

POLICY TITLE      COMMISSION'S REVIEW OF POLICE SERVICE

POLICY STATEMENT:

The attached policy describes specific procedures which are followed by the Commission for the Prevention of Violence Against Women. It enables the Commission to hear Citizens' complaints regarding police service and make recommendations to Council regarding police training in the areas of sexual assault and domestic violence.

AUTHORIZATION: Council Policy Manual Update of November 17, 1998

L:\POLICY\REVISED\27-1.DOC

## PROCEDURE FOR COMMISSION'S REVIEW OF POLICE SERVICE

### I. COMMISSION'S REVIEW OF POLICE SERVICE

- A. Duties of the Commission re: Ordinance 81-29, Section 5 (d), subsections 4, 5, and (e), (f), and Section 6, to include as follows:
1. To hear citizen's complaints and recommendations about City Police Department's service to women who have been raped or battered, to evaluate such input, and present recommendations to the City Council regarding activities of the Police Department relating this ordinance.
  2. To make recommendations to the City Council regarding police training in the areas of rape and domestic violence.
  3. To call upon members of the Police Department for information which is not defined as confidential by State law, with full and open cooperation between the Police Department and the Commission.
  4. To submit annually a report which documents, for City Council review, detailed information regarding community and police efforts in carrying out the purposes of this ordinance.

### II. GENERAL

- A. Definitions. The following definitions shall apply in these procedures.
1. Complaint: An allegation of improper service of police personnel in response to an alleged sexual assault, incident of domestic violence, battery on a woman, or criminal harassment of a woman occurring within the city limits.
  2. Aggrieved Person: Any victim who has a complaint and has suffered physical or emotional injury as a result of improper service of police personnel in response to an alleged rape, domestic violence, battery on a woman, or criminal harassment of a woman.
  3. Complainant: A victim of an alleged rape, sexual assault or domestic violence, battery on a woman, or criminal harassment of a woman.
  4. Filed Complaint: A complaint form is considered filed upon receipt by Commission staff.
  5. Santa Cruz Police Department Employee: An employee of the Santa Cruz Police Department.
  6. Santa Cruz Police Department Employee Subject of the Complaint: A SCPD employee alleged by a complaint to have failed to provide proper service.

# PROCEDURE FOR COMMISSION'S REVIEW OF POLICE SERVICE

Page 2

## II. GENERAL (continued)

### A. Definitions. The following definitions shall apply in these procedures.(continued)

7. The Commission: The Commission for the Prevention of Violence Against Women.
8. Departmental Representative: The SCPD employee designated by the Chief of Police to speak authoritatively on behalf of the Police Department.
9. Commission Subcommittee: Three members of the Commission, who, as a body, are assigned to research the complaint.
10. Subcommittee Chairperson: One of the subcommittee members who is responsible for following specified timelines and procedures regarding review of police services.

### B. Policy Regarding Complaints

1. The Commission is an advisory body only, and as such has the power to advise the City Council and the Chief of Police of its recommendations for changes in policies and procedures based upon its conclusion with respect to alleged complaints.
2. Any victim with a complaint about the services of the Santa Cruz Police Department regarding an alleged rape, domestic violence, or other violence against women, will be encouraged to make a complaint with this Commission.
3. The Commission shall publish or otherwise provide information regarding the process of the complaint procedure and make it available to all segments of the community.
4. All complaints shall be received in a courteous manner, investigated impartially, and brought to conclusion as quickly as possible.
5. The Commission shall work cooperatively with the Police Chief and Police Department whenever possible in formulating recommendations.

### C. Challenge for Conflict of Interest

1. In order to avoid bias or the appearance of bias, a Commissioner who is, or has reason to believe that he or she may be personally interested in the outcome of a complaint before the Commission shall abstain from any consideration of the complaint. Examples to include, but not limited to:
  - (a) familial relationship or close friendship with parties involved;
  - (b) having a significant financial interest in the complaint as defined in Government Code, Sec. 87103.

