

FAIRFAX POLICE DEPARTMENT CITIZEN REPORT OF EMPLOYEE PERFORMANCE

SUMMARY OF COMPLAINT PROCESS

As set forth in California Penal Code section 832.5, The Fairfax Police Department has established a complaint process to receive and act upon complaints made by the public against Police Department employees. This process provides corrective action when the employee conduct has been improper. It also protects the employee from unwarranted criticism when duties are discharged properly.

A complaint may be made by personal interview, by telephone or by mail. Complaints may also be made anonymously. All information received is confidential. A parent or guardian's signature is required on complaints filed by persons under 18 years of age.

On receipt of a complaint, the police chief will assign an investigator to contact all witnesses, examine any relevant physical evidence, and gather all information pertinent to each allegation made. After completing the investigation, the investigator will make an initial determination if the complaint should be sustained or not sustained based on each alleged act of misconduct.

With the findings of the investigator, the police chief will make the final disposition. If a complaint is sustained, the police chief will administer appropriate corrective and/or disciplinary action which may include one or more of the following: counseling; training; oral or written reprimand; suspension; demotion; and termination.

Departmental procedure allows 30 days for completion of an investigation into a citizen's complaint. If additional time is required, the police chief may authorize consecutive 15-day extensions. If the investigation will extend beyond 30 days, you will be notified of the status and expected completion date.

On occasion, some members of the public have made false complaints against an employee to mar the employee's personnel record as a means of retaliation or to establish a defense for a previous alleged law violation. Making a complaint that is known to be false may be punishable as a violation of law as set forth in California Penal Code Section 148.6.

Should you have any questions regarding these procedures, please contact the police chief during business hours Monday through Friday. The department's procedural directive on citizen complaints is also available for inspection, upon request.

If you wish to file a formal complaint of employee performance, forms are available at the Fairfax Police Department.