

# Frequently Asked Questions

## FAQs about the Oakland Unified School District Police Complaint Policy and Complaint Form

# Rights + Respect



## About

The Black Organizing Project (BOP) is a membership-led community organization working for social, economic, and racial justice through grassroots organizing and community building in Oakland, CA. In October of 2011, BOP launched the Bettering Our School System (BOSS) campaign focused on implementing alternative safety models on OUSD campuses.

The Oakland Unified School District Police Complaint Policy and Complaint Form were created by the Black Organizing Project with legal support from Public Counsel Law Center and ACLU of Northern California, adopted by the Oakland Unified School District Board of Education on June 27, 2012.

### 1. What is the purpose of the complaint policy and complaint form (see attached form)?

The purpose of the complaint policy is to make sure that all members of the public; including individuals, organizations and students are treated fairly and with respect by members of the Oakland School Police Department. **The complaint form can be used to report situations where you believe an officer did not treat you or someone else appropriately.** It can also be used to highlight officers who handled situations exceptionally well. The complaint form can even be used to make recommendations about the Oakland School Police Department in general. It is an opportunity for you to give feedback and suggestions.

### 2. Can I be retaliated against if I make a complaint against an officer? What should I do if I am retaliated against?

**You have a RIGHT to make a complaint and any act of retaliation or intimidation is illegal!** Any officer or employee who retaliates, harass or intimidates you will be disciplined to the full extent of the law. If you feel you have been retaliated against, harassed or intimidated while trying to make a complaint please contact one of the following advocacy groups immediately:

- Black Organizing Project: Jasmine Jones, Bettering Our School System Organizer, [jasmine@blackorganizingproject.org](mailto:jasmine@blackorganizingproject.org)
- Public Counsel Law Center: Laura Faer, Esq., Education Rights Director, [lfaer@publiccounsel.org](mailto:lfaer@publiccounsel.org)
- American Civil Liberties Union: Christopher Bridges, [schoolsforall@aclunc.org](mailto:schoolsforall@aclunc.org)

### 3. Where do I find the complaint form?

Complaint forms can be **picked up at any school throughout the district in the main office.** If you don't see a form at the office, be sure to ask someone. It is a REQUIREMENT that the forms are available to the public. You can also pick-up a copy from the OUSD Administration building (1025 Second Ave, Room #316 Oakland, CA 94606) or at the Oakland School Police Headquarters (1011 Union Street Oakland, CA 94607), or download a copy of the form online [. \(www.ousd.k12.ca.us\)](http://www.ousd.k12.ca.us).

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### 4. Where do I turn it in?

Once you get a Complaint form, you must fill it out completely to the best of your ability. **The complaint MUST BE FILED WITHIN 120 days** of the incident and you can do either of the following:

- Email it to the Ombudsperson (the district employee assigned to dealing with complaints):  
[gabriel.valenzuela@ousd.k12.ca.us](mailto:gabriel.valenzuela@ousd.k12.ca.us)
- Mail your complaint to the Ombudsperson (address attached to form)
- Turn it in to the Ombudsperson
- Email it to the Chief of Police [police@ousd.k12.ca.us](mailto:police@ousd.k12.ca.us)
- Mail it to the Chief of Police (address attached to form)
- Turn it in to the Chief in person

### 5. Can I file an anonymous complaint?

**Yes!** But if you provide no contact information, there will be no way to inform you of the results of the investigation. If you are considering filing an anonymous complaint because of fear of retaliation, please contact one of the community organizations listed on this page before filing.

### 6. How long will it take to process my complaint?

You should receive a written response within 45 days letting you know either: the result of the investigation or the status, and how much longer it might take. It should not take longer than 240 days. If you have questions about the status of your complaint, you should contact the Ombudsperson or the Chief of Police directly.

**IMPORTANT: BE SURE TO ALWAYS KEEP A COPY OF YOUR FILLED OUT COMPLAINT FORM FOR YOUR RECORDS, SO THAT YOU HAVE PROOF THAT YOU TURNED IT IN. CALL THE OFFICE WHERE YOU TURNED IN THE COMPLAINT A FEW DAYS AFTER YOU SEND IT IN TO MAKE CERTAIN THEY RECEIVED IT. ASK FOR A COMPLAINT TRACKING NUMBER AND WRITE IT DOWN!**

### 7. Who can I contact if I need help filling out the complaint form or if I have questions?

You can get legal assistance directly from an attorney at Public Counsel Law: Laura Faer, Esq., Education Rights Director,  
[lfaer@publiccounsel.org](mailto:lfaer@publiccounsel.org)

You can also contact the Black Organizing Project: Jasmine Jones, Bettering Our School System Organizer,  
[Jasmine@blackorganizingproject.org](mailto:Jasmine@blackorganizingproject.org)



[Facebook.com/BlackOrgProject](https://www.facebook.com/BlackOrgProject)



[@BlackOrgProject](https://twitter.com/BlackOrgProject)

## 8. If I am not happy with the result of my complaint what should I do?

You have the right to appeal the decision. Write a letter to the Superintendent within 60 days of receiving the decision. In your letter, you should try to explain why you think that the decision was wrong and what you would like the Superintendent to do to fix it. We suggest that you attach the decision and any materials to support your case. The Superintendent has 60 days to give you a written response to your appeal.

If you still disagree with the decision, you can bring it to the Oakland Unified School Board of Education by writing a letter and sending it to the board president (contact OUSD or one of the organizations listed here if you need help). You should again explain why you think the decision was wrong and what you want the Board to do to fix this and attach any materials in support. The board will have 60 days to respond to your appeal in writing.

*The Oakland Unified School District Police complaint process was developed by people who believe that everyone has a right to be treated with respect and that every student, teacher, parent and community member should feel safe in Oakland Schools. We believe that law enforcement has to be accountable for their actions in the same way we expect everyone else to be, and that it is important everyone has an opportunity to express their concerns and have them investigated and addressed.*

## Contributors



## 9. What if the situation happened longer than 120 days ago? Do I have a right to do anything?

You can still file your complaint but the school district has discretion as to whether to investigate it if it is filed 120 days after the situation happened.

You can also contact an attorney to discuss your concerns. This is something you can do in any situation where you have a concern about police misconduct; because of the timelines for filing such complaints under the law, if you do believe you have a legal claim, it is always important to try to reach a lawyer as soon as possible after the incident.