

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 100.103

MARCH 2025

CIVILIANS' COMPLAINT SHORT FORM PROCEDURE

1. PURPOSE. The purpose of this General Order (GO) is to establish policy and procedures regarding the use of the Civilians' Complaint Short Form (CCSF) process.

2. BACKGROUND. During a Civilians' Complaint investigation, the existence of audio and video footage can aid investigators in determining the complaint finding. Often, these recordings promote public trust and accountability by capturing the professional conduct of departmental employees while engaged with members of the public. The proliferation of digital media, both internal and external, which captures the interactions of departmental employees with the public, allows for some Civilians' Complaint investigations to be documented more concisely than current policies and procedures outlined in Highway Patrol Manual (HPM) 10.4, Citizens' Complaint Investigations.

3. POLICY.

a. Civilians' Complaint Short Form (CCSF).

(1) The CCSF shall only be used for incidents captured by unedited audio and video footage (e.g., Wireless Mobile Video Audio Recording System [WMVARS], Body-Worn Cameras [BWC], surveillance video, civilian-provided video, and/or similar digital media), which clearly supports or refutes the complainant's allegation(s) of employee misconduct.

(2) The authenticity of any external audio or video footage shall be verified by the Computer Crimes Investigations Unit (CCIU) (e.g., footage obtained from non-departmental equipment).

(3) The CCSF may be utilized, with commander discretion, for any Category II and "Other" complaint with any finding.

(4) The CCSF may only be utilized, with commander discretion, for a Category I complaint with a finding of exonerated or unfounded for all allegations investigated. It shall not be used for any Category I complaint in which the investigation yields any other finding for any allegation investigated.

(5) Civilians' Complaint investigations without audio or video footage shall be documented according to standard procedures outlined in HPM 10.4, Chapter 7, Investigation Documentation.

(6) Regardless of the existence of audio or video footage, the commander shall always have the discretion to document a Civilians' Complaint investigation according to standard procedures outlined in HPM 10.4, Chapter 7.

4. **DOCUMENTATION.** Implementation of the CCSF includes an update to the electronic CHP 240, located within the Adobe Experience Manager (Refer to Annexes A, B, and C).

a. **CHP 240.** The electronic CHP 240 form includes the following updates:

(1) Check box to indicate whether the CCSF will be utilized.

(2) Section titled *Evidence Type* where investigators will note what type of audio or video footage is being attached as evidence.

(3) Check box for evidence type and evidence number for any audio and video footage related to the complaint.

(4) Section titled *Time Stamp(s) of Allegation(s)* where investigators will note the specific start and end time of the incident as captured on the audio or video footage. (This time stamp should capture any footage material to the complaint investigation.)

(5) **Summary of Allegation Made by Complainant** providing a clear and concise description of the allegation(s).

(6) **Summary of Disposition** providing a summary or list of actions taken, while making sure to include any mitigating or aggravating information.

(7) **Finding(s)** providing a brief summary of the finding(s) at the conclusion of the investigation.

