

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

JOYCE E. DUDLEY
District Attorney



MAG M. NICOLA
Chief Deputy District Attorney

CYNTHIA N. GRESSER
Chief Deputy District Attorney

MEGAN RHEINSCHILD
Victim Assistance Director

KELLY D. SCOTT
Chief Deputy District Attorney

JOHN T. SAVRNOCH
Chief Deputy District Attorney

DAVID M. SAUNDERS
Chief Investigator

KERRY M. BIERMAN
Chief Financial & Administrative Officer

Citizens of Santa Barbara County:

A relationship of trust and confidence between members of the District Attorney's investigation staff and the community they serve is essential to effective law enforcement. Investigators must be free to exercise their best judgment and perform their duties in a reasonable, lawful and impartial manner without fear of reprisal. So, too, members of the law enforcement community have a special obligation to respect the rights of all persons.

The District Attorney has established a system of complaint procedures which will precipitate disciplinary action when an investigator has conducted himself/herself improperly, but will also protect the investigator from unwarranted criticism when it is determined that he/she has discharged his/her duties properly.

It is also the purpose of the procedures to provide a just, open and expeditious resolution of complaints regarding the conduct of investigative operations and to bring conduct of investigators to the attention of the Chief Investigator.

Generally, complaints will not be accepted anonymously or from persons who are under the influence of drugs or alcohol. Also, you should understand that if you knowingly make false accusations you may be liable to criminal and civil sanctions.

Should you have any questions regarding these procedures, please contact the Chief Investigator at (805) 568-2359, between 8:00 am and 5:00 pm, Monday through Friday. The procedural directive on citizen complaints is available upon request.

Sincerely,

DAVID M. SAUNDERS
Chief Investigator

SANTA BARBARA OFFICE
1112 Santa Barbara Street
Santa Barbara, CA 93101
Tel: (805) 568-2300
Fax: (805) 568-2453

SANTA MARIA OFFICE
312-D East Cook Street
Santa Maria, CA 93454
Tel: (805) 346-7540
Fax: (805) 346-7588

LOMPOC OFFICE
115 Civic Center Plaza
Lompoc, CA 93436
Tel: (805) 737-7760
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PROCEDURE FOR INVESTIGATION OF CITIZEN COMPLAINTS

In compliance with California Penal Code Sections 832.5 and 148.6, it is the policy of the Santa Barbara County District Attorney's Office to thoroughly and impartially investigate complaints regarding the conduct of its law enforcement staff in accordance with the following procedures:

The complainant will be required to complete a "Complaint Form" furnishing, as accurately as possible, all information related to the allegation(s), to include the names, addresses, phone numbers and other information of all involved parties. The complaint form is available in both English and Spanish.

The completed complaint form will be forwarded to the Chief Investigator, who will assign the case for investigation. The complaint will be investigated in a timely, professional manner. The investigation consists of taking formal statements from all persons concerned, as well as the gathering and preservation of all physical evidence or other information related to the incident. Each allegation will be examined on its own merits in a thorough and objective manner.

The Chief Investigator will review the completed investigation and make a recommendation to the District Attorney. At the conclusion of the review and recommendation process, the complainant will be notified of the results of the investigation. Records of complaints and investigations shall be retained by this agency for at least five years and shall be confidential to the extent allowed by law.

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COMPLAINT FORM

For complaints against Santa Barbara County District Attorney's Bureau of Investigation Personnel

Complainant's Full Name: _____

Residence Address: _____

Business Address: _____

Complainant Information: Sex _____ Age: _____ Date of Birth: _____

Victim (if other than complainant): _____

Victim's address: _____ Phone: _____

Incident Location: _____ Date: _____ Time: _____

Investigator complained against: _____

Personal Description: _____

Vehicle description: _____

Witness #1: _____ Phone: _____

Res. Address: _____ Bus. Address: _____

Witness #2: _____ Phone: _____

Res. Address: _____ Bus. Address: _____

Does complaint involve an arrest? _____ Case#: _____

Name/address(es) of person(s) arrested: _____

Complainant's Attorney: _____ Phone: _____

Narrative of complaint (use back or additional sheet(s) of paper if necessary) _____

See page 2 for additional information.

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Pursuant to Penal Code section 148.6(a)(2), any law enforcement agency accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign the following advisory, all in boldface type:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE 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 BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

I have read and understand the above statement.

Complainant's Signature

Date

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