



# **CITIZEN COMPLAINT PROCEDURE**

**ALAMEDA POLICE DEPARTMENT  
1555 OAK STREET  
ALAMEDA, CALIFORNIA 94501  
(510) 337-8479**

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## THE LAW

California Penal Code Section 832.5 (a) states:

"Each Department or Agency in this state that employs peace officers shall establish a procedure to investigate citizen's complaints against the personnel of these departments or agencies, and shall make a written description of the procedure available to the public".

## HOW TO MAKE A COMPLAINT

A complaint is any charge against an employee of the Police Department, which, if true would adversely affect the Department's operational efficiency or relations with the public.

A complaint may be made at ANY time of the day or night to ANY police personnel. Complaints generally will not be accepted from persons under 18 years of age unless accompanied by a parent, guardian, or responsible adult. To file a complaint simply call, write, or come in person to:

**ALAMEDA POLICE DEPARTMENT**  
**1555 OAK STREET**  
**ALAMEDA, CALIFORNIA 94501**  
**510-337-8479**

If you call or come to the Police Department, you will be referred to the employee's immediate supervisor. If they are not available, then you will be referred to the Patrol Sergeant or On-duty Watch Commander.

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## INVESTIGATION PROCEDURE

The person receiving the complaint will ask you to provide as much information as possible regarding the incident. If you were involved in or witnessed the incident, it is extremely important to the investigation that a statement be obtained from you. Your statement will be included as part of the "Citizen Complaint Form".

If you respond in person, the supervisor will provide you with a copy of the completed form(s). Your complaint will be investigated as soon as possible and that you will be re-contacted regarding the findings of the investigation. Our goal is to conclude personnel investigations within 30 days, however, this may vary depending on the nature and complexity of the case.

There are four possible findings in each case:

**UNFOUNDED:** The results of the investigation clearly show that the alleged acts(s) complained of did not occur or did not involve police personnel.

**SUSTAINED:** The results of the investigation disclosed sufficient evidence to clearly prove the allegation(s) made in the complaint.

**NOT SUSTAINED:** The results of the investigation failed to discover sufficient evidence to clearly prove or disprove the allegation(s) made in the complaint.

**EXONERATED:** The investigation clearly showed that the allegation(s) made in the complaint did occur, but were justified, lawful, and proper on the part of the accused.

The Chief of Police, upon receipt of the completed investigation, shall review the adequacy of the completed investigation, the finding, and any recommended disciplinary or/corrective action. These actions may include counseling, training, oral reprimand, written reprimand, suspension, fine, demotion, or dismissal.

Regardless of the results of the investigation you will be notified of the official finding. However, pursuant to California Penal Code Section 823.8, you will not receive any information regarding disciplinary or corrective actions imposed resulting from the investigation. This information is confidential and may not be disclosed.

## IN SUMMARY

Your valid complaints and criticisms help us to protect the community from possible misconduct by the police. At the same time, a thorough and impartial investigation procedure helps protect police officers from unwarranted charges when they perform their duties properly.