield Township Police
1510 Paper Mill Rd
Wyndmoor, PA 19038
(215) 836-1601

REPORTING POLICE MISCONDUCT

The Springfield Township Police Department is responsible for protecting citizens, preventing and detecting crime, regulating traffic, and providing related services.

To insure that we function efficiently while maintaining the rights of the citizens we protect, Springfield Township Police officers are required to follow a series of department policies, procedures, and work within the requirements of local, state, and federal law. Because of the nature of law enforcement, we also understand that citizens, on occasion, may object to the actions of the police, or may feel that their conduct is inappropriate. Therefore, we have established procedures for citizens to report their concerns to the Chief of Police. Upon receipt of citizen complaint, every effort is made to ensure a thorough, fair, and timely investigation of the allegation(s) contained in the complaint.

PURPOSE OF THE COMPLAINT INVESTIGATION PROCESS

The purpose of the complaint investigation process is to protect the public, employee, and the department through fair, thorough, and proactive investigations of alleged misconduct. This process is intended to accomplish three objectives:

- **PROTECTION OF THE PUBLIC** by identifying and, as needed, effecting corrective action of the police department personnel and/or changing policies or procedures that negatively affect the quality of police service delivered by the Springfield Township Police Department
- **PROTECTION OF THE DEPARTMENT** by taking appropriate action so that misconduct of a few will not detract from the overall reputation of the Springfield Township Police Department.
- **PROTECTION OF THE EMPLOYEE** against false or malicious allegations of misconduct by ensuring fairness and accuracy in all investigations.

FALSE OR MALICIOUS COMPLAINTS

Although we encourage citizens to report police misconduct, complaints must be made in good faith. False or exaggerated complaints serve no good purpose for either the citizens or the officer, and only tend to thwart our complaint taking process. Anyone who willfully makes any false accusation or provides false information for the purpose of discrediting a police officer will be prosecuted under Pennsylvania Crimes Code Section 4904 and 4906.

The complaint process will have NO impact upon pending court action or traffic violations in which you may be involved. No complaint will be considered that solely addresses your guilt or innocence of any charges that may be pending against you. The disposition of the charge will be determined in a court of law.

HOW TO FILE A COMPLAINT

- **VERBAL COMPLAINTS:** Complaints may be initiated by appearing at the Springfield Township Police Station. You will initially meet with the ranking officer on duty who will verbally review the details of your complaint with you. If your complaint does not involve serious misconduct, he will attempt to reach a possible resolution. If the complaint involves criminal conduct, misconduct, neglect of duty, corrupt activity or violations of department rules and regulations, you will be asked to file the complaint in writing.
- **WRITTEN COMPLAINTS:** All complaints or allegations of criminal conduct, misconduct, neglect of duty, corrupt activity or violations of department rules and regulations will be received as written complaints. You will be asked to provide a statement of your complaint with as much detail as possible, including date, time and location of the incident, the identities of the officers involved (if known), and a statement of the circumstances surrounding your complaint. Also indicate why you believe the officer's conduct was inappropriate. You must also include your name and phone number so an investigator may contact you for further information, or clarification as needed.

If criminal charges are lodged against an officer as a result of your complaint, you may be required to testify as one or more criminal hearings. If your allegation results in disciplinary action against an officer, you may be required to appear at any disciplinary hearings or appeals that are pertinent to your complaint.

The Springfield Township Police Department will investigate anonymous complaints alleging criminal conduct or other serious misconduct, however, an anonymous complaint will not be the sole basis for taking disciplinary action against an officer. If you do not identify yourself, you will not be informed of the disposition of your complaint.

THE INVESTIGATION PROCESS


The Chief of Police reviews all written complaints against officers. He will then assign one or more supervisory officers to conduct an in-depth investigation. If the allegations involve violations of the of crimes code, the District Attorney's office may be notified with the option of the County Detectives either assisting with, or assuming full responsibility for the investigation.

