

TEXARKANA, TEXAS POLICE DEPARTMENT  
GENERAL ORDERS MANUAL

<i>Effective Date</i> <b>February 1, 2008</b>		<i>Amended Date</i>		<i>Directive</i> <b>2.06.1</b>	
<i>Subject</i> <b>Complaints Requiring an Investigation</b>					
<i>Reference</i>					
<i>Distribution</i> <b>All Personnel City Manager City Attorney</b>		<i>TPCA Best Practices Recognition Program Reference</i>  <b>2.06.1 Complaints Requiring an Investigation</b>		<i>Review Date</i>  <b>June 7, 2023</b>	
				<i>Pages</i>  <b>2</b>	

**This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.**

**SECTION 1 PURPOSE**

The purpose of this policy is to govern the classification of complaints and identify which complaints will be investigated by the Office of Professional Responsibility (OPR) and which complaints will be investigated by first line or second line supervisors.

**SECTION 2 POLICY**

It is the policy of the Department to promptly and thoroughly investigate all complaints against employees when said complaints are written and signed by the complainant. It is the policy of the Department to promptly and thoroughly investigate every complaint alleging criminal conduct regardless of how the information is received.

**SECTION 3 PROCEDURES**

**A. CLASSIFICATION OF COMPLAINTS AND DEPARTMENTAL REPONSES**

1. **Formal Complaint / Formal Internal Affairs (IA) Investigation** - Formal Complaints are those complaints which involve an allegation of criminal conduct, any serious departure from department policy, or complaints that could reasonably result in formal disciplinary action according to Texas Local Government Code, Chapter 143, Subsection D, Disciplinary Actions. These complaints are likely to result in formal disciplinary action if sustained, and the complaint will require a formal internal affairs investigation. The Office of Professional Responsibility will investigate formal complaints. Examples of formal complaints include:
  - a. Allegations of criminal misconduct.
  - b. Excessive use of force.
  - c. Allegations of unlawful search or unlawful arrest.
  - d. Allegations of violating a person's civil rights.

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- e. Allegations of racially motivated police actions.
- f. Officer involved shootings.
- g. Sexual Harassment or creating a hostile work environment.
- h. Any conduct that seriously degrades the integrity or good order of the Department.

2. **Informal Complaint / Administrative Inquiry or Supervisor Review** – Informal Complaints are those complaints which DO NOT involve an allegation of criminal conduct, any serious departure from department policy, or complaints that could reasonably result in formal disciplinary action according to Texas Local Government Code, Chapter 143, Subsection D, Disciplinary Actions. These complaints do not require a formal internal affairs investigation and will be investigated by someone in the employee's division. Examples of informal complaints may include:

- a. Disrespectful treatment of prisoners or citizens not classified as excessive force.
- b. Inadequate police service.
- c. Traffic violations.
- d. Employee performance matters.
- e. Violation of uniform or personal appearance standards.
- f. Complaints that do not rise to the level of a policy or procedural violation but may indicate a need for training or guidance for the employee.
- g. Instances when the complainant refuses to cooperate when contacted by the Office of Professional Responsibility or refuses to provide a written signed statement.

**B. RESPONSIBILITY**

- 1. All members of the Department shall know and comply with all aspects of this directive.
- 2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.