

## **Citizen Compliments and Complaints**

### **A Message from the Chief of Police**

The Port Lavaca Police Department prides itself on serving the public in respectful and professional manner. As Chief of Police, I welcome your feedback concerning the relationship we share with you, as well as the service and performance of the department.

It is important that our department always maintain a high level of public trust from the community we serve. To help accomplish this, we will take responsive and appropriate actions in investigating legitimate complaints that we receive concerning allegations of misconduct on the part of our employees.

Thank you for the interest that you've shown in *your* police department and for your continued support of the men and women of the Port Lavaca Police Department.

James Martinez, Chief of Police

*Have a compliment or a complaint? We would like to hear from you.*

We are interested in in hearing about what we are doing right so we may continue providing quality police service. If you would like to share information regarding any compliments you have for our employees, please call the Port Lavaca Police Department Office of Administration at (361) 552-3788 or email the Administrative Lieutenant at [briedel@portlavaca.org](mailto:briedel@portlavaca.org).

### *The Complaint Investigation and Resolution Process*

It is the policy of the Port Lavaca Police Department to courteously receive and investigate complaints concerning its employees. A person wishing to initiate a complaint may contact any on-duty supervisor or the department's Internal Affairs Lieutenant during business hours at (361) 552-3788 or by email at [briedel@portlavaca.org](mailto:briedel@portlavaca.org).

Persons who desire to make a complaint must understand the importance of submitting their complaint in writing with their signature affixed. (The Texas Government Code, Section 614.022, provides that all complaints to be considered on law enforcement officers must be in writing and signed by the person making the complaint.)

Persons complaining orally or by Email, will be requested to submit their complaint in writing with their signature affixed, and will be provided the personnel complaint affidavit.

A person refusing to make a written complaint or who makes an anonymous complaint does not necessarily prevent an investigation from being initiated on the facts provided, but does cause the matter to be more difficult to proceed to an effective conclusion.

If a complainant deliberately gives false information causing the Department to conduct an investigation, with the approval of the Chief of Police or the Internal Affairs Lieutenant, this information can be presented to the appropriate prosecutor under the appropriate Texas statutes.

All complaints will be accepted, reviewed and assigned to either the employee's immediate supervisor or the Internal Affairs Lieutenant for investigation. Following a thorough investigation, a disposition will be made based on the facts and the totality of the circumstances. The purpose of the investigation is to seek out the facts in a particular situation and to ascertain the truth. Allegations contained in a formal complaint investigation may have one of six outcomes:

- **Unfounded:** The allegation is false, not factual or did not occur.
- **Exonerated:** The incident complained upon did occur but was lawful and proper.
- **Not Sustained:** There is not sufficient evidence either to prove or disprove the allegation.
- **Sustained:** The allegation is supported by sufficient evidence. The allegation is true, and the action of the employee was inconsistent with PLPD policy.
- **Unrelated Violation:** A violation unrelated to the initial complaint was sustained.
- **Other:** The allegation involves a training or customer service issue only.

At the conclusion of an investigation/inquiry conducted by internal affairs or a department supervisor, the report will be reviewed by the employee's supervisors and forwarded to the Chief of Police, who will take appropriate action, if any. Those actions may include any of the following:

- Corrective Counseling
- Oral Reprimand
- Written Reprimand
- Suspension Without Pay
- Demotion
- Termination

At the final conclusion of the complaint investigation, the complainant and the employee will be given written notification of the outcome.

Traffic tickets or differences of opinion between police officers and a citizen over the issuance of a traffic ticket, or regarding guilt or innocence of a person arrested will not be investigated, unless there is specific allegation of misconduct against the officer.