

The purpose of this Order is to set forth Citizens' Police Review Board (CPRB) policy regarding the handling of walk-in citizen's complaints of police misconduct by sworn and non-sworn members of the Oakland Police Department (OPD).

Section I. Complaints of Misconduct – Sworn Members of the Oakland Police Department

When a citizen comes into the CPRB to file a complaint of allegation of police misconduct or a complaint of allegation of police misconduct is received by the CPRB, the Intake Technician shall do the following:

- A. Conduct an initial consultation to ascertain the circumstances of the complaint by speaking with the complainant at the time the complainant walks into the CPRB offices or by telephoning the complainant when the complaint is received via fax, mail, or online;
- B. If the complainant is a walk-in then provide the complainant with the Complaint pamphlet and assist with the completion of the Complaint Form, if necessary;
- C. Advise the complainant that IAD will receive a copy of their complaint and any supporting documentation;
- D. Advise the complainant of their right to file with IAD;
- E. Obtain a recorded statement from the complainant and any witnesses present, if necessary;
- F. After the initial consultation, send the completed complaint form (and any associated documentation) to IAD with a request for a complaint number and 3304 date ***within 24 hours of receipt via fax or email (per the preference of the IAD Commander) if one has not already been assigned;***
- G. Create a file of the complaint and corresponding documentation;
- H. Enter the appropriate information into the CPRB Complaint Database on the day received;
 - a. Case Number
 - b. 3304 Date
 - c. Complainant last name
 - d. Complainant first name
 - e. Complainant middle initial
 - f. Complainant Sex (M/F)
 - g. Complainant Race (Asian, Black, Hispanic, White, Middle Eastern, Native American, Pacific Islander, Other)
 - h. Complainant Date of birth (xx/xx/xxxx)
 - i. Complainant address
 - j. City
 - k. State
 - l. Zip
 - m. Home phone number
 - n. Work/Cell phone number
 - o. Last name of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable

- p. First name of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable Address
 - q. Relationship to complainant
 - r. Address of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable
 - s. City of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable
 - t. State of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable
 - u. Zip of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable
 - v. Home phone number of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable
 - w. Work/Cell phone number of person assisting complainant in completing form (i.e. minor, translator, etc.), if applicable
 - x. Date complaint was received (xx/xx/xxxx)
 - y. Time complaint was received (xx:xx am/pm)
 - z. First Initial and last name of person receiving complaint
 - aa. Date complaint filed/sent to IAD
 - bb. Method of filing (Walk-in, phone, fax, online)
 - cc. Location of occurrence (address)
 - dd. City (if outside of Oakland)
 - ee. State (if outside of Oakland)
 - ff. Day of occurrence
 - gg. Date of occurrence
 - hh. Time of occurrence
 - ii. Identity of officer(s) involved (enter in narrative format; include name, badge/serial number, race, sex, and other identifiers such as car number)
 - jj. Narrative of incident in words of complainant
 - kk. Was the complainant injured (Yes/No)
 - ll. Identity of witnesses to incident (enter in narrative format; include name, address, phone numbers)
- I. Attempt to locate appropriate documents to:
 - a. Link the complaint to an incident;
 - b. Identify witnesses; and
 - c. Identify personnel.
 - J. Evaluate and determine the nature of the information collected as to whether there is:
 - a. An allegation of a Manual of Rules (MOR) violation;
 - b. Criminal violation;
 - c. Service Complaint;
 - d. No MOR violation; or

- e. No Jurisdiction.
- K. Prepare a memorandum documenting the steps above and any additional information obtained during the intake process and preliminary investigation.
- L. Give the complaint file to the CPRB Executive Director for case assignment.
- M. The complaint will be assigned for resolution in the following manner:
 - a. Complaint Investigator – formal investigation;
 - b. Mediation – Class 2 complaints only as determined by AGO 4.0;
 - c. Summary Findings – An abbreviated internal review in which a finding can be reached without conducting a formal internal investigation because a finding can be determined with no or minimal follow-up and based on the existing documentation, evidence, statements, and crime information data (e.g. Offense Report, Use of Force Report, PDRD video footage, complainant statement, radio purge).
- N. Send a Complaint Notification Report, as notification, via email to the subject officer, immediate supervisor, and first-level supervisor if there is an allegation of an MOR violation. Include a copy of the sent notification email in the complaint file.
- O. Send a letter to the complainant, advising them of the following:
 - a. Letter of Acceptance – Their complaint is assigned to an investigator. Include the investigator’s name, telephone number and email address.
 - b. Letter of Denial – Their complaint was not assigned and explain the reason for non-acceptance (i.e. No Jurisdiction, Service Complaint, No MOR violation, etc.)
 - c. Request for Mediation – Asking if they would like to resolve their complaint via mediation (See AGO 4.0 for additional information regarding the Mediation process).

Section II. Complaints of Misconduct – Non-Sworn Members of the Oakland Police Department

When a citizen comes into the CPRB to file a complaint of allegation of misconduct against a non-sworn member of the Oakland Police Department, the Intake Technician shall do the following:

- A. Conduct an initial consultation to ascertain the circumstances of the complaint;
- B. Provide the complainant with the Complaint pamphlet and assist with the completion of the Complaint Form, if necessary;
- C. Advise the complainant that IAD will receive a copy of their complaint and any supporting documentation to complete the investigation;
- D. After the initial consultation, send the completed complaint form (and any associated documentation) to IAD ***within 24 hours of receipt via fax or email (per the preference of the IAD Commander)***;
- E. Enter the appropriate information into the CPRB Complaint Database on the day received;
- F. Prepare a memorandum documenting the steps above and any additional information obtained during the intake process and preliminary investigation.
- G. Give the complaint file to the CPRB Executive Director for review.