



Eric Hawkins  
Chief of Police

**ALBANY, NEW YORK**  
**POLICE DEPARTMENT**  
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**OFFICE OF PROFESSIONAL STANDARDS:  
DUTIES AND RESPONSIBILITIES  
GENERAL ORDER NO: 2.4.00**

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<b>Issuing Authority:</b> Chief Eric Hawkins	

**PURPOSE:** The purpose of this policy is to establish procedures for the proper and thorough investigations of all complaints against employees of the Albany Police Department.

**POLICY:** It is the policy of the Albany Police Department to maintain the integrity of the department through the internal monitoring of the professional conduct of its personnel.

**I. DUTIES AND RESPONSIBILITIES**

- A.** The Office of Professional Standards (OPS) shall be headed by a Commander who shall have the authority to report directly to the Chief of Police.
  1. The Commander of OPS shall be responsible for supervising and controlling investigations of alleged or suspected misconduct within the department.
  2. The number of detectives assigned to OPS shall be determined by the Chief of Police.
  3. While on an investigation, OPS powers shall be second only to that of the Chief of Police, (for the purposes of obtaining information from departmental personnel), and OPS detectives shall be authorized to conduct the following:
    - a. Question anyone in the department, regardless of their rank; and
    - b. Take statements and/or written reports from any or all persons employed by the department.

**B.** OPS detectives shall:

1. Investigate all complaints against the department or its employees, to include anonymous complaints, and/or allegations of questionable or improper conduct on the part of all employees of this department, whether the conduct occurred while the employee was on-duty or off-duty.

- a. Conduct that is to be considered questionable or improper shall include, but is not limited to the following:
    - i. Being arrested;
    - ii. Receiving a traffic ticket;
    - iii. Receiving a citation for a violation of a city/town/village ordinance; or
    - iv. Being identified as a possible suspect in any criminal case.
- 2. Investigate any incident in which a police officer discharges a firearm, other than:
  - a. Discharging a firearm at an animal at the direction of a supervisor; or
  - b. Discharging a firearm during a training exercise.
- 3. Investigate any incident where it is alleged that an employee used excessive force.
- 4. Investigate any circumstances in which a person arrested by this department receives any injury or complaint of injury sustained during an interaction with the Police Department.
- 5. Investigate any incident where a person, who is in custody and in an Albany Police Department facility or vehicle, attempts suicide or attempts to harm themselves in any manner regardless of the level of success of the attempt.
- 6. Investigate any report of dereliction of duty or insubordination.
- 7. Investigate any circumstances in which a police officer of this department sustains more than a minor injury; on-duty or off-duty.
- 8. Review functions of individual officers and units within the department in an effort to ensure effectiveness in their role and their compliance with departmental policies and procedures for example:
  - a. Facility inspections to ensure safe working environment;
  - b. Specific unit inspections, i.e., ensuring the forensic unit is complying with evidence processing-
  - c. Administrative investigations of personnel both self-initiated and through civilian complaints;
  - d. Reviewing and responding to all FOIL requests for Department records;
  - e. Aiding and assisting when necessary other Department personnel in responding to discovery production in criminal matters; and
  - 8.f. Recommendations to the Department's training unit based on OPS' investigations of officer conduct.
- 9. Investigate incidents when an arrested person(s) escapes custody.
- 10. Maintain all medical and personnel files, including C-Forms for members of the department.
- 11. Oversee the hiring of all employees for the department, as well as the hiring of Albany Fire Department employees.
- 12. Perform other such duties, as directed by the Chief of Police or his/her designee.

**C.** The ranking officer in the City, or his/her designee, may notify the Commanding Officer of OPS if it is felt that there is just cause to do so.

1. After normal working hours, the Commanding Officer of OPS may be reached through the on-duty Operations Lieutenant.

**D.** Any unionized member of this department who refuses to cooperate with the Office of Professional Standards, or who knowingly gives false information during an investigation shall be suspended immediately and may be subject to immediate suspension~~terminated~~ subject to the applicable Collective Bargaining Agreement and applicable law.

**D.E.** Any non-unionized member of this department who refuses to cooperate with the Office of Professional Standards, or who knowingly gives false information during an investigation shall be suspended immediately and may be terminated subject to applicable law.

## **II. RECORDS, MAINTENANCE AND SECURITY**

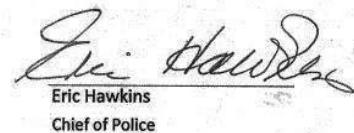
**A.** The Office of Professional Standards shall record, register, and control the

investigation of all complaints against the department or its employees'.

1. OPS shall maintain the integrity and confidentiality of all internal investigations and records.
2. Complaint records shall be kept separate from an employee's personnel file, except for the following:
  - a. All sustained complaints where discipline has been served and the complaint investigation has been closed. Records for these complaints shall be filed in the respective employee's personnel file, as well as OPS files.

### **III. ANNUAL SUMMARIES AND PUBLIC AVAILABILITY**

- A. The Commander of OPS shall be responsible for compiling an annual statistical summary, based upon records of all internal affairs investigations.
  1. This report shall include the type of investigation, the number of employees involved, and the final determination/finding.
    - a. The summaries shall consist of a statistical analysis only and names shall not be included.
  2. The annual report shall utilize data between the dates of January 1<sup>st</sup> and December 31<sup>st</sup> of each calendar year, and shall be completed by March 1<sup>st</sup> of each year.
  3. The results of the annual statistical summary shall be documented on an IDC to the Chief of Police for approval.
  4. Upon approval, it shall be the responsibility of the Public Information Officer to make the report available to the general public and to employees of this department.



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