	DEPARTMENT OF PUBLIC SAFETY	EFFECTIVE DATE: JUN 19 2008	POLICY NO.: ADM.01.12
	DEPARTMENT ADMINISTRATION POLICY AND PROCEDURES	SUPERSEDES (Policy No. & Date): ADM.01.12 of 1/1/07	
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1.0 PURPOSE

To establish procedures for the handling of complaints from any source about the Department and/or its staff.

2.0 REFERENCES AND DEFINITIONS

.1 References

- a. Hawaii Revised Statutes (HRS), §26-14.6, Department of Public Safety.
- b. HRS, §26-38, Powers and Duties of Heads of Departments.
- c. HRS, §353C-2, Director of Public Safety, Powers and Duties

.2 Definition

- a. Complaint: A charge or accusation of any nature from any party, agency, or organization. This includes but is not limited to:
 1. Sexual harassment.
 2. Department practices or procedures.
 3. Civil rights violations, such as discrimination based on disability, sex, race, national origin, or religion.
 4. Improper use of disposition of state resources.
 5. Employee misconduct.
 6. Illegal acts.

3.0 POLICY

It is the policy of the Department of Public Safety (PSD) that all complaints regarding the Department shall receive prompt attention.

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4.0 PROCEDURES

- .1 All complaints regarding the Department or its employees should be referred to the respective Warden or Administrator of the facility or agency to which that employee is assigned. Written complaints received by staff should be sent to the aforementioned facility or agency in a sealed envelope, marked confidential. Any staff receiving a complaint by telephone should ask the caller to put their complaint in writing, noting all the facts or circumstances of the situation, and forward it to the respective Warden or Administrator.
- .2 Any person with a complaint regarding the Department that does not wish to refer their complaint to the respective Warden or Administrator of the facility or agency may send their complaint to the Internal Affairs (IA) Office 919 Ala Moana Blvd., Room 204, Honolulu, Hawaii 96814, Director, Department of Public Safety, 919 Ala Moana Blvd., Room 400, Honolulu, Hawaii 96814, or the Department of the Attorney General, Investigations Division, 425 Queen Street, Honolulu, Hawaii 96813.
- .3 Any person that wishes to complain about the Department or its staff may remain anonymous if they wish.
- .4 All complaints shall be treated as confidential.
- .5 All completed investigations of complaints are to be kept by the respective facility/agency or office (IA, Inspection and Investigation Office (IIO) /file) until a final disposition has been rendered in the case. Once a final disposition has been rendered, appropriate disposal or placement of case is to be made.
- .6 Upon completion of the Complaint Report, PSD 0106 (Attachment 1), the staff member shall submit the complaint report to the Warden or Administrator who will assign a complaint number. Complaint numbers will be designated with the last two digits of the year, i.e., (07) and a consecutive number (07-001) beginning with the first day of January and run continuous to December. Thus the first complaint received for 2007 would be 07-001. The Warden or Administrator shall ensure that the complaint number and pertinent details of the complaint are recorded in appropriate record book/log (Attachment 2).

If after review by the respective Warden or Administrator to proceed with an investigation, the Warden or Administrator shall assign a staff member to investigate the case and a case number. Administrative investigations shall be assigned a number for the year, month, and case with the facility or agency

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initials preceding the number, i.e., IA, OCCC, HCF, WCF, WCCC, SD-07-0101, 1st case in January 2007, SD07-0201, 1st case in February 2007 (Attachment 3).

- .7 If a complaint is deemed serious and warrants IAs investigation (Attachment 4), request for assistance shall be forwarded via the appropriate chain of command.

5.0 SCOPE

This policy applies to all employees within the Department. All prior policies, procedures, and practices are hereby superceded to the extent that they are inconsistent with this policy. Policy No. 493.12.03 – Inmate Grievance and Appeals Process, ADM.04.06 – Employment are exempt from this policy.

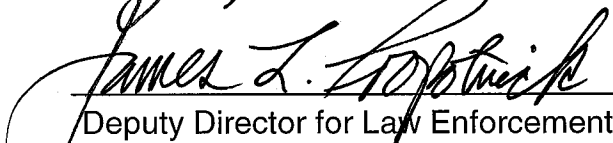
APPROVAL RECOMMENDED:


Deputy Director for Administration

6/6/08
Date

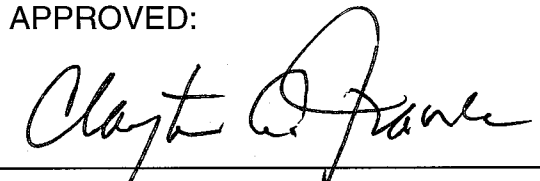

Deputy Director for Corrections

6/18/08
Date


Deputy Director for Law Enforcement

6-19-08
Date

APPROVED:


Director

6/19/08
Date

**DEPARTMENT OF PUBLIC SAFETY
Complaint Report**

Date/Time Received:	Complaint No.:
Assigned Date:	File Title:
Investigator:	Investigator No.:

How Reported: [] Telephone [] In Person [] Letter

Persons Involved: **CODES: R - Reporting Person; W - Witness; V - Victim; S - Suspect**

Code	Name	Sex	Age	Address/Facility	Phone

Suspect Description: (aliases, racial, decent, etc.)

COMPLAINT

Date/Time/Day Occurred:

Location:

Synopsis:

By: _____

Disposition:

GUIDELINES STANDARDS

- Death cases involving suicide and questionable causes, other than medical or natural reasons.
- Incidents involving serious bodily injury to staff and inmates.
- Escapes involving staff assistance.
- Discharge of a firearm on duty, excluding training/qualifications at an approved firing range.
- Criminal felony arrests of staff by other law enforcement agencies.
- Undercover operations involving corruption, contraband into facilities, illegal gambling operations.
- Complaints of such magnitude that it would be impractical for investigations to be conducted at the facility/division level.
- Major incidents of public notoriety involving staff members.
- Cases involving the need for confidentiality until the investigation is completed.