At the conclusion of the investigation, the assigned investigators will forward the details of the investigation and one of four outcomes to the Chief of Police. These outcomes are:

- **UNFOUNDED:** The investigation indicates the acts complained of did not occurred or did not involve Springfield Township police personnel.
- **EXONERATED:** The investigation indicates that the alleged acts did occur but were within the policies, procedures, and guidelines as set forth by the department.
- **NOT SUSTAINED:** The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegations made.
- **SUSTAINED:** The investigation discloses sufficient evidence to clearly prove the allegation made in the complaint.

If you so request, you will be notified of the outcome of the investigation. If your complaint is sustained, you will be advised of the disciplinary action taken only if criminal charges have been filed against the officer or if the officer has been discharged from the police department. You will not be advised of any lesser disciplinary action.

ATTACHMENT B

	SPRINGFIELD TOWNSHIP POLICE DEPARTMENT COMPLAINT AGAINST DEPARTMENT MEMBER 1510 Papermill Road Wyndmoor, Pa. 19038 Phone: (215) 836-1601 Fax: (215) 233-5018		CITIZEN COMPLAINT #:	
			DATE OF REPORT:	
			Form #:	P-45
		Rev:	12/05	
Name of Complainant (Please Print):		Date of Birth:	Social Security #:	
Address:		Home Phone:	2 nd Phone:	
Location Where Incident Occurred:		Incident Report #:	Incident Date / Time:	
Names of Person(s) You Are Complaining About, If Known:				
1.		2.		
3.		4.		
Have You Reported This To Anyone Previously? <input type="checkbox"/> Yes <input type="checkbox"/> No		If so, Whom:		Date:
PERSONS WHO ACTUALLY SAW EVENT				
Name	Address		Phone Number	
	Home:			
	Home:			
	Home:			
	Home:			
	Home:			
	Home:			
PRINT SUMMARY OF OCCURANCE				
(Summary Continued on Reverse Side)				
Person Receiving Complaint:	Badge #:	Person Completing Summary:	Date:	Time:
Assigned To:			Date:	Time:
<small>Professional Standards Investigation Use Only:</small>				

ATTACHMENT C



INTERNAL AFFAIRS INVESTIGATION ADVISEMENT NOTICE

To: Officer _____

From: _____

Date: _____

Reference: Internal Affairs Investigation ____-____

This letter serves as written notice to Officer _____ that _____ is the subject of active internal affairs investigation ____-____, which has been assigned by the Chief of Police to be investigated by _____ and _____. Specifically, _____, in violation of Springfield Township Police Department Policy ____-____.

This letter also serves to acknowledge that Officer _____ was provided a copy of this notice.

Officer Signature: _____

Date: _____

IA Investigator Signature: _____

Date: _____

IA Investigator Signature: _____

Date: _____

ATTACHMENT D



INTERNAL AFFAIRS INVESTIGATION WEINGARTEN RIGHTS NOTICE

Internal Affairs Investigation __-__ Date: _____ Time: _____

Officer _____,

You have been involved in an incident, or you have personal knowledge of an incident, which is under administrative investigation. Under NLRB v. Weingarten, Inc. (1975), "the right of employees to have a union representative at an investigatory interview" shall be adhered to. While not required by management, you have been afforded the opportunity to obtain a union representative to be present during this internal affairs administrative investigation. After being afforded time to do so, you have opted to have the following person present:

The undersigned hereby acknowledge receipt of the above.

Officer Signature: _____ Date: _____

Union Rep. Signature: _____ Date: _____

IA Investigator Signature: _____ Date: _____

IA Investigator Signature: _____ Date: _____

ATTACHMENT E



INTERNAL AFFAIRS INVESTIGATION ADMINISTRATIVE WARNING
NOTICE

Internal Affairs Investigation __-__ Date: _____ Time: _____

Officer _____

You have been involved in an incident or you have personal knowledge of an incident, which is under administrative investigation.

