

SAN BENITO POLICE DEPARTMENT

Complaint Referral Form

Complaint's Name (Last, First, Middle)		Date of Birth:	Contact Phone Number:	
Address:		City:	Zip Code:	State:
Date Incident Occurred:	Time Incident Occurred:	Location incident Occurred (Give address of incident or describe location in detail:		

List the Name of Officer(s) / Employee(s) involved if known:

(1)	(2)
(3)	(4)
(5)	(6)

List the name(s), Address(es) and phone number(s) of any Witness(es) to the event you are complaining about:

(1)	(2)
(3)	(4)

Brief Explanation of Incident:

Signature:	Date:
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Administrative Use Only Below This line

Is There a Report on the Incident?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Case Number / Incident Number:
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Violation(s) Alleged: Leave Blank for Internal Affairs Investigator

(1)	(2)
(3)	(4)

Supervisor Completing this referral form:	Date / Time:
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Investigation assigned to:	By:	Date / Time:
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NOTICE TO COMPLAINANT: Statements will be read aloud to anyone who cannot read for themselves.

This complaint is considered serious by the San Benito Police Department. In order to maintain the confidence of the citizens of the state of Texas, we will fairly and impartially investigate this complaint. The employee that you complained about is presumed innocent unless the charges are substantiated in the investigative process. The mere filing of this complaint does not substantiate the allegations.

Complaints against San Benito Police Department employees must meet the requirements of Sections 614.022 and 614.023 of the Texas Government Code:

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.

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.

© In addition to the requirement of Subsection (b), the officer or employee may not be indefinitely suspended or terminated from employment based on the subject matter of the complaint unless:

- (1) the complaint is investigated; and
- (2) there is evidence to prove the allegation of misconduct

If these allegations determine that the employee acted improperly, disciplinary action will be taken. Because this is a serious allegation, with serious consequences for the employee, all formal complaints need to be signed, sworn to and notarized.

I attest that the statement made is true and correct. I understand that if this document is found to be false or untrue I may be subject to Criminal Charges.

<p>Signature:</p>	<p>Date / Time:</p>
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Sworn to and subscribed before me, the _____ day of _____
notary public in and for, State of Texas

My Commission expires _____

Printed Name of Notary: _____