

CANANDAIGUA POLICE DEPARTMENT

CITIZEN COMMENDATION & COMPLAINT FORM



Chief Mathew A. Nielsen

Canandaigua Police Department

21 Ontario Street

Canandaigua, New York 14424

585.396.5035

Summary of Commendation or Complaint Process

- The Commendation & Complaint Form can be downloaded from the City of Canandaigua website: www.canandaiguanewyork.com or picked up at the Canandaigua Police Department, located at 21 Ontario Street, Canandaigua, New York or the City Manager or City Clerk's Office, located at 2 North Main Street, Canandaigua, New York.
- After completion of the form, it should be signed in front of a Supervisor at the Canandaigua Police Department or the City Manager or City Clerk at City Hall. If the purpose of filling out the form is for commendation purposes only, you do **not** need to have it signed in front of a representative from the city and you can either mail or drop it off at the Canandaigua Police Department.
- After your complaint has been filed, it is given a case number, assigned to an Internal Affairs Investigator, and investigated. All available witnesses will be contacted, and any physical or other relevant evidence including records, reports, recordings and computer data will be collected and reviewed. You will be personally contacted by a Lieutenant or another person designated by the Chief of Police.
- Once the investigation is completed, the investigation and its report will be forwarded to the Chief of Police for final disposition of the case. When a complaint is sustained, the Chief shall determine and administer appropriate corrective and/or disciplinary action.
- Department policy requires that the complaint investigation to be completed within 45-60 days; however, the Chief of Police can waive the time frame depending on the complexity and sensitivity of the investigation.
- After the investigation has been completed and the Chief of Police has made a final decision on the case, you will be notified of the results by mail.

Most Frequently Asked Questions

- **HOW DO I FILE A COMMENDATION OR COMPLAINT?**
We recommend you talk to us about your commendation or complaint in person. A completed commendation form can be mailed or dropped off at the Canandaigua Police Department without being signed in front of a city representative. A completed complaint form should be signed in front of a Supervisor at the Canandaigua Police Department or the City Manager or City Clerk at City Hall prior to submission. We will also accept complaints via phone or email as well.
- **WHAT IS A COMMENDATION AND COMPLAINT?**
A commendation allows a citizen to formally or informally thank a police officer or have him or her recognized for a great performance or for doing something admirable. A complaint is a belief that a member of the Canandaigua Police Department has violated a Department Rule or Procedure, a federal or state law, an ordinance of the City of Canandaigua, or dissatisfaction with a policy or procedure of the Canandaigua Police Department.
- **WHAT DOES THIS PROCESS NOT HANDLE?**
This process does not litigate or decide the outcome of any parking, traffic, criminal or non-criminal offense. These questions should be directed to the court of jurisdiction or your own legal counsel.
- **WHO CAN MAKE A COMMENDATION OR COMPLAINT?**
A commendation can be filed by anyone who wishes to recognize a police employee. A complaint can be filed by anyone who honestly believes a police employee has acted improperly.

- **WHO INVESTIGATES A CITIZEN COMPLAINT?**

Complaints of alleged misconduct are investigated by members of the Canandaigua Police Department who are certified to conduct Internal Affairs Investigations. The investigation is then reviewed by the Chief of Police and Personnel Office if needed.

- **WHAT WILL HAPPEN TO THE EMPLOYEE?**

That will depend on the results of the investigation. If the employee is found to be at fault the complaint will be **SUSTAINED** and the appropriate corrective and/or disciplinary action will be taken. If they acted properly, they will be **EXONERATED**. If the facts show that the complaint is false, the complaint will be **UNFOUNDED**. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusion, the complaint will be **NOT SUSTAINED**. If the investigation concludes that the involved employee's conduct was not misconduct but rather an issue of department service or procedure, your complaint will be satisfied as such. In cases of department service or procedure, Canandaigua Police Department will attempt to clarify or correct the issue.

- **WHAT IF MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?**

The Ontario County District Attorney's Office may be consulted on any complaint that alleges criminal behavior while the internal investigation is pending. Depending upon the nature of the criminal complaint, the Chief of Police has the discretion to involve an outside law enforcement agency to investigate.

- **WILL I BE TOLD THE RESULTS OF THE INVESTIGATION?**

YES – At the conclusion of the investigation and review by the Chief of Police, you will be notified of the results by mail.

- **CAN I GET IN TROUBLE FOR MAKING A COMPLAINT?**

NO – Every citizen has the right to file a complaint, if it is done in good faith, with an honest belief that an employee of the Canandaigua Police Department acted improperly.

- **ABOUT THE COMPLAINT FORM.**

The attached form should be used to file your complaint. You can attach as many additional pages as necessary, along with any supporting evidence you may have. After you complete the form bring it to the Canandaigua Police Department or the City Manager or City Clerk's Office, located at:

**Canandaigua Police Department
Chief of Police
21 Ontario St
Canandaigua, NY 14424
585-396-5035**

**City of Canandaigua
City Manager / City Clerk
2 North Main St
Canandaigua, NY 14424
585-396-5000**

Canandaigua Police Department Commendation / Complaint Form

21 Ontario St
Canandaigua, NY 14424
<https://www.canandaiguanewyork.gov>

Office Use Only:	
IA#: _____	
Initials: _____	
Date: ____ / ____ / ____	

Instructions: If you would like to praise a Canandaigua Police Department employee, or file a complaint against a police employee, please write legibly and fill out this form. Personal information will not be disclosed to the public, unless required by law. You can submit this form by mailing or returning it to the Canandaigua Police Department at the address given at the top of this page.

