



GONZALES COUNTY SHERIFF'S OFFICE

Filing a Complaint

The Gonzales County Sheriff's Office is dedicated to providing the best law enforcement services possible to the residents, businesses, and visitors of Gonzales County. Sheriff's office employees are carefully selected and given the best training available in order to provide professional service. However, you may have occasion to file a complaint in reference to the actions of a member of the Gonzales County Sheriff's Office. In order to be responsive to you, we are providing the following guidelines on how complaints should be made, how they are investigated, and their results.

HOW ARE COMPLAINTS MADE?

Any person wishing to make a complaint, may do so by coming to the Gonzales County Sheriff's Office located at 1713 E. Sarah Dewitt, Gonzales, TX 78629 or by filling out the form found on our website at www.gonzalescountysheriff.org under Forms/FAQs, and click on the link 'Administrative Complaint Packet' located at the bottom of the page. The packet may then be downloaded, completed and dropped off at the Gonzales County Sheriff's Office or sent via certified mail.

TEXAS STATE LAW (Government Code 614.022) requires that all complaints against peace officers be in writing and signed by the person making the complaint. Even though there are only two requirements, additional information is requested so that we are able to perform a thorough investigation of your complaint. Just as citizens who are arrested must be notified of the charges against them, peace officers must be given copies of complaints before any disciplinary action may be taken. The Gonzales County Sheriff's Office prohibits its deputy's from engaging in racial profiling. A person wishing to make a complaint in reference to alleged racial profiling by a Gonzales County Sheriff's Office deputy should follow the complaint process outlined in this document.

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 sheriff's office employee, the Sheriff notifies the employee and may take one of the following actions, depending on the nature of the violation:

- Verbal or written reprimand the employee;
- Suspend the employee without pay;
- Demote the employee; or
- Discharge the employee

WHAT HAPPENS IF THE COMPLAINT IS NOT TRUE?

Sheriff's office 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/she was removed from duty during the investigation, the employee will be immediately placed back on regular duty and paid for that period he/she was relieved of his duties.

DEPUTY'S CAN APPEAL THE DECISION: Just as citizens charged with criminal offenses can appeal a court's decision, sheriff's office employees are afforded the right to appeal the actions taken against them. The Gonzales County Sheriff's Office has established procedures for ensuring that complaints by citizens against sheriff's office employees are thoroughly and impartially investigated.

WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?

You will be notified of the results of the investigation. If you are not satisfied with the results of the investigation, you may appeal to:

- Gonzales County Sheriff Keith Schmidt
- Gonzales County Attorney's Office
- Texas Rangers
- Federal Bureau of Investigation.

The Gonzales County Sheriff's Office is vitally concerned with the welfare of all residents, businesses, and visitors to Gonzales County. The sheriff's office will take action where employees have been proven derelict in their duties or are guilty of wrongdoing.

FALSE COMPLAINTS

People who intentionally make false complaints or allegations against deputies violate Chapter 37 of the Texas Penal Code. Texas law provides punishment for an individual adjudged guilty of committing an offense, if with the intent to deceive and with knowledge of the statement's 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 (Texas State Law, Government Code 602.002). 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 witnesses, but is provided to avoid retaliation against deputies or departmental staff.

COMMEND AN OFFICER

Likewise, if you see an employee doing outstanding work, tell the employee or a supervisor or commend them online at www.gonzalescountysheriff.org. Your Gonzales County Sheriff's Office is made up of individuals who are dedicated to serving our community.

GONZALES COUNTY SHERIFF'S OFFICE
Formal Complaint Form
(Incident Details)

Date of Report: _____ Time of Report: _____ a.m. p.m.

Date of Incident: _____ Time of Incident: _____ a.m. p.m.

Name of Complainant Age D.O.B. Race Sex

Home Address City State Zip Code Phone #

Business Address City State Zip Code Phone #

Driver's License Number State Social Security Number



Were you charged with an offense in this incident? YES or NO

Charges Filed:

If known, please list the name, badge number and / or assignment of the employee(s) involved in this incident:

What type of complaint are you filing?

- Service complaint** – (Dissatisfaction with law enforcement service)
- Rudeness**
- Excessive Force**
- Inappropriate Conduct**
- Other**
