

Fact Sheet on Complaint Procedures

The Texas Tech Police Department welcomes constructive criticism. Our procedure is open and may be utilized by anyone with a legitimate complaint. Our complaint process is based on the following:

- A complaint is not regarded as a dispute between two parties but rather as a criticism that the delivery of services did not meet the expectations of the complainant or that an employee was involved in unprofessional or illegal conduct.
- The department is obligated to investigate all valid complaints.
- The department's policy is that the review process will be fair, systematic, confidential, and in conformance with these written procedures.

Complaint Procedures:

1. Complaints against members of the department normally will not be accepted more than thirty (30) calendar days after the alleged incident. Exceptions to this are:
 - a. When the act is of a criminal nature and supported by evidence. Criminal statutes will prevail in such case.
 - b. When the complainant can show good cause for not making the complaint within the prescribed time. (Example: out of town; ill and unable to report; occurred during the school holidays, etc.)
2. Anonymous complaints will not be acted upon until information can be verified. The Texas Government Code, §614.022, requires all complaints against law enforcement officers to be in writing and signed by the person making the complaint.
3. After filing the Original Complaint Notice, you will be interviewed by an investigator to ensure there are valid grounds on which to proceed.
4. You are required at this point to provide a notarized statement containing details of the complaint. In filling out this complaint form, it is important to be as specific as possible because the subsequent investigation will be based upon the facts provided. Any information will be kept confidential if requested.
5. Persons other than the affected person cannot file for him or her. If a juvenile is the complainant, their parents or guardian will make the written complaint.

6. Department personnel under investigation for a complaint will be notified by the Chief of Police of the details of the complaint. Section 614.023, Texas Government Code, provides that a copy of a signed complaint against a peace officer will be given to the officer within a reasonable time after the complaint is filed.
7. Should it be determined at any time during the investigation the complaint is unfounded, the investigation will be terminated. Notice and justification will be forwarded to the Chief of Police, who will promptly notify the complainant.
8. All investigations will be concluded within thirty (30) calendar days from the date the complaint investigation is assigned to an investigator unless an extension is granted by the Chief of Police. The complainant and the accused employee will be notified in writing of the reason for the delay. Both parties will be notified in writing of the classification and final disposition of the complaint.
9. The Chief of Police has the legal authority, during a complaint investigation, to relieve department employees from their duties when such action is in the best interest of the public, the department, and the university.
10. Complete records of complaint reception, investigation, and disposition will be permanently maintained by the department.
11. The Texas Tech Police Department is obligated to protect the rights of the citizens and its community. It also has the responsibility of protecting its employees from unjust or malicious charges. In this context, we feel it is important to advise complainants of the following Texas Penal Code sections:

Section 37.02 Perjury.

- (a) A person commits an offense if, with intent to deceive and with knowledge of the statement's meaning:
 - (1) he makes a false statement under oath to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or
 - (2) he makes a false unsworn declaration under Chapter 132, Civil Practice and Remedies Code.

- (b) An offense under this section is a Class B Misdemeanor.

Section 37-03 Aggravated Perjury

- (a) A person commits an offense if he commits perjury as defined in Section 37.02, and the false statement:
 - (1) is made during or in connection with an official proceeding;
and
 - (2) is material.
- (b) An offense under this section is a felony of the third degree.

TEXAS TECH POLICE DEPARTMENT

ORIGINAL COMPLAINT NOTICE

YOUR FULL NAME _____	SS# _____	
ADDRESS _____ (Street number, name)	PHONE _____ (Area code-number)	
CITY _____	STATE _____	ZIP _____

LOCATION / DATE / TIME OF INCIDENT: _____

NAME AND/OR OTHER IDENTIFYING INFORMATION OF EMPLOYEE(S) AGAINST WHOM ALLEGATIONS ARE BEING MADE: _____
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NATURE OF COMPLAINT: _____

Signature of complainant _____ Date

This section to be completed by the police official accepting the complaint.

Name/Rank of Individual Accepting Complaint

Date/Time Complaint Received

Signature/Rank & Date of Accepting Individual

Distribution:
Original - Chief of Police
Copy – Internal Affairs
Copy – Complainant