



MONTEREY COUNTY
SHERIFF'S OFFICE
1414 NATIVIDAD ROAD
SALINAS, CALIFORNIA 93906

What if I have a complaint?

A relationship of trust and confidence between members of the Sheriff's Office and the community they serve is essential to effective law enforcement. Law Enforcement Officers must be free to exercise their best judgment, and to initiate law enforcement action in a reasonable, lawful and impartial manner, without fear of reprisal. So, too, enforcers of the law have a special obligation to respect the rights of all persons. The Monterey County Sheriff's Office acknowledges its responsibility to establish a system of complaint and disciplinary procedures which not only subject the officer to corrective action when he conducts himself improperly, but also will protect him from unwarranted criticism when he discharges his duties properly. It is the purpose of these procedures to provide a prompt, just, open and expeditious disposition of complaints regarding the conduct of members and employees of the Office.

To this end, Monterey County Sheriff's Office welcomes from citizens of the community constructive criticism of the Department and valid complaints against its members and procedures.

**MIKE KANALAKIS, SHERIFF
MONTEREY COUNTY**

WILL SOMEONE LISTEN TO MY COMPLAINT?

Yes, they will. We want to find out if something went wrong so we can see that it doesn't happen again.

IS THE SHERIFF'S OFFICE OUT LOOKING FOR COMPLAINTS?

No, we are not. A complaint could mean that someone hasn't done a good enough job. However, we do want to know when our service needs to be improved or corrected.

DOES A COMPLAINT HAVE TO BE MADE IN PERSON?

No. We prefer to talk to a complainant in person, but we will accept a written complaint or a telephone call. Persons making complaints will be personally interviewed by an investigator during the investigation.

WILL THE SHERIFF BE AWARE OF A CITIZEN'S COMPLAINT?

Yes, he will. The Sheriff gets copies of all complaints against Deputy Sheriffs. Each of the deputies superiors is also notified.

WHO CAN A PERSON GO TO, TO MAKE A COMPLAINT?

Any member of the Sheriff's Office can take a complaint. The information will be delivered to the Professional Standards section where an investigation will be initiated.

WHO INVESTIGATES A CITIZEN'S COMPLAINT?

An investigator from the Professional Standards section or a supervisor designated by the Sheriff.

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ATTN: PROFESSIONAL STANDARDS DIVISION

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CAN A PERSON UNDER THE AGE OF EIGHTEEN MAKE A COMPLAINT?

Yes. Bring one parent, a guardian, or a responsible adult with you.

ARE COMPLAINTS INVESTIGATED THOROUGHLY?

Very thoroughly. 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.

CAN SOMEONE GET INTO TROUBLE FOR COMPLAINING?

Not if they have been truthful. We wouldn't and couldn't bring charges against a person who has acted in good faith.

WHAT WILL HAPPEN TO THE OFFICER?

That depends on what he did. If his actions were improper, he will be disciplined by the Sheriff. If his actions were criminal, he will be dealt with like any other citizen.

WILL THE PERSON COMPLAINING BE TOLD HOW THE COMPLAINT CAME OUT?

Yes. Each complainant will receive a letter from the Sheriff's Office telling them the disposition of the investigation.

WHAT ABOUT THE POLYGRAPH?

In certain cases, where we can't find the truth any other way, the complainant may be asked to take a polygraph examination. The same is true for our deputies.

Our goal at the Monterey County Sheriff's Office is that you will never need to use the information contained in this folder. We don't want to fail in our continuing efforts to give you the best possible police service.

TEAR OFF AT PERFORATED LINE, FOLD AND MAIL.

Name _____
First Middle Last

Home Address _____
Number Street City Zip

Age _____ Home Telephone _____ Business Telephone _____

Date and Time of Incident _____
Day Date Time

Location of Incident _____

Complaint is against Officer(s) _____
Name Car Number

Nature of Complaint (Attach Additional Sheets if Necessary) _____

The above information is true and correct and it is my desire that this complaint be investigated. I understand that to knowingly allege false and incorrect information may subject me to civil action, in the form of a lawsuit under Civil Code Section 47.5.

