Payne Springs Police Department

19601 County Road 2529
Payne Springs, Texas 75156
903-451-6504

The Chief of the Payne Springs Police Department is responsible for investigating complaints of misconduct against the members of the department. Attached is the Police Department Personnel Complaint form.

Complaints against TCOLE employees must meet the requirements of section 614.022 and 614.023 of the Texas Government Code.

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

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 firefighter, detention officer, county jailer, or peace officer appointed or employed by a political subdivision of this state shall be given to the officer 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

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.

Please follow the instructions below to ensure the complaint is received and resolved in the most expeditious manner possible.

Instructions

1. Please print all information at the top of page one.
2. Read, but do NOT sign the section related to Perjury in the middle of page one unless you are in the presence of a Notary Public. This form must be notarized. A Notary Public will be available at the Police Department when you return your complaint.
3. At the bottom of page one, begin writing your complaint and continue writing all that is necessary, utilizing as many pages as necessary.
4. Do NOT sign any page unless you are in the presence of a Notary Public. This form must be notarized. A Notary Public will be available at the City Clerk's window when you return your complaint.

Tips for writing / filing the Complaint

1. Tell your story in chronological order.
2. Be detailed and specific. (For example, if your Complaint is that the officer was rude, write exactly what the officer said, when he said it, and how he said it.)
3. Provide any and all witness names and contact information as well as any documentation/proof or your allegation.
4. Please feel free to type the narrative of your Complaint if you would like.

Upon completion of writing your Complaint you may turn it in at any time. **The employee receiving the Complaint will turn it into the Chief of Police**. The Chief of Police or his designee will determine how the Complaint will be investigated (I.e.: Chief of Police or to the immediate supervisor of the employee in question.) You will be notified by the Chief or the Supervisor assigned to the Complaint.

If at any time you wish to contact the Chief of Police with questions, please feel free at any of the options below:

- 903-451-6504
- In person – (Chief or City Clerk) – 19601 County Road 2529, Payne Springs, Texas 75156

CITY OF PAYNE SPRINGS
POLICE DEPARTMENT
PERSONNEL COMPLAINT FORM

Name: _____

Date of Birth: _____

Home Address: _____

Home Phone #: (_____)_____

Employment Phone #: (_____)_____

Drivers License/ ID #: _____
Location of Incident: _____

Date of Incident: _____ Approximate Time of Incident: _____

Name(s) of Officers Involved: _____

_____

TEXAS PENAL CODE, 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 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; 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 A Misdemeanor**.
According to Texas Penal Code, Section 12.21, punishment of a Class A Misdemeanor has been defined as: A fine of not more than **$4,000.00**; confinement in jail for a term not to exceed **one year**; or both such fine and confinement.

I have read Section 37.02 of the Texas Penal Code as set out above, and I am aware of the penalty set out therein for perjury.

_____ _____
Signature of Person Filing Complaint Date

SUBSCRIBED AND SWORN TO BEFORE ME by the said affiant this the _____ day of

_____, 20_____, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC in and for Henderson County, Texas

OFFICIAL AFFIDAVIT

STATE OF TEXAS / COUNTY OF HENDERSON

BEFORE ME, the undersigned authority, on this date personally appeared the person whose name is set out below as affiant who, after being by me first duly sworn, upon oath deposed and said:

I have read all of the above affidavit including the printed, typewritten and handwritten portions thereof, and the statements therein are true.

_____
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME by the said affiant this the _____ day of _____, 20_____, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC in and for Henderson County, Texas

I have read all of the above affidavit including the printed, typewritten and handwritten portions thereof, and the statements therein are true.

_____
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME by the said affiant this the _____ day of _____, 20_____, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC in and for Henderson County, Texas