

Complaint Investigation

Every complaint of misconduct will be processed by the Chief of Police.

Upon receipt of a complaint, the Chief will assign the case for investigation. Generally, complaints will be assigned to the employee's supervisor. More serious or complex matters may be referred to the Patrol Lieutenant, an outside police agency, or the NH Attorney General's Office Public Integrity Unit. Depending on the allegation(s), a notification to the NH Police Academy - Conduct Review Committee may be required.

(NH RSA 106-L:17)

Investigators will:

- Attempt to interview the complainant, the accused employee and all witnesses;
- Examine physical evidence;
- Review reports, records, and body camera footage;
- Thoroughly document the facts surrounding the incident and allegation.

The investigator's report will be submitted to the Chief of Police who will review it for completeness, objectivity, and make a final disposition.

Investigative Procedures

The standard of proof in an administrative investigation is a preponderance of the evidence. It is less than the standard in a criminal case, which is guilt beyond a reasonable doubt. Police employees have the right to grieve the final disposition made by the Chief of Police. If, during the course of the investigation, it is determined that the employee could face significant discipline, we may ask you to submit a sworn statement. In a criminal investigation police employees have the same rights as any citizen, including the right to remain silent. If officers are ordered to answer questions or face discipline, their answers cannot be used against them in a criminal matter. Under state law, portions of complaint investigations are public records (Provenza v. Town of Canaan). Once completed, the investigation will be retained and made available for review or release upon request.

Submitting a Compliment/Complaint

The Bow Police Department (BPD) is dedicated to providing the highest quality police services to residents of, and visitors to, the Town of Bow. Your compliments and complaints are important to the BPD and we appreciate you taking the time to communicate with us.

To e-mail a compliment or complaint, visit the BPD website and follow the instructions therein. To mail a compliment or complaint, complete a Public Compliment or Complaint Form which is available:

- On BPD's website:
www.bownh.gov/237/police
- Public Safety Center foyer
- Bow Town Hall

Your complaint will be accepted even if it is not on our form. The public can file a complaint in person or by telephoning the police department 24 hours a day.

Disciplinary Action

The BPD's Code of Conduct utilizes the principle of progressive discipline. This allows for cumulative increase in penalty considering prior discipline while also allowing for consideration of mitigating circumstances. Once management has reached a final disposition, appropriate action will be taken. This may involve documented counseling or re-training. It may also involve the imposition of disciplinary action which includes oral reprimand, written reprimand, suspension or termination.

Contact Us:



Phone

603-223-3950



Website

www.bownh.gov/237/police



Address

Bow Public Safety Center
7 Knox Road
Bow, NH 03304

BOW POLICE DEPARTMENT



COMPLIMENT OR COMPLAINT PROCESS



BPD's Responsibilities:

The BPD recognizes its responsibilities to maintain the public confidence and trust, and the need to ensure integrity and accountability both by the agency and by each employee.

The Public's Responsibilities:

As we recognize the rights of all citizens, the public should recognize that BPD employees must be able to exercise their best judgment in taking the necessary and reasonable action in the performance of their duties without fear of reprisal.

Bow Police Department Policy:

It is the policy of the BPD to respond to compliments or complaints received from the public.

Complimentary letters are:

- Reviewed by the employee's first line supervisor,
- Forwarded to the BPD command staff,
- Forwarded to the employee and placed in the employee's personnel file.

Complaint letters or forms follow a very specific complaint procedure that:

- Ensures fair and proper action is taken when an employee is accused of misconduct,
- Protects employees from unwarranted or false accusations,
- Ensures a thorough, fair and objective investigation and
- Helps identify and correct deficiencies in policies, procedures and/or training

PUBLIC COMPLAINT PROTOCOL

Anyone can submit a complaint

The person most directly affected by the alleged conduct should be the person to complain. Under most circumstances, this is the person most likely to provide the best information about the incident. However, third party complaints will be accepted and investigated to the best of our ability.

Complaints can be made at any time.

To help ensure evidence is still available and recollections of the incident are fresh, complaints should be made as soon as possible after the alleged misconduct occurred.

Complaints may be made:

- By mail to the Office of the Chief at Bow Police Department, 7 Knox Road, Bow, NH 03304
 - In person at BPD Headquarters, or
 - By telephoning BPD at 603-223-3950
- All complaints received by the BPD are forwarded to the Office of the Chief where they are logged in and assigned a tracking number.

Complaints should be concise and specific.

Describe the conduct of the employee that you believe to be improper. For example, rather than saying the employee was rude, explain how the employee was rude by :

- Providing the specific words or phrases used.
- Describing the employee's tone of voice.
- Citing particular acts of rudeness.

Identify the employee as much as possible by providing the:

- Employee's badge number and patrol vehicle number.
- Date, time and location of the incident.
- If available, include the names, addresses and telephone number of any witnesses.

(Note: BPD officers are required by policy to properly identify themselves upon request.)

The subject of the complaint should involve alleged misconduct by an employee.

The focus of the BPD complaint procedure is on alleged misconduct by the BPD employee that encompasses violation of laws or BPD policies and procedures. Dissatisfaction with an arrest or ticket is not considered a "complaint" and you will be referred to the court with the appropriate jurisdiction.

Anonymous complaints are investigated, but not recommended.

Although anonymous complaints are investigated, the investigations are less likely to reveal all the facts surrounding an incident when the investigator is unable to contact the complainant. BPD encourages individuals with allegations of misconduct by our employees to identify themselves and submit to an interview.

Making a complaint will not affect actions or charges against the complainant.

Employees are prohibited from retaliating against you for reporting truthful information in lodging a complaint against them. Any charges or legal issues (present or future) must be decided by the appropriate court. The investigation of your complaint will focus on the conduct of the employee, not charges against you. Any charges against you are a separate issue that you will have to resolve at court. Therefore, if you were arrested or issued a ticket or summons during the incident that led to your complaint, you must still follow the direction of the appropriate court in resolving the case.