

What happens when the South Bend Police Department (SBPD) receives a community **complaint** regarding the alleged misconduct of an officer?

MISCONDUCT is when an officer or employee commits any of the following:

- Commission of a criminal act
- Neglect of duty
- Violation of a policy, procedure, rule, or regulation

Complaint Submission

Community complaints can be made online, in person, or by phone to the front desk or a shift supervisor. Employees of SBPD are required to put community members wishing to file a complaint in immediate contact with a supervisor.

Elevation to Office of Professional Standards

All complaints are sent to the Office of Professional Standards for review. Depending upon the severity and type of complaint, it will be investigated by a supervisor, the Office of Professional Standards, or both.

Internal Investigation*

The investigation may involve interviews with officers, the complainant, and witnesses, and review of evidence such as video footage, photos, and arrest reports.

Conclude Investigation**

See the next page for details on the possible outcomes of investigations.







Chief's Recommendation for Progressive Discipline

Discipline includes corrective action such as training, change of assignment, verbal or written reprimand, suspension, demotion, or termination. Disciplinary decisions are based on the incident's severity and the officer's disciplinary history.

Board of Public Safety (BPS) Review

All disciplinary recommendations from a letter of reprimand through termination must be submitted to the Board of Public Safety for review. Disciplinary decisions of more than 5 days suspension, demotion, or termination are filed as public record.

*****What are the possible outcomes of an investigation by the Office of Professional Standards?***

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| <ul style="list-style-type: none">•The complaint is valid and the behavior violated regulations. <p>Sustained</p>  | <ul style="list-style-type: none">•The complaint is valid and misconduct occurred, but the employee was not at fault. The investigation revealed that the agency's policy or training was insufficient. <p>Policy/Training Deficiency</p>  | <ul style="list-style-type: none">•During the investigation, new/additional instances of misconduct were discovered which were not related to the original complaint. <p>Misconduct Not Based In Complaint (MNBC)</p>  |
| <ul style="list-style-type: none">•The complaint is valid but the behavior was not improper. It was legal, justified, and complied with agency policy and the law. <p>Exonerated</p>  | <ul style="list-style-type: none">•The investigation did not produce evidence that could prove or disprove the complaint. <p>Not Sustained</p>  | <ul style="list-style-type: none">•The allegation was found not to have occurred. <p>Unfounded</p>  |

*Note that if a violation of civil or criminal law may have occurred, a parallel criminal case will be pursued by an outside agency.