



# Killeen Police Department

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**Internal Affairs Unit  
2016 Annual Report**

## The Complaint Process

Each year, Killeen Police Department's police officers, 9-1-1 call takers, and other employees have thousands of contacts with people. In some cases, individuals may question why an incident was handled in a particular way. Or, they may wish to acknowledge the employees involved. In other situations, they may disagree with the actions or conduct of a department employee.

The Killeen Police Department values the feedback it receives from the community as a means to evaluate current policies. For example, if a particular policy routinely generates questions from citizens, the policy may need to be changed, or employee training may need to be increased in that area. Occasionally, our employee's actions may be inappropriate and warrant corrective action.

The Killeen Police Department takes citizen's concerns seriously. We believe the public is entitled to efficient, fair, and impartial service. We investigate all allegations of employee misconduct, respond to inquiries about employee actions or department policy, and document all commendations received from the public.

### **We investigate allegations and inquiries for these reasons:**

1. To protect citizens from actual misconduct by an employee;
2. To protect the department and those employees who conduct themselves appropriately; and
3. To identify policies and procedures that may need review or change, and to find ways to improve the quality of our service to the community.

This document explains what you can expect to happen if you file a complaint (allegation) and outlines the process time line.

Or you may prefer to call the Internal Affairs Unit at 254-501-6564, Monday - Thursday, 7:00 a.m. - 5:00 p.m., or stop by 3304 Community Boulevard, Killeen, Texas 76542.

Sometimes people do not feel comfortable making a complaint against a Police Department employee because of language barriers, cultural differences, or other reasons. If you need assistance because of language barriers, interpreters are available, contact the Internal Affairs Unit, 254-501-6564.

Killeen Police Department recognizes that its employees are responsible for their conduct where the public is concerned. The Department also acknowledges that, at certain times, conflicts between citizens and agency employees can arise. It is essential to the safety of our community that the relationship between the police and citizens be built on confidence and trust. Law enforcement cannot be effective without this vital conviction by both entities.

Police Officers must be free to exercise their best judgment and initiate proper action in a reasonable, lawful, impartial manner, without fear or reprisal. At the same time, they must

observe the rights of all people. The complaint process and appropriate disciplinary procedures not only subject agency members to corrective action when they conduct themselves improperly, the guidelines also protect them from unwarranted criticism when they discharge their duties properly.

A disagreement over the validity of a traffic violation is not a complaint. Such disagreements should be directed to the court or individual that has jurisdiction in the matter.

The Police Department realizes that confusion, different perceptions, or the timeliness of information sometimes will result in descriptions that produce different versions of the same incident. Beyond legitimate error, however, the deliberate making of a report that the complainant knows to be false or misleading could constitute a violation of State Law.

The complaint process is designed to deal with each case factually and fairly. Citizens who file complaints are treated respectfully, and their accusations are taken seriously. All properly filed complaints are investigated thoroughly, and all findings are based on impartial evidence gained during the investigation.

However, many complaints can be explained satisfactorily by a visit or telephone call to the employee's supervisor. The supervisor will talk with you about your complaint and try to resolve it.

- There are two types of complaints. The first and most serious are complaints alleging a violation of a law. The second types of complaints include allegations of a less serious nature and may concern violations of Department policy.
- Although employees named in a complaint will at some point be required to respond to the specific allegation, they are not permitted access to cases under investigation. Complainants need not be concerned that they will be subject to retribution for legitimately stating a complaint because procedures are in place to prevent this.
- Complainants who have current criminal or traffic charges pending should be aware that the internal review process deals solely with Department policy matters and the conduct of agency employees. Regardless of the outcome of an internal investigation, existing criminal or traffic charges must be dealt with through the proper courts.

If you choose to make a complaint, we will follow a formal process to ensure that your complaint is thoroughly investigated. When you file a complaint, you will be asked for your name, address, a telephone number where you can be reached, and the details of your complaint, including date, time, location, and name of the involved employee(s), if known. If you mail your complaint to us, the same information will be needed. This information must be in a written form with an original signature as required by state law prior to initiating a formal investigation.

