



# GARDEN GROVE POLICE DEPARTMENT

11301 ACACIA PARKWAY  
P.O. BOX 3070  
GARDEN GROVE, CA 92842  
(714) 741-5704

## SUMMARY OF COMPLAINT PROCESS

AFTER YOUR COMPLAINT IS FILED, A POLICE DEPARTMENT MEMBER ASSIGNED BY THE CHIEF OF POLICE, WILL CONTACT ALL PERTINENT WITNESSES, EXAMINE ANY RELEVANT PHYSICAL EVIDENCE AND GATHER ALL INFORMATION PERTINENT TO EACH ALLEGATION OF MISCONDUCT IN THE COMPLAINT.

AFTER COMPLETION OF THE INVESTIGATION, A COMPLAINT DISPOSITION WILL BE MADE BASED ON EACH ALLEGED ACT OF MISCONDUCT.

WHILE CITIZEN COMPLAINTS ARE INVESTIGATED BY A DEPARTMENT MEMBER ASSIGNED BY THE CHIEF OF POLICE, THE FINAL DISPOSITION ON THE CASE WILL BE MADE BY THE CHIEF OF POLICE. WHEN COMPLAINTS ARE FOUND TO BE SUSTAINED, THE CHIEF OF POLICE SHALL DETERMINE AND ADMINISTER APPROPRIATE CORRECTIVE AND/OR DISCIPLINARY ACTION.

DEPARTMENT PROCEDURES ALLOW THIRTY (30) DAYS FOR THE COMPLETION OF AN INVESTIGATION INTO A CITIZEN'S COMPLAINT. NORMALLY ALL COMPLAINT INVESTIGATIONS ARE COMPLETED WITHIN THIS TIME PERIOD, HOWEVER, SHOULD ADDITIONAL TIME BE REQUIRED, YOU WILL BE SO ADVISED BY THE DEPARTMENT ALONG WITH THE REASON(S) FOR THE DELAY.

YOU WILL BE NOTIFIED BY LETTER AT THE CONCLUSION OF THE INVESTIGATION.

A COMPLETED INVESTIGATION MAY BE REOPENED IN THE EVENT THAT:

1. NEW WITNESSES OR EVIDENCE IS DISCOVERED BEARING ON THE TRUTH OF THE ALLEGED MISCONDUCT.
2. EVIDENCE IS PRESENTED WHICH TENDS TO SUGGEST MALFEASANCE, MISFEASANCE, OR NONFEASANCE ON THE PART OF THE POLICE DEPARTMENT IN CONDUCTING THE INVESTIGATION.

### 1. WHERE CAN ONE GO TO MAKE A COMPLAINT?

Any member of the Police Department can take a complaint.

### 2. DOES A COMPLAINT HAVE TO BE MADE IN PERSON?

No. We prefer to talk to you in person, but we will accept a written complaint or a telephone call. However, persons making complaints will be interviewed personally sometime during the investigation.

### 3. CAN A PERSON GET INTO TROUBLE FOR MAKING A COMPLAINT?

Not if you have been truthful. We would not, and could not, bring charges against a person who acted in good faith. You should be aware that under section 148.6 of the California penal code, it is a misdemeanor to knowingly file a false complaint of misconduct against a peace officer. You should also be aware that a peace officer, under provision 47.5 of the California Civil Code, may bring civil action against an individual who knowingly makes a false personnel complaint.

### 4. WILL SOMEONE LISTEN TO MY COMPLAINT?

Yes. We want to know if something went wrong so we can prevent it from happening again.

### 5. WHO INVESTIGATES A CITIZEN'S COMPLAINT?

An investigation is normally completed by a Police Department Supervisor.

### 6. WILL THE POLICE CHIEF BE AWARE OF A CITIZEN'S COMPLAINT?

Yes. The Police Chief receives copies of all complaints against officers and employees. Each of the officer's or employee's superiors is also notified.

### 7. CAN SOMEONE UNDER THE AGE OF EIGHTEEN MAKE A COMPLAINT?

Yes, but you must bring one parent, a guardian, or a responsible adult with you.

### 8. ARE COMPLAINTS INVESTIGATED CLOSELY?

Very closely. We want to find out where we went wrong. By the same token, if a person makes a false complaint, we want to find out and take appropriate legal action.

### 9. WHAT WILL HAPPEN TO THE OFFICER OR EMPLOYEE?

That depends on the allegation. If his actions were improper, appropriate action will be taken to prevent recurrence. If the officer's actions were criminal, the matter may be referred to the office of the District Attorney. If the officer's actions were proper, he will be exonerated.

### 10. WILL THE PERSON INITIATING THE COMPLAINT BE TOLD WHEN THE INVESTIGATION IS COMPLETED?

Yes. Each complainant will be notified by letter when the investigation is completed. Under Penal Code Section 832.7 the department is prohibited from revealing specific disciplinary action taken against an employee. If your complaint results in discipline to the employee, you may be subpoenaed to testify at a Personnel Hearing.