

Calexico Police Department

420 E. Fifth Street ° Calexico, California 92231

Tel. (760) 768-2140 ° Fax (760) 357-1241

www.calexicopd.org ~ www.calexico.ca.gov

TO THE CITIZENRY OF THE STATE OF CALIFORNIA:

Pursuant to Assembly Bill No. 1305, approved February 22, 1974, effective January 1, 1975, and added to the Penal Code of the State of California in Section 832.5, the Chief of the Calexico Police Department hereby establishes a Citizen's Complaint Procedure. The description of the procedure available to the public as follows:

CITIZEN'S COMPLAINT AGAINST DEPARTMENT PERSONNEL

1. POLICY STATEMENT:

- A. The Calexico Police Department will investigate all complaints against its employees.

2. WHO RECEIVES COMPLAINT:

- A. Complaints may be made to the shift Sergeant of the employee being complained of, or to ranking members of the Department, such as the Sergeant, Commander, or Chief of Police.
B. A complaint may be received by letter or in person. Each will receive attention and will be investigated.

3. HOW COMPLAINTS ARE RECEIVED:

- A. Every complainant is encouraged to fill out a Citizen's Personnel Complaint Form. The receiving officer may find it necessary to prepare the Complaint Form and have the complainant sign it.
B. Complaints received by mail shall be forwarded to the Office of the Chief.

4. INVESTIGATION OF COMPLAINTS:

- A. The investigator will interview complainants, suspects, witnesses and all other persons connected with the case and prepare a report of his findings.
B. Senior officers receiving complaints after normal business hours shall conduct a preliminary investigation when appropriate and shall take immediate corrective action. A copy of such complaints will be submitted to the Sergeant or the Chief of Police by 0800 hours on the following day.
C. The completed investigation shall be submitted to the Chief for evaluation and any action deemed necessary.

5. In the event that the complaint is unfounded, the Officer reserves the right to sue for damages against his character.

CIVIL CODE SECTION:

47.5 Peace officer; defamation action against person filing false complaint alleging misconduct, criminal, or incompetence.

Notwithstanding Section 47, a peace officer may bring an action for defamation against an individual who has filed a complaint with that officer's employing agency alleging misconduct, criminal conduct, or incompetence, if that complaint is false, the complaint was made with knowledge that it was false and that it was made with spite, hatred, or ill will. Knowledge that the complaint was false may be proved by showing that the complainant had no reasonable grounds to believe the statement was true and that the complainant exhibited a reckless disregard for ascertaining the truth.

I have read and understood the above statement and sign under penalty of perjury as to the truth stated therein.

Complainant

Date

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PERSONNEL COMMENDATION/COMPLAINT FORM

| | | |
|---|-------------------|-----------|
| Date & Time Reported | Type of Report | IA No. |
| Reporting Citizen (Sex & Age) | Address | Phone No. |
| Location of Incident | Date | Time |
| Report Concerning (Name of Officer or Employee) | Division | |
| Witness Name | Residence Address | Phone No. |
| Witness Name | Residence Address | Phone No. |
| Description of Incident: | | |
| | | |
| | | |
| | | |
| | | |

(Continue on Back if Necessary)

Citizen's Statement:

I declare under penalty of perjury, that the foregoing statements are true to the best of my knowledge and belief. I agree to present the stated complaint in person to the appropriate examining authority in the event the complaint results in disciplinary proceedings against the officer(s) or employee(s) named.

SWORN TO AND SUBSCRIBED BEFORE ME, this _____ day of _____, _____.

Citizen's Signature

Notary Public

(Optional)

Imperial County, California

My Commission Expires on _____

Supervisor Receiving Complaint

Disposition

Review & Disposition by Command Officer

Date/Time:

Lieutenant:

Date/Time:

Chief of Police

Citizen _____ I AGREE WITH THIS INTERVIEW ()

Citizen _____ I REQUEST FURTHER REVIEW ()

Received Copy To:

Citizen

Involved Employee

Shift Supervisor

Division Commander

Date: