



Mineral County Sheriff's Office

- CREEDE, COLORADO -

Sheriff Terry Wetherill

Undersheriff Chris Snell

Personnel Complaint Form

Our mission:

We strive to build strong Mineral County community partnerships while providing effective and efficient public safety to every individual. We pledge to serve with Character, Integrity, Competence and Communication.

Policy:

The sheriff's deputy must be able to act independently and make decisions within the bounds of the authority granted to him/her. The deputy must also be free to exercise their best judgment and to initiate action in a reasonable, lawful and impartial manner without fear of reprisal, while meticulously observing the rights of all the people. It is the Sheriff's responsibility to discipline personnel to corrective action when improper conduct is determined, but will also serve to vindicate personnel from unwarranted charges of criticism when duties are properly performed.

Our goal at the Mineral County Sheriff's Office is that you will never need to use a Personnel Complaint Form.

Personnel Complaint Defined:

Personnel complaints are defined as any allegation of misconduct or improper job performance against any sheriff's office employee that, if true, would constitute a violation of office policy, federal, state or local law.

How to submit a complaint:

Fill out the below form online and email it to Sheriff@mincocolo.com or you can print it out and mail it to PO Box 454 Creede, CO 81130.

What happens after you submit the form:

After your Personnel Complaint Form has been received online or in the mail; the Sheriff will meet with you to discuss the complaint. Sometimes issues can be resolved at this point after discussing with the Sheriff, who may be able to answer your questions and concerns. Should you request further investigation after speaking with the Sheriff or the Sheriff determines that further action is warranted, an investigation will be initiated.

After an investigation has been initiated the employee(s) will be notified of the impending complaint and investigation. The investigator will contact you, all available witnesses and involved employees. Taped interviews may be conducted and the investigator will examine any relevant physical evidence and gather information pertinent to each allegation made in the complaint. Each allegation will be examined on its own merit in an objective manner. The investigator completes a comprehensive investigative report. A finding is made on each allegation and each is classified as follows:

- *Unfounded:* The alleged act(s) did not occur or did not involve sheriff's office personnel.
- *Exonerated:* The alleged act(s) occurred, but were justified, lawful, and/or proper.
- *Not Sustained:* There is insufficient evidence to prove or disprove the allegation.
- *Sustained:* There is sufficient evidence to establish the act(s) occurred and that it constituted misconduct.



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Notification of Findings:

You will be notified in writing of the disposition (finding) of the complaint at the completion of the investigation. If the complaint allegation(s) is sustained, the Sheriff will administer appropriate disciplinary action against the employee(s), which may vary depending on the severity of the offense, the employee(s) past performance, and other associated factors. Discipline may range from remedial training, counseling, verbal or written reprimand, suspension, demotion, termination, and or prosecution.

Court Proceedings:

Often as a violator, the only "complaint" a person will make is that they are innocent of the charge. The validity of the arrest and the guilt or innocence of the person arrested or cited must be determined by a court of law, not the Sheriff's Office. The court proceedings provide an impartial forum where both sides of the case can be heard and the truth determined. If you are charged with a criminal offense or traffic violation associated with your complaint, the investigation may be suspended until the completion of the criminal trial.

What if you are not satisfied with the results of the investigation?

We sincerely hope that would never happen. But if it does, we encourage you to contact the Sheriff to discuss the outcome of the investigation. We may be able to provide you additional information and explanation that would be helpful to you.



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PERSONNEL COMPLAINT FORM

INCIDENT INFORMATION

Date of Incident	Time of Incident
Location of Incident	

COMPLAINANT INFORMATION

Your Full Name			Date of Birth	Employer / School
Address		City	State	Zip
Home Phone	Work Phone	Cell Phone	Other Phone	Email

WITNESS INFORMATION

Full Name			Date of Birth	Employer / School
Address		City	State	Zip
Home Phone	Work Phone	Cell Phone	Other Phone	Email

Full Name			Date of Birth	Employer / School
Address		City	State	Zip
Home Phone	Work Phone	Cell Phone	Other Phone	Email

SHERIFF'S OFFICE EMPLOYEES INVOLVED

Employee Name		Employee Name	
Badge No.	Vehicle No.	Badge No.	Vehicle No.

Allegation of Racial or Identity Profiling? Yes No

Per Penal Code Section 13519.4(e) Racial or identity profiling is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description.

Form continued on next page.



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MISCONDUCT ALLEGED (Please be very specific and detailed. Sign the bottom of this page.)

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A DUPUTY FOR ANY IMPROPER LAW ENFORCEMENT CONDUCT. STATE LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZEN'S COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE A DEPUTY BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

I have read and understand the above statement. _____ Date _____
(parent / guardian if under 18 years old)

MINERAL COUNTY SHERIFF'S OFFICE USE ONLY

Name and Badge Number	Date and Time Received	Date Copy Given or Mailed to Complainant
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