



VALLEJO POLICE DEPARTMENT

Citizen Complaint Procedures

As a public agency, we must maintain your trust and confidence to provide quality police service to all members of our community. We are accountable to the public, and our officers and employees are subject to discipline for inappropriate behavior and entitled to protection from undeserved criticism and false allegations.

Members of the public have a legal right to file complaints, and we are required to accept any complaint you wish to file. You have a right to a written description of this procedure. To protect your rights and to facilitate a thorough investigation, internal investigations are by law confidential.

You may make a complaint by mail, telephone, fax, email, in person, or online at www.vallejopd.com. All telephone complaints are handled by the Watch Commander at (707) 648-5291. Complaints should be made in-person to the Watch Commander, who has the authority to resolve any problems and may expedite the resolution of your concerns.

We will ask you to give the names of any witnesses to the incident. You may report complaints anonymously; however, it is much more difficult to investigate an anonymous complaint fairly and thoroughly, as it is not possible to obtain additional information after the initial filing of the complaint.

Once your complaint is received, it will be reviewed and assigned to a supervisor or investigator. You may request a copy of your statement at the time you file the complaint (PC 832.5). It may be necessary to re-contact you for a more detailed statement concerning the incident.

Upon completion of the investigation, the Chief of Police will recommend a disposition based on the facts of the case. The disposition may be one of the following:

UNFOUNDED: When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code 832.5(c)).

EXONERATED: When the investigation discloses that the alleged act occurred, but that the act was justified, lawful, and/or proper.

NOT SUSTAINED: When the investigation discloses that there is insufficient evidence to sustain the complaint or exonerate the employee.

SUSTAINED: When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

You will receive written notification of the disposition of the complaint, generally within 30 days after the completion of the investigation.

Any attempt by an employee to interfere with, discourage or deter the exercise of your right to file a complaint is prohibited, as is any act of retaliation for filing a complaint. Any attempt by an employee named as a subject in the complaint to contact you regarding the complaint is prohibited unless authorized by you.

If your complaint is sustained, the Chief of Police may take formal disciplinary action against the employee(s) involved.

COMMON QUESTIONS

Q. Why does the Department investigate its own personnel, policies, and services; won't you tend to "cover-up" or "stick together"?

A. NO! If an officer or employee is acting improperly, we have a duty and an interest in correcting the problem. This Department has a good record of taking appropriate action by sound evidence with sustained complaints. If you believe, after the conclusion of an investigation, that the Department has acted inappropriately, you may consult a private attorney, the Solano County District Attorney, or the California Office of the Attorney General.

Q. Will I be subjected to retaliation or revenge by the police if I complain?

A. Officers are aware that acts of retaliation are prohibited and could jeopardize their careers. If, however, you feel that you are a victim of retaliation because you complained, you should immediately bring that to the attention of the Police Department's Watch Commander.

Q. What if I don't want to make a "formal" complaint, but want you to be aware of a problem?

A. We encourage this type of input from the public. The employee's supervisor can handle minor or informal complaints. To reach the Watch Commander call (707) 648-5291.

Q. How is an allegation proven?

A. A preponderance of the evidence sustains an allegation. Preponderance means proof that, more likely than not, the alleged conduct occurred.

Q. If I am facing criminal charges, will my complaint affect my case?

A. Absolutely not. The investigation of a citizen complaint is separate from any criminal or civil proceedings.

Q. If a complaint is sustained, will we be provided the discipline information in the written notification?

A. No, state law prohibits the release of this information, unless specific exemptions apply.



CITY OF VALLEJO

OFFICE OF THE CHIEF OF POLICE

111 AMADOR STREET • VALLEJO • CALIFORNIA • 94590-6301 • (707) 648-4540 • FAX (707) 648-4390

THE CITIZENS OF VALLEJO:

As your Chief of Police, I wish to emphasize that a relationship of trust and confidence between members of the Police Department and the community we serve is essential to effective law enforcement. Law enforcement officers must be free to exercise their best judgment and to initiate enforcement action in a reasonable, lawful, and impartial manner without fear of reprisal. So too, enforcers of the law have a special obligation to respect the rights of all persons.

The Vallejo Police Department acknowledges its responsibility to establish a system of complaints and disciplinary procedures which not only will subject personnel to corrective action when appropriate, but also will protect personnel from unwarranted criticism during the proper discharge of their duties.

I invite your suggestions for methods of improving police services, through constructive criticism of the Department's procedures, comments indicating dissatisfaction with the manner of performance, or information concerning commendable actions by Police Department employees. It is the purpose of these procedures to provide a prompt, just, open, and expeditious disposition of the complaints regarding the conduct of members and employees of the Department. To this end, citizens are encouraged to bring complaints about Department operations and conduct of its members to the attention of the Vallejo Police Department, whenever a citizen believes that an improper act has taken place.

Citizens are also encouraged to complement our procedures and members of our Department when their actions warrant commendations. Any commendation of the actions of our personnel will result in appropriate recognition. Please note that it is not necessary to be a citizen of the United States or a legal resident, to make a complaint or comment about Police Department personnel.

Complaints against Department personnel will be handled in a prompt and unbiased manner. Every complaint will be investigated and reduced to a written report, stating the facts surrounding it. It will include a conclusion and a recommendation concerning appropriate action to be taken. All completed investigations are sent to the Chief of Police, who reviews the complaints and makes a final decision.

It is my experience that citizens usually have several questions concerning the filing of a Citizen Complaint. Some of the most commonly asked questions regarding these procedures are addressed in a separate document enclosed with the complaint form. Should you have any concerns or desire additional information, please contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Shawny Williams".

SHAWNY K. WILLIAMS
Chief of Police