

## **500.00 – Complaint Intake and Internal Affairs Processing**

### **Refer:**

- Fair Labor Standards Act and 29CFR Sec 541.118
- Civil Service Rules
- State Records Retention Schedules
- Collective Bargaining Agreements

### **Definitions:**

- **Administrative Investigation:** An investigation conducted by or at the direction of the Internal Affairs Unit into allegations of policy violations by a member.
- **Case File:** A file containing copies of all materials relating to a specific case.
- **Complaint:** An allegation of a violation of a directive, violation of policy or procedure or criminal misconduct made by any person against a Sheriff's Office member. A "complaint" shall not mean and does not include a dispute between a community member and a member regarding the discharge of the member's official duties where there is no allegation of member misconduct. Additionally, a complaint shall not mean and does not include a grievance filed by an inmate if the grievance is subject to resolution under the provisions of the Corrections Division inmate grievance procedure.
- **Corrective Action:** Disciplinary steps taken to correct and improve member performance.
- **Informal Corrective Action:** Steps taken to improve member performance where there is no sustained policy violation. May be imposed on a member by any supervisor or command member in accordance with the member's collective bargaining agreement.
- **Counseling:** Direct feedback provided by a supervisor when there are employee performance concerns. May be used to assist the employee in achieving a satisfactory level of performance prior to initiating any more formal resolution. Does not require a sustained policy violation.
- **Disposition without Administrative Investigation:** The Internal Affairs Unit may, through the Pre-Investigative Assessment process, decline to investigate some or all aspects of an allegation or complaint.
- **Exempt Manager:** Nonsworn civilian manager equivalent to the rank of Lieutenant and above.
- **Findings:** A determination of whether a complaint is unfounded, exonerated, not sustained or sustained. These findings have the following definitions:
  - **Unfounded:** The complaint is false; this is a high threshold and requires a high level of certainty that there is not a factual basis for the complaint or no credible basis exists that the complaint constitutes a violation of policy or procedure.
  - **Exonerated:** Based on a preponderance of the evidence, the action occurred, but was within policy.

- Not Sustained: Based on a preponderance (or sufficient evidence) of the evidence, there exists insufficient evidence to support a sustained finding.
- Sustained: Based on a preponderance of the evidence, there exists sufficient evidence to find a violation of policy or procedure.

- Management Review Team (MRT): A panel comprised of the respective Division Chief and at least two exempt managers to consider the sufficiency of an administrative investigation.

Oral or Written Reprimand: A warning that a supervisor or manager gives to an employee as a means of rectifying an incident or behavior that requires a sustained policy violation. Does not require a formal IAU process unless requested by the employee.

- Pre-Investigative Assessment (PIA): A committee comprised of the Professional Standards Unit Manager, the Human Resources Unit Manager, and Internal Affairs investigators to consider the sufficiency of evidence to initiate an administrative investigation.

- Preponderance of the Evidence: Facts and circumstance indicating it is more likely than not that a violation of policy or procedure either occurred or did not occur.

- Stipulated Agreement: The member accepts the administrative investigative findings and recommended corrective action.

**Policy:**

1. The Multnomah County Sheriff's Office (MCSO) views complaints against its members as serious matters directly related to the public trust and performance of the agency. As public employees holding positions of trust and responsibility, all members are held to a higher standard of conduct than are members of the public.

2. Investigations of complaints are entrusted to the Internal Affairs Unit. The Internal Affairs Unit is responsible for maintaining the highest standards of integrity and accountability in the Sheriff's Office by appropriately evaluating and processing complaints.

3. It is the policy of the Sheriff's Office to investigate complaints in a timely, thorough and impartial manner. The Sheriff's Office will comply with all applicable laws, collective bargaining agreements, and constitutional protections/rights in conducting investigations into member misconduct and/or imposing corrective action.

4. All members are expected to comply with complaint intake and Internal Affairs Unit processing as outlined in this policy.

5. Where applicable, outlined processes within this policy shall remain in accordance with Civil Service Rules, Collective Bargaining Agreements, and State Records Retention Schedules.

**Corrective Action:**

1. Corrective action is progressive disciplinary steps taken to correct and improve member performance. This does not include counseling Corrective action is imposed upon members after

review and investigation via the Internal Affairs Unit processes outlined in this Policy. All members are subject to a range of corrective action set by law, rule and policy and is administered by the Sheriff or designee.