## PROCEDURE FOR COMMISSION'S REVIEW OF POLICE SERVICE

Page 3

### III. PROCESSING COMPLAINTS

#### A. Initiation of Complaints

1. Complaints can be initiated during oral communication at regular Commission meetings.
2. Complaints can be initiated in writing by sending a letter to the Commission for the Prevention of Violence Against Women, 809 Center Street, Room 10, Santa Cruz, CA 95060.
3. All individuals who file formal complaints at the Police Department concerning services to victims of sexual assault and domestic violence shall be informed of the Commission's existence and complaint procedure. The Police Department will maintain a log and provide it to the Commission at its request.

#### B. Complaint Form

All complaints received by the Commission shall be transcribed on the "Commission Complaint Form Re: Santa Cruz Police Department Services." (see attached)

#### C. Waivers

1. Necessary waivers will be signed authorizing the Commission to act as authorized representative of the victim in matters of obtaining the necessary police crime/incident reports involving said victim.
2. Upon receipt of waiver, the Police Department will forward all copies of crime/incident reports filed in police records of said incident to the Commission within five working days.
3. All reports received by waiver signed by the victim will have all arrest or suspects' names obliterated by police personnel to comply with privacy and criminal history laws.
4. The Commission and its appointees are responsible for the confidentiality of all police reports which it receives.

D. Recording of Complaints

1. The Commission will maintain a central register of all filed complaints. The complaint is considered filed when received by the Commission staff.
2. The receipt of the complaint will be acknowledged to the aggrieved person.
3. The Commission shall give written notification to the Chief of Police of the filing of the complaint and the allegation(s) therein, as promptly as possible.

IV. RESEARCH OF COMPLAINTS

A. Manner of Conducting Investigations

1. After the complaint has been filed, the complaint will be presented to the Commission at the first meeting following its receipt.
2. A rotating subcommittee, consisting of three members of the Commission will be assigned to research the complaint. One of these subcommittee members will be designated as the chairperson, who will be responsible for following specified timelines and procedures.
3. The Commission subcommittee may interview the complainant, the aggrieved person, the witnesses, Santa Cruz Police personnel or other related service providers.
4. Notes shall be taken of all discussions and interviews.
5. The research (investigation) shall be conducted in a manner designed to produce a minimum of inconvenience and embarrassment to the complainant and/or the aggrieved person.

B. Subcommittee Report

1. The subcommittee will present a written summary of findings and a recommendation to the Commission within one month.
2. The report shall include, but not necessarily be limited to, recommendations:
  - (a) for altering and/or changing policies and procedures of the Police Department;
  - (b) recommendations in the area of education and training.

V. FINAL CONCLUSION PROCEDURES

A. Commission Review of Subcommittee Report

1. All Commission members shall receive the summary.
2. The Commission shall discuss and formulate final recommendation(s) in the form of a report.

B. Distribution of Report

Copies of the report will be sent to the Police Chief and the complainant.

C. Police Department Communication

Police shall communicate in writing to the Commission the specific action and/or training in procedures that has been taken in response to the Commission's recommendation(s) within one month.

D. As Per Ordinance

A summary of Commission recommendations and actions taken by the Police Department shall be included in annual reports to the City Council.

COMMISSION FOR THE PREVENTION  
OF VIOLENCE AGAINST WOMEN  
City of Santa Cruz  
City Hall  
809 Center Street, Room 10  
Santa Cruz, CA 95060

COMMISSION COMPLAINT FORM RE: SANTA CRUZ CITY POLICE SERVICES

Name \_\_\_\_\_ Phone \_\_\_\_\_ (home)  
Address \_\_\_\_\_ (work)  
\_\_\_\_\_  
\_\_\_\_\_

.....

Description of Incident

Location of Incident: \_\_\_\_\_  
\_\_\_\_\_

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

Name of Officer and/or Other Identifying Facts: \_\_\_\_\_  
\_\_\_\_\_

Witnesses (name/address): \_\_\_\_\_  
\_\_\_\_\_

Description of Complaint. Be specific: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What would you like to see resulting from this complaint? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this form, you authorize the release of the police report to the Commission, and waive any claim you may have against the City of Santa Cruz resulting from the release of the Police report.

\_\_\_\_\_  
(Signature) (Date)

\_\_\_\_\_  
Police Report No. (if known)