

# LAKE HALLIE POLICE COMMISSION

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13138 30<sup>th</sup> Avenue.  
Chippewa Falls, Wisconsin 54729-7377  
(715) 726-2666 • FAX (715) 726-2667

Citizen Complaint Process  
Wisconsin State Statute 946.66 (2)

Dear Citizen:

If you believe a police officer, employed by the Village of Lake Hallie, has violated a department rule, village ordinance, state or federal law, or standards of acceptable conduct, you may file a complaint with the Police Commission, per Wisconsin State Statutes 62.13 (5). A formal citizen complaint must be filed within ninety (90) days of the alleged violation unless the Commission determines that good cause exists to extend the timeline for filing a complaint. The Commission shall dismiss a formal citizen complaint that is not timely filed in the absence of good cause for extending the timeline.

Enclosed is a complaint form that can be used for this purpose.

A complaint you file can be based on your personal knowledge of a matter or on information obtained from other sources; please provide the name and address of each source, or otherwise identify the source of your information, such as a document that has information supporting the complaint.

Before filing a complaint with the Commission, you may want to consider first filing a complaint with the Chief of the Police Department. You may also wish to consult an attorney before filing a complaint with the Commission or the department having jurisdiction over the police officer involved.

If your charges are made under oath, in the presence of a notary public, the complaint will be treated as a formal complaint; if the complaint form is not notarized, it will be treated as an informal complaint. In either case, the Commission will carefully review your complaint. You should be aware that under the provisions of section 946.32, Wisconsin Statutes, making a false statement under oath or affirmation may be treated as a felony. Furthermore, Wisconsin State Statute 946.66 (2) states, "Whoever knowingly makes a false complaint regarding the conduct of a law enforcement officer is subject to a Class A forfeiture." In addition, the affected department member is entitled to file a civil action against anyone filing a false complaint against him or her.

The Commission will schedule a public meeting when it receives a formal citizen complaint against a police officer that is timely filed. The public meeting is limited to a review of the information presented by the complainant in support of the complaint. The complainant may attend the public meeting and may be represented at the public meeting. The purpose of the public meeting is for the Commission to decide on the basis of the information provided in the written complaint and any supplemental information that a complainant presents at the public meeting whether or not the alleged violation, if

proven may result in the suspension, demotion or discharge of the police officer who is the subject of the formal citizen complaint. The Commission will schedule the matter for a "just cause" hearing only if it determines after considering the information in support of the complaint that the information presented alleges a violation which if proven is serious enough that it may lead to the suspension, demotion or discharge of the police officer. The Commission will dismiss and take no further action on a formal citizen complaint if it determines that the information presented in support of the complaint does not allege a violation which is serious enough even if proven to suspend, demote or discharge the police officer.

The complaining party is responsible for presenting testimony and evidence in support of the alleged violation at a "just cause" hearing. The police officer who is the subject of the formal citizen complaint, and who may also be represented by an attorney, shall be given the opportunity to present testimony and evidence in response to the alleged violation at the "just cause" hearing. The Commission does not actively investigate but sits in judgment, much like a court. At the conclusion of the "just cause" hearing, the Commission will determine whether there is just cause to suspend, demote or discharge the police officer applying the statutory standards set forth in Section 62.13(5)(em)1.-7. of the Wisconsin Statutes. The Commission's decision may be appealed by either party pursuant to Section 62.13(5)(i) of the Wisconsin Statutes.

If you choose not to use the enclosed form, but wish to make the Commission aware of a complaint you have about the actions of a police officer, you may write a letter to the Commission detailing your concerns; please cite the rule, ordinance, law or standard of conduct you believe the individual violated. However, the Commission cannot initiate a disciplinary action in the absence of a formal complaint.

If you file a complaint with this Commission, you may ask that your identity, information you provide, or both be kept confidential. To the extent permitted by state law, the Commission will respect your request. However, the Commission cannot promise unlimited confidentiality; the news media or any person may ask to see a copy of your complaint and related documents; the Commission may be legally required to honor such a request.

Police Commission  
Village of Lake Hallie

Complainant's Initials

**PREFERENCE CONCERNING CONFIDENTIALITY**

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\_\_\_\_\_ I request that my name be kept confidential.

\_\_\_\_\_ I request that my address and telephone number be kept confidential.

\_\_\_\_\_ I request that sources of information provided as part of this complaint be kept confidential.

\_\_\_\_\_ I do not request confidentiality in this matter.

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Complainant's Signature

Date Signed

**VERIFICATION UNDER OATH**

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State of Wisconsin )

\_\_\_\_\_ County )

I, \_\_\_\_\_, the above named Complainant, being duly sworn, on oath depose and state that I have read the foregoing complaint, and that I know it is true and complete to my own knowledge, except as to those matters based upon information and belief, and as to those matters I believe the same to be true.

Complainant's Signature

Subscribed and sworn to and before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Notary Public, \_\_\_\_\_ County, Wisconsin

My Commission is (permanent) or (expires on \_\_\_\_\_).

Complainant's Initials

## Complaint Form

This complaint is filed pursuant to Section 62.13 (5) (b), Wisconsin Statutes, permitting charges to be filed against a police officer. Charges may be filed by the chief of a department, by the Police Commission or any of its members, or by an aggrieved person.

### INFORMATION ABOUT PERSON FILING COMPLAINT

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Best time(s) to call \_\_\_\_\_

### INFORMATION ABOUT PERSON NAMED IN COMPLAINT

Name: \_\_\_\_\_

Rank (if known) Name: \_\_\_\_\_

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### STATEMENT OF CHARGES

Describe the action, on the part of the person named in this complaint; you believe violated a department rule, Village ordinance, state or federal law, or standards of acceptable conduct. Use additional sheets if you need more space, initial each and attach them to this form.

### STATEMENT OF CHARGES (CONTINUED)

Complainant's Initials

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**SOURCES OF INFORMATION**

If the actions described in the Statement of Charges are based, in whole or in part, on information obtained from the other sources, please provide the name and address of each source, or otherwise identify the source of your information, such as a document that has information supporting the complaint.

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**SPECIFICATIONS OF VIOLATION**

Cite the department rule, Village ordinance, state or federal law, or standards of acceptable conduct you believe the person named in this complaint violated.