

Cuero Police Department

COMMENDATIONS and COMPLAINT INFORMATION

A Message from the Chief

The Cuero Police Department is dedicated to providing the best police services to all of the citizens of Cuero. Your police officers are carefully selected and given the best available training. Information provided by citizens, like you, helps us with this mission.

Our policy is to forward commendations through the supervisor to the officer, and to thoroughly investigate complaints against an officer of the department. If you have a comment or complaint report it to us in person, by letter, telephone, Internet or the form provided herewith.

The following information will help you file a commendation or complaint with the Cuero Police Department. If you feel strongly about the department's performance, positively or negatively, let us know.

Glenn E. Mutchler
Chief of Police

HOW TO COMMEND A POLICE OFFICER

Each year, the department receives numerous employee commendations from the public. But for each one we receive, there are probably twice as many commendable acts that go unnoticed. We would like to hear about any officer action, which is worthy of a commendation.

This pamphlet includes a form you may use to let an officer know their action was appreciated; or you may call the police department. Please include all available information, such as the employee's name, the date, time and circumstances of the incident.

The employee will be notified of your commendation, as will the supervisor, and a copy will be placed in the employee's file.

HOW TO FILE A COMPLAINT

When a citizen lodges a complaint against a member of the Cuero Police Department, it can be filed with the Chief of Police or a supervisor. Once received,

the Chief of Police or a supervisor will investigate it. Normal office hours are 8:00 A.M. to 12:00 Noon and 1:00 to 5:00 P.M. Monday through Friday.

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

Complaints must be made within 60 days of the incident except in special cases, such as criminal misconduct or when good cause can be shown, by the person making the complaint. The person aggrieved (wronged) must make the complaint. Other persons may give statements as witnesses.

This complaint process will be used for all complaints, officer misconduct, excessive use of force, and racial profiling are examples.

HOW COMPLAINTS ARE INVESTIGATED

Once an individual has filed a complaint, he/she should expect the following process to commence:

THE INTERVIEW

A police officer (rank of sergeant or higher) will ask the alleged victim question about what happened. It is possible that the officer may be able to explain the officer(s)' action to your satisfaction.

- Usually the alleged victim will be interviewed at the police department. It is possible that he/she may be video taped.
- The individual filing the complaint may bring a lawyer, family member or friend to the interview.
- The officer may ask the individual filing a complaint for names of witnesses and other police officers that may know facts about the incident.
- A police photographer may take pictures of any injuries that the alleged victim thinks are related to the complaint.

THE INVESTIGATION

All officers will be interviewed and witnesses whom the alleged victim named will be contacted and interviewed if the agree.

The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will

take, the alleged victim will receive periodic reports on its status. When completed a written report of the investigation will given to the chief of police.

The chief of police will review the report, completed investigations will note one of five findings: The alleged victim will be informed through an official letter.

SUSTAINED: This means that the evidence supported the complaint and the department will take appropriate action.

NOT SUSTAINED: The evidence neither proved nor disproved the allegation.

EXONERATED: Incident occurred was lawful and proper.

UNFOUNDED: Allegation is false or not factual.

POLICY FAILURE: Flaw in policy caused incident. The policy in question will be reviewed.

If the investigation reveals the charges are true (sustained) the Chief of Police may take one of the following actions, depending on the nature of the violation: Additional training, Verbal reprimand, Written reprimand, Suspend the employee, Demote the employee, Discharge the employee.

Police officers must be accorded certain rights; the same as with all citizens. Complaints must be supported by sufficient evidence to sustain the complaint. The officer is notified of the complaint and in most cases remains on duty.

Likewise, just as a citizen charged with a crime may appeal the court's decision, an officer may appeal the action taken against him. The City of Cuero has established procedures for officers to follow in their appeals, just as it has established procedures to fairly and honestly investigate citizen complaints.

If you are not satisfied with the outcome of your complaint you may contact the Chief of Police or City Manager.

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