

The Compliment/Complaint Process

The Duncanville Police Department is dedicated to providing the best police service possible to all citizens. Police officers are carefully selected and given the best training possible in order to provide this service. However, there may be an occasion to lodge a complaint about the actions of a Police Officer with the Duncanville Police Department. The following information is provided on how to submit a compliment or file a complaint, how it is investigated, and the possible outcome.

How compliments and complaints are filed.

You may submit a compliment or lodge a complaint with any Supervisor of the Police Department, visit the Internal Affairs Office located at 203 E. Wheatland Rd., write a letter addressed to the Internal Affairs Office or take a basic compliment/complaint form home, fill it out and return it to the Internal Affairs Office. Your compliment will be reviewed by the Internal Affairs Office and Police Administration. Complaints will be reviewed in the same manner to determine if an internal investigation is warranted.

Texas State law requires that all complaints against police officers must be in writing and signed by the person making the complaint.

Just as citizens have the right to know what allegations they face before being charged with a crime, officers are afforded the same right.

Complaints must be received within ninety (90) days of the incident complained about except in special cases (such as criminal misconduct or when the person complaining can show good cause).

Complaints will be taken from citizens with first hand knowledge of the incident, e.g., the person in direct contact with the Police Officer or a fact witness to the incident.

Racial Profiling

Citizens who believe that they have been the subjects of “Racial Profiling” due to an unwarranted contact or action by a Police Officer by way of “race or ethnicity” should feel free to file a complaint with the Internal Affairs Office.

False Complaint

Sometimes people make false complaints against police officers. Citizens should be aware that this is a violation of the Texas Penal Code, Section 37.02, Perjury **Sec. 37.02 states, A person commits an offense if, with intent to deceive and with knowledge of the statement's meaning: "he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath."**

An offense under this section is a Class A misdemeanor.

What happens when a complaint is valid?

When the investigation of a complaint reveals that the charges are true against a police officer,

the Chief of Police may take one of the following actions depending on the nature of the violation.

1. Provide Training
2. Reprimand the employee.
3. Suspend the employee without pay.
4. Demote the employee.
5. Terminate the employee.

What happens when the complaint is not proven or is not true?

Police officers are afforded certain rights, the same as with all citizens, and complaints must be supported by sufficient evidence. If there is not sufficient evidence to sustain the complaint, the officer is notified and continues on duty. If he was removed from duty during the investigation, he will be paid for that period.

Officers may appeal any disciplinary action.

When a citizen is adjudged guilty of a criminal offense, he may appeal the court's decision, just as an officer may appeal the disciplinary action taken against him. The City of Duncanville has established procedures for officers to follow in their appeals, just as the Police Department has established procedures for insuring that complaints by citizens against officers are thoroughly and honestly investigated.

What if you are not satisfied with the decision?

If you are not satisfied with the results of the

investigation, you may appeal to the Office of the Chief of Police located at 203 E. Wheatland Road.

The Duncanville Police Department is vitally interested in taking action where its employees have proved 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 and thorough investigation.

Similarly, if you have occasion to see a police officer doing outstanding work, tell them about it. Your Duncanville Police Officers are individuals who are dedicated to serving you and our community.

How long will the investigation take?

Investigations of complaints are completed in as short of a time as possible. Additional time is also required for legal and supervisory review after completion of the investigation.

Will there be a final report?

Yes. The Internal Affairs Office or a supervisor will complete a report at the conclusion of their investigation. The report will consist of:

- **Allegations** - a listing of the alleged violation(s).
- **Findings** - results of the investigation.
- **Conclusion** - analysis of support for findings.
- **Recommendation** - the Internal Affairs Office or the supervisor will make one of the following recommendations for each allegation:

- ◆ **Not Sustained** - the investigation could not prove or disprove the allegation.
- ◆ **Unfounded** - the investigation determined that the alleged incident did not take place.
- ◆ **Exonerated** - the investigation determined that the allegation is accurate, but the incident does not involve policy or law violations
- ◆ **Sustained** - the investigation determined that the allegation is accurate and involves a policy or law violation.

The complaining person will be notified in writing of the results of the investigation upon conclusion.

Who determines discipline?

The Chief of Police has final authority for determining discipline. The Internal Affairs investigative report does not recommend discipline.

If you have any questions, feel free to contact the **Internal Affairs Office @ (972) 780-5000** at any time. If the investigators are not in the office, leave your name and telephone number and your call will be returned as soon as possible. You may also reach us on the Web at DuncanvilleIA@duncanvillepd.com. Regular business hours are M-F 8:00 a.m.-5:00 p.m.

The Duncanville Police Internal Affairs Office is located in the Police Department, 203 E. Wheatland Rd., Duncanville, Texas.

How to submit a
Compliment or file a
Complaint with the
Internal Affairs Office
(972) 780-5000



The mission of the Duncanville PD is to provide quality law enforcement and public safety services to our community focusing on goals, objectives, values, and partnerships.