



CITY OF MURRIETA

MURRIETA POLICE DEPARTMENT

PERSONNEL COMPLAINT INVESTIGATION PROCEDURE

The Department believes that a relationship of confidence and trust with the public is essential to law enforcement. Officers must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful and impartial manner without fear of reprisal. So, too, enforcers of the law have a special obligation to respect meticulously the rights of all persons.

The Department acknowledges its responsibility to establish a system of complaint and disciplinary procedures which will subject officers to corrective action when they conduct themselves improperly.

To this end, the Department welcomes from citizens of the community constructive criticism of the Department and valid complaints against its members and procedures.

Any citizen who feels he or she has been the victim of misconduct by a member of the Department may file a "Citizen Complaint". The complaint may be made at any time to any member of the Department. Complaints of misconduct will be accepted and recorded on a "Citizen Complaint" form available at the Murrieta Police Department. A copy will be given to you.

The person receiving the complaint will ask you to provide as much information as possible. This is to provide a basis for a formal personnel complaint. The complaint will then be investigated in a timely, professional manner. The investigation consists of taking formal statements from all persons concerned and the gathering and preservation of any physical evidence or other information related to the incident. Each allegation is examined on its own merits in an objective manner.

The completed investigation will be submitted to the Chief of Police for review and appropriate disposition. Within thirty (30) days of the final review by the Chief of Police, written notice of the findings shall be sent to the complaining party.

California Penal Code Section 148.6 States: Any law enforcement agency accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign the following information 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.”

Every person who files any allegation of misconduct against any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, knowing the allegation to be false, is guilty of a misdemeanor. (Penal Code Section 148.6)

Complainant Signature: _____

Date: _____

MURRIETA POLICE DEPARTMENT
COMPLAINT INVESTIGATION FORM

Complainant Name: _____

Address: _____

Primary Phone: _____ Secondary Phone: _____

Race: ____ Sex: ____ Age: ____ DOB: _____ Dr.Lic.#: _____

Business/School Address: _____

Incident Location: _____

Date of Incident: _____ Time: _____

If Complaint involves an arrest list names & booking numbers:

Name: _____ Booking Number: _____

Name: _____ Booking Number: _____

Complaint is regarding: _____

Crime Report Filed? _____ Charges: _____ File #: _____

Witnesses:

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Officers Involved: _____

Complaint form issued by: _____ Date/Time: _____

Form Returned to: _____ Date/Time: _____

