



DALLAS COUNTY CONSTABLE PRECINCT 3 HENRY CURRY

Personnel Complaint Procedure

1. Complete the attached Employee Personnel Complaint form. You will need to provide a written statement of the events about which you wish to file a complaint. Please be as detailed as possible. If you need additional space, you may make a copy of the second page or attach a separate piece of paper.
2. The person making the complaint should have first hand, knowledge of the incident about which they are complaining.
3. All pages must be notarized. You may have the form notarized by a notary of your choice. The complaint form may be returned to the department in person or by mail.
4. Once received by the Supervisor, the complaint will be assigned to the appropriate individual for investigation. The individual will normally contact you within 10 business days. There may be a need for additional information, clarification of points in your statement, or other needs based on the individual circumstances of your complaint.
5. Investigations should normally be completed within 30 days of the receipt of the complaint. The nature and complexity of an investigation may require longer.
6. Once the investigation is completed, it is submitted to the Constable for review.
7. You will be informed of the disposition by mail.
8. If you have any question during the process, please call the individual assigned to the complaint.
9. Personnel complaints will not be accepted more than 30 days after the alleged incident, with the following exceptions.
 - a. When the complainant involves a criminal violation, the criminal statute of limitation will prevail. These limitations will not prevent the department from taking action deemed necessary to preserve the integrity of the department.
 - b. When the complainant can show good cause for not making the complaint within the specified time limit, the Constable or Chief Deputy may waive this requirement.
 - c. Complaints should be submitted in person or by mail to:
Dallas County Constable Department, Precinct 3
6820 LBJ Frwy Suite 1400
Dallas, Texas 75230
214-904-3160

Affidavit of _____

County of _____

State of Texas_____

The undersigned, _____, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of the State of _____.
2. I have personal knowledge of the facts herein, and if called as a witness could testify completely thereto.
3. I suffer no legal disabilities and have personal knowledge of the facts set forth below.

[illegible]

I have read the above statement consisting of _____ pages, which is based on my personal knowledge and it is true, correct and complete.

Executed this _____ day of _____, 20_____.

Signed _____
Name

Subscribed and sworn to before me, the undersigned authority, on this _____ day of _____, A.D. _____.

Notary Public

My commission expires:

Contact Information

Name: _____

Address: _____

Phone: _____

Secondary Phone: _____

Email Address: (optional): _____

Best time for contact: _____

TEXAS 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.

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.

Added by Acts 1993, 73rd Leg., ch.268, § 1, eff. Sept. 1, 1993.

Amended by:

Acts 2005, 79th Leg., Ch. 507, § 1, eff. September, 2005.