

FALSE COMPLAINTS

People who intentionally make false complaints or allegations against police violate Chapter 37 of the Texas Penal Code. Texas law provides punishment for an individual adjudged guilty of committing an offense if, with intent to deceive and knowledge of the statements meaning, he / she 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.

A person who commits an offense under this section can be charged with offenses ranging from a Class B Misdemeanor to a Felony of the Third Degree. Punishments can range from confinement of 180 days in jail to 10 years of imprisonment and a fine not to exceed \$10,000.

This information is not intended to intimidate the complainant or any witness, but is provided to avoid retaliation against police officers or departmental staff.

WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?

If you are not satisfied with the results of the investigation you may appeal to:

- ⇒ The Office of the City Manager, located in City Hall, 206 N. Murphy Road, Murphy, Texas

- ⇒ Collin County District Attorney located at the Collin County Courthouse, 210 S. McDonald, McKinney, Texas

- ⇒ Federal Bureau of Investigation located at 2801 Network Blvd., Suite 710, Frisco, Texas

Courtesy.....

Dedication.....

Professionalism.....

Murphy Police Department

Arthur Cotten, Chief of Police
206 N. Murphy Road
Murphy, TX 75094

Phone: 972-468-4200
Fax: 972-468-4277
Email: acotten@murphy.tx.org

Website:

<http://www.murphytx.org/112/police>



**Murphy Police
Department**

How to Make a Compliment or Complaint

The Murphy Police Department is dedicated to providing the best police service possible to the residents and visitors of Murphy. Police employees are carefully selected and given the best training possible in order to provide this service. However, you may have occasion to lodge a complaint in reference to the actions of a member of the Murphy Police Department. In order to be responsive to you, we are providing the following information about how complaints are made, how they are investigated and their results.

The Murphy Police Department is vitally concerned with the welfare of all residents and visitors to Murphy. The department will take action where employees have been proven derelict in their duties or are guilty of wrong doing.

Likewise, if you have occasion to see an employee doing outstanding work, tell the employee or a police supervisor. Your Murphy Police Department is made up of individuals who are dedicated to serving you and our community.

HOW ARE COMPLAINTS MADE?

When a citizen lodges a complaint against a member of the Murphy Police Department, the complaint will be investigated by a supervisor and forwarded to the Office of the Chief of Police.

Complaints must be filed within 30 days of the incident.

TEXAS STATE LAW (Government Code 614.022) requires that all complaints against police officers must 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, the police officer must be given a copy of the complaint before any disciplinary action may be taken. The person who claims to be aggrieved must make the complaint. Other persons may give statements as witnesses.

The Chief of Police will conduct a thorough investigation of your complaint and you will be advised of the outcome.

Traffic tickets issued or differences of opinion between police officers and citizens over the issuance of traffic tickets will not be investigated. Specific allegations of misconduct or racial profiling about a member(s) of the department will be thoroughly investigated.

OFFICER CAN APPEAL THE DECISION

Just as citizens charged with criminal offenses can appeal a court's decision, a police employee is afforded the right to appeal the action taken against them. The City of Murphy has established procedures for employees to follow in their appeals, just as the Police Department has established procedures for ensuring that complaints by citizens against police employees are thorough and impartially investigated.

WHAT HAPPENS WHEN A COMPLAINT IS FOUND TO BE TRUE?

When the investigation of a complaint reveals that the charges are true, and should be sustained against a police employee, the Chief of Police notifies the employee and may take one of the following actions, depending on the nature of the violation:

- ⇒ Reprimand the employee
- ⇒ Suspend the employee without pay
- ⇒ Demote the employee
- ⇒ Discharge the employee

WHAT HAPPENS IF THE COMPLAINT IS NOT TRUE?

Police employees must be afforded certain rights the same as with all citizens and complaints must be supported by sufficient evidence. If there is not sufficient evidence to sustain the complaint, the officer is notified and continues on duty. If he was removed from duty during the investigation, the employee will be paid for that period.