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Contact with Victims/Witnesses during on-going DPA Investigations
(Re-issue DB 16-186)

Members are reminded that under Police Commission Resolution 1159-88, they may not contact victims or witnesses during an on-going administrative investigation: "Officers are not allowed to contact complainants or witnesses regarding the issues in the complaint while the complaint is under investigation."

Police Commission Resolution 1159-88 #3 states: "Members who are the subject of a complaint filed with the DPA shall not contact the complainant or witnesses regarding the issues of the complaint. If the member must contact the complainant or a witness to a complaint in the line of duty, the officer shall not discuss or make any reference to the complaint." If a member comes into contact with a "known" party to a DPA complaint, members shall write a memorandum regarding the incident and submit it through the chain of command. Some examples of contact are:

1. Upon a traffic or pedestrian stop, you realize the complainant or witness is the driver or passenger.
2. A call for service to the residence/business that necessitates a police response.

If an officer happens to be walking by the complainant or witness, they would not have to write a memo.

Further, members are reminded that DGO 2.01, Rules 48 and 49, prohibit members from compromising any investigation or divulging confidential information:

COMPROMISING INVESTIGATIONS. Except as required by law or by Department policy and procedure, members shall not divulge any information or engage in any conduct that may compromise an investigation or prosecution of a criminal offense.

DIVULGING CONFIDENTIAL INFORMATION. Except as required by law, members shall not divulge any information that is made confidential by law or by Department policies and procedures.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.