

COMPLAINTS AGAINST POLICE OFFICERS

The City of Winters and the Winters Police Department strive to provide the citizens of Winters with the best possible police protection. All officers are carefully selected and provided with training and guidelines in order to achieve this goal. However, even with the best of efforts, you may have occasions to lodge a complaint about the actions of a member of the police department. The following information is provided so you will know how to file a complaint and what actions will be taken.

FILING COMPLAINTS

Texas law provides that all complaints against police officers be in writing and signed by the person making the complaint. A complaint must be filed with the City within thirty (30) days of the incident and must include the following:

1. The date and time of the incident
2. The names of any witnesses
3. Specific details of the incident

The complaint must be made by the person who claims to be aggrieved. Statements by other persons, whom were witnesses to the incident, may be included. All complaints made against Winters police officers must be sworn and notarized.

FALSE STATEMENTS

Citizens should be aware that false complaints against police officers, is a violation of the Texas Penal Code. Section 37.02 provides for the punishment of an individual found guilty of:

1. Making a false statement under oath or swears the truth of a false statement previously made
2. The statement made is required or authorized by law to be made under oath

A person convicted under this section can be punished by a fine of up to \$2000, confinement in jail for up to one (1) year, or both fine and confinement.

Once your complaint has been filed, a thorough investigation of your complaint will be conducted.

STEPS OF THE INVESTIGATION

Officers will be given a copy of the complaint against them. A statement will be taken from the officer regarding the complaint, as well as any witnesses the officer has. All body camera, vehicle camera and/or cctv recordings will be gathered and analyzed.

POSSIBLE ACTIONS TAKEN IF THE COMPLAINT IS FOUND VALID

1. The officer will receive a written reprimand
2. The officer may be suspended
3. The officer's employment with the City will be terminated

Officer may appeal, to the City Council, any action taken against them.

COMPLAINTS NOT FOUND VALID

If there is insufficient evidence to sustain a complaint against the officer, the officer will be notified and will continue with his duties. If an officer has been suspended from duty, without pay, during the investigation, he/she will return to duty and receive back pay.

YOU WILL BE NOTIFIED OF THE FINDS OF THE INVESTIGATION, IN WRITING.

COMPLAINT AGAINST A POLICE OFFICER

NAME, ADDRESS AND PHONE NUMBER OF COMPLAINANT:

NAME OF OFFICER INVOLVED:

DATE AND TIME OF INCIDENT:

LOCATION OF INCIDENT:

NAMES OF WITNESS(ES)

STATEMENT OF DETAILS CONCERNING THE INCIDENT:

(Use additional pages if necessary)

SIGNATURE OF PERSON MAKING COMPLAINT

Sworn and subscribed to me this _____ day of _____, _____

Notary Public in and for
_____ County, Texas

(notary: stamp any additional statement pages presented with this complaint)