

CITY OF RICE POLICE DEPARTMENT

305 N. Dallas
P. O. Box 97
Rice, Texas 75155

Charles Parson, Chief of Police

Telephone: (903) 326-4146
Fax: (903) 326-7426

FORMAL WRITTEN COMPLAINT AGAINST OFFICER OF THE RICE POLICE DEPARTMENT

The attached form is for filing a written complaint including a racial profiling complaint against an Officer of the Rice Police Department. Each complaint will be thoroughly investigated, and any necessary action will be taken. According to the Code of Criminal Procedure (CCP) Art. 2.132 (b), (e):

- 1) Clearly define acts constituting racial profiling;
- 2) Strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- 3) Implement a process by which an individual may file a complaint with the agency if the individual believes that a Peace Officer employed by the agency has engaged in racial profiling with respect to the individual;

Please complete this form using additional pages if needed. Once the form is completed you must have it notarized. After it has been notarized you may return the completed form to the Chief of Police or the City of Rice. We take all allegations serious and strive to be objective. You will be contacted with the outcome of the complaint.

Please be **aware** that providing a false statement, including false allegations on a Government Document is a violation of the Texas Penal Code 37.10, and you will be prosecuted by this agency.

Sincerely,

Chief Charles Parson

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Citizen Complaints

The Rice Police Department recognizes that its employees are responsible for their conduct. The Department also acknowledges that at certain times, conflicts between citizens and the Department's employees can arise. It is essential to the safety of our community that the relationship between police and citizens is built on confidence and trust. Law enforcement cannot be effective without this vital conviction by both entities.

Police officers must be free to exercise their best judgment and initiate proper action in a reasonable, lawful, impartial manner without fear of reprisal. The complaint process and appropriate disciplinary procedures not only subject Department members to corrective action when they conduct themselves improperly, the guidelines also protect them from unwarranted criticism when they discharge their duties properly.

A disagreement over the validity of a traffic citation or an arrest is not a complaint. These disagreements should be directed to the court that has jurisdiction in the matter.

The Rice Police Department realizes that confusion, different perceptions, or the timelessness of information sometimes will result in descriptions that produce different versions of the same incident. Beyond legitimate error, however, the deliberate making of a report that the complainant knows to be false or misleading could constitute a violation of State Law.

The Complaint Process

The complaint process is designed to deal with each case factually and fairly. Citizens who file complaints are treated respectfully, and their accusations are taken seriously. All complaints are investigated thoroughly, and all findings are based on impartial evidence gained during the investigation. A complaint may be lodged on any employee of Your Police Department, including but not limited to officer, dispatcher, detective, animal control or any supervisor.

There are two classes of complaints. The first and most serious, a Class I complaint alleges the violation of law or such other allegations as excessive force (being hit, slapped, kicked, or struck by an object) causing pain or visible signs of bodily injury. The second, a Class II complaint, includes allegations of a less serious nature, and may concern violations of Department policy.

Either class of complaint may be lodged as a Formal or Informal Complaint. Formal Complaint must be in writing, signed by the complainant and be notarized. Formal Complaints will be responded to in writing upon completion of the investigations. Any complaint can be made anonymously without giving your name. However, you cannot be informed of the internal review's results if you choose to remain anonymous. Informal Complaints can be made by phone, email, or letter addressed to the police department.

After the investigations, the complaint will be classified into one of the following dispositions:

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***Unfounded** – Incident did not occur, or alleged employee was not involved.

***Exonerated** – Incident occurred, but actions taken were lawful and proper.

***Not Sustained** – Insufficient evidence exists to prove the allegations.

***Sustained** – Evidence is sufficient to prove the allegation.

Sustained allegations could result in additional training, counseling, written reprimand, suspension and/or termination.

Although employees named in a complaint will, at some point, be required to respond to the specific allegation(s), they are not permitted access to cases under investigation. Complainants need not be concerned that they will be subject to retribution for legitimately stating a complaint. Complainants who have current criminal or traffic charges pending should be aware that the internal review process deals solely with the Department's investigation of the employee's conduct. Regardless of the outcome of an internal investigation, existing criminal or traffic charges must be dealt with through the proper courts. Final determination about the disposition of a complaint will be made by the Chief of Police.

Upon completion and Notarization of the FORMAL COMPLAINT form please mail to:

Rice Police Department
305 N. Dallas St.
Rice, TX 75155

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305 N. Dallas
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RICE POLICE DEPARTMENT FORMAL COMPLAINT

Your Name: _____

Home Address: _____
Physical

Work Address: _____

Home Phone: _____ Work Phone: _____

Were you arrested or ticketed for an offense in this incident: Yes No

If yes, what charges were filed against you? _____

Officer(s) involved: _____

If you don't know the name of the officer(s), provide a description; their uniform, and/or their police car. If you don't have the officer(s) name, this information may be necessary to determine which officer(s) or department you are referring to.

Description of Officer, Uniform and/or Vehicle: _____

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Were there witnesses to the Incident: Yes No

If yes, list the witness's names and telephone numbers: _____

Have you spoken with a Supervisor (by phone or in person) at the Rice Police Department regarding the incident: Yes No

If yes, what was the name of the Supervisor: _____

For Department Use Only:

Supervisor Receiving Complaint: _____

Copy to Complainant: Yes No Date: _____ Employee Initial: _____

Forwarded to Chief of Police: Date: _____ Employee Initial: _____

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