

POLICE MISCONDUCT PROCEEDINGS

The employee you have named in your complaint may not have committed a criminal offense but he or she may have behaved in a manner considered inappropriate for an employee. In these circumstances the Chief of Police, in conjunction with the officer's immediate supervisors may order:

- Verbal counseling and/or;
- Training and/or;
- Written performance advisory or;
- Written reprimand
- Demotion or suspension without pay or
- Dismissal from the Department

WHAT IF I AM NOT SATISFIED WITH THE HANDLING OF MY COMPLAINT?

It is important that you allow the Chief of Police a reasonable opportunity to carry out an investigation into your complaint and respond in writing to you. If at the conclusion of the investigation you are not satisfied with the manner in which the Chief of Police has dealt with your complaint you may address your complaint to the City Manager.

WHAT HAPPENS IF I WANT TO WITHDRAW MY COMPLAINT?

Wherever possible you should speak to the supervisory officer to whom you first made your complaint. As an alternative, you can notify the Chief of Police. If your complaint has led to criminal proceedings against any employee any decision to continue with those proceedings will rest with the District Attorney's Office.

HOW DO I COMPLAIN ABOUT A SUPERVISORY POLICE OFFICER?

If you have a complaint about a supervisory police officer, you should contact the Chief of Police.

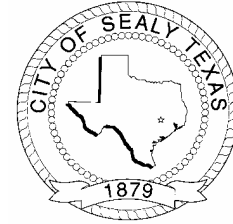
WHO MAKES SURE COMPLAINTS ARE DEALT WITH PROPERLY?

The Chief of Police is responsible for all internal affairs matters. Except for extraordinary circumstances, he supports the assigned investigator, assuring the investigator has access to any and all resources required, and provides staff review.

FALSE OR MALICIOUS COMPLAINTS

Anyone who knowingly makes a false statement to a police officer(s) may be subject to criminal charges.

This pamphlet is provided to help you understand the complaint process for an employee of the Sealy Police Department.



COMPLAINTS AGAINST EMPLOYEES OF THE SEALY POLICE DEPARTMENT

(TO INCLUDE RACIAL PROFILING COMPLAINTS)

This brochure explains what to do if you need to make a complaint against an employee of the Sealy Police Department. It also explains how these complaints are resolved.

HOW CAN I MAKE A COMPLAINT?

Questions about employee conduct or allegations of misconduct, to include racial profiling, will be classified and processed for investigation, whether initially presented in person, by telephone, or in writing.

Whatever the source of the question, the supervisor or police official taking the complaint, will document the matter on a Police Personnel Inquiry/Complaint Form.

WHAT SHOULD I SAY?

Say as much as you can about your complaint.

- Describe what happened.
- Give the name or badge number of the officer(s) concerned (if you know them).
- Say where and when the incident took place.
- Give the names and addresses of any witnesses (if you have them).

WHAT HAPPENS THEN?

Normally a supervisory officer will visit you on an informal basis to tell you about the complaints procedure and to give you the opportunity to discuss your complaint. Whenever possible, the supervisory officer will explain why the officer, subject to the complaint, took a certain course of action. In addition, the supervisory officer will explain what the officer's duties were, what the police powers were, and the context in which the officer acted. Experience has shown that many people are unaware of the limitations of police authority and that an explanation provided by a supervisory officer may help to clarify the situation`.

If you are satisfied with the explanation given by the supervisory officer, your complaint will proceed no further. You may be asked to sign a release confirming that you are satisfied with this disposition. A record will be maintained of what has taken place. Any allegation of criminal conduct or policy violation would not be subject to informal resolution.

WHO WILL INVESTIGATE MY COMPLAINT?

Internal Affairs is a staff function of the Office of the Chief of Police. The function is staffed only as there are cases requiring action. The selection of an official to investigate a complaint will be made by the Chief of Police or his designee.

HOW WILL MY COMPLAINT BE INVESTIGATED?

The investigating officer will talk to:

- you;
- the officer(s) you have filed a complaint against;
- any witnesses.
- Any related information such as citations, offense reports, audiotapes or videotapes.

CRIMINAL PROCEEDINGS

On receipt of a report regarding a criminal offense the investigator will:

- Initiate a criminal offense report;
- Collect evidence, if it is available.

This information is necessary for the investigator to assess the validity of the evidence against the officer(s) concerned. You may be asked to go to the District Attorney's office and speak with an investigator.

After looking into the case, the District Attorney will decide whether or not to refer the case to the Grand Jury.