

Davis Police Department

MAKING AN INQUIRY OR COMPLAINT

The information on this form can be provided in languages other than English. If you need this information in another language, need translations services, or need any other assistance because of a disability, please contact the on-duty Watch Commander.

The public's trust, confidence and support are vital to successful police service. The public is entitled to have ready access to supervisors and the police administration that is sworn to serve them, and have them respond to any grievances or complaints regarding any member of the Davis Police Department. This access will help foster public understanding of police procedures and aid in the detection or correction of improper or undesirable practices or behavior by members of the Davis Police Department.

Pursuant to section 832.5 of the Penal Code, the Davis Police Department has adopted a policy that provides a fair, orderly and uniformly applied process for receiving, investigating, and resolving complaints of alleged police misconduct.

Complaints against members of the Davis Police Department may be filed in a variety of ways, including;

- By filling out this form and submitting it either in person or by mail to the Davis Police Department located at 2600 Fifth St. Davis, CA 95618.
- By filling out this form and submitting it either in person or by mail to the City Manager's Office located at City Hall, 23 Russell Blvd Davis, CA 95616.
- By speaking directly to a Davis Police Department supervisor either in person or by telephone (530) 747-5400.
- By sending an email to the police department at policeweb@cityofdavis.org or the city manager at CMOWeb@cityofdavis.org.
- By directly contacting the Independent Police Auditor by phone or email (information can be located at www.davispd.org).

Filling out a complaint form is not a requirement for making a complaint. All complaints, from any source, in any language, whether in writing or verbally received, no matter how received by the police department, will be reviewed.

Although a person is not required to speak to anyone at the police department prior to making a complaint, if your inquiry or complaint is specifically about a member of the Davis Police Department, we encourage you to speak directly to that employee's immediate supervisor. If that supervisor is not available, you may ask for the on-duty Watch Commander. Any police supervisor may accept an initial inquiry or a formal complaint directed against personnel, policies or procedures.

If your inquiry or complaint appears to be based on a misunderstanding or lack of knowledge of acceptable or desired conduct, policies and procedures, the supervisor may offer an explanation and attempt to resolve the situation without a formal investigation. If you are not satisfied with an explanation of acceptable and desirable conduct, policies or procedures, a formal complaint may be filed and it will be referred to the Office of the Police Chief.

Some types of complaints may be addressed through the Community - Police Alternative Conflict Resolution (ACR) Program process - a voluntary restorative process designed to resolve the complaint through face-to-face conversation with a member of the Davis Police Department. If you are interested in participating in the ACR Pilot Program, please indicate this below. Information regarding the ACR can be found at the front counter of the police department or online at <http://cityofdavis.org/city-hall/police-department/alternative-conflict-resolution-acr-pilot-program>.

If you make a formal complaint, it will be thoroughly investigated by an assigned supervisor. The investigation will usually include a review of all applicable reports, examination of any evidence, review of any video or audio footage and interviews with all parties and witnesses. A simple inquiry might take several days to complete, while a complex investigation might take two or three months or more to investigate and review.

The Office of the Police Chief reviews every complaint. If the Police Chief determines that an employee violated department policies or procedures, appropriate corrective action is taken. The Police Chief's review will also include looking for ways to improve policies, procedures, training, and service.

FINDINGS

You will receive written notification of the findings of any formal complaint. The possible findings are:

- a. **Unfounded** –The investigation clearly established that the allegation is not true.
- b. **Not Sustained** –The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.
- c. **Sustained** –The investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by the preponderance of evidence.
- d. **Exonerated** –The investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.
- e. **Frivolous** –Means totally and completely without merit or for the sole purpose of harassing an opposing party.
- f. **Alternative Conflict Resolution** –The complaint is resolved in accordance with the ACR Program.

If the complaint is sustained, meaning there was wrong doing, the Police Chief will determine whether the employee will be disciplined and/or receive additional training. Discipline may include: reprimand, suspension, demotion or termination. State law does not allow the release of the specific action taken against a public safety employee.

Although we cannot guarantee you will be satisfied with the results of the investigation, we do guarantee that your complaint will be investigated thoroughly and fairly.

Sincerely,

Darren Pytel

Darren Pytel
Police Chief

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 CIVILIANS' 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. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

Your Name _____ Todays Date _____

Home Address _____ Phone # () _____

_____ Cell # () _____

Email _____

Date/Time of Incident _____ Location of Incident _____

Name(s) of Member(s) of the Davis Police Department Involved (if known)

Name(s) of Witness(s) 1. _____ 2. _____

Address _____

Phone () _____ () _____

Additional witness information attached.

Did you speak to a supervisor at the police department regarding the incident? Circle One YES NO

Would you like to speak to a supervisor prior to making a formal complaint? YES NO

Would you be interested in hearing more about or possibly using the Alternative Complaint Resolution process? YES NO

If you've already spoken to a supervisor, name of supervisor: _____

