

# **TOWN OF CHESWOLD POLICE DEPARTMENT**

**PHONE: 302.734.2202**  
**FAX: 302.734.1355**



**P.O. Box 220**  
**CHESWOLD, DE 19936**

Christopher Workman,  
Chief of Police

## **Civilian Complaint Packet**

The Cheswold Police Department is dedicated to upholding high ethical standards and public trust. Standards of the profession must be elevated to strengthen the public confidence in law enforcement, to encourage officers individually and collectively to appreciate the total responsibilities of their office; and to earn the support and cooperation of the general public.

With the goal of maintaining professional standards, the Cheswold Police Department has a Chief of Police, who shall investigate all internal matters, allegations, and other complaints against Department personnel.

If you want to make a civilian complaint against a member of the Cheswold Police Department please complete and submit this civilian complaint packet. Please make sure this packet is filled out completely (**please print clearly or type**).

Please provide as much information as possible describing what happened, where it happened and when it happened.

Please identify who was involved including any witnesses and if possible identify the police officer(s) involved.

Please sign and date the form.

- Note – You may submit a complaint anonymously however there will be no way to follow up with you on the status of the complaint.

You may obtain a complaint packet at:

**Cheswold Town Hall / Cheswold Police Department**  
**691 Main Street**  
**Cheswold, DE 19936**

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You may submit a Civilian Complaint Packet in the following manner:

- In person at the Cheswold Police Station, 691 Main St. Cheswold, DE 19936
- By mail to the above address
- By fax (302) 734-1355 Monday-Friday 8:00 am until 4:00 pm
- ***Please make sure the packet is directed to the Chief of Police.***

If you need assistance filling out the packet or have questions please contact Chief of Police at **(302) 734-2202** . After the complaint is received the Chief of Police will acknowledge receipt of the complaint.

The Chief of Police maintains the confidential status of all internal affairs investigations and records. All Internal Affairs investigations are conducted in accordance with the Cheswold Police Department Rules and Regulations, Department General Orders, Special Orders, the State of Delaware Police Officers' Bill Of Rights and existing collective bargaining agreements.

All complainants will be formally notified by the Chief of Police of the beginning and end of an internal investigation, along with periodic status reports, when necessary. You may be contacted and a request may be made for you to provide time for an interview and formal witness statement.

Upon completion of the investigation you will be notified by mail of the outcome of the investigation and the action taken. This notification will take place unless release of that information is prohibited by the Police Officer's Bill of Rights.

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### Frequently Asked Questions:

#### **WHAT IF I FILE A FALSE COMPLAINT?**

If you believe the complaint to be valid and the officer is ultimately exonerated, the case will be ended. However, if it is determined that the complaint was intentionally false and malicious, you may be subject to criminal charges or a civil suit.

#### **IF I AM UNDER 18 YEARS OLD, DO I HAVE THE RIGHT TO FILE A COMPLAINT?**

Yes. Just have a parent, legal guardian or responsible adult present with you.

#### **MUST I GIVE MY NAME TO FILE A COMPLAINT?**

No. Anonymous complaints, or complaints from citizens who expressly request their names to be held in confidence, shall be accepted. However, when an anonymous complaint is made against an employee and there is no corroborative evidence of any kind, then the complaint shall be classified as unfounded.

Also, if the complaint results in criminal or civil action against the officer, you may be subpoenaed into court; therefore a name will be required.

#### **WILL THE OFFICER KNOW THAT I HAVE MADE A COMPLAINT?**

Yes. The officer(s) will be advised of the allegations made against him or her as well as the name of the person registering the complaint. The officer will be required to write out a detailed statement outlining the details of the incident from their point of view.

#### **WHO IS RESPONSIBLE FOR THE INVESTIGATION OF THE COMPLAINT?**

The Chief of Police is responsible for initiating the internal investigations. The actual investigative work may be performed by a police supervisor outside the employee's chain of command. The department also utilizes other agencies to investigate criminal allegations against the officer.

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### **WHAT WILL HAPPEN TO THE OFFICER?**

If the investigation reveals misconduct, the officer will be disciplined according to the seriousness of the rules violation. Disciplinary actions range from oral reprimand to suspension and in extreme cases, termination. If the allegation is criminal in nature, the case will be presented for prosecution. Other appropriate remedies include policy change and retraining.

### **NEED I BE CONCERNED ABOUT POSSIBLE RETALIATION FOR MAKING A COMPLAINT AGAINST AN OFFICER?**

**ABSOLUTELY NOT!** It is essential that the public confidence be maintained which enhances the ability of the department to investigate and properly adjudicate complaints against its members. An employee who retaliates against you as a result of filing a complaint is subject to disciplinary action up to and including dismissal from the department

### **HOW LONG WILL THE INVESTIGATION TAKE?**

Minor complaints are often handled immediately. As a general rule, the investigation of serious charges should be concluded within thirty days unless circumstances necessitate additional time.

### **WILL I BE NOTIFIED OF THE RESULTS OF THE INVESTIGATION?**

Once the investigation has been concluded, the Chief of Police will inform you in writing of the outcome of the complaint. This notification will take place unless release of that information is prohibited by the Police Officer's Bill of Rights.

### **WHAT IF I AM NOT SATISFIED WITH THE RESULTS OF THE DEPARTMENT'S INVESTIGATION?**

Any person who believes that his or her allegations have not been taken seriously, investigated thoroughly or resolved satisfactorily by the department may submit a letter stating their concerns to the Office of the Attorney General.

### **WE ALSO ACCEPT COMMENDATIONS FOR OFFICERS WHO HAVE DONE AN ACCEPTABLE JOB.**

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Chief of Police

## Civilian Complaint Form

Reporting Date: \_\_\_\_\_ IA Case # \_\_\_\_\_  
(Police use only)

Name of person making complaint: \_\_\_\_\_

Home Address: \_\_\_\_\_

Telephone numbers: Home (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Work (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_ Cell (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Date, time and location where alleged incident took place:  
\_\_\_\_\_  
\_\_\_\_\_

### Witness Information:

(If more than two witnesses please use additional paper)

Name of Witness #1: \_\_\_\_\_

Home address of witness: \_\_\_\_\_

Telephone numbers: Home (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Work (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_ Cell (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Name of Witness #2: \_\_\_\_\_

Home address of witness: \_\_\_\_\_

Telephone numbers: Home (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Work (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_ Cell (\_\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

### Officer(s) Information: (who were allegedly involved in this complaint)

Officer's name \_\_\_\_\_ Rank \_\_\_\_\_ IBM # \_\_\_\_\_

Officer's name \_\_\_\_\_ Rank \_\_\_\_\_ IBM # \_\_\_\_\_

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## Civilian Complaint Form

**Nature of the complaint:**

Please describe the nature of your complaint below providing as much detail as possible.  
(Remember to type or print clearly)

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(Signature of Complainant)

(Date of Complaint)

**Bring or mail this complaint form to:**  
Cheswold Police Department –Attention Chief of Police  
691 Main St Cheswold, DE 19936  
or FAX to (302) 734-1355

### **This section for police department use only :**

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Date complaint received

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Supervisor Signature (if not Chief of Police)

Date notification mailed to complainant's home address

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Signature Chief of Police

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Investigator Assigned: \_\_\_\_\_

## Investigative Narrative:

Please attach additional pages if necessary.

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Signature of Investigating Officer

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Date