OFFICE OF THE COMMISSIONER

ANNEXES A, B, C

OPI: 031

ANNEX A

SAMPLE CIVILIANS' COMPLAINT SHORT FORM CATEGORY I EXONERATED

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL COMPLAINT INQUIRY/INVESTIGATION CHP 240 (Rev. 3-25) OPI 031					
TRACKING NUMBER 240021		INCIDENT DATE 8/20/2024		INCIDENT LOCATION I-5 Southbound at Las Pulgas Rd.	
DATE COMPLAINT RECEIVED 8/21/2024		HOW RECEIVED Telephone		COMPLAINT ORIGINATION Area (60 Day Suspension)	
PEACE OFFICER Yes		I.D. NUMBER 28003		COMPLAINT RECEIVED BY (LAST, FIRST, MIDDLE INITIAL) David, Hall	
				SHORT FORM <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
COMPLAINT CATEGORY & EVIDENCE					
CATEGORY CAT I		EVIDENCE TYPE <input checked="" type="checkbox"/> WMVARS/MVARS <input checked="" type="checkbox"/> BWC <input type="checkbox"/> Other _____			
EVIDENCE NUMBER E# 2024-00078		TIME STAMP(S) OF ALLEGATION(S) BWC 8/20/24, 1454-1455 hours, Officer R. Smith, ID 25896			
COMPLAINANT(S)					
NAME (LAST, FIRST, MIDDLE INITIAL) Doe, Jane			HOME PHONE 707-555-5555		OTHER PHONE N/A
ADDRESS 622 Chuck Road		CITY Oakdale	STATE CA	ZIP CODE 95223	WHEN AND WHERE CAN COMPLAINANT BE CONTACTED? Monday – Friday after 1700 hours
EMPLOYEE(S) - ALLEGATION(S) & FINDINGS					
I.D. NUMBER 25896		EMPLOYEE'S NAME (LAST, FIRST, MIDDLE INITIAL) Smith, Randy B.		AREA - LOCATION CODE Oceanside - 650	
RANK Officer		SEX Male	AGE 30	YRS. EMPLOYED 5	EMPLOYEE CLOSING ACTION None
ALLEGATION <input checked="" type="checkbox"/> 26- Sexual Conduct/Physical		<input checked="" type="checkbox"/> SERIOUS MISCONDUCT (SB2) <input type="checkbox"/>		CRIMINAL TYPE Felony	FINDING Exonerated
WITNESS(ES)					
I.D. NUMBER (If Applicable) 1		NAME (LAST, FIRST, MIDDLE INITIAL) Johnson, Bill			HOME PHONE 555-555-5555
ADDRESS 278 Chuck Road		CITY Sacramento	STATE CA	ZIP CODE 95898	BUSINESS PHONE N/A
INVESTIGATOR					
I.D. NUMBER 20774		PRIMARY INVESTIGATOR (LAST, FIRST, MIDDLE INITIAL) Bunson, Turner		RANK Sergeant	AREA - LOCATION CODE 9650
I.D. NUMBER		SECONDARY INVESTIGATOR (LAST, FIRST, MIDDLE INITIAL)		RANK	AREA - LOCATION CODE
SYNOPSIS On August 21, 2024, Jane Doe telephoned the Oceanside Area office and expressed her desire to file a civilians' complaint against Officer Randy Smith, ID 25896. Ms. Doe alleges she was the subject of a traffic enforcement stop on August 20, 2024, during which, Officer Smith groped her left breast.					
APPROVAL					
COMMANDER'S SIGNATURE					DATE
DIVISION APPROVING OFFICIAL SIGNATURE					DATE
DISCUSSION AND REVIEW					
I have discussed the above with the identified employee(s) <input type="checkbox"/> CHP 240G, Complaint Transmittal, completed and attached/Blue Team entry completed.					
I.D. NUMBER		REVIEWER SIGNATURE		RANK	DATE
ROUTING					
SEND TO		AREA NUMBER			
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ANNEX A

SAMPLE CIVILIANS' COMPLAINT SHORT FORM, CATEGORY I EXONERATED (*continued*)

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

COMPLAINT INQUIRY/INVESTIGATION

CHP 240 (Rev. 3-25) OPI 031

SUMMARY OF ALLEGATIONS MADE BY COMPLAINANT

On August 21, 2024, at approximately 1800 hours, I contacted Ms. Jane Doe, via telephone. Ms. Doe related on August 20, 2024, at approximately 1450 hours, she was driving her Ford Escape SUV on southbound Interstate 5 (I-5) near Las Pulgas Road. She was operating as an "Uber Driver" and had a passenger, Mr. Bill Johnson, who was seated in the right rear seat of her Ford Escape. She was driving at a stated speed of approximately 75 MPH when she was pulled over by Officer Randy Smith, ID 25896. She came to a stop on the right shoulder of the I-5 south of Las Pulgas Road. Officer Smith proceeded to contact her through her open front passenger side window. Officer Smith directed her to stay in her vehicle. Officer Smith returned to her vehicle, this time on the driver side, and issued her a CHP 215 for speeding. She signed the citation and handed Officer Smith's ticket book back to him. Officer Smith ripped off the yellow copy of the CHP 215 and reached into her vehicle with his right hand. As she was reaching to obtain her copy of the CHP 215, she stated "Officer Smith fondled her left breast with his right hand." She immediately pushed his hand away and grabbed her copy of the ticket and drove away. The above interview with Ms. Doe was recorded and placed on a compact disc.

