

The Complaint and Appeal Process

Filing a Complaint

Anyone may file a complaint against an employee of the Grand Rapids Police Department by calling, visiting, emailing the OPA or GRPD, or using an online submission form. Once a complaint is received, the Internal Affairs Unit conducts an objective investigation, and after a complaint is fully investigated, the Internal Affairs Unit renders a disposition, based on the facts and circumstances. The dispositions of complaint investigations are classified as follows:

- Unfounded: The investigation conclusively proved that the act(s) complained of did not occur. (This finding also applies when the act(s) may have occurred, however, the named employee(s) were not involved.)
- Exonerated: The act, which provided the basis for the complaint or allegation, occurred; however, the investigation revealed that it was justified, lawful, and proper.
- Not Sustained: Investigation failed to disclose sufficient evidence to clearly prove the allegation made in the complaint or to conclusively disprove such allegation.
- Sustained: The investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint. Violation of policy and/or procedure did occur, and appropriate administrative action will be taken.

The complaint may also be classified as Administratively Closed, which means the complaint is recorded but not investigated, or withdrawn – the complainant cancels the complaint.

If the disposition concludes that the complaint is not sustained, unfounded, or that the officer is exonerated, the complainant may appeal to the CAB for further review of the case.

Filing an Appeal

After a complaint has been investigated by the GRPD Internal Affairs Unit, the complainant has the option of filing an appeal to have the case further reviewed. If the Complaint Disposition Report from the police department concludes that the complaint is not sustained, unfounded or that the officer is exonerated, the complainant may appeal to the Civilian Appeal Board by filing a written request with the City Attorney's Office or the Office of Oversight and Public Accountability within fourteen (14) calendar days after the date of mailing of the Complaint Disposition Report. If a timely appeal is filed, the Civilian Appeal Board will review the conclusions contained in the Complaint Disposition Report and the evidence secured by the Grand Rapids Police Department during the investigation. If the CAB needs additional information in order to make a decision, the case will be remanded to the City's Labor Relations Department for supplemental investigation.

The CAB meets as necessary to consider all appeals referred to it in a timely fashion. Appeal hearings are attended by the Director of Office of Oversight and Public Accountability who has served as staff liaison to the CAB since August 2019, representatives of the Grand Rapids Police Department who provide information regarding the scope of the Internal Affairs Unit investigation, and the Deputy City Attorney who answers legal questions. After its deliberations, the CAB prepares a written decision affirming, reversing, or modifying the conclusions contained in the Internal Affairs Unit investigation.

The decision of the CAB is then submitted to the City Manager and a copy of the decision is provided to the complainant(s), the police officer(s) involved, the City Attorney, the Police Chief, and the Labor Relations Division. If the decision of the CAB concludes that the police officer(s) violated the Grand Rapids Police Department Rules or Regulations, the City Manager determines the disciplinary or other action to be taken. Ultimately, sworn police officers and civilian employees may appeal written reprimands, suspensions, and discharges from the Department in an arbitration process.

Cases that can be Appealed

There are specific guidelines set by Commission Policy 800-02 that allow for a complaint to be appealed. Complaints must be made by individuals who believe that they have been mistreated by police officers through 1) the use of excessive force; 2) falsification/lying; 3) civil rights violations; and 4) hostility, discourtesy, or other conduct unbecoming an officer when such conduct is committed in a context of racial animosity or prejudice. Although anyone can file a complaint with the GRPD Internal Affairs Unit (friends, family, witnesses, etc.), an appeal can only be made by the individual who believes they have been mistreated by the police. Complaints are categorized by the GRPD Internal Affairs Unit as Class 1, Class 2, Class 3, Administrative Documentation, or Department Complaint. Only Class 1 and 2 can be appealed and are further explained below.

After a Decision is Issued by the CAB

After a decision is issued, the Civilian Appeal Board prepares a written decision affirming, reversing, or modifying the conclusions contained in the Complaint Disposition Report. If the Civilian Appeal Board reverses or modifies the conclusions in the Complaint Disposition Report, the written decision must contain sufficient detail to explain the reason for the reversal or modification. The Civilian Appeal Board has no jurisdiction to impose discipline or to recommend that discipline be imposed, and its decision does not address or recommend potential disciplinary action. The Complaint Disposition Report as affirmed, modified, or reversed by the decision of the Civilian Appeal Board constitutes as the City's final disposition regarding the complaint. Based on Collective Bargaining Agreements, officers have the right to take any disciplinary action (regardless of the CAB being involved or not) to an arbitrator for final review and determination of the discipline. Arbitration is a form of dispute resolution commonly used in labor disputes.