

CITIZEN COMPLAINT FORM

Type of Complaint: Informal Formal (Requires page 4 with signature.)
 Select One:
 Policy

 Rules

 Conduct

Please provide as much information about the reason that you were contacted by the officer/employee. Specific information about the date, time, and location will help in locating information if you do not know the officer's/employee's name.

Name of Officer/Employee: _____

Date and Time of Occurrence: _____

Location of the Occurrence: _____

Detail Surrounding the Complaint:

CITIZEN COMPLAINT FORM (Cont.)

Details (Cont.):

Complainant Name: _____

Address: _____ Phone: _____

File complaints about Police Department officers/employees on this form. Return completed form to Merkel City Hall, 100 Kent Street, Merkel, Texas, 79536, by either hand delivery or USPS mail. Please mark envelope "CONFIDENTIAL". You may address it to either ATTN: Chief of Police or City Manager. No complaint will be investigated until one of the aforementioned has directly contacted the Complaining Party.

CITIZEN COMPLAINT FORM (Cont.)
NOTICE TO COMPLAINANT

**STATEMENTS WILL BE READ ALOUD TO ANYONE WHO CANNOT READ FOR THEMSELVES*

This complaint is considered serious by the Merkel Police Department. In order to build and maintain the confidence of the citizens of the City of Merkel, we will fairly and impartially investigate this complaint. The employee that you complained about is presumed innocent unless the charges are substantiated in the investigative process. The mere filing of this complaint does not substantiate the allegations.

Complaints against Sworn Peace Officers of the Merkel Police Department must meet the requirements of Sections 614.022 and 614.023 of the Texas Government Code.

Sec. 614.022. COMPLAINT TO BE IN WRITING AND SIGNED BY COMPLAINANT. To be considered by the head of a state agency or by the head of a fire department or local law enforcement agency, the complaint must be:

- (1) in writing; and
- (2) signed by the person making the complaint.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by:
Acts 2005, 79th Leg., Ch. 507 (H.B. 639), Sec. 1, eff. September 1, 2005.

Sec. 614.023. COPY OF COMPLAINT TO BE GIVEN TO OFFICER OR EMPLOYEE. (a) A copy of a signed complaint against a law enforcement officer of this state or a fire fighter, detention officer, county jailer, or peace officer appointed or employed by a political subdivision of this state shall be given to the officer or employee within a reasonable time after the complaint is filed.

(b) Disciplinary action may not be taken against the officer or employee unless a copy of the signed complaint is given to the officer or employee.

(c) In addition to the requirement of Subsection (b), the officer or employee may not be indefinitely suspended or terminated from employment based on the subject matter of the complaint unless:

- (1) the complaint is investigated; and
- (2) there is evidence to prove the allegation of misconduct.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

h. 507 (H.B. 639), Sec. 1, eff. September 1, 2005.

If these allegations determine that the employee acted improperly, disciplinary action will be taken. Because this is a serious allegation, with serious consequences for the employee, all formal complaints need to be signed, sworn to and notarized.

CITIZEN COMPLAINT FORM (Cont.)
NOTICE TO COMPLAINANT - AFFIDAVIT

I, _____, attest that the statement made is true and correct. I understand that if this document is found to be false or untrue I may be subject to criminal charges.

Signature

Printed Name of Affiant

Sworn to and subscribed before me, _____, a Notary Public in and for the State of Texas, on this _____ day of _____, in the year _____.

Signature of Notary

Notary Stamp or Seal: