



KANSAS CITY, MO. POLICE DEPARTMENT
PROCEDURAL INSTRUCTION

DATE OF ISSUE
07/02/2025

EFFECTIVE DATE
07/02/2025

NO.
25-04

SUBJECT

Response to Community Complaints

AMENDS

REFERENCE

PPBM: Member Investigation, Discipline, and Appeals
Missouri Revised Statutes: Chapters 590, 610, and Section 84.430

RESCINDS

Procedural Instruction 18-02

I. INTRODUCTION

- A. This written directive provides guidelines and procedures for reviewing and processing community complaints made by individuals against members of the Kansas City Missouri Police Department (Department), and allows solutions for complainants and members of the Department.
- B. The Department takes the complaints and comments involving its members seriously.

II. GENERAL GUIDELINES

- A. Members will not interfere with, discourage, or delay the making of any complaint or the investigation thereof.
- B. The Office of Community Complaints (OCC), under the authority of the Board of Police Commissioners (Board), assists the Board in carrying out its duties and responsibilities as an oversight agency under the provisions of the Missouri Revised Statutes, Section 84.430. As a separate entity from the Department, members and citizens should refer directly to OCC for their processes and procedures.
- C. Members should refer to the current Collective Bargaining Agreements between the Board and Fraternal Order of Police Lodges 99 and 102 for additional information.
- D. The Department will:
 - 1. Receive, review, and forward complaints to the OCC as outlined in this written directive.
 - 2. Investigate complaints referred by the OCC to the Internal Affairs Unit (IAU).
 - *3. Process all complaints in a timely and impartial manner and consistent with Missouri Revised Statutes, Section 590.502.

E. Members will:

1. Identify themselves by name or identifying number, i.e., badge or serial number, when requested to do so by any individual.
2. Be provided an opportunity to respond to the allegations of any complaint.
3. Refrain from any unnecessary contact with any individual(s) who files a complaint against the member.

*F. Members, complainants, and their representatives or attorneys may take notes during an interview and request a copy of the audio recording of a completed interview but may not record an interview.

III. PROCEDURES

A. Receiving Complaints in Person at a Police Facility

*1. Complaints may be made by:

- a. Any individual 18 years of age and over who was personally involved or who witnessed an incident that gives rise to the complaint.
- b. Any individual under the age of 18 years who provides documentation indicating they are a certified juvenile (certified by the court as an adult).
- c. The parent or legal guardian of any individual under the age of 18 years who was involved in the incident. The parent or legal guardian:
 - (1) must accompany the individual, and
 - (2) will be listed as a co-complainant, and
 - (3) must sign the Complaint Report Form, 337 P.D. (Complaint Form).

2. A complaint will be accepted at any police facility regardless of the location of the occurrence or the subject member's assignment.

- *3. Completion of the Complaint Form
- a. The complaint process will be initiated by the completion of the Complaint Form by the complainant as stated previously.
 - b. The completed Complaint Form (in paper form or online) must be signed and verified by the oath of the complainant as set forth in Section 84.430.1 RSMo.
 - c. If the complainant refuses to sign the Complaint Form:
 - (1) The commander or supervisor will enter "refused to sign" on the complainant's signature line.
 - (2) A copy of the form will be forwarded to the OCC for follow-up with the complainant. If the complainant continues to refuse to sign the Complaint Form, the OCC file will be closed.
 - (3) The complainant must describe, to the best of their ability, the date, time and location of the occurrence.
4. If the complainant is unable to complete a report at the police facility, they may take the form with them to be completed and submitted to any police station or approved location listed on the OCC's website.
- *5. If it appears that the complainant is under the influence of an intoxicant/drug, is otherwise non-coherent/communicative, or exhibits any other behavior or condition bearing on the complainant's credibility:
- a. The member receiving the complaint will note these conditions on a separate sheet of paper (preferably on the Form 11 P.D.).
 - b. The member receiving the complaint will describe facts that bear upon a complainant's demeanor or ability to accurately recall and recite events, such as physical signs of being impaired by the consumption of alcohol (glassy eyes) or legal/illegal narcotic use (an odor of marijuana).
 - c. Members will also describe the complainant's physical condition that bears upon the complaint, including visible marks or injuries.

- d. Statements noted on a separate sheet of paper:
 - (1) Will be made only after the complainant has signed the Complaint Form. All such remarks and statements will be followed by the signature of the member making the notations.
 - (2) The separate sheet of paper will be attached to the original Complaint Form and forwarded to the OCC. The copy of the Complaint Form given to the complainant will not contain the receiving member's observations.

*6. Once the Complaint Form has been completed:

- a. A supervisor or commander must review the complaint form and ensure it is approved.
- b. The supervisor or commander may take the opportunity to conciliate/mediate the complaint at the consent of the complainant.
 - (1) If the complaint is resolved to the satisfaction of the complainant:
 - (a) A Resolved Complaint Form, Form 337A P.D. (Resolved Complaint Form) will be provided for completion and obtained from the complainant.
 - (b) A copy of the Complaint Form and the Resolved Complaint Form will then be forwarded to the OCC.
 - (2) If the complaint is not resolved by a commander or supervisor, as outlined above:
 - (a) The commander or supervisor reviewing the Complaint Form will ensure that all information has been filled out and the form is complete.
 - (b) The original Complaint Form will be placed in a sealed Interdepartment envelope and immediately forwarded to the OCC.
- c. A copy of the Complaint Form will be given to the complainant.

