

HOW TO FILE A COMPLAINT



**LITTLE ELM
POLICE DEPARTMENT
88 W ELDORADO PKWY
LITTLE ELM, TEXAS 75068**

(214) 975-0460

The Little Elm Police Department is dedicated to providing the best police service possible to the residents and visitors of Little Elm. Police employees are carefully selected and given the best training possible in order to provide this service. However, you may have occasion to lodge a complaint in reference to the actions of a member of the Little Elm Police Department. In order to be responsive to you, we are providing the following information about how complaints are made, how they are investigated and their results.

HOW ARE COMPLAINTS MADE?

When a citizen lodges a complaint against a member of the Little Elm Police Department, the complaint goes to the Internal Affairs Unit. Responsibilities of investigators assigned to Internal Affairs include reviewing and investigating your complaint. The office is open from 8:00 a.m. to 5:00 p.m. each weekday.

If the Internal Affairs Unit is not open, you may lodge a complaint with any supervisory member of the police department. Your complaint will then be forwarded to Internal Affairs Unit for investigation.

TEXAS STATE LAW (Government Code 614.022) requires that all complaints against police officers be in writing and signed by the person making the complaint. Just as citizens who are arrested must be notified of the charges against them, police officers must be given copies of complaints before any disciplinary action may be taken. The person who claims to be aggrieved must make the complaint. Other persons may give statements as witnesses. The Internal Affairs Unit will conduct a thorough investigation of your complaint and you will be advised of the outcome.

Traffic tickets issued or differences of opinion between police officers and citizens over the issuance of traffic tickets for the guilt or innocence of persons arrested will not be investigated unless there is specific allegation of misconduct against a member(s) of the Department.

FALSE COMPLAINTS

People who intentionally make false complaints or allegations against police officers violate Chapter 37 of the Texas Penal Code. Texas law provides punishment for an individual adjudged guilty of committing an offense if, with intent to deceive and with knowledge of the statements meaning, he / she 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.

A person who commits an offense under this section can be charged with offenses ranging from a Class B Misdemeanor to a Felony of the Third Degree. Punishments can range from confinement of 180 days in jail to 10 years of imprisonment and a fine not to exceed \$10,000.

This information is not intended to intimidate the complainant or any witness, but is provided to avoid retaliation against police officers or departmental staff.

WHAT HAPPENS WHEN A COMPLAINT IS FOUND TO BE TRUE?

When the investigation of a complaint reveals that the charges are true, and should be sustained against a police employee, the Chief of Police notifies the employee and may take one of the following actions, depending on the nature of the violation:

- Reprimand the employee;
- Suspend the employee without pay;
- Demote the employee; or
- Discharge the employee.

WHAT HAPPENS IF THE COMPLAINT IS NOT TRUE?

Police employees must be afforded certain rights the same as with all citizens and complaints must be supported by sufficient evidence. If there is not sufficient evidence to sustain the complaint, the officer is notified and continues on duty. If he was removed from duty during the investigation, the employee will be paid for that period.

OFFICER CAN APPEAL THE DECISION

Just as citizens charged with criminal offenses can appeal a court's decision, police employees are afforded the right to appeal the actions taken against them. The Town of Little Elm has established procedures for employees to follow in their appeals, just as the police department has established procedures for ensuring that complaints by citizens against police employees are thoroughly and impartially investigated.

WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?

If you are not satisfied with the results of the investigation by the Internal Affairs Unit, you may appeal to:

- The Office of the Chief of Police, located at:

Little Elm Police Department
88 W. Eldorado Pkwy
Little Elm, Texas 75068

- The Office of the Town Manager, located at:

Little Elm Town Hall
100 W. Eldorado Pkwy
Little Elm, Texas 75068

- Denton County District Attorney located at:

Denton County Courthouse
1450 E. McKinney
Denton, Texas 76209; or

- Federal Bureau of Investigation located at:
1 Justice Way
Dallas, Texas 75220

The Little Elm Police Department is vitally concerned with the welfare of all residents and visitors to Little Elm. The Department will take action where employees have been proven derelict in their duties or are guilty of wrongdoing.

Likewise, if you have occasion to see an employee doing outstanding work, tell the employee or a police supervisor. Your Little Elm Police Department is made up of individuals who are dedicated to serving you and our community.