SUMMARY OF DISPOSITION - LIST ACTIONS TAKEN, INCLUDING MITIGATING / AGGRAVATING FACTS

I reviewed Officer Smith's Wireless Mobile Video Audio Recording System (WMVARS) and Body Worn Camera (BWC) which depicted the following:

- Ms. Doe was the subject of a traffic enforcement stop by Officer Smith on August 20, 2024, at approximately 1450 hours.
- Officer Smith issued the yellow copy of the CHP 215 with his left hand.
- Ms. Doe quickly grabbed the citation from Officer Smith's left hand. Using her right hand, she grabbed Officer Smith's left wrist, and attempted to pull him further into her vehicle.
- Officer Smith immediately directed Ms. Doe to "let go." She complied and dropped the citation which fell onto her lap.
- Ms. Doe then rolled up her window and abruptly left the scene.
- Officer Smith acted within departmental policy during this enforcement contact.

On August 22, 2024, at approximately 1300 hours, I telephoned the witness, Mr. Johnson, who confirmed he was Ms. Doe's rideshare passenger when the above incident occurred. He related the following:

- Ms. Doe was driving at an excessive speed.
- Ms. Doe was visibly upset prior to her contact with Officer Smith.
- Based on where he was seated in her vehicle (right rear seat) he could not see any physical altercation take place. However, he did see Officer Smith fall towards Ms. Doe's vehicle and heard him shout, "let go."
- Ms. Doe then quickly drove off and drove Mr. Johnson to his destination.

FINDINGS

Based on the video evidence and the witness statement, Ms. Doe's complaint against Officer Smith has been determined to be **exonerated**. I recommend this investigation be closed.

The audio from the phone call with Ms. Doe, WMVARS, and Officer Smith's BWC were booked into the area evidence locker (E #2024-00078).

