

CITIZEN COMPLAINT PROCESS

The Brea Police Department takes all complaints seriously regarding the service provided by the Department and the conduct of its members. Fair and impartial law enforcement which respects the individual dignity of all is essential and must be accomplished with tact and diplomacy whenever possible, force only when necessary, and then only that amount of force as is necessary.

As police supervisors, we professionally and objectively investigate all citizen complaints as thoroughly as possible to arrive at all the facts. A thorough investigation ensures the integrity of the Department while protecting the rights and interests of both citizens and Department employees.

HOW DO I FILE A COMPLAINT?

You are encouraged to file a complaint in person with the Watch Commander. If you are unable to come in person, you may telephone the Watch Commander at 714-990-7624. If the Watch Commander is unavailable, please ask to speak with a Supervisor.

Also, Citizen Complaint Forms are available at the Front Counter of the Police Department and Online at www.breapolice.net.

THE INTERVIEW

The Watch Commander (or Supervisor) will interview you about your complaint. You will be asked about the incident, the names and contact information of any witnesses that may know facts about your complaint, and any evidence. It is important to have as much information as possible. Most interviews take place in person at the Brea Police Department.

However, interviews may take place over the telephone. You may expect the interview to be recorded.

THE INVESTIGATION

The Watch Commander (or designated Supervisor) will conduct the investigation. All involved employees and witnesses will be interviewed, evidence examined, and you may be contacted and asked additional questions.

THE REVIEW

Upon completion, the investigation will be reviewed by the Division Commander, who will recommend a disposition to the Chief of Police.

THE DISPOSITION

The completed investigation will be classified into one of four dispositions:

1. **Sustained** - The investigation disclosed sufficient evidence to substantiate that the department member committed all or part of the alleged acts of misconduct.
2. **Not sustained** - The investigation produced insufficient information to prove or disprove the allegations.
3. **Unfounded** - The investigation determined the alleged act did not occur.
4. **Exonerated** - The investigation revealed the alleged act occurred, but was legal, proper and in full compliance with Department regulations.

After the investigation is complete, the Chief of Police will send you a letter informing you of the disposition of the complaint.

The mission of the Brea Police Department is to preserve and enhance the quality of life in the community by balancing the need for traditional response to calls for service with effective problem solving.

CITIZEN COMPLAINT FORM

CONFIDENTIAL



**BREA POLICE
DEPARTMENT
1 CIVIC CENTER CIRCLE
BREA, CA 92821
714-990-7625**

**JOHN BURKS
CHIEF OF POLICE**

Please Print Your First, Middle, & Last Name:
Please Print Your Street Address, City, State, & Zip Code
Please Print Your Phone Number & E-Mail Address:

Please Print The Date, Time & Location Of The Incident:
Please Print The Name(S) Of The Involved Employee(S):
Print The Names, Addresses, And Phone Numbers Of Any Witnesses:

Describe The Incident In Detail. Attach Additional Pages As Necessary.

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.

Signature:

Date:

Signature of Parent/Guardian (Juveniles):