

# **JUDSON ISD POLICE DEPARTMENT COMPLAINT PROCESS**



**202 School St.  
Converse, Texas 78109  
210-659-9789  
Fax: 210-945-6987**

# **COMPLAINTS OF MISCONDUCT AND/OR** **ALLEGATIONS OF RACIAL PROFILING**

**JUDSON ISD POLICE DEPARTMENT**

**202 SCHOOL ST.**

**CONVERSE, TEXAS 78109**

**210-659-9789**

The Judson Independent School District Police Department is dedicated to providing the best police services possible to the students, parents, visitors, and citizens of the Judson Independent School District. Police officers are carefully selected and given the best possible training available to provide professional service. However, you may have the occasion to file a complaint in reference to the actions of a member of the Judson ISD Police Department. To be responsive to you, we are providing the following guidelines on how complaints should be made, how they are investigated, and their results.

## **HOW ARE COMPLAINTS FILED?**

Any person wishing to make a complaint may do so by coming to the JISD Police Department located at 202 School St. Converse, Texas 78109 or by filling out the complaint form found on the JISD website at [judsonisd.org](http://judsonisd.org) and dropping it off at the JISD Police Department. A complaint may also be made by phone.

Texas Law (Government Code 614.022) requires that all complaints against police officers be in **writing** and **signed** by the person making the complaint. Even though there are only two requirements, additional information is requested so that we can conduct a thorough investigation of a 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.

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

Complaints alleging misconduct of a police officer will not be accepted more than 30 days after the alleged incident. Exceptions include 1) When the complaint involves a criminal violation of the law, in which case the statute of limitations will determine the time limit 2) When the complainant can show good cause for not making the complaint within the specified time limit and 3) The Chief of Police shall have discretion to investigate or order an investigation of any complaint when necessary to preserve the integrity of the department, regardless of time limit.

The JISD Police Department prohibits its officers from engaging in racial profiling. A person wishing to make a complaint in reference to alleged racial profiling by a Judson ISD Police Officer should follow the complaint process outlined in this document.

### **THE INVESTIGATION PROCESS:**

- The complainant will be directed to a police supervisor who will initiate the investigation process. The investigation process shall be completed within 30 business days.
- The complainant and any witnesses will be interviewed. Sworn written statements may be obtained.
- Interviews may be video recorded.
- Photographs of any evidence may be recorded.
- The investigating supervisor will document his investigation.
- The supervisor's investigative report and its findings/recommendations will be forwarded to the Lieutenant for review. If further investigation is required, the Lieutenant will reopen the investigation.
- Upon final review of the investigative report, it will be forwarded to the Chief of Police for final determination of findings.

### **THE "FINDINGS" OF A COMPLAINT:**

The results of your complaint are called "findings." There are four possible "findings":

- Sustained – Allegations true. The officer(s) involved acted improperly and may be disciplined.
- Unfounded – No truth to allegations. The investigation found no basis for the complaint.
- Exonerated – Allegations true but result of adherence to proper and appropriate police procedure and techniques.
- Not Sustained – Unable to verify the truth of the matters under investigation.

**NOTE:** The Chief of Police will make a final determination of "findings" after the complaint is investigated. The "findings" will be placed in writing, email, and/or by phone and made known to the complainant.

### **WHAT HAPPENS WHEN A COMPLAINT IS FOUND TO BE SUSTAINED?**

When the investigation of a complaint reveals that the complaint is sustained against a police officer, the Chief of Police notifies the employee and may take one of the following actions, depending on the nature of the violation:

- Verbal or written reprimand and/or remedial training
- Suspension
- Demotion
- Discharge from employment

## **WHAT HAPPENS IF THE COMPLAINT IS NOT SUSTAINED?**

Police officers must be afforded certain rights and complaints must be supported by sufficient evidence. If there is not sufficient evidence to sustain the complaint, the officer is notified by the Chief in writing and continues duty. If the officer was removed from duty during the investigation, the officer will be immediately placed back on regular duty.

## **OFFICER CAN APPEAL THE DECISION**

A police officer may respond to the “findings” by submitting a written response to the Chief of Police within 10 business days after the officer is provided the results of the “findings”. The officer’s appeal process will follow school district policy. The Chief may invoke a board of inquiry.

## **WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?**

You will be notified of the results of the investigation. If you are not satisfied with the results of the investigation, you may contact:

- Judson ISD Police Department, Chief of Police
- Judson ISD Superintendent’s Office
- Bexar County District Attorney’s Office if criminal allegations exist.
- Texas Rangers if criminal allegations exist.

The Judson Independent School District Police Department is vitally concerned with the welfare of all students, parents, visitors, and citizens of the Judson Independent School District. The JISD Police Department will act where employees have been proven derelict in their duties or are guilty of wrongdoing.

## **COMMEND A POLICE OFFICER**

If you see a JISD Police Officer doing outstanding work, tell the officer or a police supervisor, or commend them online on the judsonisd.org social media sites. Your JISD Police Department is made up of individuals who are dedicated to serving our community.

## **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 the intent to deceive and with knowledge of the statement’s meaning, he/she make 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 (Texas State Law, Government Code 602.002). 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 policer officers or departmental staff)

## PERJURY WARNING

Article 6252-20, V.T.C.S., requires that all complaints against law enforcement officers be placed in writing and signed by the complainants before the complaint may be considered by superiors as a basis for disciplinary action against an officer.

