CALIFORNIA DEPARTMENT OF JUSTICE
POLICY GOVERNING CITIZEN COMPLAINTS AGAINST LAW ENFORCEMENT

PURPOSE

This general policy establishes guidelines governing the manner in which the Department of Justice will respond to complaints by members of the public against a law enforcement agency or its employees.

GENERAL POLICY

It is the Department of Justice general policy that local government will be primarily responsible for citizen complaints against law enforcement agencies or employees of law enforcement agencies, and that appropriate local resources (e.g. sheriff or police department, district attorney, citizens review commission and/or grand jury in the area of jurisdiction) be utilized for resolution of such complaints prior to a request for intervention by the Attorney General.

The Attorney General will review citizen complaints against a law enforcement agency or its employees for possible investigation when substantive allegations of unlawful conduct are made and all appropriate local resources for redress have been exhausted, or when the local district attorney is the subject of the complaint.

ADMINISTRATION OF GENERAL POLICY

All complaints against law enforcement agencies or employees of those agencies will be initially processed and reviewed by the Attorney General's Public Inquiry Unit (PIU). To expedite processing and ensure accuracy, all complaints must be submitted to the PIU in writing. Those which do not meet the policy criteria above will be responded to by the Public Inquiry Unit. This response will inform complainants of the appropriate local resources to be contacted for resolution of complaints and/or request clarifying information as needed.

Complaints appearing to meet the aforementioned policy criteria will be immediately forwarded by the Public Inquiry Unit for acknowledgment and handling to both the Senior Assistant Attorney General, Criminal Law Division (CLD), in the area having geographical jurisdiction and also to the Senior Assistant Attorney General of the Civil Rights Enforcement Section (CRES) of the Division of Public Rights. Both recipients of the complaint shall confer, as often as is necessary or prior to any action, to both keep each other informed about developments in their respective evaluations and also to coordinate investigative or litigation activities. All proposed legal actions (i.e. the filing of criminal charges or civil litigation) must be reviewed and approved by the Chief Deputy Attorney General for Legal Affairs.

Where appropriate and requested by the CRES and/or the CLD, the Division of Law Enforcement shall provide investigative assistance.

Questions regarding the guidelines that govern responses to citizen complaints against law enforcement agencies and/or personnel of those agencies should be directed to the Public Inquiry Unit at (916) 322-3360 or toll-free (800) 952-5225.

COMPLAINT ABOUT PEACE OFFICERS/ LAW ENFORCEMENT AGENCY

Please read the Information Collection, Use and Access notice on page 3.

Xavier Becerra
ATTORNEY GENERAL

PUBLIC INQUIRY UNIT
(916) 322-3360/ (800) 952-5225 Toll Free - CA only
TTY/TDD (800) 735-2929 (California Relay Service)
For TTY/TDD outside California contact your state's relay service number at http://www.fcc.gov/cgb/dro/trsphonebk.html
AG Web Site: http://www.ag.ca.gov/

PRINT FORM

RESET FORM

Mail Form to:

Public Inquiry Unit
Office of the Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550

NOTE: We do not provide an on-line filing process for this type of complaint because document attachments are needed.

SECTION 1 - POLICY FOR REVIEWING CITIZEN COMPLAINTS AGAINST LAW ENFORCEMENT

Under the general policy of the Department of Justice, your complaint about a law enforcement agency or its employee(s) must be addressed first to appropriate local authorities. The Attorney General will review complaints for possible investigation when substantive allegations of unlawful conduct are made and all appropriate local remedies have been exhausted.

HAVE YOU EXHAUSTED APPROPRIATE LOCAL REMEDIES?		
	NO ☐	Please contact appropriate local authorities (e.g. sheriff or police department, district attorney, citizens' review commission and/or grand jury in the jurisdiction).
	YES ☐	PROCEED WITH COMPLAINT FORM.

SECTION 2 - TYPE OF COMMUNICATION

This is a complaint about a law enforcement officer. ☐ This is a complaint about a law enforcement agency. ☐

SECTION 3 - YOUR CONTACT INFORMATION (To receive a response in writing, you must provide your mailing address)

First Name:	MI:	Last Name:
Address:		
City:	State:	Zip Code:
Home Phone:	Work Phone:	

SECTION 4 - LAW ENFORCEMENT AGENCY OR EMPLOYEE INFORMATION

Employee's Name:

Agency Name:

Agency Address:

City: State: Zip Code:

Agency/Official's Phone:

SECTION 5 - LOCAL REMEDIES SOUGHT

Have you contacted the local law enforcement agency about your complaint?	YES ☐	NO ☐
If so, what agency/agencies?		
Have you filed a complaint with the county district attorney?	YES ☐	NO ☐
Have you filed a complaint with the county grand jury?	YES ☐	NO ☐
Have you contacted another agency for assistance?	YES ☐	NO ☐
If so, what agency/agencies?		
Have you contacted an attorney for assistance?	YES ☐	NO ☐

If so, provide the attorney's Name:

Address:

Phone:

SECTION 6 - YOUR COMPLAINT

Provide specific information about the alleged misconduct and detail your efforts to obtain local remedies. If more space is needed, attach additional pages. ALSO ATTACH A COPY OF YOUR COMPLAINT(S) TO THE LOCAL AUTHORITIES AND THEIR RESPONSE(S). *Do Not Send Original Documents.*

Total # Pages Attached:

[If you need more space and are using this fillable form, create a document (e.g. MS Word or WordPerfect) to print and attach.]

Signature: **Date:**

Xavier Becerra
Attorney General

COMPLAINT ABOUT PEACE OFFICERS/LAW ENFORCEMENT AGENCY

Information Collection, Use and Access

Information Collection, Use and Access Collection and Use of Personal Information. The Public Inquiry Unit of the California Department of Justice collects the information on this form as authorized by Government Code Section 11180 and Civil Code Section 52.3. The Unit uses this information to review your complaint. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at

http://oag.ca.gov/privacy-policy

Providing Personal Information Is Voluntary. You do not have to provide the personal information requested. If you do not wish to provide personal information, such as your name, home address, or home telephone number, you may remain anonymous. In that case, however, we may not be able to contact you or help resolve your complaint.

Access to Your Information. You may review the complaint that you submitted to the Public Inquiry Unit as permitted by the Information Practices Act. Please note, when submitting a complaint to the Public Inquiry Unit, you should submit copies and retain your originals, as the Unit cannot return original documents.

Possible Disclosure of Personal Information. In order to follow up on your complaint, we may need to share the information you give us with the party you complained about or with other government agencies. This may include sharing any personal information you gave us. The information you provide may also be disclosed in the following circumstances:

· In response to a Public Records Act Request, as allowed by the Information Practices Act;

· To another government agency as required by state or federal law;

· In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information: For questions about a written complaint that you submitted to the Public Inquiry Unit, please fill-out and submit our online form, available at:

http://oag.ca.gov/contact/general-comment-question-or-complaint-form

Please specify in the "Your Comments" section the specific Public Inquiry Unit record that you are seeking. Or you may mail your request to Public Inquiry Unit, Office of the Attorney General, P.O. Box 944255, Sacramento, CA 94244-2550. In addition, if you are seeking records maintained by another Department of Justice program, you should contact that program directly.