

**BOONSBORO POLICE DEPARTMENT
CITIZEN COMPLAINT PROCEDURES**

In it's continuing concern to maintain integrity, the Boonsboro Department of Police will accept and investigate all complaints against its' officers. As a complainant, you will be treated with courtesy and respect.

To file a complaint against a police officer, you must:

1: Register your complaint by telephone or in person to the Boonsboro Police Department.

2: Provide information so you can be contacted by the Police Chief. You may be required (1) to give a formal taped statement if your complaint is of a serious nature, or (2) to file your complaint in writing if a taped statement is not feasible.

3: Submit a written notarized complaint within 366 days of the alleged offense if the complaint deals with excessive force/police brutality. (This is required by law). Unless a complaint is filed within this time an investigation that may lead to disciplinary action may not be initiated and an action may not be taken.

4. A complaint against a law enforcement officer may not be investigated unless the complaint is SIGNED AND sworn to, (before an official authorized to administer oaths) UNDER PENALTY OF PERJURY, by;

- a. The aggrieved individual;
- b. A member of the aggrieved individual's immediate family;
- c. An individual with firsthand knowledge obtained because the individual:

- 1. Was present at and observed the alleged incident; OR
- 2. Has a video recording of the incident That, to the best of the individual's knowledge, is unaltered; or
- 3. the parent or guardian of the minor child, if the alleged incident involves a minor child

**GENERAL INFORMATION ABOUT COMPLAINTS &
INTERNAL INVESTIGATIONS**

The investigation of complaints against police officers violating rules or regulations of the Boonsboro Police Department is an administrative action and is considered a personnel matter by the police department. If the complaint warrants, a criminal investigation may result.

The outcome of your complaint will not alter any criminal matter that you may have pending against you.

Many complaints are settled by explanations before they reach the state of a formal investigation. As a matter of policy, your complaint will be settled at the lowest level possible.

Should your complaint go the formal investigative stage and the charges are sustained by the Chief, you and any witnesses on your behalf will be required to testify at a Hearing Board as the need arises.

You will be notified in writing when formal investigations are complete and the result of the investigative findings.

Under Maryland Law, police officers are covered by the Law Enforcement Officers' Bill of Rights. This provides officers under investigation with certain rights. It also establishes guidelines for investigations against officers. All formal investigations are conducted in accordance with this legislation.

**FREQUENTLY ASKED QUESTIONS ABOUT FILING
COMPLAINTS**

Q. Will complaining to an officer make me the subject of retaliation by him or other officers?

A. No. Department rules prohibit such actions. Officers may be charged departmentally for violating those rules.

Q. Will my complaint be subject to newspaper or other media coverage?

A. Maybe. As personnel matters, complaints are not subject to public review. However, if charges are sustained and the complaint is to go before a hearing board, the officer can request that the hearing be public. If this happens, the media can be present.

Q. Do I need a lawyer to assist me during the complaint process?

A. No. You will be kept informed during any investigation and the investigator assigned should be able to answer your questions and concerns. As a complainant, you are not the person being accused of wrongdoing. However, nothing prohibits you from employing an attorney should you desire to do so.

Q. If an officer is found not guilty, can he/she file suit against me?

A. Yes. Police Officers retain the same rights to file suits as any other citizen. Such proceedings would be in a civil court and initiated by the officer – not the Police Department.

Q. Will it cost me to file a complaint?

A. No. No fees are charged for this service and your participation will be scheduled to minimize inconvenience to you or loss of work time.