



Town of Fishkill Police Department

801 Route 52

Fishkill, New York 12524-3109

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Keith L. Dworkin, Chief of Police



The Department's Personnel Complaint policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of its members and employees. Personnel complaints consist of misconduct or improper job performance that is a violation of department policy, federal, state or local law.

A person can file a formal or informal complaint about a department employee's conduct. Informal complaints involve actions by an employee that is of concern to a complainant, but is determined not to be misconduct and the complaining party is satisfied that appropriate action was taken. A formal complaint is a matter in which the complaining party requests further investigation, or which a supervisor or command officer determines further action is warranted.

A complaint may be filed in person, in writing, by e-mail, or by telephoning the Department. Complainants making a complaint in writing are encouraged to be completed on a Personnel Complaint Form available at the Police Department or on-line. Although not required, the Department encourages the complaining party to appear in person. A complaint can be made anonymously or by a third party, and the matter will be investigated to the extent that sufficient information is provided.

Every Department employee becoming aware of alleged misconduct shall immediately notify a supervisor. A supervisor receiving a complaint from any source alleging misconduct of an employee will initiate a preliminary investigation. Depending upon the nature of the allegation, the matter may be handled by the supervisor or turned over to the Division Commander.

An administrative investigation of an officer is governed by a variety of State and Local laws and Department policies. The investigation shall proceed with due diligence. The Police Chief then classifies each allegation of misconduct with one of the following dispositions:

- Sustained - The act occurred and that it constituted misconduct.
- Unfounded - The alleged act did not occur, are frivolous, or did not involve department personnel.
- Not Sustained - There is insufficient evidence to sustain the complaint or fully exonerate the employee.
- Exonerated - The act was justified, lawful and/or proper.

Sustained allegations can result in discipline to include training, reprimand, suspension, demotion and/or termination.

NARRATIVE CONTINUED:

Signature of Complainant	Date	
Signature of Officer Receiving Complaint	Shield No.	Date

NOTE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

For Official Use Only Case No. _____

Date/Time Received: _____ By Whom: _____

How Received: _____ Forwarded To: _____

- Complaint Classifications: Informal Formal Incomplete
- Findings: Unfounded Exonerated Not Sustained Sustained
- Complainant Notified of Disposition by _____ Date _____
- Police Chief Approval _____ Date _____