

You have a right to make a complaint against a peace officer for any improper law enforcement conduct. California law requires this agency to have a procedure to investigate citizen's complaints. You have a right to a written description of the 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 relating to complaints must be retained by this agency for at least five years.

I have read and understood the above statement.

Complainant, \_\_\_\_\_

Date, \_\_\_\_\_

#### INVESTIGATIVE PROCEDURE

You may choose to come to the Clayton Police Department in person to make your Citizen's Report as experience has indicated that it is most desirable to obtain information during a personal interview. Additionally, you have the options of making your citizen's report by telephone or in writing utilizing this form, and you have the option of remaining anonymous.

If you desire to identify yourself you will be asked to provide the following information:

1. Your name, address, and telephone number;
2. If a specific incident is involved, the date, time and location of that incident;
3. The names of any possible witnesses and telephone numbers, if available;
4. If the incident involves an arrest, the name, address, and telephone number of the individual arrested, if available;
5. If the incident involves a member of the department, their name, position in the department,
6. Details of the subject matter which prompted your interest;

7. In some circumstances you may be asked to voluntarily cooperate with a polygraph examination.

A member of the department will be assigned to contact you and an investigator will interview all available witnesses, involved department members, and will examine all relevant documentary and physical evidence.

Each citizen's report will be examined on its own merit. Should your citizen's report involve an allegation of improper action by a member or members of this department there are four possible findings which will result from our investigation:

1. Sustained: the investigation disclosed sufficient evidence to clearly prove the allegation;
2. Not sustained: the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation;
3. Unfounded: the investigation has produced sufficient evidence to prove that the act or acts complained of did not occur as alleged;
4. Exonerated: the acts which provided the basis for the allegation occurred; however, investigation revealed that the acts were justified, lawful, and proper.

Should the investigation of this citizen's report indicate improper actions by a member of this department, I will initiate corrective action in accordance with the policies and procedures employed in this department. Such actions may include counseling, retraining, or disciplinary action against the employee.

Citizen's reports are investigated by members of the department specifically assigned by me. As Police Chief I feel that it is my responsibility to review the final report and approve the findings of an investigation. I will notify you by mail upon the completion of the investigation which is initiated by your report.

In Summary,

Citizen reports assist me in maintaining the present quality of law enforcement services throughout the city and provide a means for improvement. They additionally assure the citizen that corrective action is taken if there is misconduct by a member of this Agency. Further, a thorough and impartial investigation procedure protects peace officers from unwarranted accusations.

# CITIZEN'S REPORT PROCEDURE

And form



The Clayton Police Department  
welcomes your complaints,  
constructive criticism, suggestions  
and information in the interest of  
better law enforcement.

Clayton Police Department  
6000 Heritage Trail  
Clayton CA 94517  
(925) 673-7350

**Richard McEachin**  
Chief of Police