1. In an administrative investigation you are required to truthfully answer any and all questions directed to you, both orally and when requested in writing, which are specifically, directly, and narrowly related to the performance of duty or fitness for office. Therefore, you do not have the right to remain silent. You are advised that your statements or responses constitute an official police report.
2. In addition, you are directed to disclose to the assigned investigator any and all information and materials, which may pertain to this investigation. This includes the existence of any possible witnesses, as well as recordings, photographs, notes, documents, records, statements, etc. A failure to comply would constitute a violation of department policy, and may serve as a basis for more serious disciplinary action up to, and including, discharge.
3. If requested to provide a written statement, you are further directed to refrain from creating excessive statements by reducing to writing only information relevant to the administrative investigation for which you are being issued this warning.
4. If you refuse to answer questions directed to you, you will be ordered by a superior officer to answer the question. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of department policy, specifically failing to obey a direct order, and the code of conduct, and may serve as a basis for more serious disciplinary action up to, and including, discharge.
5. You are required to be truthful in all of your responses. If, during the course of this investigation, it is discovered that you have been untruthful in your responses, you are advised that your untruthful responses constitute a violation of department policy and may serve as a basis for more serious disciplinary action up to, and including, discharge.
6. While this incident is under investigation you are directed not to discuss or make known any information concerning this investigation with anyone other than your direct Chain of Command, your attorney, union representative, or members of the Internal Affairs Unit. Investigations conducted by the Internal Affairs Unit are

considered complete when the Chief of Police has acted on the complaint, regardless of the final outcome.

7. Your statement as well as any information or evidence which is gained through your statement cannot be used against you in any criminal proceeding, except that you may be subject to criminal prosecution for any false statement which you include in any written internal statement.
8. Accused officers are allowed to have an attorney, or union representative of their choice present during any interview in a formal or firearms discharge investigation. If you are an accused officer and you choose to have an attorney, or union representative present it is your responsibility to have the attorney, or union representative present. Any financial liability incurred through the use of an attorney is the responsibility of the accused officer. Failure of the attorney or union representative to follow established guidelines may result in loss of this privilege.
9. If you have any questions regarding this warning, or if you have any questions concerning the procedures to be followed, you may direct those questions to the Chief of Police, who is in charge of the Internal Affairs Unit.

I, Officer _____, was ordered to answer questions / submit a report related to Internal Affairs Investigation __-__, as a condition of employment in view of possible job forfeiture. This occurred at 1510 Paper Mill Road, Wyndmoor, PA, at the Springfield Township Police Station. I have no alternative but to abide by this order.

It is my belief and understanding that the department requires this report solely and exclusively for internal purposes and will not release it to any other agency. It is further my belief that this report will not and cannot be used against me in any subsequent proceeding other than proceedings within the confines of the department itself.

For any and all other purposes, I hereby reserve my constitutional right to remain silent under the 5th and 14th Amendments to the United States Constitution and other rights prescribed by law. Further, I rely specifically upon the protection afforded me under the doctrine set forth in *Garrity v. New Jersey*, 385 U.S.511 (1967), should this report be used for any other purpose whatsoever kind of description

The undersigned hereby acknowledge receipt of the above warning.

Officer Signature: _____ Date: _____

IA Investigator Signature: _____ Date: _____

IA Investigator Signature: _____ Date: _____

ATTACHMENT F

CODE OF DISCIPLINE

INTRODUCTION

The Code of Discipline contains information and guidance necessary in the proper performance of the duties of the members of the Springfield Township Police Department. Every member of the Springfield Township Police Department shall be subject to and comply with all the provisions set forth in this Code of Discipline.

No rule or regulation can be established which will embrace all circumstances; therefore, discretion and common sense is required in all cases. Right is reserved by the Chief of Police to amend or revoke any of the rules or regulations or to make changes from time to time as the circumstances or the good of the Police Department may require.

