

Filing a Complaint Based on Violations of the Texas Law on Racial Profiling – S.B. 1074

The following information has been made available to residents, employees, students and faculty at the University of Texas Health Center at Tyler Police Department:

UNDERSTANDING THE PROCESS

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

THE INTERVIEW

A police officer (rank of sergeant) will interview the individual filing the complaint. The officer will ask the alleged victim questions about what happened. It is possible that the officer may be able to explain the officer(s)' actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Police Department. 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 police officer 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.

THE INVESTIGATION

After the interview, the University of Texas Health Center at Tyler Police Department will investigate the alleged misconduct. Investigators will talk to witnesses and visit the site of the incident.

- The investigators will consist of police officers assigned to the Professional Standards Section.
- All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they 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.
- A report will then be prepared.

THE REVIEW PROCESS

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

- 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 Chief of Police.
- The Chief of Police reviews investigations and makes the final decision on all complaints.

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 Chief of Police will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.