

# ANGELICA POLICE DEPARTMENT

49 Town Hall Park Circle, Angelica NY 14709. Phone: 585-466-3737

## Citizen Complaint Procedure

### To report and file a complaint against an officer of the Angelica Police Department:

- Contact the Angelica Village Clerk at 585-466-7431 (M-F between the hours of 9:00 a.m. and 3:00 p.m.)
- If the complaint is against an Officer the Chief of Police will be notified and will contact you
- If the complaint is against the Chief of Police your complaint will be handled by the Mayor

You will be asked to complete and sign a complaint form.

### The Interview:

You will be contacted either by the Chief of Police or by the Mayor about your complaint and you will be asked questions about your complaint. The supervisor may be able to explain the action(s) of the employee(s) to your satisfaction and resolve the issue at that time. The supervisor will ask you for the names of all witnesses and/or police employees that may know facts about your complaint. It is important that you have as much information as possible. Evidence processing may take place as related to your complaint.

### The Investigation:

The investigation will begin after you are interviewed. The investigators will be either the Chief of or the Mayor. All involved employees and witnesses will be interviewed. You may be asked for additional information. Although it is impossible to estimate how long an investigation will take, most investigations are concluded within 30 days. If you have questions, please call 585-466-3737.

### Disposition:

At the conclusion of the investigative process, all complaints shall be classified in one of the following six categories:

- **Unfounded** – The complaint was not based on facts, determined by the investigation, or the incident complained of *did not occur*.
- **Exonerated** – The action reported *did occur*, but the investigation disclosed that the actions were *reasonable, lawful and proper*.
- **Not Sustained** – *Insufficient evidence available* to either prove or disprove the allegations in the complaint.
- **Sustained** – Investigation disclosed *sufficient evidence to support the allegations* in the complaint.
- **Improper Conduct Not Based on Complaint** – There is *substantiated improper conduct* by an employee, *not alleged in the complaint*, but disclosed by the investigation.
- **Policy Review** – The *allegation is true*, however the employee(s) was (were) acting in a manner *consistent with the departmental policy*, necessitating a review and revision of the policy.

After a thorough review of the complaint, you will be promptly notified in writing by the Investigator regarding the disposition of the complaint. Because of the privacy surrounding personnel matters, you will not be notified of the specific findings or subsequent actions, merely the disposition category above.

**It is the policy of the Angelica Police Department to investigate all complaints made against department members and/or against department policies and procedures, regardless of the source of such**

## Citizen Complaint Procedure - Continued

complaints. This policy shall include the investigation of alleged or suspected violations of the laws, or department and college rules, regulations, policies, procedures, or orders

(written or verbal) as reported to department supervisors by any citizen or department member in any of the following manners: in writing, orally, by telephone, or by correspondence (signed or anonymous). Note, however, that unsigned and/or anonymous complaints will be handled at the discretion of the Chief of Police.

*Caution: We take allegations of employee misconduct very seriously. We hope that the community does the same. Unfortunately there are rare occasions when a complainant files an allegation against an employee to "get even" for a legitimate, unpopular enforcement action taken by a department employee. In that rare circumstance, if the investigation reveals that the complaint was made maliciously, in bad faith, or with the knowledge that the accusation was false, action shall be taken, whenever possible, to prosecute the complainant for making a false report.*

By signing below, I acknowledge that I have read and understand the Citizen Complaint Procedure:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Citizen Complaint Form

Complainants Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Numbers: (Residence) \_\_\_\_\_ (Work) \_\_\_\_\_

Date & Time of Incident: \_\_\_\_\_

Name of Officer(s) or Civilian Member(s) the complaint is being filed against and other identifying information:

Name(s): \_\_\_\_\_

Title if known: \_\_\_\_\_ Badge Number: \_\_\_\_\_

Vehicle Information: (License Plate Number) \_\_\_\_\_ (Make/Model) \_\_\_\_\_

Witness Information: (Name(s)/Address/Phone Number or any other known identifying information)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Statement of Allegation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

