



# BISHOP POLICE DEPARTMENT



## Citizen Complaint Process

### ➤ The law and Department Policy

California Penal Code Section 832.5 requires that agencies that employ peace officers establish a complaint investigation procedure. It also requires that a written description of the procedure be available to the public.

Complaints will be received in a courteous and impartial manner. No attempt will be made to dissuade a citizen from making a complaint.

### ➤ What is a complaint?

A complaint is an allegation of misconduct by an employee, which if found to be true, could result in disciplinary action.

### ➤ Who can make a complaint?

A complaint may be made by anyone who is dissatisfied with the conduct of the employees.

### ➤ How to file a complaint

You may file a complaint in person, or by writing to the Bishop Police Department at 207 West Line Street, Bishop, CA 93514. You may telephone the Watch Commander at (760) 873-5866.

Complaint forms are available at the Bishop Police Department

### ➤ What to expect

Complaint investigations can be lengthy depending on the number of witnesses and the seriousness of the allegations. The Bishop Police Department makes every effort to complete investigations within 60 days. Additional time is then required for review and determining a disposition of the allegations of misconduct.

### ➤ Dispositions

After all evidence and testimony are obtained, the investigator files a report which is reviewed by command staff personnel.

The Chief of Police reviews the completed investigation and at the conclusion of the Chief's review, one of four dispositions will be determined for each allegation of misconduct. They are:

**Sustained:** The employee has committed the act, or acts, of misconduct alleged in the complaint, or the employees omitted a required duty.

**Not Sustained:** There is insufficient evidence to clearly prove or disprove the allegations made.

**Exonerated:** The act occurred but the act was justified, lawful, and proper, or the complainant is satisfied with an explanation of the incident and requests no further action taken.

**Unfounded:** The allegations were without basis

### ➤ Confidentiality

California law states sworn peace officer personnel records are confidential, and can only be divulged through a special court order during criminal or civil proceedings.

This means you will be notified of the disposition of the complaint, but, by law, the Department cannot divulge any information regarding discipline or other administrative actions.

### ➤ Employee rights

Typically complaints reflect legitimate concerns. However, occasionally a complaint is fictitious and made with malice. Police Officers also have the right to review and respond to allegations of misconduct, as well as any proposed discipline resulting from such allegations.

### ➤ Community involvement

Please remember the Bishop Police Department is here to serve and assist our citizens. As such, we value your input concerning our ability to serve the public properly. We encourage anyone to contact us when they have a complaint of concern. With your help, we can work together to improve our community.