ANNEX B

SAMPLE CIVILIANS' COMPLAINT SHORT FORM CATEGORY II SUSTAINED

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL COMPLAINT INQUIRY/INVESTIGATION CHP 240 (Rev. 3-25) OPI 031					
TRACKING NUMBER 24000121		INCIDENT DATE 8/30/2024		INCIDENT LOCATION I-80 w/b at Travis Boulevard	
DATE COMPLAINT RECEIVED 8/30/2024		HOW RECEIVED In-Person		COMPLAINT ORIENTATION Area (60 Day Suspension)	
PEACE OFFICER Yes		I.D. NUMBER 28003		COMPLAINT RECEIVED BY (LAST, FIRST, MIDDLE INITIAL) Tyler, Peel	
				SHORT FORM <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
COMPLAINANT CATEGORY & EVIDENCE					
CATEGORY CAT II		EVIDENCE TYPE <input checked="" type="checkbox"/> WMMVARS/MVARS <input type="checkbox"/> BWC <input checked="" type="checkbox"/> Other <u>Complainant Dashcam</u>			
EVIDENCE NUMBER E# 2024-00080		TIME STAMPS OF ALLEGATION(S) Dashcam 1152-1153 hours, WMMVARS: 8/30/2024, 1149-1152 hours, Officer J. Burns, ID 25896			
COMPLAINANT(S)					
NAME (LAST, FIRST, MIDDLE INITIAL) Wade, Phillip			HOME PHONE 707-555-5555		OTHER PHONE N/A
ADDRESS 622 Chuck Road		CITY Dixon	STATE CA	ZIP CODE 95223	WHEN AND WHERE CAN COMPLAINANT BE CONTACTED? Monday – Friday after 1700 hours
EMPLOYEE(S) - ALLEGATION(S) & FINDINGS					
1 I.D. NUMBER 25896		EMPLOYEE'S NAME (LAST, FIRST, MIDDLE INITIAL) Burns, Josh B.		<input type="checkbox"/> UNKNOWN AREA - LOCATION CODE Solano - 365	
RANK Officer		SEX Male	AGE 30	YRS. EMPLOYED 5	EMPLOYEE CLOSING ACTION Memorandum of Direction
<input checked="" type="checkbox"/> ALLEGATION 05-A		<input type="checkbox"/> SERIOUS MISCONDUCT (SB2)		CRIMINAL TYPE None	FINDING Sustained
WITNESS(ES)					
1 I.D. NUMBER (if Applicable)		NAME (LAST, FIRST, MIDDLE INITIAL) Wade, Elizabeth		HOME PHONE 555-555-5555	
ADDRESS 622 Chuck Road		CITY Dixon	STATE CA	ZIP CODE 95223	BUSINESS PHONE N/A
INVESTIGATOR					
I.D. NUMBER 20774		PRIMARY INVESTIGATOR (LAST, FIRST, MIDDLE INITIAL) Turner, Jack		RANK Sergeant	AREA - LOCATION CODE 365
I.D. NUMBER		SECONDARY INVESTIGATOR (LAST, FIRST, MIDDLE INITIAL)		RANK	AREA - LOCATION CODE
SYNOPSIS On August 30, 2024, Phillip Wade drove to the Solano Area office and expressed his desire to file a civilians' complaint against Officer Josh Burns, ID 25896. Mr. Wade alleges Officer Burns used explicit language during an enforcement stop.					
APPROVAL					
COMMANDER'S SIGNATURE					DATE
DIVISION APPROVING OFFICIAL SIGNATURE					DATE
DISCUSSION AND REVIEW					
I have discussed the above with the identified employee(s) <input type="checkbox"/> CHP 240G. Complaint Transmittal, completed and attached/Blue Team entry completed.					
I.D. NUMBER	REVIEWER SIGNATURE		RANK		DATE
ROUTING					
SEND TO		AREA NUMBER			
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ANNEX B

SAMPLE CIVILIANS' COMPLAINT SHORT FORM, CATEGORY II SUSTAINED (*continued*)

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

COMPLAINT INQUIRY/INVESTIGATION

CHP 240 (Rev. 3-25) OPI 031

SUMMARY OF ALLEGATIONS MADE BY COMPLAINANT

On August 30, 2024, at approximately 1400 hours, the complainant, Mr. Phillip Wade drove to the Solano CHP Area office and requested to speak to a supervisor. I contacted Mr. Wade and he related, in essence, the following: On August 30, 2024, at approximately 1150 hours, he was driving his Ford F150 on westbound Interstate 80 (I-80) near Travis Blvd, in the fast lane. His wife, Elizabeth Wade and him were headed to lunch when they were pulled over by Officer Josh Burns, ID 25896. He stated he was going 70 mph in a 65 mph zone and had passed Officer Burns who was in the lane to his right. Officer Burns conducted an enforcement stop just before the Travis Boulevard exit. He pulled over to the shoulder where he was contacted by Officer Burns. Officer Burns appeared heated and frustrated as he walked up to Mr. Wade's vehicle. Once at the passenger side of Mr. Wade's vehicle, Officer Burns without any introduction yelled, *"What the hell do you think you're doing, passing a CHP Officer on the freeway like this, are you blind? I am sick of this bullshit, the disrespect all you people show to police officers is mind blowing! You're lucky I am not going to write you a ticket, get out of here!"* The enforcement stop was concluded and after he left, he felt embarrassed to be treated that way in front of his wife. Mr. Wade informed me his vehicle was equipped with a dash camera and he would be happy to provide video footage. Mr. Wade further related his wife observed the incident, but she is afraid of police and would not be willing to provide a statement.

SUMMARY OF DISPOSITION - LIST ACTIONS TAKEN, INCLUDING MITIGATING / AGGRAVATING FACTS

I received a phone call from Officer Burns, and he related he had just concluded an enforcement stop on his way back to the office to get a new ticket book. He was passed by Mr. Wade which annoyed him. He admitted his behavior during the stop was unprofessional and wanted to notify me in case Mr. Wade filed a complaint.