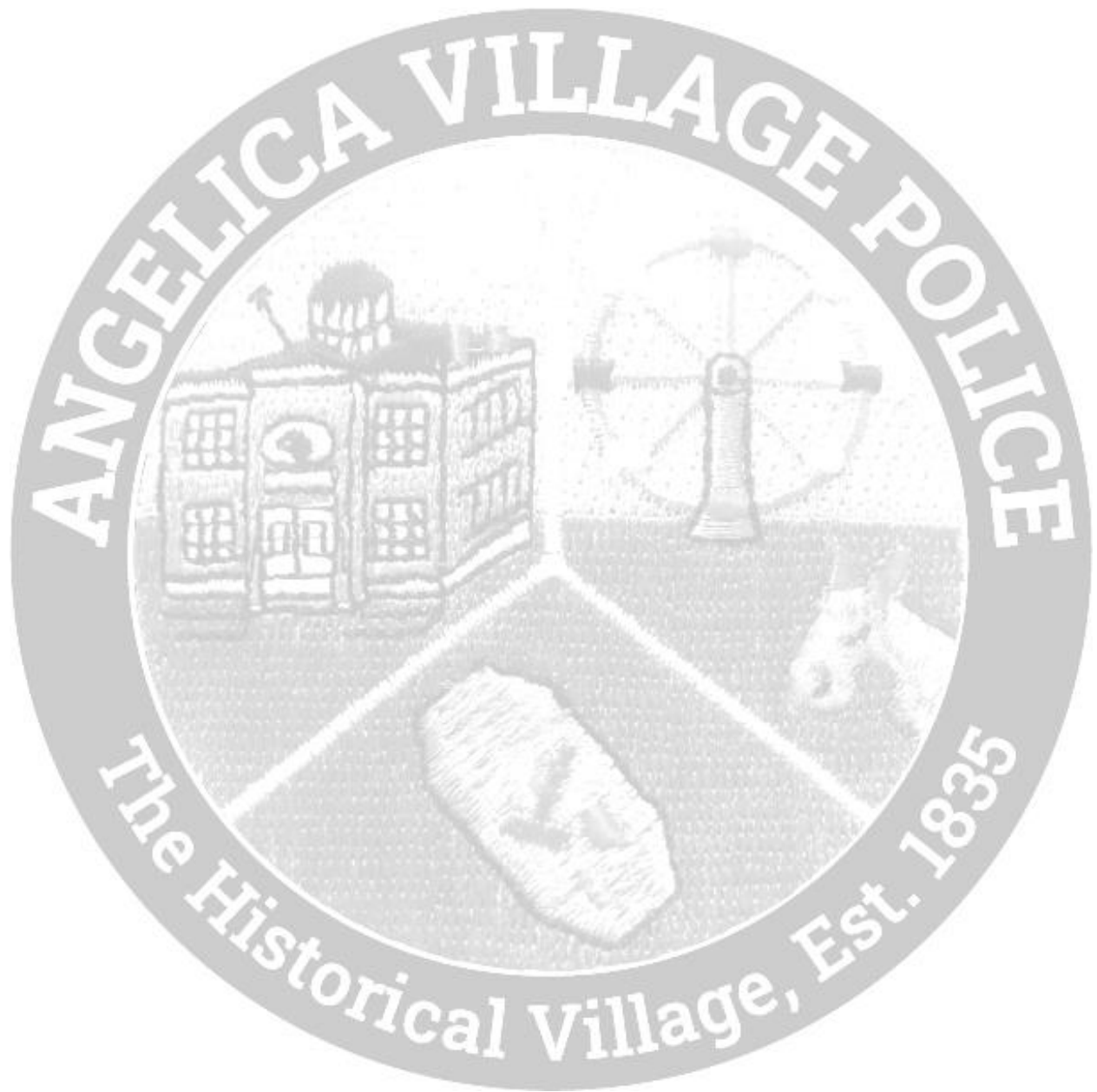
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## Citizen Complaint Form - Continued

I understand that this statement of complaint will be submitted to the University Police Department and may be the basis for an investigation. Further, I declare that the facts contained herein are accurate and true to the best of my knowledge and belief. Further, I declare that my statement has been made by me voluntarily without persuasion, coercion or promise of any kind.

I understand that the officer against whom this complaint is filed may be entitled to a hearing. By signing and filing this complaint, I hereby agree to attend such hearing, if necessary, and to testify under oath concerning all matters relevant to this complaint.

False statements made in the foregoing instrument are punishable as a class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Accordingly and with notice of the foregoing, I hereby affirm that the foregoing statements are true under penalty of perjury, on this:

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant (or ✓ to indicate refusal to sign)

\_\_\_\_\_  
Signature and Title of Person Receiving Complaint

\_\_\_\_\_  
Badge Number

\_\_\_\_\_  
Received Date & \_\_\_\_\_  
Time