2. Members subject to a collective bargaining agreement shall be subject to corrective action as follows:

2.1.1. Informal corrective action, such as oral reprimand and/or counseling, may be imposed on a member by any supervisor or command member in accordance with the member's collective bargaining agreement.

2.1.2. Upon delegation by the respective Division Chief, corrective action up to and involving suspension of one (1) day or less, as a result of an administrative investigation may be imposed by the respective Unit Manager.

2.1.3. Corrective action involving suspension for a period of two (2) days, but less than twenty (20) days, shall be imposed by the respective Division Chief.

2.1.4. Corrective action involving reduction of pay grade or suspension for a period of twenty (20) days or more and/or demotion shall be imposed by the Sheriff or designee.

2.1.5. Corrective action involving termination of a member shall be imposed by the Sheriff.

3. Members not subject to a collective bargaining agreement are subject to a range of corrective action, administered by the Sheriff or his or her designee. Consistent with the Fair Labor Standards Act and 29CFR Sec 541.118, these members are subject to disciplinary suspension of less than one full work week only for violations of safety rules of major significance relating to the prevention of serious danger to the physical institutions of the Sheriff's Office, or other members.

#### **Procedure:**

1. Complaint Intake:

1.1. Any person, including known, anonymous or third party, may make a complaint alleging misconduct by a member.

1.2. MCSO maintains a Complaint Form on the agency website ([www.mcso.us](http://www.mcso.us)). In accordance with MCSO's Complaint Form, complaints should include contact information, an overview of the alleged incident and desire as to how the complaint should be resolved.

1.3. The Complaint Form may be delivered in the following ways, to include but not limited to:

1.3.1. In person with any member or at any MCSO facility. The member will forward the information, through channels, to the Internal Affairs Unit.

1.3.2. By faxing the Internal Affairs Unit (503-988-4324).

1.3.3. By electronic mail via [iau@mcso.us](mailto:iau@mcso.us).

1.3.4. By telephoning the Internal Affairs Unit (503-988-4557).

1.3.5. By mail to the Multnomah County Sheriff's Office.

1.4. The Internal Affairs Unit will maintain a record of all complaints received.

2. Duty to Report Member Misconduct:

2.1. Each member of the Sheriff's Office who has reason to believe that another member has acted in a manner contrary to the public interest or the proper operation of the Sheriff's Office by violating a law, rule, directive, or procedure shall report the alleged misconduct to a supervisor, exempt manager, or the Internal Affairs Unit.

2.2. Supervisors and Exempt Managers have an affirmative duty to report and take appropriate action on member misconduct including, but not limited to, intervening as appropriate to stop the misconduct and reporting the act(s) to the Internal Affairs Unit for investigation and/or notifying their chain of command.

### 3. Oral or Written Reprimand by an Exempt Manager:

3.1. Notwithstanding any other provision of the Agency Manual, exempt managers in consultation with Human Resource Manager may address violations in a timely manner by issuing an oral or written reprimand, when justified, by following established procedures guaranteeing due process.

3.2. An exempt manager who becomes aware of a possible violation that, if found to be sustained, could reasonably be expected to result in an oral or written reprimand, shall meet with the accused member and explain both the allegation and the options available to the member.

3.3. The accused member, after hearing the allegation, may choose to have the matter referred to the Internal Affairs Unit for a formal investigation, or may choose to have the exempt manager process the allegation and, if justified, administer an oral or written reprimand.

3.4. If the accused member asks that the allegation be referred to IAU, the exempt manager shall not issue an oral or written reprimand, but will forward the allegation in writing to IAU. It is recognized that a complaint referred to IAU will be processed in the prescribed manner, and may result in corrective action other than an oral or written reprimand, as outlined in the Corrective Action Guidelines.

3.5. An exempt manager processing a complaint, per the wishes of the accused member, shall discuss the allegations with the member and shall consider the member's statement, as well as consider any witness statements. The accused member is entitled to have a bargaining unit representative present during this meeting, if he or she chooses. (The role of the representative is outlined in Section 5.7.15 of this policy.)

3.6. When justified, an exempt manager may, after consulting with the MCSO Human Resources Manager, or designee, issue a written reprimand to the accused member. The manager issuing the written reprimand shall forward a copy to the member's bargaining unit, if any, a copy to the Internal Affairs Unit, and a copy shall be delivered to the MCSO Human Resources Unit to be placed in the member's personnel file. The retention schedule for written reprimands remains unchanged by this procedure.

