

Personnel Complaint Procedure

800.1 PURPOSE

Discretionary **MODIFIED**

This procedure provides guidance for handling complaints by citizens regarding the conduct of probation officers and staff of the Tulare County Probation Department. It outlines the steps necessary to ensure all complaints are investigated thoroughly and in accordance with the Tulare County Probation Department Policy. This procedure is also established in compliance with California Penal Code §832.5, which mandates that law enforcement agencies maintain a procedure for investigating complaints by members of the public. Refer to the Tulare County Probation Department policy regarding Personnel complaints for more information.

800.2 FILING A COMPLAINT

Agency Content

Any individual, including probationers, family members, or members of the public, may file a complaint. Complaints may also be submitted by individuals acting on behalf of another party, such as an attorney or advocate. Refer to the Tulare County Probation Department Policy on Personnel Complaints for more information.

See attachment: [Personnel Complaint Form \(3.4.26\).pdf](#)

800.3 COMPLAINT PROCEDURE

Agency Content

When a member of the public requests to make a Personnel Complaint/Citizens Complaint against a member of the Tulare County Probation Department, the following procedure will be followed:

1. Although any member of the department can receive a complaint from an individual, it is best practice that the reporting complainant will be referred to the involved staff member's supervisor.
 - (a) If the assigned supervisor is unavailable, an available supervisor will take the report and provide it to the appropriate supervisor.
 - (b) If no supervisor is available, attempt to contact a Division Manager to take the complaint. However, if no supervisor or Division Manager is available, obtain sufficient contact information so that a supervisor may contact the complainant.
2. The complainant will be provided a "Personnel Complaint" form to document their complaint.
 - (a) A written complaint is not required but should be encouraged.
 - (b) If the complainant refuses or cannot provide a written complaint, as much information should be gathered as possible, including the complainant's name and contact information.
3. The accused employee's supervisor will review the complaint and brief the matter with their assigned Division Manager.

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- (a) Determination will be made on the complaint classification pursuant to Lexipol Policy Section 809.3.1:
 - i. Informal
 - ii. Formal
 - iii. Incomplete
 - (b) If the matter is classified as an Informal complaint, the accused employee's supervisor will take necessary steps to resolve the matter.
 - i. The initial complaint and written notice of resolution will be forwarded to the Professional Standards Unit and uploaded to the tracking system.
 - (c) If the matter is classified as a Formal complaint, it will be referred to the Professional Standards Unit for an Internal Affairs investigation.
4. Once the complaint has been resolved, the supervisor or Division Manager who completed the investigation will provide written notice to the complainant within 30 days, advising the finding:
- (a) Sustained
 - (b) Not Sustained
 - (c) Unfounded
 - (d) Exonerated

Attachments

Personnel Complaint Form (3.4.26).pdf

