



Jared Hernandez  
Chief of Police

## **Citizen's Guide to Making Commendations, Inquiries, or Complaints**

The Milpitas Police Department consistently attempts to be responsive to the needs and concerns of the people of this community. Your inquiries, complaints, and commendations are used to indicate your police department's quality of performance and service.

We welcome commendations for personnel who perform their duties exceptionally well and encourage inquiries and complaints about questionable performance or actions. Although we make every reasonable effort to provide a high level of service and performance, we realize that not every contact with the Police Department can be satisfactory to all concerned.

This guide is designed to provide you with information pertaining to the filing of a citizen's complaint, commendation or inquiry regarding police service. I can assure you that every police department employee will strive to provide the most effective and professional service possible. However, should you feel that something was lacking in our response, please let us know.

Thank you.

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### **How to commend an employee's performance?**

To notify us of an employee's exceptional performance call 408-586-2400 and ask to speak with a Watch Commander, or you may also send us a narrative that describes the exceptional service to the Milpitas Police Department, Attn: Watch Commander, 1275 N. Milpitas Blvd, Milpitas CA 95035, or you can go on the City of Milpitas Web Site ([www.ci.milpitas.ca.gov/government/police](http://www.ci.milpitas.ca.gov/government/police)) and complete the commendation form. You can also obtain a commendation form from the front desk clerk in the police lobby.

### **What is a citizen's Inquiry?**

A Citizen's Inquiry is any contact with a citizen in reference to an issue of concern regarding police performance or conduct. The Citizen's Inquiry process seeks to resolve the issue, to the satisfaction of the citizen, by means of discussion, explanation or clarification with an on-duty supervisor. A citizen's inquiry can become a citizen complaint. To make your inquiry, call 408-586-2400 and ask to speak with a Watch Commander or make in-person contact at the Milpitas Police lobby.

### **What is a citizen's complaint?**

A citizen's complaint is an allegation of employee misconduct that may have violated a law or department policy or procedure.

### **Who may make a complaint?**

Any person who has witnessed, or who has direct or well-founded knowledge of an incident may make a complaint. Unless unusual circumstances exist, we do require that a minor (anyone under the age of 18) be accompanied by his/her parent or guardian when making a complaint.

### **How can I file a complaint?**

A complaint may be made by telephone, mail, or in person with the completion of the *complaint form*. The complaint form can be obtained in the Milpitas Police Lobby or on-line on the City of Milpitas web site ([www.ci.milpitas.ca.gov/government/police](http://www.ci.milpitas.ca.gov/government/police)). In addition to completing the complaint form, we will need you to make a written statement detailing the specific allegation and the circumstances surrounding the incident. That narrative should also include the date and time of occurrence, the employee's name/badge number or description and identity of any potential witnesses. Upon completion, please print and sign the documents. To file a complaint by telephone call 408-586-2400 and ask to speak with a Watch Commander. To file a complaint by mail send it to Milpitas Police Department, Attn: Chief of Police, 1275 N. Milpitas Blvd. Milpitas, CA. 95035. To file a complaint in person, come to the police station at 1275 N. Milpitas Blvd. Milpitas, CA. and ask to speak with a Watch Commander. Filing a complaint in person will offer the best and most efficient exchange of information and materials.

### **What is the complaint procedure?**

The Milpitas Police Department will complete a thorough investigation of the incident. That investigation will include interviewing appropriate witnesses, Police personnel, and collection of evidence.

The duration of the investigation can vary from a few weeks to several months depending on the complex nature of the complaint. At the conclusion of the investigation all the evidence and statements will be analyzed. If the Chief of Police determines that an employee has violated law, policy or procedure appropriate corrective action will be taken. That action may include referral to the district attorney's office for criminal complaint if such action is warranted.

Although State law prohibits the release of details of the investigation and any disciplinary actions, you will be notified of a disposition at the conclusion of the investigation. Be assured that we aspire to provide quality service in every aspect of law enforcement including investigating your complaint.