

HOW TO

FILE A COMPLAINT

→ Introduction

The Citizens Police Oversight Commission (CPOC) was created in 2021 by Philadelphia's City Council, following a 2020 ballot initiative. CPOC provides oversight of the Philadelphia Police Department (PPD), aiming to build trust between the community and the police, encourage transparency and accountability within PPD, improve police conduct, and strengthen the quality of internal investigations.

When an officer mistreats a civilian, the harm is not just felt by the individual. It is often felt across the community. Therefore, it is important that community members have a viable means to hold officers accountable. The disciplinary process provides the community with the ability to file a complaint through CPOC that prioritizes trust, compassion and objectivity. The disciplinary process helps hold officers accountable in addition to helping them become better public servants. Although an investigation can be lengthy, the disciplinary process is a vital aspect of improving police-community relations. The goal of this explainer is to provide community members with a better understanding of the importance of filing a complaint, the proper channels for filing a complaint, and common questions about the complaint process.



→ What is a Complaint?

A complaint against police (CAP) is an allegation of police misconduct from a community member.

Complaints can allege a variety of acts of misconduct such as, but not limited to, physical abuse, verbal abuse, or a violation of Philadelphia Police Department (PPD) policy. When a complaint is received, it is referred to PPD's Internal Affairs Division (IAD) for further investigation. Complaints are investigated through an administrative process, not a criminal one. If any criminal allegations are uncovered, then the complaint is referred to a special unit within IAD.

CPOC can only accept complaints against Philadelphia Police Officers (PPD). If you are unsure which law enforcement agency is involved, you can still submit your complaint. If it is found that law enforcement officials were not from PPD, a referral can be made to the agency responsible (SEPTA Police, Philadelphia Sheriff's Office, Philadelphia Housing Authority Police Department, etc.)

→ What Can Someone File a Complaint About?

Philadelphia Police Department Officers are required to uphold high standards of conduct, maintain a professional demeanor, and act in accordance with PPD policy both on and off duty.

Allegations of police misconduct cover a diverse range of police actions.

This is just a small selection of complaint categories and subcategories that CPOC receives. Even if you are not sure if you have a complaint, CPOC can help you make sense of your experience with the police. CPOC can also refer community members to other resources, if needed.

MOST COMMON COMPLAINTS

- **Physical abuse** (punching, kicking, handcuffing too tightly)
- **Verbal abuse** (racial slurs, obscene/profane language, rude language/tone)
- **Departmental violations** (improper search/seizure, failure to activate body-worn camera, refusal to provide name or badge number),
- **A lack of service** (failure to arrest, delayed response, failure to provide service/take police action).



→ Who Can File a Complaint?

Anyone who has experienced or witnessed police misconduct.

You don't have to be a Philadelphia resident, a U.S. citizen, or a U.S. resident. As stated above, even if you are not sure if you have a complaint, CPOC can help you make sense of your experience with the police.

IT IS IMPORTANT TO INCLUDE **as much detail as possible** IN YOUR COMPLAINT.

→ What to Include in a Complaint?

No matter how minor a detail may seem, it can be important to the course of the investigation.

1. Start by describing who was involved

if you recall or wrote down the names of the officers you interacted with (both those who committed the misconduct and any officers who witnessed it). If you do not have their names, a physical description of the officer helps identify them. **The officer's age, height, hair color or length, skin tone, uniform color, or the number of the vehicle they were driving are all useful details.**

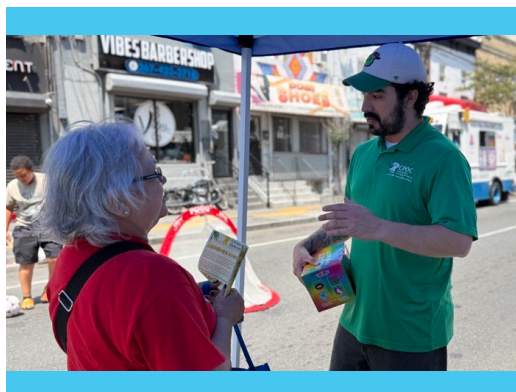
2. If you have contact information for civilian witnesses, that is also useful to provide. If you don't have the names or contact numbers of civilian witnesses, provide the information you do have. **For example, if a store employee may have seen what happened, include that.** An investigator may be able to locate that witness during the investigation.

3. Include cross streets and specific addresses

this helps investigators locate surveillance camera footage, as relevant, and help identify the officers involved.

