

Section 25 – Internal Affairs

New York State Law Enforcement Accreditation Program

25.1 Internal Affairs Function - **CRITICAL STANDARD**

ADMINISTRATION

STANDARD 25.1 The agency has a written directive that outlines the internal affairs function. The directive shall include provisions for:

- A. The position(s) within the agency responsible for the internal affairs function with the authority to report directly to the agency's chief law enforcement officer;
- B. Documenting the investigation of complaints against officers;
- C. Defining the type of complaint to be investigated by line supervisors and those which will be handled by those responsible for the function;
- D. Maintaining the confidentiality of the internal affairs investigation and records;
- E. Maintaining a liaison with the District Attorney's Office, and;
- F. Notifying the complainant that the matter is being handled administratively (as per §50-a of the Civil Rights Law).

Commentary: The internal affairs function is vital to the integrity of the agency. Fundamental fairness to all participants must be guaranteed through impartial investigations and review. The chief law enforcement officer has the primary responsibility for this function. All reports or accusations made against members of the agency should be completely investigated.

Examples of less serious complaints that may be investigated by an immediate supervisor include officer tardiness, rudeness, and insubordination. More serious categories of complaints that may be investigated by the Internal Affairs function include corruption, brutality, death or serious injury, criminal misconduct, and breach of civil rights.

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive is available for review.
2. A copy of the organizational chart is reviewed to verify the direct connection between internal affairs and the agency's chief law enforcement officer.
3. Agency files pertaining to this function are examined, including reports, logs, complaint forms, internal investigation records, and forms used to document and make notification on such incidents.
4. Interview(s) with personnel responsible for the control, undertaking and supervision of internal investigations to verify their knowledge of and compliance with the standard (including the DA's Office liaison).
5. Observation of internal affairs files to verify limited access and security.