



KANSAS CITY MISSOURI POLICE  
DEPARTMENT

**PERSONNEL POLICY**

DATE OF ISSUE  
7-10-13

EFFECTIVE DATE  
7-10-13

NO.  
335-3

SUBJECT

Policy Series 300: Employee Relations  
335 - Civil Rights Investigations

AMENDS

REFERENCE

PPBM 308 "Internal Affairs Investigations"  
USC Title 18, Sections [241](#), [242](#) and [245](#)

RESCINDS

335-2

## \*I. INTRODUCTION

Complaints of alleged federal civil rights violations may be filed with the United States Department of Justice and investigated by the (FBI) under Title 18, United States Code, Sections 241, 242 and 245. These investigations are of a criminal nature and should be viewed as such. The "**color of law**" is when a person is using authority given to him or her by a local, state, or federal government agency.

## II. POLICY

- A. When the FBI is assigned to investigate a civil rights complaint involving a department member (subject member), the FBI will notify the Chief of Police in writing.
- B. Upon notification from the FBI, the Chief of Police will forward the original notice and complaint to the Office of General Counsel (OGC). OGC will meet as necessary with the Chief of Police regarding the progress of the investigation. A copy of the notification will be sent to:
  1. The Internal Affairs Division.
  2. The subject member's bureau commander, who will then forward it through the chain of command to the subject member.
    - a. Upon receipt of the notification, the subject member will:
      - (1) Be required to sign and date the copy of the notification letter acknowledging notification of the FBI investigation.
      - (2) Contact the OGC within five (5) calendar days after receipt of the notification. OGC will explain the investigation process with the subject member.
    - b. Once the notification has been signed by the subject member, it will be forwarded through the chain of command to OGC with a copy to the Internal Affairs Division.

- \*C. The Chief of Police or the OGC shall advise the FBI, in writing, to direct all inquiries pertaining to the complaint to the OGC.
  
- D. If an internal investigation has not already been initiated, the Chief of Police may initiate one, which will be independent of the FBI investigation.
  - 1. All pertinent information regarding the investigation will be forwarded to the OGC. The OGC will respond to all FBI inquiries.
  - 2. Only those documents considered to be a matter of public record will be voluntarily provided to the FBI.
  - 3. Individual statements of the subject member(s) contained in the Internal Affairs Division file will not be released without the member's written consent.

Darryl Forté  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Lisa Pelofsky  
Board President

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