

POLICE COMPLAINT PROCEDURES

INTRODUCTION

An inquiry into the county and cities law enforcement complaint procedures was initiated by a citizen's complaint received by the Grand Jury. The objective was to review and analyze various agencies' policies and procedures from the initial receipt of a complaint against law enforcement, through resolution, disposition, and accountability.

INQUIRY

The Grand Jury visited, interviewed personnel, and obtained data for this review from the following sources:

- Ventura County Sheriff's Department
- Oxnard Police Department
- City of San Buenaventura Police Department
- Oxnard, Ventura, and Camarillo City Councils
- Board of Supervisors
- Community members
- Report of the Independent Commission on the Los Angeles Police Department
- National Institute of Justice: Research in Brief Department
- Grand Jury Reports of 1991 - 1995

FINDINGS

- Complaint forms are not readily accessible to the public, and even the Grand Jury members were discouraged by law enforcement personnel when attempting to obtain a complaint form. Complainants were required to see the duty sergeant before receiving the form.
- There are written procedures in place for processing a complaint. One agency has a computerized Complaint Early Warning System that would indicate if intervention or training might be necessary for personnel.
- Complainants are promptly notified of complaint disposition.
- Complaint resolutions are confidential; dispositions are public information, and records are retained for five years.
- The number of complaints received by law enforcement agencies has been relatively small.
- There is a lack of confidence in the integrity of the complaint process.

Below is a three-year summary of three agencies:

COMPLAINT SUMMARY

	Oxnard 1/1/94 Through 3/20/97	Ventura Past 3 Years
Unfounded	9	7
Exonerated	40	3
Not Sustained	28	0
Sustained	3	4
Others*	<u>12</u>	<u>0</u>
	92	14

VENTURA COUNTY SHERIFF'S DEPARTMENT

	<u>1994</u>	<u>1995</u>	<u>1996</u>
Unfounded	33	47	28
Exonerated	28	28	35
Not sustained	20	12	44
Sustained	51	46	39
Others	<u>0</u>	<u>0</u>	<u>0</u>
	132	133	146

**Investigations in progress or referred*

CONCLUSIONS

1. Complainants were discouraged by law enforcement personnel when attempting to secure a complaint form and intimidated when told they must speak to the duty sergeant before receiving a form. As a result the number of complaints filed were limited.
2. The number of complaints are few due to citizens' lack of confidence in the integrity of the complaint process. Complaints serve as an indicator of public perception of law enforcement agencies.
3. Complaint files are kept at least five years and are available for resolution, disposition, and analysis.
4. Records indicate complainants were notified of dispositions of their complaint.
5. Law enforcement personnel and citizens have differing views on how the complaint process should be handled.
6. Complaint procedures are well written and known, but application and accountability are lacking.
7. Computerizing complaint records, as an early warning system, will aid management in monitoring employees, expediting resolution, and disposing of complaints.

RECOMMENDATIONS

1. Law enforcement agencies should create a citizen complaint process which is not intimidating, but rather help to build confidence with the public.
2. Agencies need to make complaint forms more accessible to the public.
3. Enforcement of the written policies and procedures for handling complaints should be a priority.
4. All law enforcement agencies need to computerize complaint data by putting it in a five year database. They should be more observant and proactive in looking for early warning signs that may indicate intervention or training is needed.
5. Law enforcement should take the lead and encourage an independent review process, one the community can trust which could be made up of city council members, retired judges, former grand jurors, and community members.
6. Law enforcement agencies should be required to publicly report annually the number of complaints received and their disposition, such as at city council or Board of Supervisors' meetings.
7. The type, number, and resolution of complaints should be closely monitored. Law enforcement should look upon complaints as a barometer of police performance.

RESPONSE REQUIRED

- Board of Supervisors
- Oxnard City Council
- San Buenaventura City Council
- Ventura County Sheriff's Department
- Oxnard Police Department
- Ventura Police Department