



Queen City Police Department

Complaints Process Policy

Purpose:

To address concerns of Citizens and to assure fair and unbiased investigations of complaints against employee's of the Queen City Police Department while protecting the rights of Citizens.

Policy:

All complaints will be addressed in a confidential, courteous, and efficient manner and with respect to the complainant.

All staff members are expected to treat all complaints objectively and without prejudice, bias, or hostility toward any person.

Informal complaints specific to an area of the Police Department are handled by the Chief of Police or his designee.

Complaints against other Police Department employees, other than allegations of sexual harassment or discrimination under the law, are handled according to State Law and City Policy.

All complaints regarding Department employees will be reviewed and investigated as appropriate. An Internal Affairs and/or criminal investigation may be conducted at the direction of the Chief of Police

Once the complaint has been investigated, the person making the complaint will be notified of the findings without delay.

By law formal complaints of employee misconduct must be reduced to written form and signed by the complainant to help insure appropriate documentation of both the nature and substance of the complaint.

Information regarding the Filing of Formal Complaints:

It is the policy of the Queen City Police Department to receive and investigate formal complaints concerning its employees.

Persons desiring to make a formal complaint must understand the importance of submitting their complaint in writing with their signature affixed. The Texas Government Code, Section 614.022 (shown below) provides that all complaints to be considered on law enforcement officers must be in writing and signed by the person making the complaint. The Chief of Police has extended this requirement to formal complaints against all division employees.

The Texas Government Code also requires that a copy of the formal complaint be presented to the employee within a reasonable time and before any disciplinary action may be imposed.

Allegations made in a formal complaint investigation may have one of the following outcomes:

- a. Unfounded - The allegation is false, not factual
- b. Exonerated - The incident occurred, but was lawful and proper or was justified under the existing conditions.
- c. Not Sustained - There is insufficient evidence to prove or disprove the allegations.
- d. Sustained - The allegation is supported by sufficient evidence. A sustained complaint may result in disciplinary action against the employee which may include verbal warning, written warning, suspension, suspension without pay, reassignment, demotion, termination.

If a complainant deliberately gives false information during the complaint process, the information can be presented to the District Attorney's office for prosecution.

Please understand that receiving a citation is not grounds to complain on an officer unless some inappropriate action or unprofessional conduct occurred during the stop for the citation.

Types of Complaints:

Anonymous Complaints - complainants who do not wish to be identified or refuse to provide their name but want to report a complaint/problem about an employee. (see below requirements of Texas Government Code, Section 614.002)

Informal Complaints - complaints that are not of a serious nature and both the complainant and the department official taking the complaint agree that the situation can be handled without going through the formal process.

Formal Complaints - a formal written allegation signed by the complainant against a member of the Department, which could result in disciplinary action up to and including termination, and which alleges the commission of one or more of the following:

- a. An infraction of Department rules, regulations, or policies.
- b. An illegal act.

Instructions for Filing a Complaint:

After reading the information on this page, contact (by phone or in person) the Chief of Police, Robert W. McGee to discuss the incident, allegations, and complaint at (903) 796-7986 Ext.102.

Please complete the information on the department Complaint Form found in this section to assist with the efficient processing of your complaint. You may submit typewritten and signed information, also.

With the information you provide, a decision will be made regarding the classification of the complaint (anonymous, informal, or formal) and the complaint will be addressed appropriately.

Upon completion of an investigation into a formal or informal complaint, you will be notified as to the outcome should you provide a proper contact.

Contact information:

Phone	(903) 796-7986 Ext. 102
E-mail	ROBERT.MCGEE@QCPDTEX.ORG
Physical & Mailing Address	Queen City Police Department P.O.Box 301 601 Loop 236 Queen City, Texas 75572

This agency reports all complaints and results to the Mayor, City Secretary and Queen City Council.

Important Information

TEXAS GOVERNMENT CODE:

Complaint Against Law Enforcement Officer or Firefighter

Sec. 614.022. Complaint to be in Writing and Signed by Complainant - To be considered by the head of a state agency or by the head of a fire or police department, the complaint must be:

- (1) in writing, and
- (2) signed by the person making the complaint.

Sec. 614.023. Copy of Complaint to be Given to Officer or Employee.

(a) A copy of a signed complaint against a law enforcement officer, fire fighter, or police officer shall be given to the officer or employee within a reasonable time after the complaint is filed.

(b) Disciplinary action may not be taken against the officer or employee unless a copy of the signed complaint is given to the officer or employee.

Acts 1993, 73rd Leg., ch/263. Sec.1, eff. 9-1-93

TEXAS PENAL CODE:

Sec. 37.02 Perjury.

(a) A person commits an offense, if with intent to deceive and with knowledge of the statements meaning:

- (1) he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or

Nature of Complaint:

What law or policy do you believe was violated by this employee?

I have read the attached page and understand the penalties of law concerning the filing a false complaint. I also understand that this information becomes a record that is given to the person who I have complained about. I understand that I must show proof of identification and must file a completed form in order for this complaint to be investigated. ***The foregoing statement is true to the best of my knowledge and belief.***

Signature: _____ Date: _____

Witness to Signature: _____ Date: _____

For Official Use Only:

Type of ID for Proof:	ID Number:
Form Received by:	Date: _____ Time: _____
Is this form Complete?:	Person advised Not Complete? Yes No
Date Employee Notified of Complaint:	Time: _____ Copy to Employee: Yes No
Garrity Given: Yes No	Given By: _____ Date: _____ Time: _____
Complainant notified of results, Date:	By: _____