

Professional Standards

As public servants, we are entrusted with certain responsibilities and are accountable both to the citizens and the City of Tolar for the dutiful and considerate conduct of city business.

Compliments and Complaints regarding Fort Worth Police personnel may be sent directly to Internal Affairs at 8712 W. US Hwy 377, Tolar, Texas, 76476, called in to 254-835-4990, emailed to tolarpd@tolartx.gov, or [completed online here](#). Normal business hours are: 8:00 am - 5:00 pm, Monday – Friday.

The purpose is to investigate or coordinate the investigation of allegations of misconduct (including administrative allegations related criminal misconduct) against police department employees.

Misconduct Investigation Examples

Examples of typical investigations conducted by Internal Affairs include but are not limited to the following:

- Excessive force
- Sexual harassment
- Hostile work environment
- Disparate treatment due to gender, race, ethnicity, age or sexual orientation
- Retaliation for reporting the misconduct of another
- Inappropriate conduct or comment of a sexual nature
- Inappropriate comment regarding gender, race, ethnicity, age or sexual orientation

Complaint Process

Step 1 - Initiating a Complaint

"Initiating" a complaint means providing basic information including complainant information, officer information (if known), witness information (if known), and a brief description of the alleged misconduct. Initial complaints serve to start the complaint process. There are several methods for citizens to initiate complaints against Tolar Police personnel. These include in-person, regular mail, email, telephone, using the online complaint form.

1. In Person - Complaints can be initiated in person at the time of the incident by requesting that a supervisor be dispatched to the location. This request can be made to any officer on the scene. Complaints can also be filed in person by coming to the Tolar City Hall at 8712 W. U.S. Hwy 377, Tolar, Texas 76476.
2. A complaint may also be initiated by mailing written correspondence to 8712 W. U.S. Hwy 377, Tolar, Texas 76476, Attn: City Administrator. The city administrator may also be contacted by telephone at 254-835-4390, or by sending an email to tolarpd@tolartx.gov
3. For convenience, complaints may also be initiated by submitting an online complaint.

Step 2 - Investigating the Complaint

Once a complaint has been initiated as described above, the complaint is given a tracking number and is assigned for investigation. A complete and thorough investigation including as a minimum:

- Obtaining a formal sworn statement when required. Allegations that are administrative in nature usually do not require a formal statement; however, any complaint from a citizen alleging that they were harmed by an officer's alleged misconduct must include a sworn statement as required by [Texas Local Government Code 143.312\(g\)](#).
- Collecting all available evidence including video, witness statements, and any other evidence that aids in understanding the truth of what occurred.
- Assembling a comprehensive investigative report containing all relevant facts and information surrounding the alleged misconduct. This report is unbiased, impartial, and devoid of any opinions or judgment related to the truth of the complaint.

Step 3 - Complaint Review & Findings

The Officer's chain of command will review the report and will make a "finding" as to the truth of each allegation. Possible findings are described below under the Disposition section. As the case moves up the chain of command, each progressive level will either concur or disagree with the preceding level's findings. When the case reaches its terminal level the final finding will be applied and the appropriate recommended action (if any) will be taken.

Step 4 - Disciplinary Action

Disciplinary Action will only be taken for sustained allegations as described above. If an allegation is found to be anything other than sustained, no further action will be taken for that allegation. In accordance with 143.312(g), Internal Affairs must notify officers of the allegations against them before the officer can be interviewed.

"Disciplinary Action" means a suspension, demotion, or indefinite suspension. A suspension is time off work without pay, a demotion is a reduction in rank with a corresponding reduction in pay and assignment, and an indefinite suspension is the equivalent of termination. In each of these disciplinary actions, an Officer is entitled to certain rights described below in the Legal Stuff section.

Disposition

How is an allegation proven, what are the possible "findings"?

An allegation is "sustained" when the evidence indicates that it is more likely than not that a violation of the policy or procedure occurred; this standard of evidence is called the "preponderance of evidence".

Possible findings for alleged misconduct include:

1. Unfounded: The investigation conclusively proved that the act or acts complained of did not occur, or the member named in the allegation was not involved in the act or acts, which may have occurred.

2. Exonerated: The act or acts which provided the basis for the allegation or complaint occurred; however, the investigation revealed the act or acts were justified, lawful, and proper.
3. Sustained: The investigation disclosed sufficient evidence to clearly prove the allegation made in the complaint.
4. Not Sustained: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation made in the complaint.
5. Complaint Withdrawn: The complainant affirmatively indicated the desire to withdraw his/her complaint.

Legal Stuff

Some of the legal protections afforded to Police Officers include:

- Right to notice of allegations against them
- Right to a copy of personnel complaint including sworn statements from complainants
- Right to 48 hours notice before being interviewed
- Right to appeal disciplinary action (suspension, demotion, indefinite suspension)
- Right to due process (4th & 14th amendment)
- Right to pre-disciplinary meeting (Loudermill meeting)
- Right to view videos, statements, and other information prior to interview
- Right to remain silent in criminal investigation (5th amendment)
- Right to counsel in criminal investigation (6th amendment)