



TOWN OF ERVING

Department of Police

71 French King Highway
Erving, Massachusetts 01344
Phone (413) 423-3310 · Fax (413) 423-3340

Erving Police Complaint Procedure

In the event that you are involved in a dispute, or an arrest, with the Erving Police Department and feel strongly that your rights as a citizen have been overlooked, or if you feel that a police officer has either failed to perform his/her duties or overstepped his/her authority, then you have the right to file a report of alleged police misconduct.

Submission of Report

- A. A standard form entitled Report of Alleged Police Misconduct, Civilian Complaint Report is available at the Erving Police Station.
- B. Reports of alleged misconduct must be filed as soon as possible, within fifteen (15) days of the incident unless there are mitigating circumstances.
- C. The report shall be filed with the Chief of Police unless it involves him/her. In such case it would then be filed with the Erving Board of Selectmen.
- D. The Chief of Police shall take appropriate actions to fully investigate the report.
- E. The investigation should be completed within ten (10) days working days of its receipt. If ten (10) working days is not sufficient time, the Chief of Police may take a reasonable amount of additional time. The aggrieved person shall be informed of this action and the reason(s) for delay.
- F. The Board of Selectmen shall investigate all reports involving the Chief of Police.

Resolution of Report

Within seven (7) working days of the expiration of the ten (10) working day investigation period (or the extension), the Chief of Police shall notify the aggrieved person and respondent of his/her decision and contemplated action. The disposition should be noted in the appropriate section of the report.

Appeal of Disposition

An aggrieved individual may appeal the Chief of Police's disposition to the Board of Selectmen requesting a formal hearing. The request must be made in writing and be received by the Board of Selectmen within ten (10) calendar days of the aggrieved's receipt of the Chief's report on the disposition (see personnel policy).

Hearing

The Board of Selectmen shall set a date, time and place for the hearing within twenty-one (21) calendar days of the request for the hearing. All parties shall be notified at least seven (7) calendar days prior to the hearing.



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Report of Alleged Police Misconduct Civilian Complaint Report

Date Reported: _____ Time Reported: _____

Complainant's Name: _____

Address: _____

Name of Police Officer Complained Of: _____

Date of Occurrence: _____ Time of Occurrence: _____

Location: _____

Witness: _____

I am/ am not willing to testify at a hearing in connection with this complaint.

Details of Complaint: _____

Signature of Complainant

Date and Time

Signature of Person Receiving Complaint

Date and Time

Disposition: _____

Signature Chief of Police

Date and Time