



Event # _____

SAN DIEGO POLICE DEPARTMENT/ COMMISSION ON POLICE PRACTICES COMPLAINT FORM

INSTRUCTIONS FOR COMPLETING THE COMPLAINT FORM:

Please describe the incident that led to this complaint, telling what happened from beginning to end. Be as clear and specific as you can be. What aspect(s) of the incident was improper (your specific complaint). How could it be resolved to your satisfaction? Please add additional pages as necessary. In order to investigate the incident completely, it is helpful to provide your name and information. The San Diego Police Department will accept third party and/or anonymous complaints. However, as a general rule for any investigation, if the information provided is insufficient, or if investigators are unable to contact complainants to ask essential questions, it may not be possible to complete the investigation due to a lack of clarifying facts.

COMPLAINANT'S NAME _____ HOME PHONE () _____

ADDRESS _____ BUS. PHONE () _____

CITY _____ STATE _____ ZIP _____ DOB _____

E-MAIL _____

INCIDENT LOCATION:

_____ DATE _____ TIME _____

SDPD PERSONNEL INVOLVED: (Give as much detail as possible)

NAME: _____ Gender: _____ Race: _____ Badge #: _____ ID # _____

NAME: _____ Gender: _____ Race: _____ Badge #: _____ ID # _____

NAME: _____ Gender: _____ Race: _____ Badge #: _____ ID # _____

WITNESS(ES):

NAME _____ HOME PHONE () _____ BUS. PHONE () _____

ADDRESS _____ DOB _____

NAME _____ HOME PHONE () _____ BUS. PHONE () _____

ADDRESS _____ DOB _____

Please answer Yes/No: Did you include the following with this complaint? _____ Video(s) _____ Photo(s)

INCIDENT DESCRIPTION/COMPLAINT:



Legal Requirement

California Penal Code Section 148.6 (a) (2) states in part:

A law enforcement agency accepting an allegation of misconduct against a peace officers shall require the complainant to read and signed the following advisory...:

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.

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understood the above statement

Complainant's Signature

What next?

You can turn this completed form into any police station or storefront as well as Police Headquarters at 1401 Broadway in downtown San Diego. If you prefer, you can call (619) 531-2000 and ask to speak with a police supervisor, or forward this form electronically to sdpdia@pd.sandiego.gov.

If you have any questions, you can also call San Diego Police Department Internal Affairs directly at (619) 531-2801 or visit our website at: www.sandiego.gov/police/contact/complaint-faq

Lastly, you can also submit this form to the CPP at 1200 Third Ave. Ste 924, MS56G, San Diego, CA 92101, by phone at (619) 236-6296, or online at: commissiononpolicepractices@sandiego.gov

FREQUENTLY ASKED QUESTIONS:

How will my complaint be investigated?

Your case will be assigned to an investigating supervisor. They will talk to you about your complaint and explain the process. You have the option of an **Informal** or **Formal** complaint resolution.

A **Formal** investigation will be classified as either a Category-I or a Category-II complaint based on the nature of the allegation. During a **Formal** investigation, you, the officer, and all witnesses will be interviewed. All physical evidence will also be examined. For all Category-I complaints, the complete investigation will be reviewed by Commission on Police Practices (CPP).

In **Informal** investigations, the supervisor will conduct a preliminary investigation, address your concerns directly with the officer, and document the incident with a memorandum in the casefile. All records will be retained in the Internal Affairs Unit for five years. No further investigation will take place unless the employee's Commanding Officer determines additional investigation is warranted.

Will I be told the results of the complaint?

Yes. For Formal complaints, both SDPD and the CPP will send you a letter with the results at the completion of their respective investigation and review. Each allegation will be assigned one of four possible findings. In the CPP's review, each allegation will be reviewed and the CPP will either agree or disagree with SDPD's conclusion.

The four possible conclusions are:

1. **Sustained:** All or part of the act occurred.
2. **Not Sustained:** There was not enough evidence to clearly prove or disprove the allegation.
3. **Unfounded:** The act did not occur.
4. **Exonerated:** The act occurred, but was justified, legal and proper.

What will happen to the officer?

If the officer's actions were improper, they will be subject to discipline. However, the law (832.7 P.C.) prohibits telling you what specific disciplinary action was taken against the officer(s).

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