

Informing the Public on the Process of Filing a Complaint with The Shavano Park Police Department

(I) Educational Campaign:

In accordance to Senate Bill 1074, the Shavano Park Police Department has made significant efforts to launch an educational campaign aimed at informing the public on issues relevant to the complaint process. Special emphasis has been placed on informing community members on filing a complaint relevant to racial profiling practices.

The staff of the Shavano Park Police Department has posted an article on their webpage where community members have been informed on efforts being made by the Police Department to continue prohibiting racial profiling practices among its Officers.

(II) Filing a Complaint Based on Violations of the Texas Law on Racial Profiling

UNDERSTANDING THE PROCESS

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

THE INTERVIEW

The Chief of Police or the Lieutenant will interview the individual filing the complaint. The Chief of Police or the Lieutenant will ask the alleged victim questions about what happened. It is possible that the Chief of Police or the Lieutenant may be able to explain the Officer(s)' actions to your satisfaction.

- The alleged victim will be interviewed at the Police Department's Main Building. It is possible that he/she may be videotaped during the interview.
 - The individual filing the complaint may bring a lawyer, family member or friend to the interview.
 - The Chief of Police will ask the individual filing a complaint for the names of witnesses and other Police Officers that may know facts about the complaint.
 - A Police photographer may take pictures of any injuries that the alleged victim think are related to the complaint.
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THE INVESTIGATION

After the interview, the Shavano Park Police Department will investigate the alleged misconduct. Investigators will talk to witnesses and visit the site of the incident.

- All Officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
 - A report will then be prepared.
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THE REVIEW PROCESS

The Police Chief reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges an officer with a crime, it will also be reviewed by a Review Board (RB).
 - The RB will review your complaint, statements from all witnesses and reports from the investigation. The RB may ask for additional information before making its recommendations to the Police Chief.
 - The results of investigations that suggest there are no charges that the Police Officer used excessive force or committed a crime are also reviewed by the Police Chief.
 - The Police Chief reviews investigations and makes the final decision on all complaints.
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THE FINDINGS

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

- **Sustained** - The complaint has been supported: The Officer(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis to the complaint filed.
- **Exonerated** - The Police Officer(s) involved acted properly and will not be disciplined; or
- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Police Chief will decide on a finding after the complaint has been reviewed.

(III) A COMMITMENT TO RESPOND TO THE NEEDS OF THE COMMUNITY

The Shavano Park Police Department has made a commitment to its citizens regarding the following:

1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial profiling, including the Officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.
3. Investigation of a complaint shall be conducted in a thorough and timely manner. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Chief.
4. If a racial profiling complaint is sustained against an Officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the Officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that Officer.