



Citizen Complaint Form

GENERAL INFORMATION:

The Sunnyvale Police Department is dedicated to providing the best police service possible to all citizens. Police Officers are carefully selected and given the best training possible in order to provide this service. However, you may have an occasion to lodge a complaint about the actions of a member of the Sunnyvale Police Department. In order to be responsive, information is provided about how a complaint is made, how it is investigated, and the result.

It is the policy of the Sunnyvale Police Department to give equal treatment under the law to all people, regardless of race, color, religion, sex, politics, national origin, lifestyle, or similar characteristics. The officers of the Sunnyvale Police Department will only stop and or detain citizens when reasonable suspicion exists to believe they have committed, are committing, or are about to commit a violation of the law, or for any other lawful purposes. Officers at the Sunnyvale Police Department are strictly prohibited from initiating any action that constitutes racial or biased-based profiling. Citizens should file any complaints by following the procedure mentioned in this packet.

Service issues not associated with employee misconduct should be directed to the Office of the Chief of Police for a performance review.

HOW ARE COMPLAINTS MADE?

When a citizen files a complaint against a member of the Sunnyvale Police Department, it is sent to the Chief of Police for review and assignment.

Citizen wishing to obtain or file a complaint may do so in several different ways:

1. Complete the attached complaint form;
2. Contact any supervisor or Officer of the Police Department;
3. Contact the Internal Affairs Office (IAO).

The IAO is open during business hours and located in the Sunnyvale Police Department located at 364 Long Creek Rd, Sunnyvale, TX 75182. If you prefer, you may call the IAO, write a letter, or email to begin the process.

Texas State law requires that all complaints against police officers must 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, the police officer must be given a copy of the complaint before any disciplinary action may be taken.

Complaints must be within 90 days of the incident complained about, except in special cases (such as criminal misconduct or when the person complaining good cause). Complaints must be made by the person who claims to be aggrieved, except that in the case of a minor, a guardian may file the complaint. Other persons may give statements as witnesses. After an Internal Affairs Investigation is completed, you will be advised of the results.



SUNNYVALE POLICE DEPARTMENT

CITIZEN COMPLAINT FORM

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 the officer, the Chief of Police notifies the officer and may take one of the following actions, depending on the nature of the violation:

1. Council or reprimand the employee;
2. Suspend the employee without pay;
3. Demote the employee; or
4. Discharge the employee.

WHAT HAPPENS WHEN A COMPLAINT IS NOT SUSTAINED?

Police Officers must be accorded 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. The complainant is also notified by mail of the investigation's results.

WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?

If you are not satisfied with the results of the investigation by the Sunnyvale Police Department you may appeal to

1. The Office of the Chief of Police located at 364 Long Creek Rd., Sunnyvale, TX 75182;
2. The Office of the Town Manager located at Town Hall, 127 N. Collins Rd., Sunnyvale, TX 75182.

The Sunnyvale Police Department is vitally interested in the welfare of all citizens and in taking action where its employees have proven derelict in their duties or are guilty of wrongdoing. If it becomes necessary for you to make a complaint, you can be assured that it will be given a fair and thorough investigation.

By the same token, if you have an occasion to see a police officer doing outstanding work, tell him or her about it. Your Sunnyvale Police Officers are individuals who are dedicated to serving you and your community.

OFFICERS CAN APPEAL THE DECISION

Just as a citizen charged with a criminal offense can appeal a court's decision, a police officer can appeal any action taken against him. The Town of Sunnyvale has established procedures for Officers to follow in their appeals, just as the Police Department has established for insuring that complaints by citizens against officers are thoroughly and honestly investigated.

TEXAS PENAL CODE 37.08

False Report to Peace Officer

- (a) A person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to (1) a peace officer or federal special investigator conducting the investigation; or (2) any employee of a law enforcement agency that is authorized by the agency to conduct the investigation and that the actor knows is conducting the investigation.
- (b) In this section, "law enforcement agency" has the meaning assigned by Article 59.01, Code of Criminal Procedure.
- (c) An offense under this section is a Class B misdemeanor.



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COMPLAINT AGAINST SUNNYVALE POLICE DEPARTMENT EMPLOYEE

My Name is _____

My address is _____
(Street Address) (City) (State) (Zip code)

My Phone number is _____ (Home) _____ (Work)

My date of birth is _____

My place of employment is _____

I make this affidavit voluntarily and from my own personal knowledge. I understand that a complaint made against a law enforcement officer of the State of Texas must be signed by the complainant and in writing before it may be considered by the Chief of Police.

I have read this document consisting of _____ pages and the statements contained herein are true.

COMPLAINANT'S SIGNATURE

DATE COMPLAINT SUBMITTED

