

Overview Continued

Our procedure for receiving and investigating such allegations shall comply with all requirements of California law and SUSD PD Policy 1020 Personnel Complaints.

California Penal Code §832.5 (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.”

Pursuant to §148.6 of the California Penal Code, you have the right to make a complaint against a police officer for any improper police conduct. California law requires SUSD Department of Public Safety to have a procedure to investigate citizens' complaints. You have a right to a written description of this procedure. SUSD Department of Public Safety may find after investigation that there is not enough evidence to warrant actions 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 or department employee behaved improperly.

Citizen complaints and any reports or findings relating to complaints must be retained for at least five years.

Stockton Unified School District Department of Public Safety



The Mission of the Stockton Unified School District Department of Public Safety is to advocate for equality and inclusivity by embracing a guardian mentality to reduce disproportionality and promote a positive educational environment; to create and maintain a vital, healthy, safe and just community and to improve the quality of life for all.

The Vision of the Stockton Unified School District Department of Public Safety is to bring our core values to life in our work to prevent our students from entering the “School to Prison Pipeline” through the implementation of our Four Cornerstones of Redesigning School Safety: Restorative Justice, Youth Engagement, Community Involvement, and a Holistic Approach.

SUSD Department of Public Safety

Citizen Complaint Procedure



**640 N. San Joaquin Street
Stockton, CA 95202
(209) 933-7085**

**Richard Barries
Chief of Police**

Overview

The SUSD Department of Public Safety Citizen Complaint procedure is in place to receive allegations of misconduct or improper job performance by any department employee that, if true, would constitute a violation of department policy, federal, state or local law. It is standard practice of the SUSD Department of Public Safety to conduct comprehensive and thorough investigations into all allegations including racial or identity profiling.

The SUSD Department of Public Safety will not tolerate misconduct by any of its members.

A positive relationship between the police and the public they serve, fostered by confidence and truth is essential to law enforcement. While the police are charged with vigorous enforcement of the law, they must meticulously observe the rights of the people. At the same time, Police personnel must be free to take action in a reasonable, lawful and impartial manner without fear of reprisal.

Adequate provisions are in place for the prompt receipt, investigating and disposition of complaints regarding the conduct of Department personnel. To help accomplish this task, the SUSD Department of Public Safety willingly accepts criticism and comments of the Department, as well as valid complaints against its members or procedures.

How To Make A Complaint

A complaint may be filed in person, in writing, or by telephone.

Although not required, every effort should be made to have the complainant appear in person.

Stockton Unified School District Department of Public Safety

640 N. San Joaquin Street
Stockton, CA 95202

Monday-Friday
8:00am—4:00pm

Phone: (209) 933-7085

Investigating Procedure

The person receiving your concern will ask you to provide as much information as possible regarding the incident. If you were involved in or witnessed the incident, it is extremely important to the investigation that a statement be obtained from you. If your concern stems from an arrest or citation issued to a family member or yourself, it may not be investigated until the legal matter has been settled. This matter may be handled in one of two manners:

Informal Complaints will be forwarded to the employee's supervisor for inquiry, or

Formal Complaints will be investigated by a department supervisor of rank greater than the accused employee.

Investigative Findings

The Chief of Police will render a finding for each allegation that will be classified with one of the following dispositions:

Sustained

The investigations disclosed sufficient evidence to establish that the act occurred and that it constituted misconduct.

Not Sustained

The investigation disclosed that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Exonerated

The investigation disclosed that the alleged act occurred, but that the act was justified, lawful and/or proper.

Unfounded

The investigation disclosed that the alleged act(s) did not occur or did not involve department personnel. Per Penal Code § 832.5(c): Complaints which are determined to be frivolous will fall within the classification of unfounded.

Written notice of the finding shall be sent to you within 30 days of the final review and approval by the Chief of Police. The notice will not disclose the discipline imposed, if any. If your complaint is sustained and punitive discipline is imposed, the employee has a right to appeal. Therefore, you may be required to testify at one or more administrative proceedings subsequent to this investigation.