The "Reckoning Period" referred to is that time which must elapse before an offense including a reprimand is cleared from an individual's record. It commences upon the date that the disciplinary action is taken. The record including reprimand is cleared on the day following the last day of the reckoning period. A new reckoning period is begun for each offense of a given subsection.

SPRINGFIELD TOWNSHIP POLICE DEPARTMENT

CODE OF DISCIPLINE

<u>SECTION NO. 1 - DISCREDITABLE CONDUCT:</u>	<u>FIRST OFFENSE</u>	<u>SECOND OFFENSE</u>	<u>THIRD OFFENSE</u>	<u>RECOMMENDED PERIOD YEARS</u>
1:1 Repeated violations of Departmental rules and regulations, or any other course of conduct indicating that a member has little or no regard for his responsibility as a member of the Police Department. <u>Two confirmed/founded violations of this Code of Discipline within two (2) consecutive years, requires a formal review and recommendation by the Chief of Police of remediation or dismissal.</u>	DISMISSAL	*	*	*
1:2 <u>CONVICTION OF A MISDEMEANOR OR FELONY CRIME.</u>	DISMISSAL	*	*	*
<u>SECTION NO. 2 - INSUBORDINATE OR OPPRESSIVE CONDUCT:</u>				
2:1 Refusal to obey proper orders, directives, and regulations, oral and written of the Chief of Police and/or superiors and supervisors.	REPRIMAND TO 15 DAYS SUSPENSION	15-30 DAY SUSPENSION	DISMISSAL	1
2:2 Publicly using profane or insulting language to any member of the Police Department with malicious intent.	REPRIMAND TO 10 DAY SUSPENSION	15-30 DAY SUSPENSION	DISMISSAL	1
2:3 While on duty, using profane or insulting language or conduct offensive to the public.	REPRIMAND TO 10 DAYS	15-30 DAY SUSPENSION	DISMISSAL	2
2:4 Publicly criticizing the official action of a superior officer.	REPRIMAND TO 5 DAYS	5-10 DAY SUSPENSION	10-20 DAY SUSPENSION	2
2:5 Fighting or quarrelling with members of the Police Department.	REPRIMAND TO 5 DAYS	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2

AMENDED 11-1-90 (Underlined portion revised 11-14-90)
 EMH:sbl

SECTION NO. 3 - NEGLECT OF DUTY :	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	RECKONING PERIOD (YEARS)
3:1. Failure to take appropriate action concerning illegal activity, including vice conditions, and/or failure to make a written report of same to Chief of Police.	REPRIMAND TO 30 DAY SUSPENSION	30 DAY SUSPENSION TO DISMISSAL	DISMISSAL	2
3:2. Failure to properly supervise subordinates, or to prefer disciplinary charges when applicable, or to take other appropriate disciplinary action.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION OR DEMOTION	2
3:3. Failure to take proper police action when necessary, at any time, and/or failure to submit a written report of same to the Chief of Police.	REPRIMAND TO 10 DAY SUSPENSION	15-20 DAY SUSPENSION	25-30 DAY SUSPENSION	2
3:4. Asleep on duty.	REPRIMAND TO 5 DAY SUSPENSION	15-20 DAY SUSPENSION	DISMISSAL	2
3:5. Failure to properly patrol beat or area of assignment; unauthorized absence from assignment; failure to respond to radio call.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
3:6. Failure to thoroughly search for, collect, preserve, and identify evidence or persons, property or locations in any arrest or investigation.	REPRIMAND TO 10 DAY SUSPENSION	15-20 DAY SUSPENSION	25-30 DAY SUSPENSION	2
3:7. Failure to conduct proper, thorough and complete investigation.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
3:8. Failure to submit properly prepared, required report and/or statement within a reasonable or prescribed period of time.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2
3:9. Failure to report a hazardous condition.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1

