

CITIZEN COMPLAINT POLICY

As law enforcement officers we are governed by Federal, State and Municipal laws. In addition to these regulations, we are expected to comply with the provisions of our Policies and Procedures, other Department directives and the Law Enforcement Code of Ethics.

Since we endeavor to provide professional law enforcement services to the community, our duties must be performed in a manner that will inspire the confidence and respect of the public. Therefore, when it is determined that a member has demonstrated misconduct or inappropriate behavior, corrective action will be taken.

Any member who is acting within the scope of the law, and our regulations, will receive the full support of the Department. A double standard of law enforcement cannot exist anywhere within the city of Modesto. Uniform enforcement practices must be followed throughout the community and the law must be enforced courteously and appropriately.

When a citizen makes a complaint against a member of the Department, that complaint shall be thoroughly investigated. When an investigation establishes a citizen complaint is valid, appropriate administrative action will be taken.

Modesto Police supervisors are encouraged and expected to handle minor complaints in a manner that will provide a speedy resolution for the Complainant while at the same time providing the necessary feedback and training to enhance the overall performance of Modesto Police Department employees.

COMPLAINT DEFINED: A complaint is defined as an allegation of misconduct by an employee which, if found to be true, could result in disciplinary action.

COMPLAINT DISPOSITIONS: Based upon the findings of the Department investigation, a complaint shall be classified in the following manner: **Sustained, Not Sustained, Exonerated, Unfounded or Closed.**

1. **Sustained Complaint:** A complaint is considered "**Sustained**" when the investigation reveals that:
 - The employee has committed the act(s) of misconduct alleged in the complaint.
 - The employee omitted a required duty.
2. **Not Sustained Complaint:** A complaint is considered "**Not Sustained**" when the investigation discloses insufficient evidence to clearly prove or disprove the allegation(s) made.
3. **Exonerated Complaint:** A complaint is considered "**Exonerated**" when:
 - The act occurred but the act was justified, lawful, and proper.
 - The allegation(s) were resolved to the Complainant's satisfaction and the Complainant requests no further action.
4. **Unfounded Complaint:** A complaint is considered "**Unfounded**" when the allegations are without basis.
5. **Closed (Special Circumstances):** A complaint is considered "**Closed**" when an employee resigns his/her employment prior to the completion of the investigation.

For further information regarding the City of Modesto Police Department's citizen complaint process, please write to the Modesto Police Department, Internal Affairs Unit, 600 10th Street, Modesto, CA 95354 or call (209) 572-9615.