It is understood that complaints sometimes consist of intentional fabrications or misrepresentations against law enforcement officers for several reasons.

For this reason, the Attorney General of Texas rendered his Opinion (No. MW-317, March 31, 1981), concerning perjuries against law enforcement officers.

Under the Texas Penal Code, a person commits perjury if, with intent to deceive, and with knowledge of the statements meaning: 1) he/she makes a false statement under oath or swears to the truth of a false statement previously made; 2) the statement is required or authorized by law to be made under oath. An offense under section is a felony offense.

A "statement" means "any representation of fact" and "official proceeding" means "any type of administrative, executive, legislative, or judicial proceeding that may be conducted before a public servant authorized by law to take statements under oath." A statement is material if it "could have affected the outcome of the official proceeding."

My signature is to acknowledge that I have read or had explained to me the contents of this document. I fully understand its explanation of perjury and aggravated perjury pertaining to any fabrication or misrepresentations I may give in a statement concerning a law enforcement officer.

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Signature

Notary Public, Bexar County, Texas

**IN ORDER TO CONDUCT A COMPLETE AND THOUROUGH INVESTIGATION OF YOUR COMPLAINT, YOU WILL NEED TO ANSWER THE FOLLOWING QUESTIONS.**

DATE OF INCIDENT: \_\_\_\_\_ TIME OF INCIDENT: \_\_\_\_\_AM/PM

LOCATION/ADDRESS OF INCIDENT:

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NAME, ADDRESS, PHONE NUMBER OF ALL WITNESSES INVOLVED:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

NAME(S), BADGE #, VEHICLE NUMBER, LICENSE PLATE NUMBER OF POLICE OFFICER(S) THIS COMPLAINT IS BEING FILED AGAINST:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_

DID YOU SUSTAIN ANY INJURIES? YES OR NO (CIRCLE ONE) IF YES, PLEASE EXPLAIN IN DETAIL:

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DID YOU RECEIVE MEDICAL TREATMENT? YES OR NO (CIRCLE ONE) IF YES, PLEASE EXPLAIN IN DETAIL:

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WERE YOU ARRESTED? YES OR NO (CIRCLE ONE) IF YES, WHAT OFFENSE WERE YOU CHARGED WITH:

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WERE YOU ISSUED A CITATION? YES OR NO (CIRCLE ONE) IF YES, WHAT OFFENSE WERE YOU CHARGED WITH:

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IS THERE A JUDSON ISD POLICE DEPARTMENT CASE # ASSOCIATED WITH YOUR COMPLAINT? YES OR NO (CIRCLE ONE) IF YES, WHAT IS THE CASE NUMBER:

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IS THERE ANY SUPPORTING EVIDENCE SUCH AS CELL PHONE VIDEO/SURVEILLANCE VIDEO, ETC. THAT YOU WISH TO PROVIDE? YES OR NO (CIRCLE ONE) IF YES, PLEASE DESCRIBE:

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**JUDSON ISD POLICE DEPARTMENT  
202 SCHOOL ST.  
CONVERSE, TEXAS 78109  
210-659-9789**

**SWORN AFFIDAVIT**

My name is: \_\_\_\_\_ I am \_\_\_\_\_ years of age

My date of birth is: \_\_\_\_\_

My address is: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number: \_\_\_\_\_ Work Phone Number: \_\_\_\_\_

I can read, write, and understand the English language. \_\_\_\_ (Initials)

I am giving this statement under oath to the peace officer whose signature appears below. I am voluntarily making this statement of my own free will. I understand that making a false statement could result in the filing of criminal charges against me for making a False Report to a Peace Officer, under Texas Penal Code 37.08. \_\_\_\_ (Initials)

On \_\_\_\_\_ (DAY) of \_\_\_\_\_ (MONTH) \_\_\_\_\_ (YEAR) at approximately \_\_\_\_\_: \_\_\_\_\_ AM/PM the following incident occurred:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Print Name \_\_\_\_\_ Signature \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_ Notary Signature \_\_\_\_\_

Sworn and subscribe to me \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_



CASE # \_\_\_\_\_

STATE OF TEXAS, BEXAR COUNTY

**JUDSON ISD POLICE DEPARTMENT**

**SWORN WITNESS STATEMENT**

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have read each page of this statement, initialed each page, and placed my initials next to any corrections. I swear that this statement is true and correct to the best of my knowledge. I have not been threatened in any manner, nor have I been promised anything in return for this statement. \_\_\_\_\_(Initials)

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ Print Name \_\_\_\_\_ Signature \_\_\_\_\_

Printed Name of Peace Officer \_\_\_\_\_ Peace Officer Signature \_\_\_\_\_

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Notary Public, Bexar County, Texas \_\_\_\_\_

CASE # \_\_\_\_\_

STATE OF TEXAS, BEXAR COUNTY

**JUDSON ISD POLICE DEPARTMENT  
SWORN WITNESS STATEMENT**

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I have read each page of this statement, initialed each page, and placed my initials next to any corrections. I swear that this statement is true and correct to the best of my knowledge. I have not been threatened in any manner, nor have I been promised anything in return for this statement. \_\_\_\_\_(Initials)

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ Print Name \_\_\_\_\_ Signature \_\_\_\_\_

Printed Name of Peace Officer \_\_\_\_\_ Peace Officer Signature \_\_\_\_\_

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Notary Public, Bexar County, Texas \_\_\_\_\_