3.7. Nothing in this section is meant to limit a member's right to appeal corrective action, as outlined in the member's collective bargaining agreement. Additionally, a member receiving a written reprimand under this section may, within ten (10) calendar days from receipt, respond in writing. Such written response or rebuttal shall be placed in the Internal Affairs file and the member's personnel file.

3.8. An oral or written reprimand issued in accordance with this section may be used as the basis for progressive discipline, as outlined in the Corrective Action Guidelines.

### 4. Pre-Investigative Assessment (PIA):

4.1. The Pre-Investigative Assessment (PIA) Committee meets routinely to assess complaints and if there is sufficient evidence to initiate an administrative investigation or to determine if the complaint falls within the following prescribed timelines:

4.1.1. Non-criminal complaints received one (1) year from the date of occurrence or

4.1.2. One (1) year from the date the complainant discovered the act or omission of  
or

4.1.3. A complaint alleging a member violated a law, including a criminal statute, filed within the period of limitation established by law or

4.1.4. In the exercise of reasonable care should have discovered, but either way not exceeding three (3) years.

4.1.5. Any complaints (that involve criminal conduct) that are over prescribed timelines may be assessed at the direction of the Sheriff.

4.2. The PIA Committee will further assess potential conflicts of interest and/or the best way to process the complaint:

4.2.1. Refer complex complaints (e.g. potential conflicts of interest) to the Sheriff for further direction or

4.2.2. Determine that the complaint meets criteria for Disposition Without Administrative Investigation and close the complaint or

4.2.3. Consult with the supervisor and/or other agency unit managers (e.g. Training) to address the nature(s) of the complaint with the member and close the complaint or

4.2.4. Consult with the supervisor, the Human Resources Unit Manager, a Labor Relations representative and/or the County Attorney's Office to issue oral or written reprimand or

4.2.5. Refer to Investigations Unit for criminal investigation or

4.2.5.1. Except as authorized by the Sheriff, in the event a member becomes the subject of a criminal investigation, the Sheriff's Office will hold in abeyance any administrative investigation directly related to the criminal allegation(s). The Professional Standards Unit Manager will monitor the progress of the criminal investigation via the Investigations Unit Manager and District Attorney's Office. After the criminal investigation, the Professional Standards Unit Manager will obtain a complete copy of the investigation and begin an administrative investigation in accordance with this Policy. The Sheriff reserves the right to direct the initiation of a parallel administrative investigation concurrent with the criminal investigation.

4.2.5. The member and bargaining unit of the member under criminal investigation will be notified of the criminal investigation, if known by the Sheriff, unless such notification would or could potentially compromise the integrity of the investigation.

4.2.6. Initiate an administrative investigation.

4.3. The Professional Standards Unit Manager, with input from the PIA Committee, will make the final determination about complaint processing and document the meeting.

4.4. The Professional Standards Unit Manager, or designee, will update the Sheriff and respective Division Chief on the PIA Committee's assessment and any administrative investigation.

4.5. Within ten (10) days of the PIA, the Internal Affairs Unit will notify the complainant regarding the status of their complaint. If the complaint is determined, Disposition Without Administrative Investigation, the Internal Affairs Unit will also notify the complainant of the decision and the appeals processes.

4.5.1. The complainant must give notice of intent to appeal to the Internal Affairs Unit within ten (10) days of notification of findings. This marks the start of the appeals process.

4.5.2. The Professional Standards Unit Manager will:

4.5.2.1. Notify the Sheriff and the respective Division Chief of the complainant's intent to appeal.

4.5.2.2. Provide the Sheriff and respective Division Chief with a brief overview of the complaint.

4.5.3. The Sheriff will give the Professional Standards Unit Manager written direction and an explanation on disposition of the complaint, in accordance with this policy.

4.5.4. The Internal Affairs Unit will communicate the outcome of the appeal to the complainant. This marks the end of the complainant appeals process.

## 5. Administrative Investigation: Initiation and Investigation

5.1. To initiate an administrative investigation, the Internal Affairs Unit will, consistent with collective bargaining agreements assign an investigator to the case and provide a Notice of Complaint to the member and their respective union representation. If the member is exempt, the member may choose to be represented by counsel.

5.2. The Notice of Complaint will serve as documentation to the member of receipt of the complaint, the alleged policy violation(s) and rights and responsibilities throughout the administrative investigation. This action begins the administrative investigation.

