

CITIZEN COMPLAINT PROCEDURES

THE IMPORTANCE OF YOUR COMPLAINT

The Liberty Police Department recognizes that its employees are responsible for their conduct. The Department also acknowledges that at certain times, conflicts between citizens and the Department's employees can arise. It is essential to the safety of our community that the relationship between police and citizens be built on confidence and trust. Law enforcement cannot be effective without this vital conviction by both entities.

Police Officers must be free to exercise their best judgment and initiate proper action in a reasonable, lawful, impartial manner without fear of reprisal. The complaint process and appropriate disciplinary procedures not only subject Department members to corrective action when they conduct themselves improperly, the guidelines also protect them from unwarranted criticism when they discharge their duties properly.

A disagreement over the validity of a traffic citation or an arrest is not a complaint. These disagreements should be directed to the court that has jurisdiction in the matter.

The Liberty Police Department realizes that confusion, different perceptions, or the timeliness of information sometimes will result in descriptions that produce different versions of the same incident. Beyond legitimate error, however, the deliberate making of a report that the complainant knows to be false or misleading could constitute a violation of State Law.

COMPLAINT PROCEDURES

The complaint process is designed to deal with each case factually and fairly. Citizens who file complaints are treated respectfully, and their accusations are taken seriously. All complaints are investigated thoroughly, and all findings are based on impartial evidence gained during the investigation.

However, many complaints can be explained satisfactorily by a visit or telephone call to the Patrol Sergeant, Lieutenant, Captain or Chief of Police. If they are not available when you call or come by, you can leave your name and phone number and they will call you back.

There are two classes of complaints. The first and most serious, a Class I complaint alleges the violation of law or such other allegations as excessive force (being hit, slapped, kicked or struck by any object) causing pain or visible signs of bodily injury, to include racial profiling. The second, a Class II complaint, includes allegations of a less serious nature and may concern violations of Department policy.

Either class of complaint may be lodged as a Formal or Informal Complaint. The Formal Complaint must be in writing, signed by the complainant and be notarized. If there is not one attached to this document, you can get one at anytime from the on-duty dispatcher at the Police Department. Formal Complaints will be responded to in writing upon completion of the investigation.

The Informal Complaint may be either written or oral.

DISPOSITIONS

Any complaint can be made anonymously without giving your name. However, you cannot be informed of the internal review's results if you choose to remain anonymous.

After the investigation, the complaint will be classified into one of the following dispositions:

- ❖ Unfounded - Incident did not occur or alleged employee was not involved
- ❖ Exonerated - Incident occurred, but actions taken were lawful and proper
- ❖ Not Sustained - Insufficient evidence exists to prove the allegations
- ❖ Sustained - Evidence is sufficient to prove the allegation.
Sustained allegations could result in additional training,
counseling, written reprimand, suspension or termination

Although employees named in a complaint will at some point be required to respond to the specific allegation, they are not permitted access to cases under investigation. Complainants need not be concerned that they will be subject to retribution for legitimately stating a complaint.

Complainants who have current criminal or traffic charges pending should be aware that the internal review process deals solely with the Department's investigation of the employee's conduct. Regardless of the outcome of an internal investigation, existing criminal or traffic charges must be dealt with through the proper courts.

FINAL DETERMINATION ABOUT THE DISPOSITION OF A COMPLAINT WILL BE MADE BY THE CHIEF OF POLICE.

Gary Martin
Chief of Police

Rev: 01/16/2019

LIBERTY POLICE DEPARTMENT
FORMAL COMPLAINT

Your Name: _____

Your Address: _____

Home Phone: _____ Work Phone: _____

Race: _____ Sex: _____ Date of Birth: _____/_____/_____

Drivers License, Identification, or Social Security # : _____

Were you arrested or ticketed for an offense in this incident? Yes _____ No _____

If yes, what charges were filed against you?

Officer(s) involved _____ Badge/ I. D. _____

If you don't know the name of the officer(s), provide a description of them, their uniform, and/or their police car. (If you do not have the officer(s) name, this information may be necessary to determine which officer(s) or department you are referring to).

DESCRIPTION OF OFFICER, UNIFORM, AND/OR VEHICLE

Date of Incident: _____ Time of Incident: _____ am / pm

Location of Incident: _____

ALLEGATION:

(Additional information should be placed on another page.)

I solemnly swear/affirm that all of the allegation(s) made by me in this report are true and correct to the best of my knowledge and belief.

Signature of Person Making this Statement

Sworn to be subscribed before me this _____ day of _____,
20_____.

Notary Name Printed

Signature of Notary
Notary Public, State of Texas