



Castleberry ISD Police Department
5228 Ohio Garden Rd. Fort Worth, Texas 76114
Phone 817-252-2009 fax 817-738-1062
E-mail: provencioa@castleberryisd.net



MEMORANDUM

DATE: 02-01-2018

TO: All Citizens

FROM: Tony Provencio- Chief of Police

SUBJECT: Complaint Procedures

The Castleberry ISD Police Department is committed to respecting the constitutional rights of all citizens in the performance of our duties. Our success is based on the respect we give to our citizens, and the respect the citizens demonstrate towards police professionals. To this end, members of the Castleberry ISD Police Department shall exercise their sworn duties, responsibilities, and obligations in a manner which does not discriminate on the basis of race, sex, gender, national origin, ethnicity, age, or religion.

The image of the Department depends on the personal integrity and discipline of all Departmental employees. To a large degree, the public image of this Department is determined by the professional response of the Department to allegations of misconduct against it or its employees. As such, the Department must competently and professionally investigate all allegations of misfeasance, malfeasance, nonfeasance by employees and complaints bearing on the Department's response to community needs and expected professionalism

In 2001, the Texas Legislature passed a law prohibiting "Racial Profiling." Police Officers may not take any enforcement-initiating action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. "Race or Ethnicity" is defined as a person's particular descent, including Caucasian, African, Hispanic, Asian, or Native American.

Examples of "Racial Profiling" include but are not limited to:

- Initiating a traffic stop on a particular vehicle because of the race, ethnicity, or national origin of the driver a vehicle.
- Stopping or detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model.



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- Stopping or detaining an individual based upon the determination that a person of that race, ethnicity, or national origin is unlikely to be in that place or part of town.
- Stopping a driver when looking for a suspect if the only commonality between the suspect and the driver is their race, ethnicity, or national origin.
- Singling out an individual for enforcement who is part of a group of individuals exhibiting similar behavior (for example, a group of drivers exceeding the speed limit) because of the individual's race, ethnicity, or national origin.

At the Castleberry ISD Police Department, all enforcement actions, particularly stops of individuals (for traffic and other purposes), investigative detentions, arrests, searches and seizures of persons or property; are based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and statutory authority. Officers are prohibited from stopping, detaining, arrests, searches, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

How to make a complaint?

Citizen complaints against a Police Department employee (sworn or civilian) can be directed to the Chief of Police, Castleberry ISD Police Department, 5228 Ohio Garden Rd. Fort Worth, Texas 76114. Complaint forms are available in the front desk of the Castleberry ISD Administration Building.

Or available online here – [Online Citizen Complaint Form](#)

Texas law requires that all complaints against police officers be in writing and signed by the person making the complaint.

Complaints must be made within 30 days of the incident, unless special circumstances exist. The person who was wronged must file the complaint; other persons may give statements as witnesses.

The complaint will be assigned an investigator who will ensure a thorough investigation of the complaint is conducted. Just as citizens who are arrested must be advised of the charges against them, a police employee must be provided with a copy of the complaint before any disciplinary action is taken. Upon conclusion of the investigation, you will be notified of the outcome of the investigation.



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False complaints

As outlined in Texas Law, “If a person knowingly and intentionally makes a false statement under oath, or swears to the truth of a false statement previously made under oath, a person may be found guilty and punished by a fine up to \$4,000, confinement in jail up to one year, or by both fine and imprisonment”.

What happens when a complaint is up held?

When the investigation determines charges against a police employee are substantiated, the Chief of Police will notify the employee and may take one of the following actions:

1. reprimand the employee verbally or in writing;
2. suspend the employee without pay;
3. demote the employee; or
4. discharge the employee.

Employees can appeal the department’s decision to uphold a complaint and the decision to discipline the employee.

What happens when a complaint is not upheld?

Complaints must be supported by sufficient evidence. When the investigation cannot find the degree of evidence necessary to prove the employee acted improperly, the employee and the citizen are both notified in writing.

Racial Profiling Complaints

CCP Art. 2.132- Law Enforcement Policy on Racial Profiling requires the department to provide public education on the racial profiling complaint process. The Castleberry ISD Police Department’s racial profiling complaint procedure is the same as the department’s complaint process, as described in this brochure.

How do I commend a Police Department employee?

1. Write a letter to the employee’s supervisor or the Police Chief at:
Castleberry ISD Police Department



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2. 5228 Ohio Garden Rd. Fort Worth, TX 76114
Commendation letters are logged and placed in the employee's permanent personnel file.
3. Call the Police Department at 817-252-2009 and ask to speak with the employee's supervisor. If you are unsure of the employee's name, describe the employee and list the specific actions or demeanor that impressed you. Mention the location, date and time the incident occurred.
4. Send an e-mail to _provencioa@castlberryisd.net_____

What Happens if You Are Not Satisfied with The Disposition of Your Complaint?

If you are not satisfied with the investigation or action taken relating to your complaint, you may seek additional action from:

- The Superintendent of Schools
- The Castleberry Board of Education