

Investigation Findings

Sustained: This means the complaint has been proven to be true by the preponderance of the evidence.

Not-Sustained: This means that there is not enough evidence to prove or disprove the allegation(s).

Exonerated: This means that the allegation(s) did occur but the officer's actions were within the Department's guidelines, State or Federal law.

Unfounded: This means that the allegation(s) were found to be false.

Misconduct Not Based on Complaint-Sustained: This means that during the course of the investigation, officer misconduct was discovered that was not originally covered in the complaint.

If discipline is warranted, the subject officer(s) will be notified of the discipline. Discipline may range from a verbal reprimand to termination of employment, depending on the nature of the violation(s) and frequency of discipline for the officer(s).

Other Helpful Numbers

Police Emergency 911
Fire Emergency 911
Medical Emergency 911

Mineola City Hall
(903) 569-6183

Wood County Sheriff
(903) 763-2201

Mineola Crime Stoppers
(903) 569-2518

Wood County Crime Stoppers
(903) 763-CASH

Wood County District Attorney
(903) 763-4515

Complaint Procedures



**A Citizen's Guide to Filing a
Complaint Against a
Police Officer**

Mineola Police Department
300 Greenville Highway
Mineola, Texas 75773
(903) 569-6294
(903) 569-0778 Fax

Chief Charles Bittner

State Law

In the State of Texas, some of the rules relating to complaints against police officers are actually covered by State law.

The Texas Government Code requires that a complaint made against a police officer or firefighter must be in writing and must be signed by the complainant.

The Mineola Police Department will accept an anonymous complaint, however the investigation may be hampered by the fact that there is not a complainant to follow up with. These complaints are handled on a case by case basis and the seriousness of the allegation is taken into consideration.

The Texas Government Code further states that no disciplinary action may be taken against a police officer or firefighter unless the employee received a copy of the signed complaint.

During the initial phase of the investigation, the employee will be notified of the complaint and will be provided with a copy of the signed

complaint and will be required to respond to the allegation(s).

The Complaint Process

When a complaint is received by a supervisor, it is forwarded to the Chief of Police. The Chief then makes the determination as to what type of investigation will be conducted.

The two types of investigations are a first line supervisor investigation which is handled by the employee's immediate supervisor. The other type of investigation is an Internal Affairs investigation. This is more of a formal process. The second type of investigation is used for allegations of serious misconduct. First line supervisors will investigate complaints of minor misconduct.

During an investigation all witnesses will be contacted and written statements will be obtained. The investigator will then report all findings of fact and make a summary report. The report will be forwarded to all police supervisors to make a

determination of the outcome of the investigation. Supervisors will also make a recommendation for discipline, if it is warranted. The complainant will receive written notification of the outcome of the investigation.

The First Step

To file a complaint, complete the enclosed statement form, sign it and return it to a police supervisor. Ensure that the statement notification is also signed. This notification is given to inform a complainant that providing false information in a statement can be prosecuted as a criminal offense. These forms can be mailed or delivered in person. The receiving supervisor will review the information and forward it to the Chief of Police for investigation determination.

Criminal Complaints

If the Department receives a complaint of criminal behavior, the complaint will be referred to another law enforcement organization to conduct the criminal investigation.



Mineola Police
Department
300 Greenville Hwy
Mineola, TX 75773
Tel: 903-569-6294
www.mineola.com

Compliment / Complaint Processing Form

Last Name:		First Name:		MI:	Home Phone #:	Cell Phone #:
Mailing Address:		City:	State:	Zip:	Email Address:	
Date of Incident:		Location of Incident:				
Time of Incident:		Case Number:			Citation Number:	
Name of Involved Employees			Actions of Employee			
1.						
2.						
3.						

Statement

Clearly and chronologically state what happened, ensuring that you articulate the conduct, facts and evidence in support of your allegation(s). Please sign all pages that bear your statement and initial all corrections. Please include any available witness information including addresses and phone numbers. All complaints require a Notary or Peace Officer witness.

Filing a false complaint against a police employee is a violation of the Texas Penal Code, Section 37.02. If a person intentionally and knowingly makes a false statement under oath, or swears to the truth of a false statement previously made under oath, a person may be found guilty and punished by a fine up to \$4,000, confinement in jail up to one year, or by both fine and imprisonment.

I have read each page of this statement consisting of _____ page(s). Corrections, if any bear my initials. I certify the facts contained herein are true and correct.

Signature

Date

Printed Name

Notary / Peace Officer- Agency

Date

Printed Name

Compliment / Complaint Processing Form

Statement Continuation

Page ____ of ____

Please sign and date each page that bears your statement and initial all corrections

Multiple horizontal lines for writing the statement continuation.

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Signature

Date

Printed Name

Notary / Peace Officer- Agency

Date

Printed Name

Pg. ____ of ____