

 <p style="text-align: center;">ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 107.02	Page 1 of 6
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	Distribution: A	
	Supersedes: 107.02 (2/1/05)	
<p>Approved by: <i>Gayle Ray</i></p>		
Subject: INTERNAL AFFAIRS OPERATIONAL PROCEDURES		

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-604, TCA 4-3-606, TCA 10-7-504, and TCA 4-3-609.
- II. PURPOSE: To establish standardized procedures to request, approve and govern the actions, reporting procedures and authority of Tennessee Department of Correction (TDOC) Internal Affairs (IA) functions.
- III. APPLICATION: All TDOC employees and employees of privately managed institutions.
- IV. DEFINITIONS:
  - A. Subject Investigation: A formal fact-finding procedure and systematic approach for the collection, analysis, and collation of evidence authorized at the Commissioner level.
  - B. Primary Investigation: An informal information gathering process which may be directed by the Director or Special Agent in Charge (SAC).
  - C. Commissioner Level: Commissioner, Deputy Commissioner, and/or Assistant Commissioner.
  - D. Employee: All full-time, part-time, permanent, temporary, probationary, contract employees, volunteers, and employees of privately or publicly managed institutions and programs that operate under the policies, rules, and regulations of TDOC.
- V. POLICY: All investigations conducted by IA shall be specifically authorized from the Commissioner level and conducted according to established guidelines. Primary investigations may be conducted upon authorization of the Director of IA or SAC. Continuing contact and consultation with TDOC legal staff, as appropriate, shall be routine and ongoing during the investigation process.
- VI. PROCEDURES:
  - A. Investigations shall be conducted as established in TDOC Policy #107.01. Requests for investigations may be initiated by any citizen, TDOC employee, or inmate by submitting the request in writing to the Commissioner level as defined in Section IV, subsection (C).

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- B. Wardens shall submit request for investigative assistance supplying the information on Request for Investigative Assistance, CR-3639, to the Assistant Commissioner of Operations who will review and make recommendations to the Commissioner as to a course of action. This request may be sent by FAX or U.S. Mail. Requests may also be initiated based on verbal information provided to the appropriate manager when writing is not feasible. The information should clearly identify the issues or allegations involved. Information received from an anonymous source shall be evaluated for validity and its potential for investigation.
- C. Investigations shall be approved by the appropriate authority prior to any action being taken.
- D. Authorization for investigations shall be documented on Request for Investigative Assistance, CR-3639, signed at the Commissioner level and shall become a permanent part of the case file.
- E. Investigation, once authorized, will be conducted in a timely and efficient manner.
  - 1. A primary investigation should be completed in a period of 10-15 days. Upon completion, an appropriate report shall be submitted on the IA Computer Data Base program to the Director for review and appropriate action. Any information which could have an administrative impact on the facility shall be shared with the respective Warden. Any documents provided to the Warden for review shall be returned to the Director/SAC. No portions of IA files will be permanently maintained at the facilities.
  - 2. A subject investigation, once initiated, should be completed within a period of 45-60 days. Once completed, a report will be prepared utilizing the IA computer Data Base summarizing the results of the investigation to include the agent's conclusions. In all administrative cases the affected Warden shall be fully briefed on the information obtained and upon approval of the case file by the Commissioner, the agent shall provide the Warden the entire file for review as appropriate. In those cases where additional time may be required to complete an investigation and report, a reasonable extension may be granted upon written approval by the Director of IA.
- F. Special agent reports (SAR) will be completed for each investigation conducted upon the completion of the investigation.
  - 1. SAR's shall be prepared in accordance with the format specified by the Director of IA.
  - 2. The SAR's and evidence gathered to prepare the SARs shall be handled in a confidential manner.
  - 3. SAR's shall be submitted to the approving authority within 10 working days of the close of the investigation.

