

Our Policy

It is the policy of the City of Oneonta Police Department to investigate all complaints against the Department or its employees. Complaints may be resolved through mediation or internal investigation. This ensures the integrity of the Department while protecting the rights and interests of both citizens and Department employees.

Who May Complain?

Any person, regardless of race, age, gender, nationality, religion, disability, sexual orientation, societal status, political preference or any other class of persons protected by law, who witnesses or has direct knowledge of alleged police misconduct, may file a complaint with the City of Oneonta Police Department.

When Should You Complain?

You should contact the Department whenever you witness behavior by any Department employee that may be 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 or you may ask to be connected to the Office of the Lieutenant or the Office of the Chief.

Mediation

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 taking the information about your complaint will offer to mediate your complaint, which may include:

- *an explanation of our policies and procedures;
- *discussions with the personnel involved;
- *other efforts to resolve your complaint in a manner with which you are satisfied.

Who Investigates My Complaint?

Department supervisors are responsible for maintaining discipline and overseeing the conduct of employees assigned to them. The Chief of Police and Lieutenant have 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 in writing and submit them to the Chief of Police for approval. The finding will be one of the following:

- **EXONERATED** - the act complained of occurred but was lawful, proper and justified.
- **UNFOUNDED** - the act complained of did not occur.
- **NOT SUSTAINED** - there is insufficient evidence to prove or disprove the allegation.
- **SUSTAINED** - the act complained of did occur and constituted a violation of policy, procedure, rules, regulations, or statute.
- **WITHDRAWN BY COMPLAINANT** - the complainant expresses a desire to terminate the investigation and no longer pursue the complaint.
- **CLOSED WITHOUT INVESTIGATION OR FINDING** - the investigation cannot be completed or a finding cannot be reached. This classification will be used in cases

where the complainant refuses to cooperate with the investigation or other circumstances in which the investigation cannot be properly completed.

- **POLICY FLAW** - A discrepancy in the Department's policies or procedures may have caused the incident.

What is the Disciplinary Process?

If a complaint is sustained, the officer may receive remedial training or disciplinary action may be taken which constitutes one of the following measures:

- **Oral Reprimand**
- **Written Reprimand**
- **Suspension**
- **Demotion**
- **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 is a review and appeal process. Upon conclusion of the investigation, the Chief or Lieutenant will follow-up with the complainant.



City of Oneonta
Police Department

79 - 81 Main Street
Oneonta, New York 13820

(607) 432-1111

Serving Since 1908



A Message from the Chief of Police...

It is the mission of the City of Oneonta Police Department to provide professional services with integrity and dedication, to preserve life, to enforce the law, and to work in partnership with the community to enhance the quality of life in the City of Oneonta.

Our officers are sworn to protect the rights of all citizens regardless of race, age, gender, nationality, religion, disability, sexual orientation, societal status, political preference or any other class of persons protected by law. 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 towards you, 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 quality police services in a spirit of community cooperation. You help all of us when you report incidents that you consider to be improper police conduct.

DENNIS R. NAYOR
Chief of Police

Responsibility - Ours and Yours...

The City of Oneonta Police Department views all citizen 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 legal proceedings may be initiated against you.

Our Commitment to You...

Employees of the City of Oneonta Police Department shall at all times strive to be courteous and professional in all dealings with the citizens we serve. It is the hope of the City of Oneonta 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 City of Oneonta Police Department

Mailing Address:

Oneonta Police Department
79-81 Main Street
Oneonta, New York 13820

Web site: www.oneonta.ny.us/police

Emergency calls dial:

911

Non-emergency calls dial:

(607) 432-1111



Dennis R. Naylor
Chief of Police

Douglas W. Brenner
Lieutenant

A Guide to the Citizen Complaint Process