4. When recounting the officer's misconduct, be specific about what actions the officer took that you thought were improper. For instance, anything that the officer said, anything the officer did (or did not do), any physical force the officer used (handcuffing, physical restraint). When providing dialogue, use exact quotes, if possible, to ensure the tone and content are properly represented.

5. If you have any additional documentation, including but not limited to, photos or videos, doorbell camera footage, surveillance camera footage, police reports, district control (DC) numbers, or court records, please provide this as well.



Lastly, when filing a complaint, **please provide up-to-date contact information,** including your phone number, email address, and mailing address, so the assigned investigator can contact you directly.

→ Frequently Asked Questions (FAQs)

Can I file a complaint anonymously?

Yes. If a complainant wants to be anonymous, all identifying information will be removed from the complaint.

Investigations benefit from having the complainant's perspective shared during an interview, as the complainant's subjective experience can influence the outcome. Anonymous complainants, to protect their identity, do not have an interview with Internal Affairs.

Is there a time limit for filing a complaint?

We encourage complainants to submit a complaint as early as possible to ensure that any evidence can be secured to aid the investigation. For example, some surveillance camera footage is only stored for a limited time, so any delay could result in useful footage not being recovered. However, **you can file a complaint no matter how much time has passed since the misconduct occurred - even if the incident was months or years ago.**

What happens after a complaint has been filed?

CPOC aims to send the complaint referral to Internal Affairs (IAD) within five business days following complaint submission. From there, it generally takes between two and three weeks for Internal Affairs to determine if the case will be accepted for further investigation.

Why may a complaint be denied?

Complaints can be denied for various reasons. **CPOC refers all allegations of misconduct, but PPD decides whether a complaint is accepted for further investigation. It is important to note that a complaint being denied does not mean that the complainant's concerns will not be addressed.** To ensure a timely resolution, some complaints are referred to the captain of the police district or unit where the officer works. Referrals to other city agencies or community organizations are also an option.

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→ Frequently Asked Questions (FAQs)

Complainants should be aware that the investigation process involves providing a statement to Internal Affairs. If a complaint is filed anonymously without providing a name or contact information, Internal Affairs will not be able to reach out for more details. However, the investigation will still happen. If a complainant is facing criminal charges, they should check with their criminal defense attorney about participating in the complaint process. If the officer who allegedly committed misconduct no longer works for PPD, then no investigation can occur.

CPOC only has jurisdiction over the Philadelphia Police Department. If we receive complaints alleging misconduct from other law enforcement agencies, like SEPTA Police, Temple University Campus Police, or the Philadelphia Sheriff's Office, we will refer them to the proper agency, with the complainant's permission.

CPOC staff meet regularly with IAD intake staff to discuss new complaints and review which ones are open for investigation.

Will I be notified of the findings of the investigation into the alleged misconduct?

Yes, at the conclusion of the investigation, the complainant will be sent a letter in the mail detailing the findings of the allegations of misconduct. If you don't receive a letter from Internal Affairs, please feel free to contact CPOC or IAD for further guidance.

IF YOU DON'T RECEIVE A LETTER FROM INTERNAL AFFAIRS,
please feel free to contact CPOC or IAD for further guidance.

→ Conclusion

When constituents file a complaint, it supports our goal of improving police conduct. Complaints help identify officers who have engaged in misconduct and could benefit from discipline or additional training. Similarly, complaints help CPOC identify trend and themes across complaints, enabling us to identify opportunities for further research to advance public safety. When constituents file complaints after having a troubling experience, we have the opportunity to address the problems and reduce the harm.

CPOC staff is available to assist community members throughout the complaint and investigation process. At the complainant's request, a CPOC staff member can accompany them to the Internal Affairs interview. Similarly, CPOC investigators can monitor both complainant and officer interviews.

If you have any further questions about CPOC or the complaint process, please feel free to contact us.

→ Where Can a Complaint Be Filed?

Citizens Police Oversight Commission

PHONE:

(215) 685-0891

EMAIL:

cpoc@phila.gov

ONLINE:

www.phila.gov/departments/citizens-police-oversight-commission/

IN-PERSON:

2401 Walnut St. Suite 602, Philadelphia, PA 19103

NOTE: If possible, please call in advance.

All Police Districts

(including Police Headquarters)

www.phillypolice.com/district/districts-list/

Internal Affairs

7790 Dungan Road,
Philadelphia, PA, 19111

Call 311

Complaints will be forwarded from 311 to the Philadelphia Police Department