When we receive your complaint, the Internal Affairs Unit will send a letter to inform you that your complaint has been received and assigned for investigation.

The assigned investigator will conduct a thorough investigation. He will interview the employee involved and any witnesses. You may be contacted for additional details or to clarify the information you have already provided.

Our policy is to complete the investigation within approximately 60 days from the date we receive the complaint. You will be notified of the final outcome upon the completion of the investigation. The employee's supervisors will make a decision about the complaint based on the facts available. The decision will be one of four findings (adjudication):

- Sustained - The employee acted improperly.
- Not Sustained - The complaint can be neither proved nor disproved.
- Unfounded - The available evidence does not support the complaint.
- Exonerated - The action alleged did occur, but the action was proper and consistent with department policy.

If an allegation is sustained, appropriate action will be taken. The action may involve counseling, verbal or written reprimand, suspension from duty, or termination. You will be notified in writing as to the disposition of the complaint that you have filed.

However, in accordance with the law, and out of respect for employees' privacy, we do not release what specific discipline was imposed on the employee.

**The Chief of Police will make final determination about the disposition of any complaint.**

### **Administrative Review**

The Internal Affairs Unit may be requested at the direction of the Chief of Police to conduct an administrative review of a specific situation to determine if sufficient facts are present that would necessitate the initiation of a formal internal affairs investigation. The review is not a formal complaint. It is simply fact gathering to determine whether formal action is required.

### **Things to Know**

The Department routinely checks the police records of the people with whom we have contact, including people who file complaints. If a Police Officer has contact with you and is aware of a warrant, he/she is legally compelled to arrest you. However, we do not want this to prevent you from giving us feedback. If you have an outstanding warrant, please clear it with the Court.

If you are an undocumented resident, we will not report you to the Department of Immigration and Naturalization Service (INS) unless you have been convicted of certain criminal offenses. It is not our job, as City police, to detect or apprehend people who may be in the country or working illegally. We want to hear from all community members.

## Complimenting an Employee

Just as we recognize that conflicts between citizens and agency employees can arise, we also realize that there are times when employees go above and beyond the call of duty. Law Enforcement employees, like everyone else, appreciate it when their good deeds are noticed. Too often they are remembered for the traffic tickets they issue or the arrests they have to make, and not for the thousands of helping hands they extend.

If an Officer or Employee of the Killeen Police Department provides services that you feel they should be commended for, please write the Chief a letter or note to that effect, giving your feelings on what the Officer or Employee has done that deserves commendation. The Chief will see that it gets to the employee and that a copy is placed in the employee's personnel file. This boosts their morale and encourages them and all other Officers and Employees of the Department to be more positive about themselves and the service they provide. We are proud of the good relationship we share with the community.

**Case Disposition**

Internal Affairs Cases	2012	2013	2014	2015	2016
Employee Left Employment Prior To Completion of Investigation	0	1	3	1	5
Exonerated	0	0	0	0	0
Not Sustained	0	1	0	0	0
Referred To Supervisor	0	0	0	0	0
Administratively Closed	0	0	0	0	0
Sustained	6	6	7	7	7
Unfounded	0	2	0	0	3
<b>Total Cases</b>	<b>6</b>	<b>10</b>	<b>10</b>	<b>8</b>	<b>15</b>

Administrative Review Cases	2012	2013	2014	2015	2016
Employee Left Employment Prior To Completion of Investigation	0	1	0	0	1
Exonerated	0	0	0	1	2
Not Sustained	0	0	2	0	1
Referred To Internal Affairs Investigation	1	0	2	1	0
Referred To Supervisor	0	5	0	1	0
Sustained	4	2	0	2	6
Unfounded	18	9	5	1	2
<b>Total Cases</b>	<b>23</b>	<b>17</b>	<b>9</b>	<b>6</b>	<b>12</b>