

## OUR COMMITMENT

The Chino Police Department is committed to serving the community in a highly professional manner. To fulfill this obligation, as well as meet statutory requirements, the Department supports a readily available process in which citizens and employees can have confidence that complaints against either employees or the Department will be fairly and thoroughly investigated. Such investigations will ensure that proper corrective actions are taken when appropriate, as well as protect employees against unwarranted criticisms when the procedures or actions by the employees or Department were proper.

The Chino Police Department acknowledges the responsibility it has to accept and investigate all complaints brought to the attention of the Department and is committed to resolving those complaints. Further, the Department is also committed to taking appropriate action when necessary against those employees involved in unacceptable behavior or actions of misconduct, including training, counseling, or an appropriate level of discipline.

In the event the complainant is a minor (under 18 years old), a responsible parent or guardian will be promptly notified so they are made aware of the nature of the complaint, and provided the opportunity to be present with the minor when the complaint is filed.

Complaints involving employee misconduct or customer service complaints will be promptly reviewed, investigated, and/or resolved in an appropriate manner and in compliance with all applicable statutory provisions.

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## Misconduct

Misconduct is defined as actions involving a violation of any law, written Department Procedure, Policy, Order, or Regulation. Failure to obey written or verbal orders or any conduct that may tend to reflect unfavorably upon the employee or the Department may also be deemed to be misconduct.

### Customer Service Complaints

Other complaints that do not rise to the level of employee misconduct are considered customer service complaints. Although the Police Department provides public safety services, the application of private sector customer service standards has some application to the manner in which we provide our services.

Complaints of this nature are generally complaints against employees or the Department relating to expressed dissatisfaction regarding our departmental operations, actions, or conduct. Customer Service complaints of this nature do not involve violations of laws, written Department Procedures, Policies, Orders, or Regulations.

#### ◆ **What if I want to make a COMPLAINT?**

You can call or ask to see an on-duty Police Supervisor. In instances where your concern or complaint cannot be readily resolved by the supervisor, you may file a written formal complaint, which will be provided to you at that time.

#### ◆ **Will the Chief of Police know I've Complained?**

Yes. The Chief receives ALL formal written complaints. The employee's superiors are also notified of all verbal and written complaints.

#### ◆ **Who will investigate my complaint?**

Either the Officer's supervisor or the Professional Standards Sergeant, depending on the nature and seriousness of the allegations.

#### ◆ **What will happen to the employee?**

That will depend on the seriousness of the conduct. He/she may be counseled by their immediate supervisor or they could receive discipline from their supervisor or the Chief of Police. If discipline is administered, you may be subpoenaed to testify in a civil hearing.

#### ◆ **Will I be notified as to what action is taken against the Officer or employee?**

Specific discipline and personnel actions involving Police personnel are considered confidential and we are precluded by law from disclosing the action taken against the employee. However, in cases of formal written complaints, you will be notified by mail of the findings of the investigation.



◆ **What are the ‘findings’ I will be notified of?**

At the final conclusion and disposition of an investigation, written notification will be mailed to you. This is in compliance with the guidelines of Sections 832.5, 832.7, 832.8(e) & (f) of the California Penal Code. The findings are defined as follows:

**Unfounded** - Means that the investigation clearly established that the allegation is not true.

**Exonerated** - Means that the investigation clearly established the actions of the peace or custodial officer that formed the basis for the complaint are not violations of law or department policy.

**Not Sustained** - The investigation failed to disclose sufficient evidence to conclusively prove or disprove the allegation made in the complaint.

**Sustained** - The investigation disclosed sufficient evidence to conclusively prove the allegation made in the complaint.

**No finding** – When one or more of the following circumstances exist:

- ◆ The complainant fails to disclose information to further the investigation.
- ◆ The investigation reveals that another agency was involved and the complaint or complainant has been referred to that agency.
- ◆ The complainant wished to withdraw the complaint.

- ◆ The complainant is no longer available for clarification.
- ◆ The complainant refuses further contact on advice of an attorney.

◆ **Can I make a telephone complaint?**

Yes. However, if the complaint is made by telephone and involves employee misconduct, the supervisor will ask to meet with you in person either at the Police Department or a location of your choosing, so that the necessary forms may be completed for a formal complaint.

◆ **Can I make a complaint by letter?**

Yes. However, if the complaint is made by letter or mail, it will be forwarded to the Professional Standards Unit, with a copy to the Chief of Police for appropriate action. This may involve further personal contact with you, so that the necessary forms may be completed for a formal complaint.

◆ **What if I make a false complaint?**

You should be aware that under provision 148.6 of the California Penal Code, it is a misdemeanor to knowingly file a false complaint against a Police Officer.

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**Chino Police Department**



CUSTOMER SERVICE COMPLAINTS  
AND  
ALLEGATIONS OF POLICE MISCONDUCT  
PROCEDURES

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