

Frequently asked questions about complaints and investigations

The Department of Public Safety (DPS) appreciates your willingness to notify us when interactions with DPS employees do not meet your expectations. If this FAQ does not answer your questions, please contact DPS' Internal Affairs/Affirmative Action (IA/AA) division. DPS employees include individuals in the following divisions:

- Alcohol and Gambling Enforcement
- Bureau of Criminal Apprehension
- Commissioner's Office
- Driver and Vehicle Services
- Emergency Communication Networks
- Fiscal and Administrative Services
- Homeland Security and Emergency Management
- Human Resources
- Office of Communications
- Office of Justice Programs
- Office of Pipeline Safety
- Office of Traffic Safety
- State Fire Marshal
- State Patrol

What is the IA/AA division?

IA/AA is an independent DPS division that processes and investigates complaints against DPS employees. The IA/AA director reports directly to the Commissioner's Office to ensure the division has freedom to investigate without undue influence. The division also employs at least three part-time investigators who have prior investigative experience, generally as former law enforcement officers or attorneys.

I am concerned about an employee's conduct. How do I report my concern?

File a complaint with IA/AA. Your complaint can be submitted in the following ways:

- **Email:** dps.ia@state.mn.us
- **Phone:** 651-201-7136
- **Mail:** 445 Minnesota St., Suite 530, St. Paul, MN 55101-5530
- **In person:** IA/AA is open by appointment Monday through Friday, 8 a.m. to 4:30 p.m. The office is located separately from other DPS divisions. Email dps.ia@state.mn.us to schedule an appointment.



Can I file a complaint anonymously?

While you can file an anonymous complaint, it is helpful if you provide a phone number or email address so an investigator can follow up to obtain additional information that may be crucial to the investigation.

Will IA/AA investigate my complaint?

IA/AA is responsible for ensuring all submitted complaints receive a response. If a complaint against an employee alleges performance issues or disrespectful conduct, IA/AA will assign the complaint to a supervisor. You will be notified of this assignment, and the supervisor will contact you as part of the resolution process, which may include an investigation. If your complaint alleges other types of misconduct, IA/AA will assign an investigator to the complaint and you will be notified of the investigation.

If IA/AA investigates my complaint, can I be part of the process?

Yes. Your information is critical in helping IA/AA conduct a thorough and accurate investigation. An investigator will contact you for an interview about your complaint. If you choose not to be interviewed, we will rely on your complaint.

How long will the investigation take?

IA/AA is committed to completing investigations in a timely manner. Your investigator will communicate an estimated completion date. If an investigation is taking longer than expected, IA/AA will notify you of the updated timeline. Please be aware that some cases take much longer due to factors beyond IA/AA's control. These factors include criminal or civil litigation or an employee's authorized absences, e.g., a medical leave of absence. Of course, you may contact the investigator at any time to check on the timeline.

Will the employee be disciplined after the investigation?

After the investigation, IA/AA will make a recommendation about whether the investigation sustained the allegations in the complaint. The recommendations are:

- Exonerated: The alleged conduct did not occur; the employee was not involved; or the alleged conduct occurred and was in accordance with policy.
- Not sustained: The evidence gathered during the investigation does not establish that the alleged conduct did or did not occur.
- Sustained: The investigation supports a finding that the employee engaged in the alleged conduct.

Division directors and DPS Human Resources review IA/AA's investigation and proposed recommendation. If they find the investigation supports the recommendation, they adopt the recommendation as the outcome. If the outcome is sustained, the employee may receive discipline in accordance with the terms of their collective bargaining agreement.

Will IA/AA tell me the outcome or if there was discipline?

IA/AA will notify you when the investigation is complete. However, IA/AA cannot provide the outcome. As a government agency, IA/AA must comply with the Minnesota Government Data Practices Act, Chapter 13. These laws prohibit IA/AA from disclosing private data on employees. An investigative outcome of not sustained or exonerated is considered private data on the employee. In these cases, the only public data is that the investigation is closed. Minn. Stat. 13.43, subd. 2(a)(4).



If the outcome is sustained, there may be public data available. Data becomes available when there is a final disposition, which is defined by Minn. Stat.13.43, subd. 2(b). A final disposition only occurs after certain union grievance timelines and/or processes have occurred, provided the discipline is not overturned by the grievance process. DPS Human Resources and divisions handle these processes, and not IA/AA.

How do I request any public data that may be available?

DPS maintains information on making data requests here: dps.mn.gov/Pages/request-data.aspx. If you have questions on how to request data or the correct contact person, you may contact IA/AA for assistance.

