

# Complaints

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## **Policy Statement**

As public servants, we are accountable to those we serve. The Sheriff's Office complaints system is intended to provide Whatcom County citizens and visitors with procedural justice – the assurance that we *respect* their right to seek redress for a dissatisfaction with, or concern about, a Sheriff's Office service or action, that our process will give *voice* to their concerns and that we will *objectively* evaluate our own performance and conduct.

All members of the Sheriff's Office shall be receptive to complaints and facilitate complainants' access to the protocols described in this policy.

The Sheriff's Office's complaint protocol is equally available to Sheriff's Office members, whether their concerns are about a practice, service or employee.

## **Persons Affected**

All Sheriff's Office employees and volunteers

## **Directives Affected**

Rules and Regulations Manual, Sections 28.1 – 28.16 - canceled

[See also [Administrative Investigations](#) policy and [Complaint Handling Protocol](#)]

## **Definitions**

**Accept** – to receive and refer for processing according to a designated protocol

**Complaint** (official) – dissatisfaction with or concern about a Sheriff's Office service or action (including an employee's conduct or performance) that prompts a complainant to initiate the Sheriff's Office [complaint protocol](#)

## **Responsibility**

The chief inspector is responsible for administering the Sheriff's Office complaint system including:

- Setting up and maintaining associated processes and protocols.
- Publishing and distributing complaint forms and other appropriate means of complaint intake.
- Administering designated information management systems and ensuring involved personnel are trained in their use.
- Closing complaints that did not require an administrative investigation.
- Retaining all records relating to [official complaints](#) in accordance with applicable law.
- Ensuring that disclosures of these records are limited to authorized Sheriff's Office personnel or as required by applicable law, rule or agreement.
- Ensuring that an employee is notified of any accepted complaint against them and is provided the opportunity to respond to the specific allegations, irrespective of whether an administrative investigation is convened.

## **All Complaints Accepted**

The Sheriff's Office will [accept](#) all complaints.

No Sheriff's Office member will require any complainant to discuss or provide the details of a complaint with anyone prior to assisting that complainant with filing an official complaint. No employee shall attempt to discourage, set conditions upon or fail to facilitate in accordance with this policy the submission of a complaint.

## **Inmate Complaints**

Inmates often address their concerns by submitting inmate request slips, grievance forms or other such documents. Corrections personnel will review these documents and ensure that any serious issues (e.g., excessive force response complaints) are referred to the [complaint handling protocol](#). Nothing in this section is intended to prevent an inmate from speaking directly with any Sheriff's Office employee about a complaint or filling out a [complaint form](#).

## **Retaliation Prohibited**

Acts of retaliation or harassment against complainants by Sheriff's Office members are strictly prohibited. Sustained allegations of misconduct concerning retaliation by an employee against a complainant will result in disciplinary action.

Members who in the course of their duties come into contact with someone they know has an active complaint against them should notify a supervisor as soon as practicable. Supervisors should take appropriate steps to minimize contact between such members and complainants *when practicable*.

Nothing in this section shall preclude employees from exercising their right to seek legal redress for tortious, defamatory or frivolous complaints filed against them.

## **Protocol Initiation**

Sheriff's Office employees who are contacted by a person who wishes to complain about a Sheriff's Office service or employee should ensure the complainant is aware of how they may initiate the complaint protocol (i.e., file an official complaint). This information is published on the Sheriff's Office's Complaint Form and applicable web page.

All Sheriff's Office members will follow the [Complaint Handling Protocol](#) when:

- Complainants by their words or actions indicate they want to file an [official complaint](#). If the complainant asks to speak to a supervisor, the receiving employee shall facilitate such contact as soon as practicable.
- They learn of information that would lead a reasonable member to believe that employee misconduct may have occurred (e.g., citizen reports serious misconduct but does not want to file a complaint).

Nothing in this section is intended to prevent employees from making reasonable efforts to resolve minor disputes and misunderstandings or correct misinformation, keeping in mind a complainant's right to ultimately file an official complaint.

## **Tracking and Documentation**

Supervisory personnel should enter and track complaints and accompanying documentation using the designated Sheriff's Office complaint monitoring system ([BlueTeam](#)). Supervisors should generate complaint entries in this system in each of the following cases:

- Upon receipt of a written complaint, regardless of format (complaint form, email, letter, etc. – does not necessarily include nonspecific posts on social media).
- When a complainant states that he or she wants to file an official complaint, even if verbally.

It is not the intent of this policy, however, to require supervisors to create a record every time a member of the public expresses temporary dissatisfaction with a particular issue (see [Protocol](#)).

Upon request by an employee to their supervisor, they shall be provided with a copy of any retained entry into BlueTeam in which they are named and in which any administrative action has been completed.