<u>SECTION NO. 3 - NEGLECT OF DUTY :</u>	<u>FIRST OFFENSE</u>	<u>SECOND OFFENSE</u>	<u>THIRD OFFENSE</u>	<u>RECKONING PERIOD (YEARS)</u>
3:10. Failure to make any necessary entry in any official document or book.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2
3:11. Allowing prisoners to escape through carelessness or neglect.	REPRIMAND TO 10 DAY SUSPENSION	15-20 DAY SUSPENSION	25-30 DAY SUSPENSION	2
3:12. Damages to Police Department property resulting from negligent action or from failure to properly care for same.	REPRIMAND TO 10 DAY SUSPENSION	10-20 DAY SUSPENSION	20-30 DAY SUSPENSION	1
3:13. Failure to remove keys from patrol car when unattended, resulting in vehicle being stolen.	5-10 DAY SUSPENSION	15-30 DAY SUSPENSION	DISMISSAL	2
3:14. Failure to properly identify ones self when answering telephone.	REPRIMAND	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
3:15. Failure to identify ones self when properly requested.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
3:16. Failure to possess and maintain a current and Valid Pennsylvania Motor Vehicle Operator's license.	REPRIMAND TO DISMISSAL	DISMISSAL	* * *	2
<u>SECTION NO. 4 - FALSEHOOD OR PERJURATION</u>				
4:1. Knowingly and willfully making any false, misleading or inaccurate statement, verbal or written.	REPRIMAND TO 30 DAY SUSPENSION	30 DAYS TO DISMISSAL	DISMISSAL	2
4:2. Knowingly and willfully making a false entry in any departmental or official report or record.	REPRIMAND TO 30 DAY SUSPENSION	30 DAYS TO DISMISSAL	DISMISSAL	2
4:3. Willfully damaging or altering Police Department documents, reports or records.	REPRIMAND TO 30 DAY SUSPENSION	30 DAYS TO DISMISSAL	DISMISSAL	2

<u>SECTION NO. 5 - BREACH OF CONFIDENCE :</u>	<u>FIRST OFFENSE</u>	<u>SECOND OFFENSE</u>	<u>THIRD OFFENSE</u>	<u>RECKONING PERIOD (YEARS)</u>
5:1. Communicating or imparting confidential Police Department information or divulging any matter which by duty should be kept secret, to unauthorized persons.	REPRIMAND TO 10 DAY SUSPENSION	15-20 DAY SUSPENSION	DISMISSAL	2
<u>SECTION NO. 6 - CORRUPT PRACTICES :</u>				
6:1. Accepting bribes or gratuities for permitting or ignoring illegal acts.	DISMISSAL	* * *	* * *	* *
6:2. Failure to report in writing to the Chief of Police, offers of bribes or gratuities to permit or ignore illegal activities.	30 DAY SUSPENSION TO DISMISSAL	DISMISSAL	* * *	2
6:3. Knowingly fraternizing or participating in business transactions with known criminals or persons engaged in illegal activities.	REPRIMAND TO DISMISSAL	DISMISSAL	* * *	2
6:4. Excepting gratuities for soliciting for or endorsing attorneys, bondsmen or other business persons or firms.	30 DAY SUSPENSION TO DISMISSAL	DISMISSAL	* * *	2
6:5. Failure to account for or to make a prompt and true return of any money or property received in an official capacity.	REPRIMAND TO DISMISSAL	DISMISSAL	* * *	2
6:6. Becoming pecuniarily obligated to any person who operates an establishment at which intoxicating beverages are sold within the township, or to any person who holds a license concerning the granting or renewal of which the Police Department may have to report or give evidence.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	DISMISSAL	2
6:7. Soliciting money or any valuable thing without proper authorization.	REPRIMAND TO DISMISSAL	DISMISSAL	* * *	2
6:9. Sexual relations, licit or otherwise while on duty.	30 DAY SUSPENSION	DISMISSAL	* * *	2