5.3. Unless extended by the Sheriff, an administrative investigation shall be completed within one hundred eighty days (180) from the date of the Notice of Complaint provided to member.

5.4 The time limit described above does not apply if:

a) The accused member is incapacitated or unavailable.

b) The investigation involves an allegation of worker's compensation or disability fraud by the member.

c) The member waives the limit in a signed writing.

d) The investigation requires a reasonable extension of time for coordination with one or more other jurisdictions.

e) The investigation involves more than one member and requires a reasonable extension of time.

f) The investigation is the subject of a pending criminal investigation or criminal prosecution and/or the sentencing phase of the prosecution has not concluded.

g) The investigation involves a matter in civil litigation in which the member is a named defendant or the member's actions are alleged to be a basis for pending liability. If the County has agreed to defend and indemnify the member, the outcome of the civil case cannot be used or held against the member in any subsequent investigation.

h) The investigation is the result of a complaint by a person charged with a crime, and the criminal matter is still pending.

5.5. After notification, the Internal Affairs Unit investigator will open a case file and begin to compile evidence based on the scope of the complaint. Evidence may include, but is not limited to, the complaint, supporting documentation, videos and interviews.

5.6. If during the administrative investigation, the investigator learns of alleged policy violations that are not within the scope of the complaint, the investigator will refer the matter to the Pre-Investigative Assessment Committee for possible amendment of policy violations.

5.7. Obstructing or hindering Administrative Investigations is prohibited.

- 5.7.1 No member shall attempt to obstruct or hinder an administrative or internal investigation by:
  - 5.7.1.1. Concealing or destroying, or attempting to conceal or destroy evidence relevant to an investigation or potential investigation.
  - 5.7.1.2. Contacting witnesses or potential witnesses in an attempt to alter or influence their memory of events under investigation or potentially under investigation.
- 5.7.2. Notwithstanding the provisions of Section 5.6 (5.6.1), nothing in this rule prohibits an accused member, or a member acting as a representative of the accused, from contacting witnesses or gathering evidence relevant to an ongoing investigation.

#### 5.8. Scope of Representative's Role during Investigatory Interview

Notwithstanding any provisions of a collective bargaining agreement to the contrary, the role of a bargaining unit representative during an investigatory interview shall be as follows:

- 5.8.1. The representative may inquire at the outset of the interview as to the reason for the interview, including inquiring about the general subject matter of the questioning to follow.
- 5.8.2. During the investigator's questioning of the member, the representative may participate only to the extent of seeking clarification of questions. The representative may not instruct the member regarding how to answer a question or advise the member whether or not to answer. During the investigator's questioning of the member, the representative may participate only to the extent of seeking clarification of questions. The representative and the member may speak privately during the interview; as long as the investigator does not believe it is intentionally to delay or disrupt the interview. After the investigator has completed the questioning of the member, the representative may ask the member questions designed to clarify previous answers or to elicit further relevant information.
- 5.8.3. Before the end of the interview, the representative may suggest to the investigator other witnesses to interview and may describe relevant practices, prior situations, or mitigating factors that could have some bearing on the Sheriff's Office's deliberations concerning corrective action.

#### 6. Administrative Investigation: Conclusion and Response

- 6.1. The investigator will provide a copy of the complete case file to the member and their respective union representation for review and response within five (5) days of receipt.
- 6.2. After the employee and/or union response is received, notice that no response will be given, or five (5) days since notice of review was served, the investigator will include any information received from the member, their union representative or their counsel, and submit the case file, along with the Investigator's Summary, to the Professional Standards Unit Manager. An extension may be requested by the employee and/or union representative. This concludes the administrative investigation.

#### 7. Administrative Resolution: Recommendation of Findings

- 7.1. The Professional Standards Unit Manager will review the case file for format, accuracy, thoroughness and investigative quality. The Professional Standards Unit Manager will then

complete a Summary of Findings. The Summary of Findings will recommend a finding and corrective action, if appropriate, for submission to the respective Division Chief.

7.2. The Professional Standards Unit Manager may recommend a stipulated agreement when there is no disagreement over the material facts of the case to the respective Division Chief. With the agreement of the Division Chief and Human Resource Manager, the Professional Standards Unit Manager will communicate the option of a stipulated agreement and recommended corrective action to the accused member and their respective union representation. If accepted, the administrative investigation will proceed to a Division Chief Conference. If declined, the administrative investigation will proceed to the Management Review Team.