I reviewed Mr. Wade's dashcam footage, and Officer Burns' Wireless Mobile Video Audio Recording System (WMVARS) which depicted the following:

- Both Mr. Wade's dashcam and the WMVARS captured Mr. Wade slowly pass Officer Burns as stated.
- Officer Burns' WMVARS and Mr. Wade's dashcam both produced clear uninterrupted audio, which supported Mr. Wade's allegation.

On August 30, 2024, at approximately 1500 hours, I called Officer Burns into the sergeant's office and advised him Mr. Wade had filed a complaint. Officer Burns stated he had watched the incident on his WMVARS and he was embarrassed of his actions. He stated he had gotten into an argument with his wife before shift and let that incident *"get the better of him."* He acknowledged he used unprofessional language, and stated *"I screwed up, it won't happen again."*

FINDINGS

Based on the video evidence and the witness statement, Mr. Wade's complaint against Officer Burns has been determined to be **sustained**.

The dashcam footage provided by Mr. Wade and Officer Burns' WMVARS footage were booked into the Area evidence locker (E #2024-00080).

ANNEX C

SAMPLE CIVILIANS' COMPLAINT SHORT FORM CATEGORY II EXONERATED

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL COMPLAINT INQUIRY/INVESTIGATION CHP 240 (Rev. 3-25) OPI 031					
TRACKING NUMBER 24000035	INCIDENT DATE 03/15/2024	INCIDENT LOCATION I-5 Northbound south of Valley Springs Road			
DATE COMPLAINT RECEIVED 03/20/2024	HOW RECEIVED Letter	COMPLAINT ORIGINATION Area (60 Day Suspension)	SUSPENSE DATE 05/19/2024		
PEACE OFFICER Yes	I.D. NUMBER 33210	COMPLAINT RECEIVED BY (LAST, FIRST, MIDDLE INITIAL) Carter, Michael	SHORT FORM <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
COMPLAINANT CATEGORY & EVIDENCE					
CATEGORY CAT II	EVIDENCE TYPE <input checked="" type="checkbox"/> WMMVARS/MVARS <input checked="" type="checkbox"/> BWC <input type="checkbox"/> Other _____				
EVIDENCE NUMBER E#2024-00075	TIME STAMP(S) OF ALLEGATION(S) Date: 03/15/2024 Time: 0135 Officer: R. Jackson, ID 038225				
COMPLAINANT(S)					
NAME (LAST, FIRST, MIDDLE INITIAL) Ruiz, Samantha		HOME PHONE 555-241-2212	OTHER PHONE		
ADDRESS 2300 South Main Street	CITY Oakmont	STATE CA	ZIP CODE 95521	WHEN AND WHERE CAN COMPLAINANT BE CONTACTED? Anytime	
EMPLOYEE(S) - ALLEGATION(S) & FINDINGS					
1	I.D. NUMBER 038225	EMPLOYEE'S NAME (LAST, FIRST, MIDDLE INITIAL) Jackson, Randy	<input type="checkbox"/> UNKNOWN	AREA - LOCATION CODE Oakdale - 732	
	RANK Officer	SEX Male	AGE 46	YRS. EMPLOYED 15	EMPLOYEE CLOSING ACTION None
	<input checked="" type="checkbox"/> ALLEGATION 05A	<input type="checkbox"/> SERIOUS MISCONDUCT (SB2) Discourtesy/Verbal	<input checked="" type="checkbox"/> CRIMINAL TYPE Non-Criminal	FINDING <input type="checkbox"/> Exonerated	
2	I.D. NUMBER 048564	EMPLOYEE'S NAME (LAST, FIRST, MIDDLE INITIAL) Nash, Steven	<input type="checkbox"/> UNKNOWN	AREA - LOCATION CODE Oakdale - 732	
	RANK Officer	SEX Male	AGE 35	YRS. EMPLOYED 10	EMPLOYEE CLOSING ACTION None
	<input checked="" type="checkbox"/> ALLEGATION 05A	<input type="checkbox"/> SERIOUS MISCONDUCT (SB2) Discourtesy/Verbal	<input checked="" type="checkbox"/> CRIMINAL TYPE Non-Criminal	FINDING <input type="checkbox"/> Exonerated	
WITNESS(ES)					
1	I.D. NUMBER (if Applicable)	NAME (LAST, FIRST, MIDDLE INITIAL) Ruiz, Marko	HOME PHONE 555-221-3658		
	ADDRESS 2300 South Main Street	CITY Oakmont	STATE CA	ZIP CODE 95521	BUSINESS PHONE
INVESTIGATOR					
I.D. NUMBER 33210	PRIMARY INVESTIGATOR (LAST, FIRST, MIDDLE INITIAL) Carter, Michael		RANK Sergeant	AREA - LOCATION CODE Oakdale - 732	
I.D. NUMBER	SECONDARY INVESTIGATOR (LAST, FIRST, MIDDLE INITIAL)		RANK	AREA - LOCATION CODE	
SYNOPSIS On March 20, 2023, the Oakdale Area received a signed CHP 240B from Ms. Ruiz which alleged Officer Jackson and Officer Nash were rude and discourteous during an enforcement stop for speed.					
APPROVAL					
COMMANDER'S SIGNATURE					DATE
DIVISION APPROVING OFFICIAL SIGNATURE					DATE
DISCUSSION AND REVIEW					
I have discussed the above with the identified employee(s) <input type="checkbox"/> CHP 240G, Complaint Transmittal, completed and attached/Blue Team entry completed.					
I.D. NUMBER	REVIEWER SIGNATURE	RANK	DATE		
ROUTING					
SEND TO Division		AREA NUMBER 701- Western Division			