I wish to file a (please check one): **Commendation** **Complaint**

If you are filing a complaint, indicate the type of complaint you wish to file (you must check one):

- Formal Complaint:** Involves a serious allegation of misconduct, and I want my complaint officially investigated, for which discipline may be imposed, if the allegation(s) are sustained.
- Informal Complaint:** Involves a minor complaint or concern, and I only want my complaint/concerns on record. I understand it will be for informational purposes only, will not be formally investigated. However, the matter will be discussed with the employee(s) involved.

Information about you

LAST NAME		FIRST NAME		M.I.	DATE OF BIRTH / /
STREET ADDRESS and APT#		CITY		STATE	ZIP CODE
HOME PHONE () -	WORK PHONE () -	CELL PHONE () -		SEX <input type="radio"/> MALE <input type="radio"/> FEMALE	

Are you filing this on behalf of someone else? **Yes** **No** *If Yes, then complete this section*

WHAT IS HIS/HER LAST NAME?		FIRST NAME		AGE	SEX <input type="radio"/> MALE <input type="radio"/> FEMALE
STREET ADDRESS and APT#		CITY		STATE	ZIP CODE
WHAT IS HIS/HER RELATIONSHIP TO YOU?		HOME PHONE () -		WORK / CELL PHONE () -	

Information about the incident

LOCATION OR ADDRESS OF INCIDENT		DATE OF INCIDENT / /		TIME OF INCIDENT : AM / PM	
WITNESS LAST NAME		FIRST NAME		AGE	SEX <input type="radio"/> MALE <input type="radio"/> FEMALE
WITNESS ADDRESS		CITY		STATE	PHONE () -
NAME OR ID# OF OFFICER OR EMPLOYEE		NAME OR ID# OF OFFICER OR EMPLOYEE			

Nature of action: Check all that apply and briefly describe what happened below (date & sign it)

<input type="checkbox"/> Extremely helpful	<input type="checkbox"/> Excessive and/or improper use of force	<input type="checkbox"/> Rudeness, discourtesy, and offensive language
<input type="checkbox"/> Very caring / empathetic	<input type="checkbox"/> False arrest	<input type="checkbox"/> Violation of civil rights
<input type="checkbox"/> Professional conduct	<input type="checkbox"/> Unlawful search and/or seizure	<input type="checkbox"/> Bias-based profiling
<input type="checkbox"/> Did a great job	<input type="checkbox"/> Dishonesty and untruthfulness	<input type="checkbox"/> Department procedures or tactics
<input type="checkbox"/> Made an extra effort	<input type="checkbox"/> Corruption	<input type="checkbox"/> Other

FOR DEPARTMENT USE ONLY: To be completed by the Supervisor or Unit receiving or initiating a complaint

	CATEGORY	DESCRIPTION
<input type="radio"/>	CLASS 1	Allegations that have the potential of damaging the reputation of the Department or its personnel and generally include, but are not limited to, allegations of serious misconduct, serious violations of <i>Standards of Conduct</i> and other written directives, or criminal conduct.
<input type="radio"/>	CLASS 2	Allegations that generally include, but are not limited to, allegations of a non-serious nature and violations of <i>Standards of Conduct</i> and other written directives of a non-serious nature.
<input type="radio"/>	CLASS 3	Minor complaints by a citizen desiring to make an informal complaint against an employee of a minor nature, generally involving an employee's conduct and/or behavior.
<input type="radio"/>	CLASS 4	Minor complaints by a citizen who contacts the Department questioning or informally complaining about a procedure or tactic used by the Department or its employees.

Signature of Supervisor receiving / initiating the complaint

OFFICER: _____ ID#: _____ DATE: ____/____/____

Forward this report to your Administrative Lieutenant for review

Signature of Lieutenant

OFFICER: _____ ID#: _____ DATE: ____/____/____

Forward this report to the Chief of Police

To be completed by the Internal Affairs Unit

	CASE ASSIGNED TO	DATE ASSIGNED	DATE COMPLETED
<input type="radio"/>	UNIT / SHIFT LEVEL		
<input type="radio"/>	INTERNAL AFFAIRS UNIT		
<input type="radio"/>	NO INVESTIGATION NEEDED (3 or 4 only)		
<input type="radio"/>	COMMENDATION ONLY		

To be completed by the Chief of Police

	FINDING	DATE COMPLETED
<input type="radio"/>	EXONERATED	
<input type="radio"/>	UNFOUNDED	
<input type="radio"/>	NOT SUSTAINED	
<input type="radio"/>	SUSTAINED	
<input type="radio"/>	MISCONDUCT NOT BASED ON ORIGINAL COMPLAINT	
<input type="radio"/>	COMPLAINT WITHDRAWN	
<input type="radio"/>	POLICY FAILURE	

Signature of Chief of Police

CHIEF OF POLICE: _____ DATE: ____/____/____