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SUBJECT: INTERNAL AFFAIRS / INTERNAL INVESTIGATIONS	LAST REVIEW DATE: <p style="text-align: center;">January 1, 2010</p>

I. General Policy

To promote the highest professional standards, maximum quality and integrity of the Division of Criminal Investigation, internal affairs investigations will be conducted as appropriate. These functions will be assigned at the discretion of the Administrator.

The assigned authority shall report directly to and act under the immediate direction of the Division Administrator when conducting internal affairs investigations.

A. Internal Affairs

1. Investigate alleged or suspected breaches of integrity by Division personnel.
2. Investigate matters concerning the use of deadly force by Division personnel.

B. Ancillary Function

Conduct investigations, as directed by the Administrator, which are deemed exceptional in nature and can best be managed directly by the Administrator's office.

II. Internal Affairs

The purpose of internal affairs shall be to ensure the integrity of the Division by objective investigation of alleged or suspected breaches of integrity by Division personnel.

A. Objectives

1. To clear personnel innocent of alleged or suspected breaches of integrity and establish the guilt of wrongdoers.
2. To facilitate prompt and just disciplinary action.
3. To uncover defective rules, procedures and materials.
4. To determine the propriety of the administration of force or deadly force involving the use of weapons by Division personnel.
5. To determine responsibility for breaches of security of records or unauthorized intrusion into the facilities of the Division.

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B. Authority

Internal affairs personnel shall have authority to investigate matters of internal affairs only at the direction of the Administrator.

C. Guidelines

1. In General

Only the Administrator may disclose information regarding internal affairs investigations, and persons having knowledge of such investigations shall maintain that confidentiality.

2. Breaches of Integrity

- a. All alleged or suspected violations of laws, ordinances, rules, regulations or orders brought to the Administrator's attention shall be investigated.
- b. Any Division personnel observing a breach of integrity violation shall promptly report the violation to his/her supervisor or to the Administrator.
- c. Any incident involving bodily harm to a citizen, the use of deadly force or the use of a weapon shall be promptly reported to the Administrator, and investigation(s) will be conducted to ensure the legitimate protection of the interests of affected personnel and the Division.
- d. Prior to completion, personnel subject to a breach of integrity investigation will be notified that an investigation was, or will be, initiated regarding him/her. The identity of the complainant will not be divulged.
- e. The subject of an investigation involving a criminal violation will be advised of his/her rights (Miranda) prior to any interview. In matters of a disciplinary nature, the warning need not be given. In matters of disciplinary nature, where appropriate, the Garrity warning will be given.
- f. No reports shall be prepared on a daily basis. The Administrator will be kept verbally informed of the activities and findings of the ongoing investigation. Upon completion of an investigation, a written report will be prepared and filed with the Administrator.

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3. Internal Affairs

- a. When the nature of the investigation allows, and prior to any interview, the employee under investigation shall be advised of the intent to interview. The notification shall include the general nature of the complaint and the employee's rights and responsibilities during the interview.
- b. All interviews of an employee under investigation shall be conducted while the employee is on duty, unless the seriousness of the investigation is such that an immediate interview is required.
- c. All interviews conducted during an internal affairs investigation shall be conducted by two investigators.
- d. Prior to an interview concerning alleged criminal misconduct, the employee shall be read the Miranda rights. The provisions of Miranda shall be adhered to throughout the interview.
- e. Prior to an interview concerning allegations of administrative misconduct, the employee under investigation shall be advised as follows:
 - (1) The employee can be required to answer all questions specifically and directly related to the performance of his/her official duties.
 - (2) Any required self-incriminatory admission made during the interview may only be used in subsequent administrative proceedings, and may not be used against the employee in subsequent criminal proceedings.
- f. Employees are permitted to have an attorney, union representative or other personal representative present with the employee in the interview room during the interview.
- g. Disposition of internal affairs investigations shall be subject to the review of the Administrator.
- h. Pre-disciplinary meetings shall be conducted consistent with the union contract.
- i. Employees interviewed shall not disclose any of the information discussed in the interview, except to their representative or attorney.

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- j. Access to reports
 - (1) The employee under investigation shall be entitled to copies of any tape recordings or transcribed reports.
 - (2) The employee under investigation may also have access to any relevant reports prepared by the employee during the course of his/her work.
 - (3) Any disclosures of the contents of the internal affairs investigation report may only be made after approval by the Administrator.

- k. Nothing in this policy shall supersede state or federal law, personnel rules of the State of Wisconsin, or applicable union contracts.