**COMPLAINANT:**

**Complaints may be made anonymously; however, the disposition of such complaints cannot be shared without the complainant’s contact information.**

ACPD Staff: Please complete all known/shared information below.

Name Gender DOB PFN (if applicable) Address Phone ( ) City Zip

***Note:*** *Citizenship or immigration status of a complainant does not prevent any individual from filing this complaint, nor will it be taken into consideration during the investigation of such complaint.*

|  |
| --- |
| *Internal Use Only*    Verbal Complaint Received By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Complainant provided CIV 47.5, PC 148.6, Citizenship and Immigration Notice, and Complaint Procedure |

# EMPLOYEE(S):

Name(s) or Description(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# WITNESS(ES):

Name

Address Phone ( )

Name

Address Phone ( )

Name

Address Phone ( )

# INCIDENT LOCATION: DATE: TIME:

**DETAILS OF COMPLAINT: (Attach additional pages if necessary)**

**CALIFORNIA CIVIL CODE, Section 47.5 Defamation Action by Peace Officer** Notwithstanding Civil Code Section 47, a peace officer may bring an action for defamation against an individual who has filed a complaint with that officer's employing agency alleging misconduct, criminal conduct, or incompetence, **if that complaint is false, the complaint was made with knowledge that it was false and that it was made with spite, hatred, or ill will.** Knowledge that the complaint was false may be proved by showing that the complainant had no reasonable grounds to believe the statement was true and that the complainant exhibited a reckless disregard for ascertaining the truth.

**ADVISORY - CALIFORNIA PENAL CODE, Section 148.6 – For Individuals Filing an Allegation of Misconduct Against a Peace Officer**

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A PEACE OFFICER FOR ANY IMPROPER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS’ 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. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

**IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.**

**CITIZENSHIP AND IMMIGRATION NOTICE**

No individual who files a complaint will be subject to any selective enforcement action, immigration check, or retaliatory action by any Alameda County Probation Department employee. The Alameda County Probation Department will not share information with any Federal immigration enforcement agency on a complainant’s citizenship or immigration status, nor will such status be investigated.

# I have read and understood the above statements.

**Complainant's Signature Date**

**COMPLAINT PROCEDURE:** After the complaint has been received by a Probation Department employee, a copy will be returned to the complainant.\* The complaint will then be investigated. When completed, the investigation will be reviewed and forwarded to the Chief Probation Officer for a finding. A letter outlining the allegation(s) and finding(s) will then be sent to the complainant.\*

If the incident occurred more than 30 days prior to this complaint, include a description of the circumstances causing the delay in the above narrative.

*\*If the complainant information is known.*

COMPLAINT RECEIVED BY:

# Name Date Time

In Person Phone Mail E-Mail Other

COMPLAINANT SENT/GIVEN COPY BY:

# Name Date