

# The Yuba City Police Department's Citizen Complaint procedure helps you, the community, and the police department as well.

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If you have a concern about the practices or personnel of the Yuba City Police Department, what can you do about it?

A positive relationship between the police and the public they serve, fostered by confidence and trust, is essential to effective law enforcement. While the police are charged with vigorous enforcement of the law, they must meticulously observe the rights of all people. Police personnel, at the same time, must be free to take action in a reasonable, lawful, and impartial manner, without fear of reprisal.

It is important, therefore, that adequate provisions be made for the prompt receipt, investigation, and disposition of complaint regarding the conduct of Department personnel. To this end, the Yuba City Police Department welcomes criticism of the department and valid complaints against its members or procedures.

## How to make a Complaint

The first step is to call, write, or come in person to

Yuba City Police Department  
1545 Poole Boulevard  
Yuba City, CA 95993  
Phone 822-4681

Mailing Address:  
P.O. Box 3447  
Yuba City, CA 95992

A complaint may be made **ANY** time of the day or night. You may come in person to address your concern, or you can call or write — anonymously, if you wish.

## Investigation Procedure

The person receiving your concern will ask you to provide as much information as possible regarding the incident. It is extremely important to the investigation that a statement be obtained from you. From your statement, a Citizen Contact form may be completed. If your concern stems from an arrest or citation issued to a family member or yourself, depending on the circumstances, it might not be investigated until the legal matter has been settled.

A review of your concern, could result in it being investigated in one of two ways. It will either be forwarded to the member's supervisor for inquiry or to the Division Commander for an investigation.

Each allegation is examined on its own merits. Formal investigations require investigators to contact all available witnesses, including police officers, examine any relevant physical evidence, and gather all information pertinent to each

allegation made in the complaint.

The Chief of Police will render a finding in each case. There are four possible findings:

**Sustained:** The investigation disclosed enough evidence to clearly prove the allegation.

**Not Sustained:** The investigation failed to reveal enough evidence to clearly prove or disprove the allegation.

**Exonerated:** The act which provided the basis for the complaint did occur; however, the investigation revealed the act was justified, lawful, and proper.

**Unfounded:** The investigation has produced sufficient evidence to prove that the act or acts alleged did not occur. This finding shall also apply when individual personnel named in the complaint were not involved in an act that did occur.

You will be notified of the finding in writing at the conclusion of the investigation.

When a finding of "Sustained" is determined, corrective action will be taken.

The type of corrective action imposed is subject to the provisions of the City of Yuba City Personnel rules and the rules of the Yuba City Police Department. Discipline may include counseling, training and action up to and including termination.

If your complaint is sustained and punitive discipline is imposed, the employee has appeal rights. Therefore, you may be required to testify at one or more administrative/criminal proceedings.

## Summing Up

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Your valid concerns and criticisms help us protect the community from possible misconduct by employees. At the same time, a thorough and impartial investigation procedure helps protect employees from unwarranted charges when they perform their duties properly.

Per California Penal Code Section 832.5 (a):

*"Each department or agency in this State which employs peace officers shall establish a procedure to investigate citizens' complaints against the personnel of such departments or agencies, and shall make a written description of procedure available to the public."*

**"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 MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**



### Yuba City Police Department Mission Statement

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*To work in partnership with the community to protect life and property, solve neighborhood problems, and enhance the quality of life in our community.*

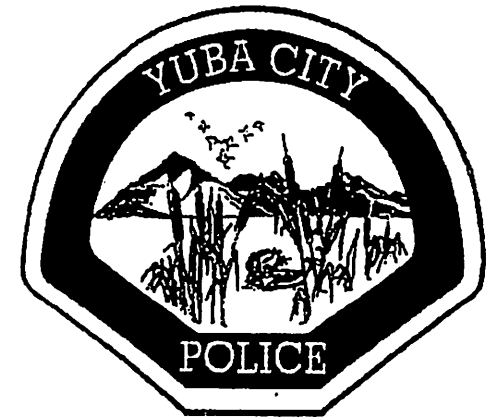
*Together We Protect*

## Yuba City Police Department

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# Citizen Complaint Procedure

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**Robert D. Landon  
Chief of Police**