



## **SANTA ANA POLICE DEPARTMENT CITIZEN'S COMPLAINT PROCEDURE AND FORM**

### **MESSAGE FROM THE CHIEF OF POLICE**

**The Santa Ana Police Department is committed to creating and maintaining a safe, secure, and enjoyable environment for community members and visitors alike. We strive to provide fair, courteous, responsive, and effective service equally to all people while observing each individual's dignity and worth.**

**Therefore, it is the policy of the Santa Ana Police Department to accept and thoroughly investigate all complaints of alleged misconduct by any member of the department. The complaint process has two goals: To correct improper employee conduct and to protect employees from unwarranted criticism when their actions were lawful and justified.**

**The packet will provide you with the necessary information you will need to file a personnel complaint with the department. You can be assured that your complaint will be given our full and complete attention.**

**Should you have any questions about your complaint or the complaint process you are encouraged to contact the Internal Affairs Division at 714-245-8011.**

**Robert Rodriguez  
CHIEF OF POLICE**



## **SANTA ANA POLICE DEPARTMENT**

### **CITIZEN'S COMPLAINT PROCEDURE AND FORM**

The complaint form, which is the last page of this packet, should be used to file your complaint. You can attach as many additional pages as you need, along with any supporting evidence you might have. A copy of your complaint will either be given to you at the time you file the complaint or by mail. After you complete the complaint form, sign and mail it to the address below, or bring it directly to the Police Department.

#### **MAIL COMPLAINT FORM TO:**

**SANTA ANA POLICE DEPARTMENT – M97  
INTERNAL AFFAIRS DIVISION  
P.O. BOX 1981  
SANTA ANA, CA 92702**

### **SUMMARY OF COMPLAINT PROCESS**

After your complaint has been filed, it is assigned to be investigated. All available witnesses will be contacted, and any physical or other relevant evidence including records, reports, recordings and computer data will be collected and reviewed. You will be personally contacted by the investigating supervisor for an interview.

The completed investigation report is sent to the accused employee's manager for review and recommendation. The final disposition on the case will be made by the Chief of Police. When a complaint is sustained, the Chief will determine and administer appropriate corrective and/or disciplinary action up to, and including, termination.

State law generally requires the complaint investigation to be completed within one year of the Department becoming aware of it; however, the Chief of Police can modify this time frame depending on the complexity and sensitivity of the investigation or due to extenuating circumstances.

After the investigation has been completed and the Chief has made a final decision on the case, you will be notified of the results by mail.

If the employee receives disciplinary action as a result of your complaint, they have a right to appeal. This may include a hearing before the City Personnel Board, and you may be required to appear before the Board as a witness.



## **CITIZEN'S COMPLAINT PROCEDURES**

### **HOW DO I FILE A COMPLAINT?**

We would prefer to talk with you about your complaint in person; however, complaints will be accepted by mail or telephone. Concerns can often be addressed to the complaining party's satisfaction without requiring a formal complaint. You can contact the on-duty Watch Commander at **714-245-8700** to initiate or inquire about filing a complaint.

### **WHO CAN MAKE A COMPLAINT?**

Anyone can file a complaint, if they truly and honestly believe a police employee has acted improperly.

### **WHO INVESTIGATES A CITIZEN'S COMPLAINT?**

Complaints of alleged misconduct are typically investigated by Internal Affairs Division. Their investigation is reviewed by the manager of the involved employee and the Chief of Police.

### **WHAT WILL HAPPEN TO THE EMPLOYEE?**

That will depend on the results of the investigation. If the employee is found to be at fault, the complaint will be **SUSTAINED** and the appropriate corrective and/or disciplinary action will be taken. If they acted properly, they will be **EXONERATED**. If the facts show that the complaint is false, the complaint will be **UNFOUNDED**. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusions, the complaint will be **NOT SUSTAINED**. If the investigation concludes that the involved employee's conduct was not misconduct but rather an issue of department service procedure, the department may revise the applicable policy or procedure.

### **WHAT IS MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?**

The District Attorney's Office may be consulted on any complaint that alleges criminal conduct on the part of any employee. The District Attorney's Office may conduct an independent criminal investigation while the internal investigation is pending.

### **WILL I BE TOLD OF THE RESULTS OF THE INVESTIGATION?**

**YES** – At the conclusion of the investigation and review by the Chief of Police, you will be notified of the results by mail as required by law. Due to legal restriction, you will only be given the finding of the investigation of whether your complaint was **SUSTAINED**, **UNFOUNDED**, **EXONERATED**, **NOT SUSTAINED**, or is one of **SERVICE OR PROCEDURE**. The department is prohibited by law from revealing specific personnel actions taken against an employee.



## CITIZEN COMPLAINT FORM

NAME \_\_\_\_\_ HOME \_\_\_\_\_  
ADDRESS WORK \_\_\_\_\_  
ADDRESS HOME \_\_\_\_\_  
PHONE \_\_\_\_\_ CELL \_\_\_\_\_ WORK PHONE \_\_\_\_\_  
PHONE DATE OF \_\_\_\_\_ EMAIL \_\_\_\_\_  
BIRTH \_\_\_\_\_

INVOLVED EMPLOYEE(S) NAME \_\_\_\_\_ ID# \_\_\_\_\_  
NAME \_\_\_\_\_ ID# \_\_\_\_\_

DESCRIPTION IF NAME IS UNKNOWN \_\_\_\_\_

LOCATION OF OCCURRENCE \_\_\_\_\_

DATE OF OCCURRENCE \_\_\_\_\_ TIME \_\_\_\_\_

DESCRIPTION OF EVENT (USE ADDITIONAL PAGES AS NECESSARY) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You have the right to make a complaint against a police officer for any improper police conduct. California law requires this agency to have a procedure to investigate citizens' complaints. You have a right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint; even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports or findings related to the complaints must be retained by this agency for at least five years.

I have read and understand the above statement, and have presented true and accurate facts.

YOUR SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### OFFICE USE ONLY

SAPD EMPLOYEE RECEIVING COMPLAINT \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_ COPY OF COMPLAINT GIVEN TO COMPLAINANT: YES NO