#### 8. Administrative Resolution: Management Review Team (MRT)

8.1. The respective Division Chief will work with the Internal Affairs Unit to convene a Management Review Team (MRT) for case files where a stipulated agreement is not appropriate or has not been accepted. The MRT shall consider the sufficiency of the investigation, the appropriateness of the recommended findings and corrective action, and offer their own suggestions related to resolution of the case or recommend that the case file be returned to the Investigator for additional follow up.

8.2. The respective Division Chief will chair the MRT meeting, while the Professional Standards Unit Manager and assigned investigator will be present to answer questions. The MRT shall be comprised of no fewer than two (2) exempt managers, chosen by the respective Division Chief. The Division Chief may appoint an additional exempt manager if a case would benefit from expanded MRT review.

8.3. MRT members may consult with the Human Resources Unit Manager, a Labor Relations representative and/or the County Attorney's Office on any case under their review. MRT members will individually record their suggested findings related to the allegations, in writing, and forward them to the respective Division Chief.

#### 9. Administrative Resolution: Executive Determination

##### 9.1. The respective Division Chief:

9.1.1. Shall review the case file, which includes the findings report and the MRT memos.

9.1.2. May consult with the Human Resources Unit Manager, a Labor Relations representative and/or the County Attorney's Office for additional guidance or ask the Internal Affairs Unit for additional investigation.

9.1.3. Shall consult with the Human Resources Unit Manager, a Labor Relations representative and/or the County Attorney's Office on contemplated corrective action spanning ten (10) days or more.

9.1.4. Determine the disposition of findings and contemplated corrective action in accordance with the Agency's Corrective Actions Guidelines and the Standards of Just Cause. The following constitutes a non-exhaustive list of elements that will be considered:

9.1.4.1.1. The member's work history and length of service.

9.1.4.1.2. The impact or potential impact of sustained allegations on the Sheriff's Office.

9.1.4.1.3. The sufficiency of the member's training.

- 9.1.4.1.4. The presence of clear and specific policies or procedures.
- 9.1.4.1.5. The adequacy of supervision.
- 9.1.4.1.6. Factors that may have impacted the member's state of mind during the event(s) under investigation.
- 9.1.4.1.7. The presence of mitigating or aggravating factors.
- 9.1.5. Return the case file to the Internal Affairs Unit and inform the assigned investigator of any contemplated corrective action.

#### 10. Administrative Resolution: Division Chief Conference

- 10.1. The respective Division Chief will work with the assigned investigator to provide written notice to the member and their union representation or counsel and schedule a Division Chief Conference to discuss the disposition of findings and any contemplated corrective action.
- 10.2. If the finding is sustained, a Letter of Contemplated Corrective Action will be provided to the accused member and include copies of the Professional Standards Unit Manager's Findings, MRT memos and Corrective Action Guidelines.
- 10.3. The Division Chief Conference with the member shall be recorded. During the Division Chief Conference, the member may provide their respective Division Chief with additional evidence and/or information regarding the facts of complaint, investigative findings or the proposed corrective action.
- 10.4. In cases where the corrective action is being imposed by the Sheriff, or their designee they shall attend the Chief Deputy Conference.
- 10.5. After the Division Chief Conference, the respective Division Chief may:
  - 10.5.1. Consult with the Human Resources Unit Manager, a Labor Relations representative and/or the County Attorney's Office for additional guidance or consult with the Professional Standards Unit Manager for more information,
  - 10.5.2. Return the file for further investigation,
  - 10.5.3. Modify the findings, or
  - 10.5.4. Impose appropriate corrective action.
- 10.6. The respective Division Chief shall record his/her final actions in the case file and return all documentation to the assigned investigator. If contemplated discipline includes suspension of twenty days or more the Sheriff shall record his or her final action in the case file and return all investigation documentation to the Investigator.
- 10.7. The assigned investigator will provide written closure documentation of the administrative investigation to the complainant and, if applicable, notification of the complainant appeal process.

#### 11. Appeal by Complainant:

- 11.1. If the outcome is exonerated, unfounded or not sustained, the complainant may appeal this decision.
- 11.2. The complainant must give written notice of intent to appeal to the Internal Affairs Unit within ten (10) business days of notification of findings. This marks the start of the appeals process.
- 11.3. The Professional Standards Unit Manager will notify the Sheriff, the respective Division Chief, the member and their union representation or counsel, if applicable of the complainant's intent to appeal.