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4. The Commissioner must approve all reports before they are considered official.
  5. The Director of IA shall maintain the originals of the SAR's, after approval, in the IA files.
  6. SAR's that are mailed should be sealed in a separate envelope marked confidential and addressed to the intended recipient. The envelope in which the sealed confidential envelope is mailed should be addressed normally and not marked confidential. All SAR's will be saved to a disk and mailed along with the report to the Director of IA.
  7. Upon approval of the SAR by the Commissioner or, the Warden of the affected institution will be promptly notified, and the case file made available for his/her review.
- G. SARs shall remain confidential and will only be disclosed to those authorized.
1. No one shall be permitted to remove or copy SAR's or documents, except as designated by the Tennessee Code Annotated. Former IA agents or Wardens who need to review investigative files for court actions or other official reasons will coordinate such activities with the Director of IA. Every attempt will be made to facilitate information sharing with Wardens in administrative matters.
  2. The Commissioner, Director of IA, and/or special agents shall release files to the prosecuting attorney and/or department legal staff as requested. The requesting office will sign for custody and control of the file, shall make no copies unless appropriately documented and shall protect the file until its return to the IA file depository.
  2. The Commissioner is the approving authority for the release of investigative files outside the department subject to review by TDOC General Counsel.
- H. Additional assistance from the IA Division may be requested at any time by contacting the Director of IA or SAC. Assistance shall be available upon request in the following areas:
1. Support in emergency/crisis situations.
  2. Consultation on investigative matters.
  3. Assistance with technical equipment/information.
  4. Assistance with training staff.
  5. Other assistance as approved by the Commissioner.
- I. Upon request, all employees shall fully cooperate with IA agents conducting an authorized investigation, including but not limited to participating in interviews. Failure to do so will constitute insubordination and shall result in disciplinary action, up to and including termination. Administrative Warning, CR-3640, shall be utilized by agents to document this action.

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- J. Incidents involving Security Threat Groups (STG) activity within the institutions will be properly documented and reported to the STG coordinator with the Internal Affairs Division in accordance with Policy #506.25. The coordination will compile intelligence information for sharing with Wardens and IA staff.
- K. IA agent operations shall be governed by this policy and approved IA operational protocols approved by the Commissioner.

VII. ACA STANDARDS: None.

VIII. EXPIRATION DATE: September 15, 2008.



# TENNESSEE DEPARTMENT OF CORRECTION REQUEST FOR INVESTIGATIVE ASSISTANCE

\_\_\_\_\_  
DATE SITE REQUESTED BY

Type Allegations: \_\_\_\_\_ Criminal: \_\_\_\_\_ Administrative: \_\_\_\_\_

Persons Involved: Inmate: \_\_\_\_\_  
Staff: \_\_\_\_\_  
Civilian: \_\_\_\_\_

Time Frame of Alleged Incidents: \_\_\_\_\_

Synopsis of Allegations:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Information received from: Inmate: \_\_\_\_\_  
Staff: \_\_\_\_\_  
Civilian: \_\_\_\_\_  
Anonymous \_\_\_\_\_

Assistant Commissioner / Operations Review:  
Recommendation: Approval \_\_\_\_\_ Discussion \_\_\_\_\_

<b>Commissioner Review:</b> Approved: _____ Provide additional information: _____ Investigate at institutional level: _____
--

\_\_\_\_\_  
COMMISSIONER  
TENNESSEE DEPARTMENT OF CORRECTION

PC: Director of Internal Affairs  
Requesting Warden



**TENNESSEE DEPARTMENT OF CORRECTION  
INTERNAL AFFAIRS DIVISION**

**ADMINISTRATIVE INVESTIGATION WARNING**

\_\_\_\_\_  
CASE NUMBER

\_\_\_\_\_  
DATE / TIME

\_\_\_\_\_  
EMPLOYEE NAME (*Printed*)

\_\_\_\_\_  
Title / Rank

I am Special Agent \_\_\_\_\_, of the Internal Affairs Division, Tennessee Department of Correction. I wish to advise you that you are being questioned as part of an official investigation. You will be asked questions specifically directed and narrowly related to the performance of your official duties. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the United States, involving the right not to be compelled to incriminate yourself. I further wish to advise you that refusal to testify or to answer questions relating to the performance of your departmental duties could result in your dismissal from the department. If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental charges.

At this time, I am going to question you regarding \_\_\_\_\_.  
This questioning concerns administrative matters relating to the official business of the department. I am not questioning you for the purpose of instituting any criminal proceeding against you. During the course of the questioning, even if you do disclose information which indicates that you may be guilty of criminal conduct, neither your statements nor the fruits (products, results, etc.) of any statement you make may be used against you in any criminal proceedings.

Do you understand that this interview may be recorded in its entirety?      Yes ☐      No ☐

I have read and fully understand the advisement.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE/TIME

\_\_\_\_\_  
WITNESS SIGNATURE

\_\_\_\_\_  
DATE/TIME