

CITIZEN COMPLAINT GUIDELINES

Section 832.5 of the California Penal Code requires that law enforcement agencies investigate citizen's complaints against its personnel.

The Colusa County Sheriff's Office has a continuing obligation to serve the community. One aspect of this obligation is to ensure that sheriff's office procedures and actions are reasonable and effective. To fulfill this obligation, the sheriff's office provides a readily available process in which community and sheriff's office members can have confidence that complaints against sheriff's office procedures and actions will be given efficient and fair attention. Such investigations will not only provide for corrective action when appropriate, but will also protect against unwarranted criticism when procedures or actions are proper.

1. Complaint may be made either orally or in writing. (A form is attached for convenience)
2. The form should be returned to the Sheriff's Office in a timely manner. (Two days or less)
3. The case will be investigated by assigned personnel.
4. At the conclusion of the investigation the investigator will reach a finding which will be reviewed by superior personnel.
5. The complainant will receive a letter regarding the finding within 30 days of the completion of the investigation. The finding may be either sustained, not sustained, exonerated, unfounded, or excused.

Laws regarding confidentiality of personnel issues restricts further details of discipline. In October 1995, the governor signed legislation adding Section 148.6 to the Penal Code which reads:

(a) (1) Every person who files any allegation of misconduct against any peace officer... knowing the allegation to be false, is guilty of a misdemeanor.

(2) Any law enforcement agency accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign the following advisory, all in boldface type: **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 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. CITIZEN 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.**

(3) The advisory shall be available in multiple languages.

Written complaints should be addressed to:

Colusa County Sheriff's Office
929 Bridge Street
Colusa, CA 95932
Attention: Personnel Complaint