ANNEX C

SAMPLE CIVILIANS' COMPLAINT SHORT FORM CATEGORY II EXONERATED (*continued*)

STATE OF CALIFORNIA

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

COMPLAINT INQUIRY/INVESTIGATION

CHP 240 (Rev. 3-25) OPI 031

SUMMARY OF ALLEGATIONS MADE BY COMPLAINANT

On March 23, 2024, at approximately 1430 hours, I contacted the complainant, Ms. Samantha Ruiz via telephone. Ruiz stated in essence the following: On March 15, 2024, at approximately 0130 hours, she was traveling on I-5 near Valley Springs Road with her husband. They were traveling in the #1 lane with the flow of traffic, listening to music and talking to each other. Ms. Ruiz stated she suddenly saw the patrol vehicle's red lights in her rear-view mirror, and slowly pulled to the right shoulder. Ms. Ruiz stated as soon as Officer Jackson approached her vehicle, she immediately sensed his, "negative energy," and that's when Officer Jackson began yelling at her and told her, "Nobody drives like that on my highway!" Ms. Ruiz stated Officer Jackson wrote her a ticket for her speed and walked away with an attitude. Ms. Ruiz stated Officer Jackson's partner yelled, "Slow it down next time, lady," as he got back into the passenger seat of the patrol vehicle.

SUMMARY OF DISPOSITION - LIST ACTIONS TAKEN, INCLUDING MITIGATING / AGGRAVATING FACTS

I conducted a thorough review of Officer Jackson's WMMVARS and body worn camera (BWC) footage for the incident in question. The footage depicted the following:

- Officer Jackson was professional and courteous throughout the entire enforcement contact.
- Upon returning to the vehicle to obtain Ms. Ruiz's signature on the citation, Ms. Ruiz became agitated and can be seen (BWC) and heard yelling expletives at Officer Jackson, refusing to sign the citation, and told Officer Jackson, "Kiss my ass."
- After several minutes of discussion, Ms. Ruiz signed the citation. Officer Jackson and Officer Nash remained outside of their patrol vehicle until Ms. Ruiz safely entered traffic and continued northbound on Interstate 5.

FINDINGS

Based on the video evidence, Officer Jackson and Officer Nash are **exonerated**. This investigation clearly established the actions of both officers were not a violation of law or departmental policy.