

PATIENT'S GUIDE TO REPORTING POLICE VIOLENCE

There are a variety of ways of reporting police violence and police brutality, and several steps to take beforehand.

1. ***Write down everything***, including badge and patrol car numbers, agencies involved, and contact information for any possible witnesses.
2. ***If injured, request/seek medical attention immediately*** and take photographs of injuries. Be sure to share details about what happened with the healthcare provider so that it can be documented in the medical record.
3. ***You can also file a lawsuit in state court, federal court, or file in both.*** We encourage you to consult with an attorney to determine the best course of legal action for you.

See page 2 and 3 of this guide for information about filing a lawsuit.

4. ***You have an option to file an internal complaint with the specific police department.***

STEP 1: File a written complaint with the agency's internal affairs division or civilian complaint board.

STEP 2: In most states, you have the right to file an anonymous complaint, but some police departments have made that difficult or have created internal policies that treat anonymous complaints less seriously.



FEDERAL COURT PROCESS

TYPE OF LEGAL ACTION	DESCRIPTION	POSSIBLE OUTCOME	HOW TO FILE
FEDERAL CRIMINAL PROSECUTION	The Department of Justice (DOJ) can file a criminal case against the accused police officer for depriving a person of their Constitutional rights (18 U.S.C. §§ 241, 242).	If the police officer is found guilty of violating a person’s Constitutional rights, they can be punished by a fine and/or imprisonment.	To file a complaint against a police officer, contact the Federal Bureau of Investigation (FBI) or the United States Attorney's Office (USAO) in your district. You can find your local office here: https://www.fbi.gov/contact-us
FEDERAL CIVIL RIGHTS LAWSUIT	VICTIM FILES THE CASE		
	Victims of police violence may file a lawsuit in federal court (also known as a §1983 civil rights lawsuit) seeking financial compensation for damages resulting from police misconduct.	If the victim succeeds in their federal civil rights lawsuit, the victim can receive financial compensation through a settlement or verdict.	Consult with an attorney who specializes in §1983 civil rights lawsuits. Most attorneys will not ask for any fees up front and will instead be paid a percentage of the verdict or settlement (typically 33-40%).
	DOJ FILES THE CASE		
	If there is police misconduct that involves a “pattern or practice” (rather than an isolated incident), the DOJ can file a civil rights lawsuit against the law enforcement agency or government agency (34 U.S.C. § 12601).	The court may force a law enforcement agency to correct their policies and practices to prevent future police violence. The court can also provide individual monetary relief for the victims.	To file a complaint against a law enforcement agency that has a pattern of repeated police misconduct, file a report with the U.S. Department of Justice Civil Rights Division: https://civilrights.justice.gov/

This is not legal advice. We encourage you to consult with an attorney to discuss your legal rights and options for remedy.

STATE COURT PROCESS

CAUSE OF ACTION	DESCRIPTION	POSSIBLE OUTCOME	HOW TO FILE
STATE CIVIL LAWSUIT	<p>Victims of police violence may file a civil rights lawsuit in state court seeking financial compensation for damages resulting from police misconduct. In certain instances, state civil rights claim(s) can be brought against police officers, police supervisors, police agencies, and local governments under state law.</p> <p>There are a variety of claims that a victim can bring against the police, including: (1) use of excessive force (assault or battery), (2) false arrest, (3) reckless conduct, (4) negligence, (5) failure to train, and/or, (6) failure to properly supervise.</p>	<p>If the victim succeeds in their state civil rights lawsuit, the victim can receive financial compensation through a settlement or verdict.</p>	<p>Consult with an attorney who specializes in state civil rights lawsuits. Most attorneys will not ask for any fees up front and will instead be paid a percentage of the verdict or settlement (typically 33-40%).</p>
STATE CRIMINAL PROSECUTION	<p>Every state has different statutes regarding criminal prosecution of police use of force. For example, in Connecticut, police officers can be criminally prosecuted when they use physical force or deadly force. (Conn. Gen. Stat. § 53a-22).</p> <p>The following link provides information about state-specific statutes: https://www.ncsl.org/research/civil-and-criminal-justice/use-of-force-investigation.aspx</p>	<p>The police officer can be punished by fine and/or imprisonment.</p>	<p>Many states designate authority to investigate police use of force to an agency. For example, In Connecticut, the Office of the Inspector General is responsible for investigating and prosecuting criminal claims against law enforcement.</p>

CONNECTICUT-SPECIFIC RESOURCES

If the arrest of was proceeded by a traffic stop, the newly created Office of the Inspector General investigates traffic stop complaints motivated by racial profiling. The following link includes the form to file a complaint with the Office of the Inspector General: <https://portal.ct.gov/DCJ/Programs/Programs/Traffic-Stops-Complaints>

CONTACT CIVIL RIGHTS ORGANIZATIONS

- ⇒ If you have trouble filing a report with the police department, you can seek the assistance through local civil rights organizations, such as:
- (1) NAACP Branch Chapter: <https://naacp.org/our-work/working-your-region>; and/or
 - (2) Local ACLU affiliate: <https://www.aclu.org/about/affiliates>

This is not legal advice. We encourage you to consult with an attorney to discuss your legal rights and options for remedy.