



## HOW THE NIAGARA FRONTIER TRANSPORTATION AUTHORITY POLICE DEPARTMENT COMPLAINT PROCESS WORKS

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*Executive Director*

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*Chief of Police*

### **YOUR COMPLAINT IS IMPORTANT**

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The NFTA Police Department and its members are aware of the important responsibilities and duties they have as public servants and law enforcement officers. We operate under the constitutional guarantees afforded to everyone and under the laws that govern us all. In addition, we must maintain trust and integrity within the community we serve. As an organization, this department tries very hard to provide the highest level of quality police service. Policing is a very difficult and complex job in today's society, and we realize that mistakes can be made and that the actions of our personnel may fall short of your expectations.

The courteous receipt of complaints, thorough and impartial investigation and just disposition of complaints are important in maintaining the high level of service we strive for and the confidence of our patrons. Citizen participation in the complaint process is critical to achieving those goals.

We are committed to accepting and investigating complaints regarding the actions and performance of any member of this department.

### **UNDERSTANDING THE PROCESS**

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A complaint may be filed with the department in person, by calling 716-855-7660 and asking to speak to a supervisor, or by mail to NFTA Police, 1404 Main St. Buffalo, NY 14209.

The department has developed a complaint form that will guide you in supplying the information generally needed for us to conduct an effective investigation. The form is available at NFTA Police Headquarters at 1404 Main Street, Buffalo, at the NFTA Airport Office located at 247 Cayuga Road, Cheektowaga or online at [www.nfta.com/police](http://www.nfta.com/police).

If you need assistance in filling out the form or want to speak with someone personally about your complaint, ask to see or call a supervisor at either of the above locations. If you want to make a complaint in person but

are not able to travel to one of our police facilities or are not comfortable doing so, contact the Internal Affairs Captain at 855-7667 and arrange for an investigator to meet with you at an alternative location. You may bring a lawyer, family member or friend with you when you file a complaint in person.

Whichever method you choose to file your complaint, please provide all information you have that would assist us in the investigation, including:

- Date, time and location of the incident.
- Names, badge numbers, and/or car numbers of the police personnel involved.
- Names, addresses, and phone numbers of any witnesses.

Please note that filing a complaint with the department does not prevent you from filing a claim against the NFTA or a complaint with other governmental authorities.

### **THE INTERVIEW**

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A Supervisor (Police Lieutenant or Captain) will usually review your complaint with you, either in person or by phone. There are occasions when the complaint actually involves another police department or other agency or where the Supervisor may be able to explain the actions of our personnel to your satisfaction. In those cases, if you are satisfied with the explanation or assistance provided, then the matter will go no further. However, if the complaint is not resolved, it will be sent to the Internal Affairs Captain for full review and appropriate action.

### **THE INVESTIGATION**

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The Internal Affairs Captain will review all complaints that are not resolved to the complainant's satisfaction and decide on a course of action. You may be asked for further information and/or to provide a sworn statement during the course of an investigation.

## **HOW LONG DOES THE PROCESS TAKE?**

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The department generally requires that complaint investigations be completed within 30 days of receipt of the complaint. The Chief of Police may extend that time due to circumstances that prevent completion of the investigation, such as difficulties in locating witnesses or evidence. You may contact the department at any time while your complaint is pending to check on the status of your complaint.

## **WHAT HAPPENS AFTER THE INVESTIGATION IS COMPLETE?**

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The Internal Affairs Captain will review each complaint investigation with the Chief of Police and senior staff. After reviewing the case, the Chief will decide if the facts and evidence warrant disciplinary charges against a member of the department or if other corrective action should be taken. For example, even if charges are not brought, the Chief may decide that an officer should receive additional training or that departmental policies or procedures underlying the complaint should be changed.

## **WHAT IF A MEMBER IS FOUND TO BE IN VIOLATION OF DEPARTMENTAL RULES, PROCEDURES OR POLICIES?**

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The member's commanding officers will provide the Chief of Police with their recommendations for any discipline or corrective action, based on the conduct involved and any charges brought. Depending on the seriousness of the violation, a range of penalties may be imposed, including suspension without pay, reduction in rank, or termination from employment. Other corrective actions include re-training or counseling by supervisory or command staff. The Chief of Police is the final departmental authority for discipline.

## **YOUR RIGHTS AFTER THE INVESTIGATION**

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You will be notified of the findings and disposition of your complaint. Please be sure to keep the Internal Affairs Captain informed of any change in your address. If you are dissatisfied with the disposition of your complaint, you may make an appointment with the Internal Affairs Captain or the Chief of Police to discuss the case.

## **POLICY**

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Anyone who files a complaint against a member of the NFTA Police Department shall be treated with courtesy and respect. Notwithstanding the fact that a complaint has been filed, NO MEMBER OF THE DEPARTMENT SHALL FAIL TO PROVIDE OR TO CONTINUE TO PROVIDE PROFESSIONAL POLICE SERVICE AT ALL TIMES TO THE COMPLAINANT AND OTHERS INVOLVED IN THE COMPLAINT PROCESS. NO MEMBER OF THE DEPARTMENT SHALL IMPROPERLY ATTEMPT TO DISSUADE SOMEONE FROM FILING A COMPLAINT OR RETALIATE AGAINST A COMPLAINANT OR WITNESSES. Any violation of these policies should be reported directly to the Internal Affairs Captain or Chief of Police.

## **MISSION STATEMENT**

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The mission of the NFTA Police Department is to ensure the safety of the transportation communities that are served within the Buffalo Niagara region.

By working together through problem solving and collaborative efforts with the community, we can provide safety and security for the transit community that we serve.

