

DISPOSITION

Any complaint can be made anonymously, without giving your name; however, you cannot be informed as to the result of your complaint if you choose to remain anonymous. **If you make your identity known, you will be advised of the disposition of each complaint.**

After a thorough investigation, your complaint will be classified with one of the following dispositions:

- ◇ **Unfounded:** The allegation has no basis of fact or has been disproved through the investigation.
- ◇ **Not Sustained:** The allegation can neither be proved or disproved and no further action is to be considered.
- ◇ **Sustained-Justified:** The alleged act or failure to act is found to be true; however, such act or failure to act is permitted, or at least not prohibited, by this Office or was appropriate under the circumstances in this case.
- ◇ **Sustained:** When the investigation discloses that the act reported did occur and constituted misconduct or improper job performance.

Rev. 0107

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 CITIZENS 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. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATED 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.

CALIFORNIA CIVIL CODE, Section 47.5 Defamation Action by Peace Officer

Notwithstanding Section 47, a peace officer may bring an action for defamation against an individual who has filed a complaint with that officer's employing agency alleging misconduct, criminal conduct, or incompetence, if that complaint is false, the complaint was made with knowledge that it was false and that it was made with spite, hatred or ill will. Knowledge that the complaint was false may be proved by showing that the complainant had no reasonable grounds to believe the statement was true and that the complainant exhibited a reckless disregard for ascertaining the truth.



Citizen Complaint Procedure

Gregory J. Ahern
SHERIFF-CORONER

IMPORTANCE OF YOUR COMPLAINT

The complaint process is designed to deal with each case factually and fairly. Citizens who file complaints are treated respectfully and the accusations against the employee are taken seriously. All complaints are investigated thoroughly and all findings are based upon the impartial evidence gained during the investigation. Complaints must be filed within 30 days of the incident. If it is filed after that date, an explanation for the delay is to be included.

A disagreement over the validity of a traffic citation is not a complaint. Such disagreements should be directed to the proper court having jurisdiction in the matter. A complaint about jail procedures should be submitted to the jail administration via appropriate channels.

However, if it is determined that a complainant has knowingly made a false accusation against an employee, the employee has the right to seek criminal charges, as well as civil litigation, against their accuser.

For more information regarding the Alameda County Sheriff's Office citizen complaint process, or to ask about the status of your complaint, please call the Alameda County Sheriff's Office, Internal Affairs Section, Monday through Friday, between 8 a.m. and 5 p.m., at (510) 208-9800. You may also write to us at:

Alameda County Sheriff's Office
Internal Affairs Unit
1401 Lakeside Drive, 7th Floor
Oakland, CA 94612

OR

www.alamedacountysheriff.org

PROCEDURE

The Alameda County Sheriff's Office welcomes valid complaints about its service or personnel. Your constructive comments provide an open channel of communication between the Sheriff's Office and the community, which enables us to maintain the highest possible standards. Citizen's complaints also provide a basis for a thorough and impartial investigative procedure to protect employees who perform their duties properly.

If your complaint involves a deputy or any other agency employee, you'll be asked his/her name, badge number, and car number as appropriate. If you do not have this information, just explain what occurred giving the date, time, and location of the incident.

There are three ways you can submit a complaint to the Alameda County Sheriff's Office:

- ◇ Submit your complaint in person at any Sheriff's duty station within the County.
- ◇ Telephone the Alameda County Sheriff's Office Internal Affairs office at (510) 208-9800.
- ◇ Mail a letter describing your complaint to the following location:

Alameda County Sheriff's Office
Internal Affairs Unit
1401 Lakeside Drive, 7th Floor
Oakland, CA 94612

TELEPHONE

- ◇ Personnel complaints (day) (510) 208-9800
- ◇ Personnel complaints (night) (510) 667-7721
- ◇ Emergency/Hearing Impaired (510) 667-7721

THE INVESTIGATION

Once a complaint is received, it will be screened by the accepting supervisor for accuracy and content. The supervisor may interview you at that time, or schedule another time so a complete report of the incident can be made.

During the interview, the following things may be requested of you:

- ◇ You may be recorded or videotaped.
- ◇ You will be asked for names of witnesses and other employees that may know facts about your complaint.
- ◇ Photographs may be taken of any injuries you think are related to your complaint.

Sometime during the initial interview, the supervisor may be able to explain the employee's actions to your satisfaction. However, if this does not occur, the complaint will then be given a case number and assigned to an investigator for a detailed investigation.

When completed, the investigation will be reviewed by the Sheriff who will determine the ultimate disposition of the matter.

You will then be sent a letter with one of the following dispositions:

- ◇ Unfounded
- ◇ Not Sustained
- ◇ Sustained-Justified
- ◇ Sustained