11.4. At the direction of the Professional Standards Unit Manager, the assigned investigator will:

11.4.1. Provide the Sheriff with a copy of the case file and a brief overview of the case,

11.4.2. The Sheriff will select three (3) community members to review the complaint findings, and appeal.

11.4.3. The Professional Standards Unit Manager will:

11.4.3.1. Facilitate the community members' review.

11.4.3.2. Ensure members individually record, in writing, whether to recommend a change in finding.

11.4.3.3. Present community member recommendations to the Sheriff.

11.5. Within ten (10) days of the meeting with the complainant to discuss the appeal, the Sheriff will inform the respective Division Chief of his/her decision on the case. The Sheriff may order any remedy upon appeal, including but not limited to, agreeing with the Division Chief Conference determination, impose corrective action, further investigation and/or remedial training.

11.6. The Sheriff shall record his/her final actions in the case file and return the case file to the respective Division Chief. This action completes the appeals process.

11.7. The respective Division Chief will return the case file and all documentation to the investigator.

11.8. The Internal Affairs Unit will communicate the outcome of the appeal to the complainant, member and their union representation or counsel, if applicable.

11.9. At the conclusion of the Division Chief Conference, if a finding has been made, the assigned investigator will provide the member and the respective union representative with all signed closing documents.

## 12. Appeal by Member:

12.1. If the outcome is sustained, the member will be given notice of the finding and proposed corrective action in accordance with Sheriff's Office Corrective Action guidelines. The member may appeal this decision.

12.2. The member must give written notice of intent to appeal to the Internal Affairs Unit within ten (10) days or as provided for in the applicable collective bargaining agreement. This marks the start of the appeals process.

12.3. The Professional Standards Unit Manager will notify the respective Division Chief and the Sheriff.

12.4. At the direction of the Professional Standards Unit Manager, the assigned investigator will:

12.4.1. Provide the Sheriff with a copy of the case file and a brief overview of the case,

12.4.2. Set a meeting to discuss the appeal between the member, their union representation or counsel if any, the Professional Standards Unit Manager, the respective Division Chief and the Sheriff.

12.5. Within ten (10) days of the meeting discussing the appeal, the Sheriff will inform the respective Division Chief of his/her decision on the case. The Sheriff may order any remedy upon appeal, including but not limited to reduction or modification of any corrective action

imposed, the offer of implementation of a last chance agreement in lieu of termination or change the finding(s).

12.6. The Sheriff shall record his/her final actions in the case file and return the case file to the respective Division Chief. This action completes the appeals process.

12.7. The respective Division Chief will return the case file and all documentation to the investigator.

12.8. The Internal Affairs Unit will communicate the outcome of the appeal to the complainant, member and their union representation or counsel, if applicable.

12.9. An appeal under this section shall not serve as or be construed as a substitute for any remedy available to the member provided by law, civil service rules, or provisions of the member's collective bargaining agreement. Confidential and Exempt Classified members have additional available remedies provided by the Multnomah County Personnel Rules.

#### 13. Internal Affairs Records Management:

13.1. Internal Affairs Unit cases are considered confidential and access is limited to Multnomah County parties involved in review procedures outlined in this Policy.

13.2. Case files will be managed in accordance with applicable public records law and consultation with the County Attorney's Office.

13.3. Members may file a written memorandum to the Sheriff, routed through their chain of command, requesting their case file and findings not be released for employment matters.

#### 14. Name Clearing:

Upon member termination, members may request a name clearing hearing via Human Resources procedure.

#### 15. Use of Polygraph Examinations Prohibited:

15.1. The use of polygraph examinations is expressly prohibited in all investigations involving complaints of member misconduct. No member shall be required to submit to a polygraph examination in any internal investigation.

15.2. The Inspector or his or her designated investigator shall not include or accept as evidence, or in any way consider the results of, a polygraph examination offered by a complainant, accused member or witness in an internal investigation. The prohibition against the use of polygraph results shall apply even though the party offering the results voluntarily submitted to the polygraph examination. ORS 659.840 & 659A.300

#### History:

- Originating Policy/Procedure: 6/12/2020
  - This Policy and Procedure supersedes all prior MCSO policy and procedure relating to Complaint and Corrective Action Procedures.
- Next Review Date: 6/12/2022
- Review By: Executive Office