<u>SECTION NO. 7 - ABSCENCE WITHOUT AUTHORIZATION :</u>	<u>FIRST OFFENSE</u>	<u>SECOND OFFENSE</u>	<u>THIRD OFFENSE</u>	<u>RECKONING PERIOD (YEARS)</u>
7:1. Unauthorized absence for two or more consecutive working days.	REPRIMAND TO DISMISSAL	DISMISSAL.	* * *	2
7:2. Unexcused tardiness.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2
7:3. Failure to report as a witness when duly notified or subpoenaed.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2
7:4. Violation of sick leave regulations.	REPRIMAND TO 10 DAY SUSPENSION	30 DAY SUSPENSION	DISMISSAL	1
<u>SECTION NO. 8 - INTOXICATION, DRINKING, USE OF DRUGS - ON DUTY :</u>				
8:1. Intoxication or under the influence of drugs when reporting for duty or on duty.	30 DAY SUSPENSION TO DISMISSAL.	DISMISSAL.	* * *	2
8:2. Ingesting intoxicating beverage or use of illicit drugs while on duty.	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	DISMISSAL	2
8:3. Odor of alcohol on breath when reporting for duty or on duty.	REPRIMAND TO 10 DAY SUSPENSION	15-20 DAY SUSPENSION	25-30 DAY SUSPENSION	2
<u>SECTION NO. 9 - INTOXICATION, DRINKING, USE OF DRUGS - OFF DUTY :</u>				
9:1. Drinking intoxicating beverages in public, or intoxication or under the influence of drugs off duty - in uniform.	REPRIMAND TO 30 DAY SUSPENSION	30 DAY SUSPENSION TO DISMISSAL.	DISMISSAL	

9:2. Intoxication or under the influence of drugs,
 off duty - not in uniform and arrested. REPRIMAND TO 30 DAY DISMISSAL 2
 30 DAY SUSPENSION TO
 SUSPENSION DISMISSAL.

VIOLETIONS OF SECTIONS 8 AND 9 MAY RESULT IN MANDATORY PROFESSIONAL COUNSELING AS ALL
 OR PART OF PUNISHMENT.

<u>SECTION NO. 10 - IMPROPER APPEARANCE AND UNIFORM :</u>	<u>FIRST OFFENSE</u>	<u>SECND OFFENSE</u>	<u>THLED OFFENSE</u>	<u>RECKONING PERIOD (YEARS)</u>
10:1. Untidy and/or improper appearance and dress while in uniform and/or on duty.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
10:2. Not in full uniform.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
<u>SECTION NO. 11 - INSTITUTING CIVIL ACTION ARISING FROM POLICE DUTIES :</u>				
11:1. Instituting civil action arising from performance of police duties without notifying the Chief of Police in advance.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2
<u>SECTION NO. 12 - MISCELLANEOUS REGULATIONS :</u>				
12:1. Misuse, Improper handling or display of firearms.	REPRIMAND TO 10 DAY SUSPENSION	15-25 DAY SUSPENSION	30 DAYS TO DISMISSAL	2
12:2. Unauthorized persons in police vehicle.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	1
12:3. Failure to notify Chief of Police in writing, of change of residence or telephone number within 24 hours of such change.	REPRIMAND TO 5 DAY SUSPENSION	5-10 DAY SUSPENSION	15-20 DAY SUSPENSION	2

12:4. Willfully damaging TOWNSHIP property and/or equipment.	REPRIMAND TO 30 DAY SUSPENSION	10-30 DAY SUSPENSION	DISMISSAL	2
12:5. Willfully and maliciously interfering with Police or other emergency frequency radio broadcasting and/or tampering with Township radio equipment.	REPRIMAND TO 30 DAY SUSPENSION	10-30 DAY SUSPENSION	DISMISSAL	2
12:6. Engaging or participating in the conducting of any political or election campaign other than to exercise ones own right of suffrage.	REPRIMAND TO 30 DAY SUSPENSION	10-30 DAY SUSPENSION	DISMISSAL	2