



COMPLAINT FILING AND INVESTIGATION PROCEDURE OF THE ESCONDIDO POLICE DEPARTMENT

The Escondido Police Department believes that a relationship of confidence and trust with the public is essential to effective law enforcement. Officers must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful, and impartial manner without fear of reprisal. In addition, enforcers of the law have a special obligation to meticulously respect the rights of all persons.

The Department acknowledges its responsibility to establish a system of complaint and disciplinary procedures that will subject all department personnel to corrective action when they conduct themselves improperly. The Department welcomes constructive criticism and valid complaints against employees and/or their performance.

Anyone who feels he or she has been the victim of misconduct by a member of the Department may file a complaint. The complaint may be made at anytime to any member of the Department. Complaints of misconduct will be accepted and recorded on a complaint form available at the police station.

Complaints or inquiries may be made by:

1. Contacting the Patrol Division Watch Commander, either in person or by telephone, at the Police Department, 1163 N. Centre City Parkway, Escondido, California 92026, at (760) 839-4767.
2. Contacting the Internal Affairs Unit at (760) 839-4438.
3. Contacting the office of the Chief of Police, during normal business hours, at (760) 839-4706.
4. Sending a letter to the Chief of Police, 1163 N. Centre City Parkway, Escondido, California 92026.

Certain information obtained in the investigation of complaints is for Police Department use only and will not be released to complainants, pursuant to Section 832.7 of the Penal Code of the State of California.

Any person not satisfied with this procedure may refer his or her complaint to any of the following:

City Manager's Office	201 North Broadway, Escondido 92025	(760) 839-4631
Mayor or Council Member	201 North Broadway, Escondido 92025	(760) 839-4638
San Diego County District Attorney	220 West Broadway, San Diego 92101	(619) 531-4040
San Diego County Grand Jury	330 W. Broadway #477, San Diego 92101-3830	(619) 515-8707
Federal Bureau of Investigation	9797 Aero Drive, San Diego 92123	(858) 565-1255
State of Calif. Attorney General's Office	110 W. "A" Street, Suite 1100, San Diego 92101	(619) 645-2001

****Civil Code 47.5 Peace officers: defamation action against person filing false complaint alleging misconduct, criminal conduct, or incompetence. "...with no reasonable grounds to believe the statement was true and the complainant exhibited a reckless disregard for ascertaining the truth."***

You will be asked to provide as much information as possible. Your complaint will be investigated in a timely, professional manner. The investigation consists of taking statements from all persons concerned and the gathering of any physical evidence or additional information related to the incident. Each allegation will be evaluated on its own merits in an objective manner.

The Internal Affairs Unit will investigate the complaint and make a recommendation to the Chief of Police. You will be notified in writing of the disposition at the conclusion of the investigation.

Further Information:

Generally, complaints will not be accepted from persons who are intoxicated.

***You should also understand that if you knowingly make false accusations, you may be liable to civil or criminal recourse.**



ESCONDIDO POLICE DEPARTMENT

CIVILIAN'S COMPLAINT CALIFORNIA PENAL CODE 148.6 ADMONISHMENT

The provisions of Penal Code (P.C.) Section 148.6 state, in part, than any law enforcement agency accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign 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. Civilians’ 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 statements that you know to be false. If you make false statements as part of an investigation involving an officer, knowing that it is false, you can be prosecuted on a misdemeanor charge.”

I have read and understand the above statement.

Complainant’s Signature _____ Date _____



Escondido Police Department

1163 N. Centre City Parkway
Escondido, California 92026

Craig Carter, Chief of Police



COMPLAINT FORM

PLEASE PRINT OR TYPE

COMPLAINANT'S NAME		DATE OF BIRTH	HOME PHONE / CELL PHONE
COMPLAINANT'S ADDRESS		CITY	ZIP
COMPLAINANT'S ADDRESS		BUSINESS PHONE	
LOCATION OF INCIDENT		CITY	DATE AND TIME OF INCIDENT
NAME(S) OF ESCONDIDO POLICE PERSONNEL		CASE / INCIDENT #	

NARRATIVE OF COMPLAINT

CONTINUED ON
ADDITIONAL SHEETS []

SIGNATURE

DATE

(Do not write in this space)

INTERNAL AFFAIRS USE ONLY

EMPLOYEE RECEIVING COMPLAINT:

DATE & TIME:

RECEIVED IN I.A. BY:

- IN PERSON
- U.S.MAIL
- MESSENGER MAIL
- OTHER:

NATURE OF COMPLAINT:

ASSIGN TO:

I.A. CASE#