

# **BENAVIDES POLICE DEPARTMENT**

## **CITIZEN COMPLAINT FORM**



213 N. Clark St. / P.O. Drawer R

Benavides, Tx. 78341

Ph: 361-256-3283

All complaints concerning Benavides Police Department personnel are taken seriously and will be investigated thoroughly and impartially. Persons wishing to make a formal complaint against a department employee must submit this completed form. The form must be written legibly or typed. When completed, the form may be taken directly to the Benavides Police Department or mailed to the address above. An investigator will review the completed form and speak with you, after which time this form must be sworn to and notarized.

The mere filing of this complaint does not substantiate the allegations. If an investigation determines the employee acted improperly, disciplinary action will be taken. You will be notified of the results when the investigation is complete.

## **TEXAS GOVERNMENT CODE**

### **Complaints Against Law Enforcement Officer or Firefighter**

**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.

**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.

# TEXAS PENAL CODE

## Perjury and Other Falsifications Sec. 37.08

**False Report to Peace Officer or Law Enforcement Employee – Class B Misdemeanor** (a) A person commits an offense if, with the intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to: (1) A Peace Officer conducting the investigation; or (2) any employee of a law enforcement agency that is authorized by the agency to conduct the investigation and that the actor knows is conducting the investigation.

The Police Department does not accept complaints later than 90 days from the date of the incident related to the complaint, with exception to very special cases such as criminal misconduct, or when good cause can be shown making the complaint sooner was not possible or practical. Complaints must be made by a person who “has standing:” i.e., the actual recipient of police misconduct, a person who witnesses an unlawful act by a Police Officer, or parents/legal guardians making complaints on behalf of minors.

**The Benavides Police Department does not accept complaints regarding the guilt or innocence of defendants in traffic ticket cases and/ or criminal offenses.** Those matters are reserved to the judgment of the proper judicial court for adjudication.

I affirm that I have read and understand the above information. I hereby wish to file an official complaint and swear the information on the following pages is true and correct to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Time \_\_\_\_\_