

## **Davis Police Department**

### **MAKING AN INQUIRY OR COMPLAINT**

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The information on this form can be provided in languages other than English. If you need this information in another language, need translation services, or need any other assistance because of a disability, please contact the Davis Police Department @ 530-747-5400.

Forms in Spanish can be found using this link:

Los formularios en español se pueden encontrar usando este enlace:

<https://www.cityofdavis.org/home/showpublisheddocument/16453>

Forms in Russian can be found using this link:

Blanki na russkom yazyke mozhno nayti po etoy ssylke:

<https://www.cityofdavis.org/home/showpublisheddocument/16455/637703331874420527>

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The public's trust, confidence and support are vital to successful police service. The public is entitled to have ready access to supervisors and the police administration that is sworn to serve them, and have them respond to any grievances or complaints regarding any member of the Davis Police Department. This access will help foster public understanding of police procedures and aid in the detection or correction of improper or undesirable practices or behavior by members of the Davis Police Department.

Pursuant to Penal Code § 832.5, the Davis Police Department has adopted a policy that provides a fair, orderly and uniformly applied process for receiving, investigating, and resolving complaints of alleged police misconduct. Pursuant to that policy, a complaint means either of the following:

1. Any issue where the complainant perceives that a member engaged in criminal conduct, abusive or discriminatory behavior, inappropriate or discourteous conduct, or violation of any law or rules, policies, and regulations of the Davis Police Department or the City of Davis; or
2. Disagreement solely with the policies, procedures, or services of the Davis Police Department and not with the performance of any personnel.

**Complaints may be filed in a variety of ways, including;**

1. By filling out this form and submitting it either in person or by mail to the Davis Police Department located at 2600 Fifth St. Davis, CA 95618.

2. By filling out this form and submitting it either in person or by mail to the City Manager's Office located at City Hall, 23 Russell Blvd Davis, CA 95616.
3. By speaking directly to a Davis Police Department supervisor either in person at 2600 Fifth St. Davis, CA 95618 or by telephone 530-747-5400.
4. By sending an email to the Police Department at [policeadmin@cityofdavis.org](mailto:policeadmin@cityofdavis.org) or the City Manager's Office at [CMOWeb@cityofdavis.org](mailto:CMOWeb@cityofdavis.org).
5. By directly contacting the Independent Police Auditor by email at [policeauditor@cityofdavis.org](mailto:policeauditor@cityofdavis.org).

Filling out a complaint form is not a requirement for making a complaint. All complaints, from any source, including anonymous or third-party complaints, in any language, whether in writing or verbally received, no matter how received by the Police Department, will be reviewed.

Although a person is not required to speak to anyone at the Police Department prior to making a complaint, if your inquiry or complaint is specifically about a member of the Davis Police Department, we encourage you to speak directly to a supervisor or the on-duty Watch Commander. If your inquiry or complaint appears to be based on a misunderstanding or lack of knowledge of acceptable or desired conduct, policies and procedures, the supervisor may offer an explanation and attempt to resolve the situation without a formal investigation. If you are not satisfied with an explanation of acceptable and desirable conduct, policies or procedures, a formal complaint may be filed and it will be referred to the Office of the Police Chief.

Some complaints may be addressed through the Community - Police Alternative Conflict Resolution (ACR) Program process - a voluntary restorative process designed to resolve the complaint through face-to-face conversation with a member of the Davis Police Department. If you are interested in participating in the ACR Pilot Program, please indicate this on the form below. Information regarding the ACR can be found online at:

<http://cityofdavis.org/city-hall/police-department/alternative-conflict-resolution-acr-pilot-program>.

If you make a formal complaint, it will be thoroughly investigated by an assigned supervisor. The investigation will usually include a review of all applicable reports, examination of any evidence, review of any video or audio footage and interviews with all parties and witnesses. A simple inquiry might take several days to complete, while a complex investigation might take two or three months or more to investigate and review.

The Office of the Police Chief reviews every complaint. If the Police Chief determines that an employee violated Department policies or procedures, appropriate corrective

action is taken. The Police Chief's review will also include looking for ways to improve policies, procedures, training, and service.

### **FINDINGS**

You will receive written notification of the findings of any formal complaint. The possible findings are:

- a. **Unfounded** –The investigation clearly established that the allegation is not true.
- b. **Not Sustained** –The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.
- c. **Sustained** –The investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by the preponderance of evidence.
- d. **Exonerated** –The investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.
- e. **Frivolous** –Means totally and completely without merit or for the sole purpose of harassing an opposing party.
- f. **Alternative Conflict Resolution** –The complaint is resolved in accordance with the ACR Program.

If the complaint is sustained, meaning there was wrong doing, the Police Chief will determine whether the employee will be disciplined and/or receive additional training. Discipline may include: reprimand, suspension, demotion or termination. In most instances, State law does not allow the release of the specific action taken against a public safety employee.

Although we cannot guarantee you will be satisfied with the results of the investigation, we do guarantee that your complaint will be investigated thoroughly and fairly.

Sincerely,

***Todd Henry***  
***Police Chief***

## **Complaint Form**

**Your Name** \_\_\_\_\_ **Date** \_\_\_\_\_

**Home Address:**

\_\_\_\_\_

**Phone #** \_\_\_\_\_ **Cell #** \_\_\_\_\_

**Email** \_\_\_\_\_

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**Date and Time of Incident** \_\_\_\_\_

**Names of Involved Employees:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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### **Witness Information**

**Name** \_\_\_\_\_ **Cell #** \_\_\_\_\_

**Name** \_\_\_\_\_ **Cell #** \_\_\_\_\_

**Name** \_\_\_\_\_ **Cell #** \_\_\_\_\_

☐ **Additional witness information attached.**

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Does your complaint involve racial or identity profiling? YES NO

If YES, what type: \_\_\_\_\_

Did you speak to a supervisor at the Police Department regarding the incident?  
YES NO

Would you like to speak to a supervisor prior to making a formal complaint?  
YES NO

Would you be interested in using the Alternative Complaint Resolution process?  
YES NO

If you've already spoken to a supervisor, name of supervisor: \_\_\_\_\_

[illegible]

*Signed*

**DO NOT WRITE BELOW THIS LINE-FOR DEPARTMENT USE ONLY**

**Forwarded to Office of Police Chief**      **Date** \_\_\_\_\_ **Employee** \_\_\_\_\_