

Plainview Police Department is dedicated to providing the best police service possible to all of Plainview's citizens. Our police officers are carefully selected and given the best training possible in order to provide this service. However, you may have the occasion to lodge a complaint about actions of a member of the Plainview Police Department.

In order to be responsive to you, we are providing the following information about how complaints are made, how they are investigated, and their result.

#### I. How are Complaints Made?

When a citizen lodges a complaint against a member of the Plainview Police Department, the Chief of Police will then determine who will assume investigative responsibility for the complaint.

You may lodge a complaint with any supervisory officer of the Police Department:

- In person
- By Phone
- By mail

You may also complete the Plainview Police Department Personnel Incident Form on the city web site by logging in to:

[Complaints | Plainview, TX - Official Website \(plainviewtx.org\)](http://plainviewtx.org)

Texas State Law (614.021 of the Occupations Code) requires that all complaints against police officers must be in

writing and signed by the person making the complaint in order to be considered by the Chief of Police.

Complaints must be made by the person who claims to be aggrieved. Other persons may give statements as witnesses.

Traffic tickets issued or differences of opinion between police officers and a citizen over the issuance of a traffic citation, or regarding guilt or innocence of a person arrested will not be investigated, unless there is a specific allegation of misconduct against the officer.

The Assigned Investigator will conduct a thorough investigation of your complaint and you will be advised of the result and the action taken.

#### II. False Complaints

Sometimes people make false complaints against police officers. Citizens should be aware that this is a violation of Texas Penal Code, Section 37.02. The offense of perjury is committed if, with intent to deceive and with knowledge of the statement's meaning:

She/he makes a false statement under oath or swears to the truth of a false statement previously made.

A person convicted under Texas Penal Code, Section 12.21 can be punished by a fine up to \$4,000.00, confinement in jail up to one year, or by both the fine and imprisonment.

This information is not intended to intimidate the citizen or prevent valid complaints but provided to avoid revenge against officers.

What Happens When a Complaint is found to be true?

When the investigation of a complaint reveals that the charges are true and should be sustained against a police officer, the Chief of Police notifies the Officer and may take one of the following administrative actions, depending on the nature of the violation.

1. Reprimand the employee.
2. Suspend the employee without pay for up to 30 days.
3. Demote the employee.
4. Discharge the employee.

What happens if the complaint is not true?

Police Officers must be accorded certain rights, the same as with all citizens, and complaints must be supported by sufficient evidence to sustain the complaint, the officer is notified and continues on duty. If he/she was removed from duty during the investigation he/she will be paid for that period.

Officers can Appeal the Decision.

Just as a citizen charged with a criminal offense can appeal a court's decision, a police officer can appeal the action taken against them. The City of Plainview Personnel Policy has established procedures for officers to follow in their appeals, just as the Police Department has established procedures for ensuring that complaints by citizens against officers are thoroughly and honestly investigated.

The Plainview Police Department is vitally interested in the welfare of all Plainview Citizens and in taking action where its employees have proven derelict in their duties or are guilty of wrongdoing. If it becomes necessary for you to make a complaint, you can be assured that it will be given a fair thorough investigation.

By the same token, if you have occasion to see a police officer doing outstanding work, tell them or us about it. Your Plainview Police Officers are individuals who are dedicated to serving you and our community. The Personnel Action Form on the city web site may also be used to report a commendation to thank an officer for doing an outstanding job.

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PLAINVIEW



POLICE

CITY OF PLAINVIEW



COMPLAINTS  
AGAINST POLICE  
OFFICERS