



# 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: Chief Frank McCoy - 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 investigation or follow up contact from Chief Frank McCoy or the Oceanside Police Department Internal Affairs was ever done in direct violation of departmental policies and procedures.

**Complaint Information**

Chief Frank McCoy was notified in writing of misconduct complaints against Oceanside Police Officers Det. Brown & Sgt. Doyle, involved in the above investigation, and Chief McCoy choose to ignore and bury the misconduct complaints in violation of OPD Departmental Policies and Procedures.

This was not the only time he was notified of the misconduct of these OPD officer and other officers. Chief McCoy choose to also ignore those complaints and cover up the misconduct to protect the OPD from millions of dollars in civil liability, and to protect the OPD's public image which was connected to the protection of tens of millions of dollars in active police union negotiations over jobs, wages, and benefit packages.

As written notifications to Chief McCoy and the OPD regarding police misconduct were being ignored, I took those complaints public in front of the Oceanside City Council. Between May of 2009 and the date of this complaint I made approximately one dozen public complaints regarding Oceanside police misconduct in front of the city council, with Chief Frank McCoy present.

All of these public notices with Chief McCoy present were recorded on video tape with sound. The tapes are viewable on the city's web site, or copies can be obtained from KOCT TV Public Television for a small fee.

On August 12, Mayor Wood even had Chief McCoy respond publicly following my public complaints on the investigation of complaint #08001858, the evidence tampering of Officer Damon Smith, and their financial connections to police union corruption, Mayor Wood's campaign finances, and recall election tampering.

Chief McCoy issued statements about how Officer Smith had not done anything illegal by "recording conversations", and that it was strictly an internal personnel issue. A criminal investigation is still underway, with the DA's office constantly repeating, "No Comment" to all media questions. Yet, Chief McCoy starts making public statements about the Smith investigation and the innocence of Officer Smith, which is a direct violation of departmental policies and procedures.

To represent Officer Smith's intentional evidence tampering as just someone recording a conversation, in order to cover the involvement of Smith and other OPD officers in extensive evidence tampering is unprofessional, unethical, illegal, and a violation of departmental policies and procedures. It isn't like Damon Smith is the golden poster boy for the police public image.

Officer Damon Smith was fired from the police academy in 2001 for substandard performance. Damon Smith then filed a claim/complaint against the city of Oceanside and police officials alleging racial and sexual discrimination from a white, lesbian, training officer. Several months later the city and the police department reversed the firing, and re-hires Damon Smith. The OPD then put Officer Smith out on the streets as a peace officer, where he promptly started secretly recording field investigations, including criminal investigations.

We are talking about an experienced veteran police officer, on duty, that planned and executed the secret audio recording of multiple criminal investigations for a period of approximately eight (8) years, with the intent to hide the recording from the criminal justice system, and did in fact hide those recordings from the criminal justice system, corrupting over thirty (30) criminal cases so far, and we don't even know yet how many other Oceanside police officers were involved.

Chief McCoy also made public statements about how a complete police investigation had been done on complaint #08001858, and Chief McCoy already knew he had obstructed and buried written misconduct complaints against the officers handling that investigation. This was an investigation, which any investigator with McCoy's experience, would have known had never been done. If McCoy had bothered to investigate the misconduct complaints and the false statements of Det. Brown and Sgt. Doyle that would have been evident.

Chief Frank McCoy is also well aware the Police & Fire Unions have covertly financed a city recall election in order to manipulate the city council member make up, before the

January vote on a new contract with expanded financial benefits for the Police Department and Frank McCoy.

Frank McCoy, like any knowledgeable citizens, knows this is police and fire department corruption of the worst kind, and he keeps his mouth shut because it benefits his personal finances, and those of other police officers. For any police officer to know about this kind of corruption against the citizens they are sworn to protect and serve, and still keep quiet, is the worst kind of police misconduct.

  
Woodrow L. Higdon

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