

California Penal Code 832.5 (a)(1)

Each department or agency in this state that employs peace officers shall establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies, and shall make a written description of the procedure available to the public.

A relationship of trust and confidence between members of the Fontana Police Department and the Community is essential for 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. Enforcers of the law also have a special obligation, under the Constitution of the United States and the State of California to respect the rights of all persons.

The Fontana Police Department acknowledges its responsibility to establish a system of complaint and disciplinary procedures, which not only subject the officers to corrective action when they conduct themselves improperly, but also protects them from unwarranted criticism when they discharge their duties properly. It is the purpose of these procedures to provide a prompt, just, open, and expeditious disposition of complaints regarding the conduct of members and employees of the Police Department.

The Fontana Police Department welcomes constructive criticism of the department and valid complaints against its members or procedures. We hope you will never need to make a complaint about police services in Fontana. However, should this become necessary, you can be assured your complaint will be given full and complete consideration.

Who can file a complaint?

Any person who feels that a Fontana Police Department employee has engaged in misconduct.

How do you file a complaint?

You can file a complaint at the Fontana Police Department, in person, by telephone, or in writing. A citizen complaint form can be mailed to you if requested.

How is a complaint handled?

Normally the Watch Commander or Field Supervisor will receive a complaint. The first thing they will do is conduct a recorded interview with the complainant to ensure there is a good understanding of what the complaint is about and who is involved.

After the information is obtained, an investigation into the complaint will be conducted. Depending on the complexity of the complaint it may be handled by the Watch Commander or Field Supervisor. If the complaint cannot be thoroughly investigated at that level it will be forwarded to the Internal Affairs Unit for further investigation.

Once the complaint has been investigated and the appropriate action taken, the complainant will receive a letter notifying them of the results. California law prohibits the department from disclosing details of personnel investigations and any disciplinary action taken. The following is a list of dispositions given to complaints:

- **Sustained**- the allegations are supported by the evidence.
- **Inconclusive**- there is insufficient evidence to prove or disprove the allegation.
- **Unfounded**- the allegation complained of is false or not supported by the evidence.
- **Exonerated**- the incident complained of occurred but was lawful and proper.

False Complaints

You should be aware that a Peace Officer, under provision 47.5 of the California Civil Code, may bring civil action against an individual who knowingly makes a false personnel complaint against a Peace Officer.

Fontana Police Department



Citizen Complaint Form

Fontana Police Department
17005 Upland Avenue
Fontana, Ca. 92335

Please describe the circumstances regarding your complaint. (List any additional witnesses, involved officers and or other relevant information that would help investigate your complaint.)

NAME DATE OF BIRTH

ADDRESS

TELEPHONE # BUSINESS #

DATE AND TIME OF OCCURRENCE

LOCATION OF OCCURRENCE

OFFICER(S) INVOLVED BADGE #

OFFICER(S) INVOLVED BADGE #

WITNESS NAME(S)

ADDRESS

TELEPHONE #

WITNESS NAME(S)

ADDRESS

TELEPHONE #

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 AN INVESTIGATION THAT THERE MAY OR MAY NOT BE ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT. YOU HAVE THE RIGHT TO KNOW THE DISPOSITION OF YOUR COMPLAINT. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO THOSE COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS. IF THE COMPLAINT IS SUSTAINED FOR CRIMINAL ACTIVITY, THE EMPLOYEE MAY BE SUBJECT TO CRIMINAL PROCEEDINGS.

I have read and understand the above statement

Signature of COMPLAINANT

Signature of parent or guardian (if a minor)

Person receiving complaint