



MIDLAND POLICE DEPARTMENT
INTERNAL AFFAIRS
Complaint Form

Date Reported:		Time Reported:		Officer Receiving Complaint:		Method of Complaint: <input type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> Letter	
Complainant's Full Name:			Race:	Sex:	D.O.B:	Driver's License Number:	Other Identification:
Complainant's Home Address:			Home Phone:		Place of Employment:		Business Phone:
Date of Incident:	Time:	Location of Incident:			Was complainant arrested? <input type="checkbox"/> YES <input type="checkbox"/> NO		Complaint / Case #
#1 Witness			Address:		Telephone:		Place of Employment:
#2 Witness			Address:		Telephone:		Place of Employment:
#3 Witness			Address:		Telephone:		Place of Employment:
NAME OR IDENTIFIERS OF MIDLAND POLICE EMPLOYEE(S) AGAINST WHO THE ALLEGATION(S) IS/ARE BEING MADE:							
No. 1 Name or description:				Bureau:		Job Title:	
No. 2 Name or description:				Bureau:		Job Title:	

NOTICE TO COMPLAINANT

You are informed that a sworn, written statement of fact (an affidavit) will be solicited. Though a sworn affidavit is preferred and requested, you are assured that your complaint will be fully investigated as far as practical in the absence of such an affidavit. (The Texas Government Code, Section 614.022, provides that all complaints to be considered on law enforcement officers must be in writing and signed by the person making the complaint.)

TEXAS GOVERNMENT CODE:

Sec. 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.

Sec. 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.(c) 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.

TEXAS STATE PENAL CODE:

Sec. 37.02 Perjury. a) A person commits an offense if, with intent to deceive and with knowledge of the statement's meaning:(1) he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or (2) he makes a false unsworn declaration under Chapter 132, Civil Practice and Remedies Code. (b) An offense under this section is a Class A misdemeanor.

Sec. 37.03. Aggravated Perjury. (a) A person commits an offense if he commits perjury as defined in Section 37.02, and the false statement:(1) is made during or in connection with an official proceeding; and(2) is material.(b) An offense under this section is a felony of the third degree.

Sec. 37.08. False Report To Peace Officer, or Law Enforcement Employee. (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.

***By signing below, the complainant is acknowledging having read and understood the foregoing NOTICE TO COMPLAINANT and understands the penalties for making a false statement.**

Signature of Complainant: _____

COPY PRESENTED TO EMPLOYEE

I have received a copy of this complaint on this date.				Presented by:			
Employee Signature:							
Supervisor Assigned:		Rank	PIN	Bureau:	Division:		
Investigator Assigned:		Rank	PIN	Date Assigned:	Assigned by:		

