

## **RACIAL PROFILING PROHIBITED**

The Bastrop Police Department has established a policy concerning the prohibition of racial profiling as set out in state and federal laws concerning racial profiling and discriminatory practices in general. Discrimination in any form, including racial profiling, is strictly prohibited and the department will take immediate and appropriate action to investigate allegations of discrimination. This policy applies to all members of the Bastrop Police Department both sworn and non-sworn.

### **WHAT IS RACIAL PROFILING?**

Racial profiling is any law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or information identifying the individual as having engaged in criminal activity.

Examples of racial profiling include but are not limited to the following:

- Initiated a traffic stop on a particular vehicle because of the race, ethnicity, or national origin of the driver of the 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 of vehicle.
- Stopping or detaining an individual based on the determination that of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

### **DATA REPORTING**

Personnel designated by the Chief of Police will compile and place into a report format all incidents concerning racial profiling. The Chief of Police shall disseminate this data as required by statute.

# **City of Bastrop Police Department**

**City of Bastrop Police  
Department**

104 Grady Tuck Lane  
Bastrop, Texas 78602  
(512) 332-8600



**Clint Nagy  
Chief of Police**  
[c nagy@cityofbastrop.org](mailto:c nagy@cityofbastrop.org)

**How To File A  
Complaint**

Your Bastrop Police Department is dedicated to providing the best police service possible to all of Bastrop's Citizens. Your police employees are carefully selected and given the best training possible in order to provide this service. However, you may have an occasion to lodge a complaint about the actions of a member of the Bastrop Police Department. In order to be responsive to you, we are providing the following information about how complaints are made, how they are investigated, and the final outcome of your complaint.

## HOW ARE COMPLAINTS MADE?

When a citizen lodges a complaint against a member of the Bastrop Police Department, the complaint goes to the Internal Affairs Division (supervisors) located at 104 Grady Tuck Lane, Bastrop, Texas. Their duty is to review and thoroughly investigate your complaint. The Internal Affairs Office is open from 8:00 a.m. to 5:00 p.m. each weekday. If the Internal Affairs Division is not open you may lodge your complaint with any supervisory officer of the Police Department. Your complaint will be forwarded to the Internal Affairs Division.

TEXAS STATE LAW requires that all complaints against police officers must be in writing and signed by the person making the complaint. Just as citizens who are arrested must be notified of the charges against them, the police officer must be given a copy of the complaint before any disciplinary action may be taken. Complaints must be made by the person aggrieved. Other persons may give statements as witnesses.

The Internal Affairs Division will conduct a thorough investigation of your complaint and you will be advised of the results.

Traffic citations issued, differences of opinions between police officers over the issuance of a traffic citations, or the guilt or innocence of persons arrested will not be investigated unless there are specific allegations of misconduct against officers.

## FALSE COMPLAINTS

Sometimes people make false complaints against police officers. Citizens should be aware that this is a violation of the Texas Penal Code. Section 37.02 (Perjury) provides punishment for those individuals adjudged guilty of committing an offense, if with intent to deceive and had knowledge of the statements meaning; 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.

A person convicted under this section can be confined in jail for a term of not more than (1) year and a fine not to exceed \$4,000. This information is not intended to intimidate citizens or prevent them from making valid complaints. It is the intent of the department to persuade individuals from seeking retribution by filing false complaints against police officers.

## 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 police employee, the Chief of Police notifies the employee and may take one of the following actions, depending on the nature of the violation.

- Verbal Reprimand
- Written Reprimand
- Time off without compensation
- Demotion
- Termination

## WHAT HAPPENS IF THE COMPLAINT IS NOT TRUE?

Police employees must be afforded the same rights as with all citizens, and complaints must be supported by sufficient evidence.

If there is not sufficient evidence to sustain the complaints, the officer is notified and continues on duty. If he/she was removed from duty during the investigation he/she will be paid for that time.

## CAN THE OFFICER APPEAL THE DECISION?

Yes. Just as citizens charged with a criminal offense have the right to appeal the courts' decision, police officers also have the right to appeal administrative actions taken against them. The City of Bastrop has established procedures for officers to follow in their appeals process, just as the Police Department has established procedures for insuring that complaints by citizens against officers are thoroughly and honestly investigated.

## WHAT IF YOU ARE NOT SATISFIED WITH THE DECISION?

If you are not satisfied with the results of the investigations by the Internal Affairs Division you may appeal to the following:

- The Office of the Chief of Police  
104 Grady Tuck Lane, Bastrop, TX 78602
- The Office of the City Manager  
1311 Chestnut St, Bastrop, TX 78602
- The Office of the District Attorney  
804 Pecan St., Bastrop, TX 78602
- Federal Bureau of Investigation—Austin Office  
300 E. Eighth Street, Suite 215, Austin, TX 78767

The Bastrop Police Department is vitally concerned with the welfare of all Bastrop Citizens and in taking actions where employees have proven derelict in their duties or are guilty of misconduct. If it becomes necessary for you to make a complaint, you can be assured that it will be given a fair and thorough investigation.

By the same token, if you have occasion to see an employee doing outstanding work, tell him/her or drop us a note.

The Bastrop Police Department is made up of individuals who are dedicated to serving and protecting the health, welfare and safety of you and our entire community.

