



OCEANSIDE POLICE DEPARTMENT

MISSION STATEMENT

OUR PURPOSE IS TO WORK WITH THE COMMUNITY TO BUILD TRUST AND PROVIDE QUALITY SERVICE THAT ACTIVELY PREVENTS CRIME, REDUCES THE FEAR OF CRIME, AND PROMOTES SAFETY.



I WANT TO SPEAK WITH THE MEMBER'S SUPERVISOR. I WANT TO FILE A FORMAL COMPLAINT.

Name: Date of Birth:

Address:

Daytime Phone: () - Evening Phone: () -

Event Date: Event Time: Case Number:

Location:

Name of Member(s):

PROVIDE A DETAILED EXPLANATION OF THE BASIS FOR YOUR COMPLAINT. ATTACH ADDITIONAL PAGES AS NECESSARY.

DOCUMENTATION : 1.5 HOURS ORAL RECORDED STATEMENT GIVEN TO SGT RON HARDY ON 11-3-09 AT THE OCEANSIDE POLICE DEPARTMENT WITH SUPPORTING WRITTEN DOCUMENTATION AS ITEMIZED IN THE AUDIO RECORDING.

THIS COMPLAINT IS ONE OF A SERIES OF FIVE (5) MISCONDUCT COMPLAINTS AGAINST DIFFERENT OFFICERS OCCURRING DURING A 20 MONTH CORRUPTION INVESTIGATION OF THE OCEANSIDE POLICE DEPT. BETWEEN 1-28-08 AND 3-11-09. THE FIRST BEING AGAINST OFFICER BRUSH DATED 2-18-08.

THIS COMPLAINT IS ONE OF FOUR INTER-RELATED COMPLAINTS FILED THIS DATE AGAINST CHIEF FRANK McCOY, SGT AARON DOYLE, DETECTIVE MICHAEL BROWN, AND OFFICER DAMON SMITH WITH THE COMMON FACTOR BEING THE MISCONDUCT OF CHIEF FRANK McCOY. ATTACHED PAGES WILL BE SUPPLEMENTAL OR SUPPORTING INFORMATION OF ISSUES DISCUSSED IN THE ABOVE AUDIO STATEMENT AND PROVIDED SUPPORTING DOCUMENTS.

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATED TO COMPLAINTS ARE CONFIDENTIAL, AND WILL BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

IT IS UNLAWFUL TO MAKE A COMPLAINT WHICH YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU MAY BE SUBJECT TO A CIVIL LAWSUIT FOR MONEY DAMAGES.

Woodrow L. Higdon _____, Complainant

Signature (required) Date

Return completed form to: Oceanside Police Department
Professional Standards Office
 3855 Mission Avenue
 Oceanside, CA 92054

UPDATE 06-05-2006

11-3-09

Oceanside Police Department
Internal Affairs
Att: Sgt. Ron Hardy

Subject: Detective Michael Brown - Misconduct Complaint Supplemental Information

Supporting documentation is outlined in Documents 002 "Felony Complaint Filing History", Document 005 Misconduct Complaint dated 2-18-08 against Officer Brush, and Document 006 Misconduct Complaint dated 3-3-08. Copies of these documents were provided to Sgt Hardy this date, and also provide to the OPD with previous complaints filed during 2008, with signatures to confirm receipt.

The misconduct complaint, dated 3-3-08 and labeled as such, was originally sent to Chief Frank McCoy detailing misconduct by Detective Michael Brown and Sgt. Aaron Doyle regarding the handling and investigation of OPD complaint #08001858. No follow up or contact from Chief Frank McCoy or the Oceanside Police Department Internal Affairs was ever received.

