



## NOTICE OF COMPLAINT, INVESTIGATION, & GARRITY WARNING

ISSUED TO: Jeff Douthit

ISSUED BY:  Digitally signed by Paul S. Spencer  
Date: 2022.08.31 10:07:41 -05'00'

DATE: 8/31/22

RE: Complaint Log No.: 22-A-012  
Complaint Classification:  Administrative  Formal

Is the supervisor who issued and signed this Notice the complainant? [  ] Yes [  ] No  
If NO, then the complainant is the person who signed the attached report, letter, memorandum, or other document setting out the factual allegations and which serves as the actual written complaint. Attachment? [  ] Yes [  ] No

### Description of alleged conduct and/or performance, including specific dates and details (if known):

On 07/06/22 Officer Douthit was dispatched to the PD lobby regarding a found property call. The reporting party walked into the lobby at 7:25 AM and utilized the lobby phone to contact dispatch. Approximately 8 minutes later the reporting party left the lobby, (after voicing her displeasure with records) and placed the property in the records mail slot. Officer Douthit was dispatched at 7:27 AM and did not arrive on scene until 08:07 AM. A 40 minute time delay.

Officer Douthit had no knowledge the reporting party had left the scene. AVL shows Douthit was at 3725 Belt Line Rd (Dunn Bros) having breakfast/coffee with 2 other officers and a supervisor. Douthit left Dunn Bros and went through Chick-fil-A drive through prior to responding to the scene.

### The above described conduct, if true, is in violation of the following Town and Departmental policies/procedures:

204.02 Officers shall respond without delay to all calls for police assistance from citizens or other members. Emergency calls take precedence, however, all calls shall be answered as soon as possible consistent with normal safety precautions and traffic laws. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no officer shall fail to answer any call for service directed to him.

402.01 No more than two (2) uniformed personnel, regardless of departmental assignments, (excluding supervisors) for a total of no more than three (3) uniformed personnel and two (2) marked vehicles (including motorcycles) will meet and/or mark out at any food establishment. This does include a trainee riding with a field training officer (FTO). The exception will be when uniformed personnel are attending departmental or Town functions such as seminars, funerals, and meetings, etc.

This Notice, along with any attachments, serves as a written complaint pursuant to §614.022 et seq. of the Texas Government Code.

**Investigation:** The allegations in the complaint will be investigated prior to any formal decision on disciplinary action. You are directed to fully cooperate in the Department's investigation. You are not to discuss this matter or the investigation with anyone other than the investigator assigned by the Chief of Police to conduct the investigation, members of the Command Staff, the Human Resources Director, or your attorney unless specifically directed or authorized to do so by the Chief of Police (or his designee).

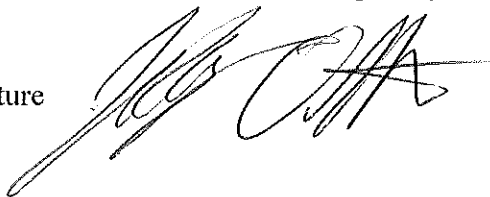
You will likely be interviewed and/or directed to make a recorded statement in response to the allegation(s) made against you. Your failure or refusal to do so or to otherwise cooperate with the Department's investigation will likely subject you to disciplinary action, up to and including termination of employment. You must respond fully and truthfully to all questions and in any verbal or written statement. You will be permitted to have your attorney with you in the room during formal interviews; however, your attorney is limited to acting as an observer during the interview process. The only exception is where the formal interview focuses on, or leads to, evidence of criminal conduct. If that occurs, your attorney may advise and confer with you during the interview.

**Garrity Warning:** As part of the Department's investigation, you may be asked to answer questions specifically directed and related to the performance of your official duties and/or fitness for employment. You are entitled to all the rights and privileges guaranteed by the laws of the Constitution of this State and the Constitution of the United States, including the right not to be compelled to incriminate yourself, including the protections afforded you under Garrity vs. New Jersey, 385 U.S. 439 (1967). Your statement(s) will not be released to any other person or agency for use against you in any criminal proceeding without an order of a court of competent jurisdiction. Further, neither your statement(s) nor any information or evidence which is gained by reason of your statement(s), can be used against you in any subsequent criminal proceeding. However, your statements may be used against you in relation to subsequent administrative charges and/or against you in a perjury prosecution arising out of the giving of a false statement.

**Questions:** If you have any questions about this process, the investigation, or the procedures you must follow, please direct those questions to Lt. Blake Potts or to the investigator conducting the investigation.

**Employee Acknowledgment:** By my signature below, I acknowledge that I received a copy of this Notice of Complaint, Investigation, & Garrity Warning form, along with any attachments, on the date and time indicated below. (Note: Failing to sign this form will be treated as insubordination and could lead to separate disciplinary action.)

Employee's Signature



**Attachments:**