

COMPLAINT PROCESS SUMMARY

The misconduct complaint process involves two independent City departments – the Internal Affairs (IA) Unit of the Police Department, and the Office of the Independent Police Auditor (IPA). Complaints may be filed at either the IPA office or at Internal Affairs. After a complaint has been filed, each department serves separate functions:

- Internal Affairs classifies and investigates complaints;
- The IPA reviews the investigations completed by the Internal Affairs Unit.

BEGINNING

- You (the complainant) complete the on-line complaint form summarizing your concerns about an officer(s)' conduct. If you provide your email or mailing address, you will get the letters mentioned below.
- We (the IPA office) send you a letter/email with a case number for tracking purposes.
- Internal Affairs sends you a letter that tells you that they have received the complaint. It includes the name of the officer assigned to investigate your complaint. You should receive this letter approximately 30 days after you file your complaint.

MIDDLE

- Internal Affairs investigates the complaint.
- Internal Affairs may contact you to get additional details about the incident. They may ask you to sign a medical release if you said you were injured by the police, or Internal Affairs may ask you to visit their office to look at photographs to help them identify officers at the incident.
- It is hard to estimate how long an investigation will take. It depends on how complicated the case is. Generally Internal Affairs must complete its investigation within one year.
- If you have any questions about your complaint or if you have more detail or documents to pass along, please contact Internal Affairs for the investigator assigned to your complaint, (408) 277-4094.

END

- Internal Affairs completes its investigation and forwards it to the IPA office for review. We examine the Internal Affairs investigation to see whether it was complete and fair.
- If we believe that more investigation should be done, we may discuss it with Internal Affairs and/or the Police Chief. If we do not believe further investigation is necessary, both Internal Affairs and IPA will close the case.
- Once Internal Affairs and the IPA close the case, you will get a letter from Internal Affairs with a conclusion (“finding”) for each of your concerns (“allegations”). Soon after receiving this closing letter, you will get a separate closing letter from the IPA.
- If you have questions about the IPA review process, please contact the IPA office at (408) 794-6226.
- If you have questions about the investigation of your complaint, please contact Internal Affairs at (408) 277-4094.