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 AT LEAST FIVE YEARS.

I have read and understood the above statement.

Date _____

Complainant

¿PUEDE UNA PERSONA MENOR DE 18 AÑOS DE EDAD HACER UNA QUEJA?

Si. La persona tiene que ser acompañada por su padre, madre o un adulto responsable.

¿SE INVESTIGAN COMPLETAMENTE LAS QUEJAS?

Completamente. Queremos saber en donde fallamos. Por otra parte, queremos saber si una persona hace una queja falsa, de manera que se puedan tomar las apropiadas medidas legales.

¿PODRA UNA PERSONA TENER PROBLEMAS POR HACER UNA QUEJA?

No, si la informacion es verdadera. No queremos ni podemos levantar cargos en contra de una persona que actuó en buena fe.

¿QUE LE SUCEDERA AL OFICIAL?

Todo depende de lo hizo. Si sus acciones fueron impropias, será disciplinado por el Sheriff. Si sus acciones fueron criminal, será tratado como cualquier otro ciudadano.

¿SERA INFORMADA LA PERSONA QUE HIZO LA QUEJA ACERCADE LOS ACONTECIMIENTOS DEL CASO?

Si, cada demandante recibirá una carta de la Oficina del Sheriff, informándoles acerca de la disposicion de la investigación.

¿QUE DE LA POLIGRAFIA?

En ciertos casos en donde no podemos hallar la verdad, se le pide al demandante que se someta a la prueba de la poligrafía. Lo mismo ocurre con los delegados del Sheriff.

En la Oficina del Sheriff del Condado de Monterey, nuestra meta es la de que Ud. nunca tenga que utilizar la informacion contenida en éste folleto. No queremos fallar en nuestros esfuerzos para darle a Ud. el mejor servicio policiaco posible.

RECORTE EN LA PERFORACION Y ENVIE POR CORREO

Nombre _____

Domicilio _____
Numero Calle Ciudad Codigo

Edad _____ Telefono (Casa) _____ (Trabajo) _____

Fecha y Hora de Incidente _____
Day Date Time

Localidad del Incidente _____

Queja es contra Official(es) _____
Nombre Numero del carro

Naturaleza de Queja (Agregue hojas adicionales si es necesario) _____

La informacion arriba es cierta y correcta y es mi deseo que ésta queja se investigue. Yo comprendo que alegar falsa y incorrecta informacion con conocimiento podra someterme a accion civil en forma de litigacion, bajo el Civil Codigo Seccion 47.5.

USTED TIENE EL DERECHO DE HACER UNA QUEJA CONTRA UN OFICIAL DE POLICIA POR CONDUCTA IMPROPIA. LA LEY DE CALIFORNIA REQUIERE QUE ESTA AGENCIA LLEVE ACABO UNA INVESTIGACION A QUEJAS APORTADAS POR CIUDADANOS. USTED TIENE DERECHO A UNA DESCRIPCION POR ESCRITO DE ESTE PROCEDIMIENTO. DESPUES DE LA INVESTIGACION, ESTA AGENCIA PUEDE DESCUBRIR QUE NO HAY SUFICIENTE EVIDENCIA PARA JUSTIFICAR ACCION DE SU QUEJA; SI ESTE FUERA EL CASO, USTED AUN TIENE EL DERECHO DE PRESENTAR SU QUEJA Y ESTA SEA INVESTIGADA SI USTED CREE QUE UN OFICIAL SE PORTO DE MANERA INAPROPIADA. QUEJAS DE CIUDADANOS Y REPORTES O RESULTADOS REFERENTE A QUEJAS TENDRAN QUE SER CONSERVADAS POR ESTA AGENCIA POR LO MENOS DE CINCO AÑOS.

YO HE LEÍDO Y COMPRENDO LA DECLARACION ANTES MENCIONADA.

_____ DEMANDANTE

FECHA _____

_____ FIRMA