

PATROL POLICY & RESPONSIBILITIES

Certain responsibilities and authority have been granted to the Missouri State Highway Patrol by the citizens of Missouri. The Patrol recognizes its responsibility to maintain public confidence and trust, and the need to ensure integrity and accountability both by the agency and by each employee. As we recognize the rights of all citizens, citizens should recognize that Patrol employees must be free to exercise their best judgement in taking necessary and reasonable action in the performance of their duties without fear of reprisal. Specific complaint procedures have been adopted by the Patrol to ensure that fair and proper action is taken when an employee is accused of misconduct. This also protects employees from unwarranted or false accusations. Additionally, this system provides a means of identifying and correcting deficiencies in policies, procedures, or training.

QUESTIONS

Questions about complaint procedures should be directed to:

Missouri State Highway Patrol
Professional Standards Division
P.O. Box 568
Jefferson City, MO 65102
or telephone (573)751-8801
8 a.m. - 5 p.m., Monday - Friday

Or visit the Professional Standards Division via the Patrol's website at www.statepatrol.dps.mo.gov to view answers to frequently asked questions.

EMERGENCY ASSISTANCE

1-800-525-5555 or
cellular *55



Missouri State Highway Patrol
P.O. Box 568 - Jefferson City, MO 65102-0568
(573) 751-3313

www.statepatrol.dps.mo.gov • psdmail@mshp.dps.mo.gov

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COMPLAINT PROCEDURES



Missouri State
Highway Patrol

PROFESSIONAL
STANDARDS
DIVISION



COMMITTED TO
EXCELLENCE

COMPLAINT PROCEDURES

➤ Who may make a complaint?

Any citizen or Patrol employee may file a complaint. Normally, the person most directly affected by the alleged conduct should be the complainant because greater detail is likely to exist regarding the conduct and its impact. However, third party complaints will be investigated as well.

➤ Can I make a complaint anonymously?

Anonymous complaints are investigated; however, investigations are less likely to reveal all the facts surrounding an alleged incident when the investigator is deprived of the opportunity to contact the complainant. Also, an anonymous complainant cannot be made aware of the results of the investigation. For these reasons, we strongly encourage persons having legitimate concerns to sign the complaint form and fully cooperate with the assigned investigator.

➤ How should complaints be made?

Complaints may be submitted online by visiting the Missouri State Highway Patrol's website and accessing the "Commendations and Complaints" section under "Popular Links." You may also email psdmail@mshp.dps.mo.gov, or write to the Missouri State Highway Patrol, Professional Standards Division, P.O. Box 568, Jefferson City. You may also call 573-751-8801. Complaints should concisely and specifically describe the conduct of the employee they feel is improper. Rather than saying the employee was rude, explain how the employee was rude by providing the specific words or phrases used, describing the employee's tone of voice, or citing specific acts of rudeness. Identify the employee as much as possible. This can be accomplished by providing the employee's name, badge number, patrol vehicle license number, and the date, time, and location of the incident. Patrol employees are required by policy to properly identify themselves upon request. If available, include the names, addresses, and telephone numbers of all witnesses. Additionally, complaints should be made within a reasonable time after the alleged misconduct occurred to help ensure evidence is still available and recollections of the incident are fresh.

➤ To whom should complaints be submitted?

All Patrol employees are required to accept complaints. Complaints can be made at any local troop, service center, or at the General Headquarters in Jefferson City. You may also submit your complaint online via the Missouri State Highway Patrol's website (www.statepatrol.dps.mo.gov) under the Commendations and Complaints link, or by email at psdmail@mshp.dps.mo.gov. All complaints are forwarded to the Professional Standards Division at General Headquarters for appropriate action.

➤ Does making a complaint affect present or future charges against me?

The investigation of a complaint will focus on the conduct of the Patrol employee. Any charges against the complainant are a separate issue which will have to be adjudicated in court. Employees are prohibited from retaliating against anyone for reporting truthful information in a complaint against them or for participating in an investigation.

➤ Does the Professional Standards Division investigate allegations of misconduct against employees of other law enforcement agencies?

No. Complaints involving officers from other departments should be filed with the appropriate law enforcement agency.

➤ Keep in mind . . .

The focus of Patrol complaint procedures is on alleged misconduct by a Patrol employee. This encompasses violations of laws or Patrol rules and regulations. A disagreement with a policy or law, or the application of a policy or law, is not considered a "complaint." Moreover, any disagreement with an investigation or the results of an investigation are generally not considered misconduct. As such, the aforementioned concerns will normally be referred to the accused employee's troop commander/division director.

RESOLVED COMPLAINTS

Some complaints may be resolved at the time they are received. For example, an explanation that the law requires (or allows) an employee to perform certain acts or when the complainant believes appropriate supervisory actions can address their concerns. In such instances, the allegations provided will be formally documented and retained by the Professional Standards Division.

THE INVESTIGATIVE PROCESS

Other than complaints that are resolved, every complaint of misconduct against an employee will be investigated.

Upon receipt of a complaint, the Professional Standards Division will conduct a preliminary inquiry regarding the allegations presented. During this inquiry, investigators may attempt to contact the complainant and/or witnesses, and will review reports and records, examine physical evidence, and thoroughly document the facts surrounding the incident. Any misconduct identified during this inquiry will be addressed through the appropriate administrative action (counseling, reprimand, training, etc.) or by initiating a formal complaint for the superintendent's review.

In instances where a formal investigation is initiated, Professional Standards Division investigators will present the results of the investigation to the superintendent who will administer discipline to appropriately address any substantiated misconduct. At the conclusion of the formal investigation, the complainant will be notified of the classification of the complaint; however, pursuant to RSMo. 610.021, any imposed discipline is considered a closed record and may not be released by law.

WITHDRAWING A COMPLAINT

If an individual expresses the desire to withdraw a complaint, the reasoning for the withdrawal will be documented and the director of the Professional Standards Division will determine whether there is a necessity to continue the investigation.