- *7. The member receiving a complaint will immediately call and send an email to the OCC mailbox (communitycomplaints@kcpd.org) with a scanned copy of the complaint attached and provide the following information:
 - a. The name, rank, serial and/or badge number, and element of assignment of the member about whom the complaint was filed, if identified.
 - b. The date and time the complaint was received.
 - c. The name, address, and contact number of the complainant.
 - d. The name, rank, and element of the member receiving the complaint.
- 8. Photographs will be taken by the member receiving the complaint when injuries are alleged to have been caused by a Department member. A photograph of the complainant's face will also be taken.
 - a. When photographs are taken, the name of the complainant, date, time, location, and photographer's name must be noted on the bottom portion of the Complaint Form.
 - *b. Digital photo files will be placed within the OCC folder located on the public drive (P: Drive) for OCC to retrieve or e-mailed to communitycomplaints@kcpd.org with a copy of the completed Complaint Form.
- 9. Complaint Forms received via mail at a police facility will be immediately forwarded via interdepartmental mail to the OCC for processing.

*B. Formal Complaints Received by Telephone

- 1. Formal complaints may be accepted by telephone by OCC under exigent circumstances.
- 2. Individuals contacting a police facility by telephone wishing to make a formal complaint will be referred to OCC.

*C. Anonymous, Unsigned, and Third-Party Complaints

- 1. These complaints will be accepted and retained by OCC.

2. Any complaint left unsigned, incomplete, or by a third-party at a police facility will be forwarded to OCC.
3. OCC may refer any complaint with specific information that identifies incidents or trends to the Chief, who may order an internal investigation of the matter or take such other action as the Chief believes appropriate.

D. Processing the Complaint

1. The OCC may attempt to resolve the complaint without a formal investigation once the original Complaint Form has been received.
2. If resolution does not appear possible, a copy of the original signed Complaint Form and any related documentation will be forwarded to IAU.
- *3. The investigation and disciplinary decision of a complaint must be completed within 90 days from receipt of the complaint by the Department or as is otherwise consistent with 590.502 RSMo.

*E. IAU will conduct the investigation to include the formal statement portion of the complaint process. Members should refer to the current written directive entitled, "Member Investigation, Discipline, and Appeals," for further information regarding investigations of members.

*F. Polygraph Examinations

1. Members will not generally be required to submit to a polygraph examination as part of the investigation of a complaint unless:
 - a. The complainant first submits to a polygraph examination and in the professional opinion of the polygrapher, the complainant is found to have passed the examination, and
 - b. Other reasonable factors exist in support of the polygraph examination, including but not limited to, material inconsistencies or statements of other witnesses.
2. In the event that a polygraph examination of a complainant supports the complainant's allegations, the OCC will forward the complaint file to the Chief with their recommendation that the member (who is the subject of the complaint) submit to a polygraph examination.

- a. In the event the Chief agrees with the recommendation, the Chief will direct the Polygraph Section to schedule the examination for the member to take.
 - b. In the event the Chief disagrees with the recommendation, the Chief will advise the Executive Director of the OCC the reasons why the Chief disagrees.
 - c. In the event the Executive Director, after consideration of the Chief's reasons, continues to recommend that the member submit to a polygraph examination: the matter will be referred to the Board Secretary/Attorney, who will meet with the Executive Director and the Chief, and will mediate a resolution of the issue.
3. In the event a member is directed to submit to a polygraph examination, representation may be present during the interview portion but will not be permitted during the examination.
 4. In the event a member refuses to submit to a polygraph examination as directed, the member may be suspended with pay for refusing to obey an order pending further review and action by the COP.
 5. The polygraph examination will not be given to an individual who has just completed a lengthy interview session or who is not, in the judgment of the polygraph examiner, physically or mentally fit to be examined.
 6. A member will not be subjected to accusatory statements during the polygraph examination.

*G. Upon completion of the investigation:

1. The investigation packet will be forwarded to the Executive Director of the OCC.
2. The Executive Director of the OCC will recommend one of the following dispositions:
 - a. If additional information is required, the file will be returned to IAU.
 - b. If additional information is not required:
 - (1) A Summary and Analysis will be completed by the OCC and forwarded with any additional documentation to the Chief's Office.

- (2) The Chief's Office will review the Summary and Analysis and any additional documentation, and if deemed necessary, will forward the documentation in accordance with the current written directive entitled, "Member Investigation, Discipline, and Appeals."
 3. On receipt of the Summary and Analysis and the file, the Coordinator will determine disciplinary action and inform the involved member(s) within five (5) days.
 4. Members should refer to the current written directive entitled, "Member Investigation, Discipline, and Appeals," for further information.
- H. Unless required by law or an authorization is executed by the member, the Department, Board, and OCC will not release information pertaining to a member of the Department which did not result in formal disciplinary action. This includes requests by any federal employer, state employer, private employer, or other person.
- *I. Access to Completed Complaint Files.
1. Only the following individuals will be granted access to completed complaint files:
 - a. Subject member, their representative, or their attorney.
 - b. Commanders and supervisors for personnel actions.
 - c. The Office of General Counsel (OGC) for litigation, P.O.S.T. reporting, Giglio/Brady reporting, and those to whom the OGC must report said files.
 - d. Outside attorneys and the courts for litigation purposes.
 2. Access will be authorized when required by law, by court order, or by lawful subpoena.
 3. Absent a legally obligated disclosure, court order, or lawful subpoena, completed complaint files are only otherwise accessible for the following purposes:
 - a. Review for appeals process
 - b. Civil litigation

- c. Performance evaluations
- d. Other personnel actions
- 4. During the review of completed complaint files, handwritten notes will be allowed. Such notes will not be shared or provided in whole or part.
- 5. Pursuant to Section 610.100.1(4) RSMo., a complaint submitted to the OCC is deemed an incident report.
- J. The OGC will receive copies of the Complaint Forms on a monthly basis from the OCC.



Stacey Graves
Chief of Police

Adopted by the Board of Police Commissioners this 17th day of June, 2025.

Thomas Whittaker
Board President

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