The success of our mission requires the commitment of the Administration, every member of the NFTA Police Department and the transit community, all working together to maintain the NFTA Police Department's tradition as a trusted source of help.

To accomplish this mission, the following values must be the basis for all of our actions:

- **RESPECT**

The NFTA Police Department recognizes that its employees are its single greatest assets, and their actions must reflect this belief. The employees of this department must respect the ethnic and cultural diversity of the community we serve and protect. We must respect the citizens we serve; we must respect each other as professionals and as fellow human beings.

- **INTEGRITY**

Honesty and truth must be the standards in all of our dealings, within the community and with each other. We are accountable to each other and to the citizens of the Buffalo Niagara region.

- **EXCELLENCE**

We will strive for personal and professional excellence, dedication to duty, and the delivery of quality service to the public. We are part of a team dedicated to the safety and protection of our community. Our actions will reflect intelligent, sincere, efficient and courteous service. Only then can we call ourselves professionals.

# NFTA TRANSIT POLICE DEPARTMENT

**CITIZENS COMPLAINT FORM**

CASE # \_\_\_\_\_

COMPLAINANT'S NAME	ADDRESS	CITY	TEL. _____	RES. _____
LEGAL GUARDIAN (IF JUVENILE)	ADDRESS	CITY	RELATIONSHIP	

COMPLAINANT'S SSN	DOB	ALLEGATION:
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ADDRESS OF OCCURRENCE	UNIT	DATE OF OCCURRENCE	TIME OF OCCUR.
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OFFICER	OFFICER	VEHICLE NO.
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DATE REPORTED	INTAKE SUPERVISOR	UNIT	ATTACHMENTS <input type="checkbox"/> YES <input type="checkbox"/> NO
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ARREST <input type="checkbox"/> YES <input type="checkbox"/> NO	APPEARANCE TICKET <input type="checkbox"/> YES <input type="checkbox"/> NO	CHARGES 1. _____
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FORCE USED <input type="checkbox"/> YES <input type="checkbox"/> NO	INJURED <input type="checkbox"/> YES <input type="checkbox"/> NO	MEDICAL TREATMENT <input type="checkbox"/> YES <input type="checkbox"/> NO	2. _____
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TREATED AT:	FOR:	3. _____
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<b>TYPE OF FORCE</b>	<input type="checkbox"/> NONE <input type="checkbox"/> SHOVE/PUSH <input type="checkbox"/> SLAP <input type="checkbox"/> NIGHTSTICK <input type="checkbox"/> DRAGGED/PULLED <input type="checkbox"/> PUNCHED/KICK <input type="checkbox"/> STRUCK W/GUN <input type="checkbox"/> CHEM.
	<input type="checkbox"/> GUN REMOVED FROM HOLSTER <input type="checkbox"/> GUN POINTED <input type="checkbox"/> GUN FIRED <input type="checkbox"/> OTHER: _____

<b>INJURY</b>	<input type="checkbox"/> REDNESS <input type="checkbox"/> EYE IRRITATION <input type="checkbox"/> BRUISED <input type="checkbox"/> STITCHES REQUIRED <input type="checkbox"/> GUN SHOT WOUND <input type="checkbox"/> DEATH
	<input type="checkbox"/> NOT SPECIFIED <input type="checkbox"/> SWELLING <input type="checkbox"/> FRACTURE <input type="checkbox"/> BURN <input type="checkbox"/> LACERATION <input type="checkbox"/> BREATHING <input type="checkbox"/> OTHER: _____

<b>DISPUTED CONDUCT</b>	<input type="checkbox"/> PERSON SEARCHED <input type="checkbox"/> PREMISES SEARCHED <input type="checkbox"/> SEIZED PROPERTY <input type="checkbox"/> SUMMONS <input type="checkbox"/> ARREST <input type="checkbox"/> MISSING PROPERTY
	<input type="checkbox"/> VEHICLE SEARCHED <input type="checkbox"/> PROPERTY DAMAGED <input type="checkbox"/> DETENTION <input type="checkbox"/> PHYSICAL THREAT <input type="checkbox"/> THREAT OF ARREST

<b>DISCOURTESY / POOR SERVICE</b>	<input type="checkbox"/> RUDE GESTURE <input type="checkbox"/> PROFANE WORDS <input type="checkbox"/> CURSE <input type="checkbox"/> GAY/LESBIAN SLUR <input type="checkbox"/> REFUSED REPORT <input type="checkbox"/> OTHER: _____
	<input type="checkbox"/> RUDENESS <input type="checkbox"/> SEXIST REMARK <input type="checkbox"/> ETHNIC/RACIAL SLUR <input type="checkbox"/> RESPONSE TIME <input type="checkbox"/> NO RESPONSE

BRIEF NARRATIVE (Include Witnesses)

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I have read this statement [ ], I have had this statement read to me [ ], which I have made of my own free will and the facts contained therein are true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Supervisor's (Witness)

<b>DO NOT WRITE HERE</b>	PROFESSIONAL STANDARDS DIVISION	<b>DO NOT WRITE HERE</b>
CASE OPENED <input type="checkbox"/> YES <input type="checkbox"/> NO	INVESTIGATOR _____	CASE # _____
REFERRED TO: _____	DISPOSITION: <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> NOT SUSTAINED <input type="checkbox"/> SUSTAINED	<input type="checkbox"/> EXONERATED <input type="checkbox"/> CONFERENCE <input type="checkbox"/> OTHER
RETURNED TO COMMAND: <input type="checkbox"/> YES <input type="checkbox"/> NO		