



DISTRICT POLICE

5151 Pacific Avenue • Phelps Building • Stockton, CA 95207
209-954-5000 • Fax 209-954-7005

CITIZEN'S COMPLAINT PROCEDURES

INTRODUCTION

San Joaquin Delta Community College District Police Citizen Complaint procedure helps you, the community and the police as well. If you have a concern about the practices or personnel of the San Joaquin Delta Community College District Police, what can you do about it? An Internal Affairs investigation will be conducted for citizen complaints regarding District Police personnel or policies. 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 act 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 complaints regarding the conduct of Department personnel. To this end, the District Police welcomes criticism of the department and valid complaints against its members or procedures. The purpose of the Division and Internal Affairs process is to ensure complete, fair, and impartial investigations of citizen complaints.

The San Joaquin Delta Community College District Police Department's (SJDC PD) complaint procedure is outlined in our department policy: 1019 Personnel Complaints

HOW TO MAKE A COMPLAINT

Complaints by members of the public involving San Joaquin Delta Community College District Police personnel may be made through any of the following methods:

Online

To report a complaint, please use the link to the SJDC Police Department Citizen's Complaint Form below.

[SJDC Police Department Citizen's Complaint Form](#)

In-person

Lourn Phelps Police Services Building
5151 Pacific Ave
Stockton, California



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By phone

Call (209) 954-5000 between the hours of 7:00 AM - 11:00 PM and ask for the on-duty sergeant.

If no sergeant is available, you will be able to leave a voicemail.

Office of the chief of police: (209) 954-5000, Monday-Friday 8:00 AM - 5:00 PM

Mail

Write a detailed letter of the incident and send to: San Joaquin Delta Community College District Police
Attention: Professional Standards Division

5151 Pacific Ave
Stockton, CA 95207

Email

Write a detailed letter of the incident and email it to the Professional Standards Division at pdprofessionalstandards@deltacollege.edu, using the subject line "Complaint against SJ Delta College Police Department."

INVESTIGATION PROCEDURE

The online Citizen's Complaint Form will ask you to provide as much information as possible regarding the incident and if you were involved in or witnessed the incident. An extremely important part of the investigation is to obtain a statement from you. However, written statements must be submitted to the investigator within ten (10) days of the initial complaint to be considered in the investigation.

When an investigation occurs, each allegation is examined on its own merits. These investigations may require investigators to contact all available witnesses, including police officers, examine any relevant physical evidence, review video, and gather all information pertinent to each allegation made in the complaint. The Chief of Police or designee 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, 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. When a finding of "Sustained" is determined, corrective action will be taken. The types of corrective action imposed are subject to the provisions of the laws of the State of California and are deemed confidential. Disciplinary action may include counseling, training,



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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 disciplinary appeal hearings conducted by the District.

SUMMARY

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.S (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 the procedure available to the public."

Penal Code Section 148.6 (b) states that any law enforcement agency accepting a concern of misconduct against a peace officer shall require the complainant to read and sign the following information advisory:

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.

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.