

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



PUBLIC INQUIRY UNIT
P.O. BOX 944255
SACRAMENTO, CA 94244-2550
(916) 322-3360
TOLL FREE (800) 952-5225
TDY (916) 324-5564
or (800) 952-5548

October 21, 1997

Steven Sutcliffe
1054 S. Bedford Street
Los Angeles, CA 90048

Dear Mr. Sutcliffe:

Thank you for your correspondence to Attorney General Dan Lungren requesting the Attorney General's assistance with your complaint against officers of the Los Angeles Police Department. Fair and impartial law enforcement which respects the individual dignity of all residents is essential and must be accomplished with tact and diplomacy whenever possible. We appreciate the time and effort it has taken to prepare your written document to this office.

California Penal Code section 832.5 requires each department or agency which employs peace officers to establish a procedure for investigating complaints against its officers. Each department or agency is required to make available to the public a written description of the procedure for making a complaint against an officer or officers and provide any complaint forms available. In addition, any complaints, reports, or findings must be retained for a period of at least five years.

An individual who wishes to make a complaint against a police officer or sheriff's deputy should first contact the department or law enforcement agency where the officer works. The complaint should include a factual statement which clearly describes the date, place and nature of the incident, the name(s) of the law enforcement officer(s) involved, the names of witnesses, and if possible, the specific law violation. A supervisor assigned by the officer's division commander or by the chief of police or sheriff would then investigate the complaint. The chief of police or sheriff and each of the officer's superiors is notified of all complaints against an officer.

Law enforcement agencies prefer to review residents' complaints with them in person, but will accept complaints in writing or by telephone. Minors should be accompanied by a parent, guardian or other responsible adult when bringing a complaint. If the matter is not resolved an individual may then contact the county district attorney or the county grand jury for a review of the matter. Often, this process satisfactorily resolves all complaints and no further action is warranted.

Steven Sutcliffe
October 21, 1997
Page 2

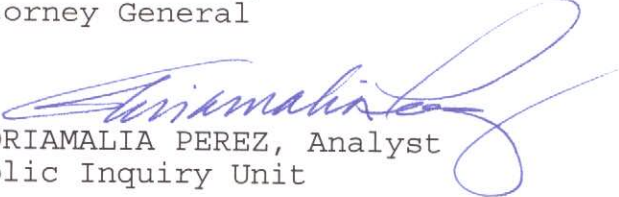
Local authorities are responsible for handling complaints against their employees. The Office of the Attorney General is not prepared to supersede the local law enforcement agency in these matters. The Attorney General will review a complaint for possible investigation only when a specific allegation of unlawful conduct is made and the complainant can show that they have contacted their local authorities and the local authorities have without justification, failed to act.

While we value the opportunity to assist you, from the information contained in your letter it is not apparent that you have yet contacted the appropriate authorities in your area. Until such remedies have been exhausted, our office is not prepared to intervene. We hope you find satisfaction in resolving your complaint through your local law enforcement authorities. Their telephone numbers are available in your local telephone directory.

We hope we have been of assistance to you.

Sincerely,

DANIEL E. LUNGREN
Attorney General


GLORIAMALIA PEREZ, Analyst
Public Inquiry Unit

GP:plp