



Edina Police Operations Manual

Policy Number
360.00

Subject:

CITIZEN'S COMPLAINT PROCEDURE

Effective Date
11/04/2019

Revised Date
03/03/2020

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PURPOSE:

To provide a procedure for the filing of a citizen's complaint relating to the conduct of a member of the Edina Police Department.

360.01

GENERAL STATEMENT OF POLICY

It is the policy of the Edina Police Department to receive complaints involving the conduct of its employees when a person believes that a law enforcement act or conduct of department employee is improper.

360.02

DEFINITIONS

For the purposes of this section the following terms are defined as:

Subd. 1 Complaint

A communication, written, verbal or otherwise, alleging that a department employee has engaged in an act that constitutes misconduct or violates department policy, city code or federal/state law.

Subd. 2 Informal Complaint

A complaint in which the allegation(s) involve; non-regulated conduct, procedural policies/matters or questioning the lawful execution of police duties. An informal complaint would not include allegations involving the violation of federal/state laws or criminal conduct.

Subd. 3 Formal Complaint

A complaint alleging a department employee has engaged in an act that constitutes; misconduct, criminal conduct or a violation of department policy, city code or federal/state law. Formal complaints are submitted in writing and signed by the complainant using EPD form 2200.

Subd. 4 Complainant

A person who files a complaint with the department alleging misconduct or improper conduct by an employee of the department including any aggrieved party who assists the person in filling the complaint.

360.03

COMPLAINT PROCEDURE

Subd. 1 Anyone who has personal knowledge of facts or who has reliable hearsay information alleging the misconduct or improper conduct of a department employee may file a complaint.

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- Subd. 2** Informal complaints shall be received by an on-duty supervisor by phone or in person.
- Subd. 3** The on-duty supervisor should attempt to resolve informal complaints or complaints of non-regulated conduct, procedural matters or conduct where there is a potential misunderstanding regarding the lawful execution of police duties and where mediation of the complaint is acceptable to the complainant. If an informal complaint cannot be resolved, a formal complaint may be filed by the complainant.
- Subd. 4** Formal complaints shall be submitted in writing and signed by the complainant using EPD form 2200. The complaint shall record all instances of alleged employee misconduct. Investigation of complaints which are not in writing or unsigned or anonymous will be limited to the restrictions outlined in MN State Statute [626.89 Subd. 5](#).
- Subd. 5** Completed EPD 2200 forms may be received by any police department employee. The employee shall forward EPD form 2200 directly to an on-duty supervisor. Upon review, the on-duty supervisor shall notify the chief of police advising the existence of the complaint and forward the formal complaint to the chief of police as soon as practical.
- Subd. 6** The chief of police shall follow established department procedures for processing such complaints in accordance with Policy 365.00 of this manual.