



INSTRUCTIONS FOR APPLICATION FOR CITIZEN COMPLAINT

1. Before any citizen's complaint will be considered, a report concerning the complaint must be filed with the police department or animal services for investigation. Also, these instructions must be signed by you and each paragraph must be initialed by you. A copy will be provided. _____
2. Complete the attached complaint form and affidavit and sign it under oath voluntarily. Attach a copy of your driver's license or other photo identification to the affidavit. Also, attach a copy of the report obtained from the investigative officer to the affidavit. If there is no report available, the name of the investigative officer must be provided. If you have any documentary evidence such as video, audio, photographs, text messages, etc. That evidence must be submitted to the investigative officer and to the prosecutor's office for review before charges will be considered. It will be your responsibility to preserve and present the original evidence at trial. _____
3. **ANIMAL RELATED COMPLAINTS:** If the complaint involves animal noise, audio and video evidence is required. A copy of the evidence must be provided to Animal Services. The video and audio must be saved to a DVD. If the case is accepted, it will be the responsibility of the complainant to preserve and present the original evidence at trial. If the complaint involves an animal at-large or defecation, photographic or video evidence is required for review. All photographs and video must be time and date stamped. If the case is accepted, it will be the responsibility of the complainant to preserve and present the original evidence at trial. **Submit all complaint documentation to Animal Services as directed by Animal Services.** _____
4. For all other complaints, submit all documents to the Prosecutor's Office by delivering them to the receptionist in the City Attorney's Office. After all required documents are provided to the Prosecution Office, the case will be reviewed by a Prosecutor to determine if criminal charges will be filed. A case will not be accepted if the evidence does not meet the requirements of the law, the evidence presented will be unlikely to prove the case beyond a reasonable doubt, or if the violation committed is not appropriate for criminal prosecution according to the principles of prosecutorial discretion and judicial economy. If the case is declined, there may be other legal remedies available such as filing a civil lawsuit. The Prosecution Office will not provide any legal advice on these remedies. _____
5. If the case is accepted, you will be summoned to attend a Citizen Complaint Docket to swear to your complaint before a judge. If you need to reschedule your Citizen Complaint Docket Date, contact the Prosecution Office at least two weeks **before the assigned date.** _____
6. After the Citizen Complaint Docket, the City will prosecute the offender. The offender may resolve the case without going to trial by qualifying for deferred disposition (probation) or paying the fine. Also, you may be asked to participate in mediation with the offender. _____
7. The offender has a constitutional right to plea "Not Guilty" and to request a trial by judge or jury. If there will be a trial, you will agree to testify at trial. If you cannot attend the trial on the date set by the Court, you must contact the Prosecutor's Office at least 30 days in advance of the court date so that a new court date can be requested. The Court, and not the Prosecution Office, has the ability to reschedule a court date. It is your responsibility to make sure that the Prosecution Office has your most current contact information. If the Prosecution Office cannot successfully contact you, the case may be dismissed at a prosecutor's discretion. _____
8. **WARNING NOTICE:** Your statement may be used against you as evidence. You may be charged with an offense, or you may be sued for malicious prosecution or other cause of action if any of the following conditions apply: (1) your sworn statement contains a false report; (2) your sworn statement constitutes a retaliation for reports made against you; or (3) if your sworn statement includes an admission of a criminal offense committed by you. _____

Complainant: _____

Date: _____