



COLORADO COUNTY SHERIFF'S OFFICE

R.H. "CURLY" WIED, SHERIFF



P.O. Box 607, COLUMBUS, TEXAS 78934
979-732-2388
WWW.COLORADOSO.NET

Citizen Complaint Information

The Sheriff is dedicated to delivering the highest level of service possible to all citizens of Colorado County, along with those who are visiting or passing through the community. To better provide these services, we would like to be informed when our employees are performing well, and in contrast, when there is a complaint that needs to be addressed. The guidelines in this section have been established for providing a compliment or complaint. The employees at the Colorado County Sheriff's Office consist of Deputies (Peace Officers), Correctional Officers (Jailers), Telecommunicators (Dispatchers), and an Administrative Assistant.

Compliments:

If you would like to commend a Deputy or an employee for an outstanding job, please send a letter or an email to the Sheriff at the following:

- ATTN: Sheriff R. H. "Curly" Wied
2215 Walnut St.
Columbus, Tx 78934
rhwied@co.colorado.tx.us

Commendation letters will be placed in the employees personnel file as a permanent record. If you are unsure of the name of the Deputy or employee, you may contact the Sheriff's Office at 979-732-2388 ext. 2 and ask to speak with a supervisor to obtain more information.

Complaints:

If you believe that a Deputy or employee has engaged in misconduct, you may download the Citizen Complaint Form and return it to the Sheriff's Office in person or by mail (address listed above). You may also pick up a complaint form at the Sheriff's Office which will be available in the lobby. The complaint must be in writing, signed, and notarized prior to being considered. You may ask to speak with a supervisor to explain the process and to hear the complaint. The Sheriff will review the complaint and assign it to a supervisor to be investigated. Once the investigation has been completed, you will be notified of the outcome.



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Requirements:

Pursuant to the Texas Government Code, before a complaint can be considered, it must be in writing, signed by the person making the complaint, and provided to the Deputy or employee before any disciplinary action can be taken. These requirements are set forth by State law as follows:

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.

A citizen who files a complaint in good faith will not be subjected to adverse consequences or harassment by any Deputy or employee of the Sheriff's Office. Employees who engage in this behavior will face appropriate disciplinary action. Complaints that are informal, anonymous, or involves the difference of opinion over the issuance of traffic citations, or the difference of opinion between guilt or innocence, will not be investigated.



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False Complaints:

Pursuant to the Texas Penal Code, false complaints may be investigated as a criminal offense. All complaints must be supported by enough evidence to prove the allegations or misconduct. Sheriff's Office employees are afforded due process and have the right to appeal administrative action taken against them. If sufficient evidence cannot be established, the employee and citizen who filed the complaint will be notified, and the employee will resume normal duties. Prior to filing a complaint, all individuals should be aware of the State law as follows:

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.

Sec. 37.08. FALSE REPORT TO PEACE OFFICER, FEDERAL SPECIAL INVESTIGATOR, OR LAW ENFORCEMENT EMPLOYEE. (a) A person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to:

- (1) a peace officer or federal special investigator conducting the investigation; or
- (2) any employee of a law enforcement agency that is authorized by the agency to conduct the investigation and that the actor knows is conducting the investigation.

(b) In this section, "law enforcement agency" has the meaning assigned by Article [59.01](#), Code of Criminal Procedure.

(c) An offense under this section is a Class B misdemeanor.



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True Complaints:

When an investigation has determined the allegations in a complaint are true, a supervisor will notify the Deputy or employee and may take any of the following actions or a combination depending on the nature of the incident:

- Verbal Reprimand
- Training
- Written Reprimand
- Suspension Without Pay
- Demotion
- Termination

The Deputy or employee has a right to appeal the decision to take disciplinary action to the Sheriff. The Sheriff's decision to uphold or reverse disciplinary action will be final. The proper notifications will be made upon a final disposition. Certain notifications or updates can be made at various stages in the process by the Sheriff or his designee when it is determined to be necessary.