Complaint Information

On 1-28-08 I contacted the OPD front desk to file a criminal complaint. The complaint filing process was highly obstructed as detailed in Misconduct Complaint document 005 dated 2-18-08. Due to my concerns about the accuracy of the desk report, the report's unavailability for 10 days, and the obstructions I had encountered with Desk Officer Brush, I left multiple phone messages with the Financial Crimes Division over the following 6 days requesting contact. I wanted to provide all possible assistance in the investigation. No calls were returned.

On 2-6-08 I contacted the OPD front desk requesting to talk with the watch commander regarding Police Misconduct in the handling of the complaint investigation. I was advised the watch commander was busy, so I stated I would wait. I was later advised that it had been arranged for Detective Brown to meet with me regarding the complaint investigation.

It turns out that the meeting was more about mitigating a misconduct complaint, as opposed to starting the investigation:

- During the approximate 30 minute conversation, multiple requests (6+) to retrieve and review the evidence documents were continually rejected by Det. Brown. This was not reflected in Det. Brown's Synopsis Report obtained at a later date.

- Det. Brown stated he had no experience in this type of complaint investigation, and was not qualified to determine what was criminal, verses what was civil, and that the DA's office should be handling this complaint. This was not reflected in Det. Brown's Synopsis Report obtained at a later date, where he suddenly acquires the expertise to determine the complaint was not a criminal matter.
- Det. Brown stated he has previously reviewed the evidence documents (approximate 400 pages). However, when questioned about the documents to evaluate his knowledge, Det. Brown has no idea what was being discussed, and yet he continued to reject the request to retrieve and review the evidence documents. This was not reflected in Det. Brown's Synopsis Report obtained at a later date.
- A Public Records Act request served on the OPD in 2009 reveals that there are no records, of any type, indicating any review, by anyone of the evidence documents. OPD evidence logs clearly show that during the time period of the investigation the documents never left the evidence room. The logs also show that no copies were made or distributed. If they had been copied & distributed the logs would have so stated, as is required in evidence logs, by policies and procedures to protect the chain of evidence. Detective Brown, and later Sgt Doyle, and Chief Frank McCoy lied about a thorough review of evidence documents, and an investigation that never occurred.
- Det. Brown was told that the complaint filing process with Officer Brush was highly obstructed, and that the desk report would not accurately represent the complaint, or cover the critical evidence issues. This information was not reflected in Det. Brown's Synopsis Report obtained at a later date. In fact Det. Brown's report indicates that the only thing he relied on was the Brush desk report, which Det. Brown had already been told would be incomplete. Request to retrieve a copy of the Brush Desk Report was rejected due to the 10 day time limit restriction imposed by the OPD.
- Det. Brown's Synopsis Report doesn't even keep the name of the victim correct. At one point it is Mr. Higdon, and at another point it is Mr. Langford. If you cannot even keep the name of the victim accurate, it does not speak well of the report writers knowledge of the case, or his ability to accurately report information.

Based on Det. Brown's report, I am not sure where he was during our meeting of 2-6-08. His synopsis report does not accurately reflect his statements, my statements, or

what occurred during our meeting. This report is false, inaccurate, self serving, and Det. Brown lied about the review of evidence documents, and a criminal investigation that never occurred.

It is also appropriate to note, that if a misconduct complaint that was filed against Officer Brush, for obstructing the filing of a criminal complaint can be redefined as a civil matter, then the misconduct complaint against Officer Brush can be designated as unfounded. This is an old and effective tactic to justify dropping a misconduct complaint investigation.

The facts are that the OPD records, or should I say the total absence of OPD records, speaks to the truth that Det. Brown, Sgt. Doyle, Chief Frank McCoy, and other OPD officers actively obstructed, lied about, and interfered with the filing and investigation of a criminal complaint, for a variety of motives. It would appear that the only person keeping good records is myself. A lot of police officers made a series of negligent and illegal decisions with the assumption that no one would question their conduct, and that other police officers would cover it up and protect them. This is an illegal policy that is continuing to this date with the Officer Damon Smith evidence tampering cover up.


Woodrow L. Higdon

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