

## CIVILIAN COMPLAINTS

### I. Introduction

*[Content in development]*

### II. Data Analysis of 2024 Civilian Complaints

*[Analysis of 2024 civilian complaint data forthcoming]*

### III. Updates on Prior Board Recommendations

*[Area for Board discussion: Would to Board like to monitor any other past recommendations,*

#### a. Deterrent Language in Complaint Forms

- Penal Code section 148.6 provides that, to accept an allegation of misconduct against a peace officer, law enforcement agencies must require complainants to read and sign an advisory that states, in part: “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” (capitalization in original).
- The Board has previously expressed concern that this language could deter members of the public from submitting complaints. (2025 RIPA Report, p. 170; 2024 RIPA Report, p. 195-196; 2023 RIPA Report, p. 179; 2022 RIPA Report, p. 229.)
- Additionally, the Board has expressed concern that requiring an individual to sign this acknowledgement, thereby revealing the identity of the complainant, could deter members of the public from submitting valid complaints if they wish to remain anonymous. (2025 RIPA Report, p. 171; 2020 RIPA Report, p. 73-75.)
- In light of these concerns, the Board has previously recommended that the Legislature delete or amend the language of Penal Code section 148.6 to remove the advisory statement, as well as the requirement that a complaint be signed and in writing. (2023 RIPA Report, p. 182-183; 2022 RIPA Report, p. 232; 2021 RIPA Report, p. 134, fn. 294; 2020 RIPA Report, p. 74-75.)
- As of 2024, deterrent language remains in many California law enforcement agencies’ complaint forms. (2025 RIPA Report, p. 171-172.)
- The Legislature has not amended Penal Code section 148.6. (See Pen. Code § 148.6.) However, the constitutionality of Penal Code section 148.6 is currently pending before the California Supreme Court. (See *Los Angeles Police Protective League v. City of Los Angeles*, Cal. S. Ct. Case No. S275272.)

*[Updates from L.A. Police Protective League v. City of L.A. – Content forthcoming, oral argument scheduled for 5/22.]*

#### DRAFT REPORT – PENDING EDITING AND REVIEW

This draft is a product of various subcommittees of the Racial and Identity Profiling Advisory Board. It has been provided merely for the Racial and Identity Profiling Advisory Board’s consideration and its content does not necessarily reflect the views of any individual RIPA Board member, the full RIPA Board, or the California Department of Justice.

#### **IV. 2026 Board Recommendations**

*[Are for Board discussion: What recommendations, if any, would the Board like to make]*

#### **V. Vision for Future Reports**

*[Content in development]*

DRAFT

#### **DRAFT REPORT – PENDING EDITING AND REVIEW**

This draft is a product of various subcommittees of the Racial and Identity Profiling Advisory Board. It has been provided merely for the Racial and Identity Profiling Advisory Board's consideration and its content does not necessarily reflect the views of any individual RIPA Board member, the full RIPA Board, or the California Department of Justice.