

# EL DORADO COUNTY PROBATION DEPARTMENT

## SHINGLE SPRINGS OFFICE

3974 Durock Road, Ste. 205  
Shingle Springs, CA 95682  
Tele. (530) 621-5625  
FAX (530) 676-6216

## SOUTH LAKE TAHOE OFFICE

1360 Johnson Blvd., Ste 102  
South Lake Tahoe, CA 96150  
Tele. (530) 573-3083  
FAX (530) 541-1880

## JUVENILE TREATMENT CENTER

1041 Al Tahoe Blvd.  
South Lake Tahoe, CA 96150  
Tele. (530) 573-7980  
FAX (530) 543-6978



**Brian J. Richart**  
Chief Probation Officer

## CITIZEN COMPLAINT INFORMATION

Section 832.5 of the Penal Code requires each agency employing peace officers to establish a procedure to investigate complaints by members of the public against employees of the agency, and to make a written description of the procedure available to the public.

A complaint is defined as an allegation of a specific act or omission by an employee that constitutes a violation of law, or violation of County or department policy or procedure.

Section 148.6 of the Penal Code makes it illegal to make false allegations about a peace officer. If you make a complaint knowing that it is false, you can be held liable and prosecuted in accordance with the law.

### Complaint Process

1. All members of the public seeking to file a complaint against an employee of the El Dorado County Probation Department must read and sign this document, as well as complete and sign the attached Citizen Complaint Form. The form can be obtained at any Probation Office, on the Probation Department's public webpage, or facility listed above.
2. Mail the completed documents to the El Dorado County Probation Department at the following address:

**El Dorado County Probation Department  
Confidential Citizen Complaint  
3974 Durock Road, Suite 205  
Shingle Springs, CA 95682**

3. Your complaint will be reviewed by the Chief Probation Officer and if the complaint on its face alleges an employee has violated the law or County or department policy or procedure, it will be assigned to the Deputy Chief of the Operations Support Division, or a specially appointed investigator to investigate the complaint.
4. Complaints about a difference of opinion, perceived attitude, "style," how the system works, etc., will be referred to a supervisor for informal resolution and will not be handled according to the formal citizen complaint procedure.
5. You may be contacted for an interview and/or additional information. If you are under age 18, your parent or guardian must co-sign the complaint and be present for any interviews regarding the complaint.

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After investigation, complaints which allege a violation of law or County/department policy or procedure will be classified as one of the following:

- **Unfounded:** The investigation clearly established that the allegation is not true.
- **Exonerated:** The investigation clearly established that the actions of the peace officer that formed the basis for the complaint are not violations of law or department policy.
- **Sustained:** The investigation disclosed sufficient evidence to establish that the alleged event, harm, or misconduct did occur and that a particular individual's action was responsible for that event, harm, or misconduct.
- **Not sustained:** The investigation failed to disclose sufficient evidence to clearly establish that the alleged event, harm, or misconduct occurred, or failed to clearly establish that the officer identified in the allegation was responsible for the misconduct.

Pursuant to Section 832.7(e)(1) of the Penal Code, written notification of the disposition of the complaint will be mailed to you within 30 days of completing an investigation.

When completing the attached Citizen Complaint Form, please:

Fill in the information blanks providing as much information as known, including any witnesses, and return it to the Probation Department. Please write, type, or print clearly so that all the information provided will be understood.

Complete a detailed statement outlining the allegation(s), facts, and circumstances surrounding the incident. It is important that exact statements, actions, or circumstances are described in detail when possible.

**EL DORADO COUNTY PROBATION DEPARTMENT  
CITIZEN COMPLAINT FORM**

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_  
(Please Print) (First) (Middle) (Last)

ADDRESS: \_\_\_\_\_  
(Street Address) (City) (State) (Zip)

CONTACT TELE.#: \_\_\_\_\_ DATE OF INCIDENT: \_\_\_\_\_

NAME OF EMPLOYEE BEING COMPLAINED ABOUT: \_\_\_\_\_

WITNESS NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_

COMPLAINT **(Be very specific, and attach additional sheets, if necessary):**

I REQUEST that this complaint is investigated by the El Dorado County Probation Department and/or law enforcement and may result in criminal or departmental disciplinary action against the person(s) named. I DECLARE the allegations in this complaint are true and correct to the best of my knowledge.

The following advisement is required by state law:

Section 148.6 of the California Penal Code states: YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A PEACE OFFICER FOR ANY IMPROPER 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 ACTED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

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. I have read and understood the above statement.

Date: \_\_\_\_\_  
Signature of Complainant (Required)

Signature of Parent/Guardian if Complainant is under age 18 (Required)

Date: \_\_\_\_\_  
Signature of Complainant (Required)

Signature of Parent/Guardian if Complainant is under age 18 (Required)