



POLICE DEPARTMENT

11134 County Road 2249
Tyler, TX 75707-5304



903-939-6700 office

CITIZEN'S COMPLAINT PROCEDURES RACIAL PROFILING COMPLAINT PROCEDURES

MESSAGE FROM THE CHIEF

It is the mission of the Chapel Hill ISD Police Department to support the District's overall Mission Statement by providing a safe and secure environment conducive to pursuing exemplary achievement for students, faculty and community guests. Establish prevention measures to safeguard life, property and reduce crime while forming partnerships with students, staff, parents, and other interested community members. Provide an unwavering commitment to the highest level of professionalism, integrity, and ethical standards as our expectation is to promote and maintain an atmosphere of trust and confidence with students, staff and community.

Chapel Hill ISD Police Department strictly prohibits its members from engaging in racial profiling. Racial Profiling is defined as a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

As such, it is the policy of the Chapel Hill ISD Police Department to accept and thoroughly investigate all complaints of alleged misconduct that includes Racial Profiling by any member of the department.

The complaint process has two goals: To correct improper employee conduct and to protect the employee from unwarranted criticism when their actions were lawful and justified.

This form will provide you with the necessary information you will need to file a racial profiling complaint or a personnel complaint with the department. You can be assured that your complaint will be given my full and complete attention.

Andrew Whitfield
Chief of Police
Chapel Hill ISD Police Department



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After your complaint has been filed, it is assigned to be investigated. All available witnesses will be contacted, and any physical or other relevant evidence including records, reports, recordings and computer data will be collected and reviewed. You will be personally contacted by the primary investigator for an interview.

Once the investigation is completed, the investigation report may be sent to the Chief of Police for review and recommendation. The final disposition on the case will be made by the Chief of Police. When a complaint is sustained, the Chief of Police shall determine and administer appropriate corrective and/or disciplinary action.

Department policy requires the complaint investigation to be completed within 30 days; however, the Chief of Police can waive the 30-day time frame depending on the complexity and sensitivity of the investigation.

After the investigation has been completed and the Chief of Police has made a final decision on the case, you will be notified of the results.

If the employee receives disciplinary action as a result of your complaint, they have a right to appeal. This may include a hearing before the Chapel Hill Independent School District School Board, and you may be required to appear before the Board as a witness. We would prefer to talk with you about your complaint in person; however, complaints may be accepted by mail or telephone.

If you contact the department, you can speak with the involved employee's supervisor. Your concerns may be addressed at that time to your satisfaction without having to file a formal complaint.



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Frequently Asked Questions

Q: WHO CAN MAKE A COMPLAINT?

A: Anyone can file a complaint if they truly and honestly believe a police employee has acted improperly.

Q: WHAT WILL HAPPEN TO THE EMPLOYEE?

A: That will depend on the results of the investigation. If the employee is found to be at fault, the complaint will be SUSTAINED and the appropriate corrective and/or disciplinary action will be taken. If they acted properly, they will be EXONERATED. If the facts show that the complaint is false, the complaint will be UNFOUNDED. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusion, the complaint will be NOT SUSTAINED. If the investigation concludes that the involved employee's conduct was not misconduct but rather than an issue of department service or procedure, your complaint will be classified as such. In cases of department service or procedure, the Chapel Hill ISD Police Department will attempt to clarify or correct the issue.

Q: WHO INVESTIGATES A CITIZEN'S COMPLAINT?

A: Complaints of alleged misconduct are typically investigated by Department Investigators. Their investigation is reviewed by the Chief of Police or the Executive Director of Operations.

Q: WILL I BE TOLD OF THE RESULTS OF THE INVESTIGATION?

A: YES – At the conclusion of the investigation and review by the Investigator, you will be notified of the results as required by law.

Due to legal restriction, you will only be given the finding of the investigation of whether your complaint was SUSTAINED, UNFOUNDED, EXONERATED, NOT SUSTAINED, OR IS ONE OF DEPARTMENT SERVICE OR PROCEDURE. The department is prohibited from revealing specific personnel actions taken against an employee.

Q: WHAT IF MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?

A: The District Attorney's Office will be consulted on any complaint that alleges criminal conduct on the part of any employee. An outside Law Enforcement Agency will be contacted to conduct an independent criminal investigation while the internal administrative investigation is completed.

The form below should be used to file your complaint. You can attach as many additional pages as you need, along with any supporting evidence you might have.

A copy of your complaint will either be given to you at the time you file the complaint or by mail, if requested.



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STATEMENT

THE STATE OF TEXAS
COUNTY OF SMITH

Statement Date: _____

Statement Time: _____

Before me, the undersigned authority, on this ____ day of _____, A.D., 20____, personally appeared _____, who after being by me duly sworn, deposes and says:

My name is _____ and I am ____ years of age. I was born on _____
_____. I have a _____ driver's license numbered _____. My
Social Security number is _____. I live/work at _____
_____ in _____, Smith County, Texas, phone number _____
_____ and can also be reached at phone number _____.

I HAVE BEEN INFORMED THAT UNDER TEXAS LOCAL GOVERNMENT CODE, SECTION 143.123 THAT:

“AN INVESTIGATOR MAY NOT CONDUCT AN INVESTIGATION OR INTERROGATE AN EMPLOYEE BASED ON A COMPLAINT BY A PERSON WHO IS NOT A PEACE OFFICER UNLESS THE PERSON VERIFIES THE COMPLAINT IN WRITING BEFORE A PUBLIC OFFICER WHO IS AUTHORIZED BY LAW TO TAKE STATEMENTS UNDER OATH.”

In order to conduct a complete and thorough investigation of your complaint, we need you to answer the following questions.

PLEASE BE SPECIFIC

1. Date of Incident: _____ Time of Incident: _____ AM/PM

2. Location of Incident (Address): _____.

3. Number of Police Officer(s) involved: _____

List any names, badge number, vehicle number and/or license plate number, and/or provide any physical description(s) of the officer(s) involved:

A. _____

B. _____

C. _____

D. _____



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4. Number of witnesses involved: _____

Provide any full names, addresses, and phone numbers.

(IF THERE ARE NO WITNESSES, PLEASE WRITE "NONE.")

- A. _____
- B. _____
- C. _____
- D. _____
- E. _____
- F. _____

5. Did you sustain any injuries? _____. If yes, list type of injuries which were a result of the incident.

6. Did you receive medical treatment? _____. If yes, please provide the name, address and phone number of the doctor or hospital. **ADDITIONALLY, PLEASE COMPLETE THE ATTACHED MEDICAL RELEASE OR INFORMATION FORM.**

7. Were you arrested? _____ Were you issued any tickets? _____

If yes, list the charges filed and/or citations issued and the disposition. Citation # _____
