



# Borough of Weatherly Police Department

65 West Main Street  
Weatherly, Pennsylvania 18255  
Phone: 570-427-4241 Fax: 570-427-4785  
E-mail: [Police@weatherlyboro.com](mailto:Police@weatherlyboro.com)

Chief Brian Markovchick.

## Complaints Against Police Officers

### Your Complaint is Important

The Weatherly Borough Police Department is committed to providing the highest level of police services to the members of the community. Policing is a very difficult and complex job in today's society and we understand that services provided by our police officers may fall short of a person's expectations.

The members of the Weatherly Borough Police Department are aware of the important responsibilities and duties they have as public servants. We must maintain trust and integrity in the community. The Weatherly Borough Police Department operates under the constitutional guarantees afforded to everyone and under the laws that govern us. The courteous receipt of complaints, thorough and impartial investigations, and fair dispositions to the complaints are important in maintaining the confidence of our citizens.

### Understanding the Process

A complaint against a police officer may be filed in the following ways:

- Call the Weatherly Borough Police at (570)427-4241 and ask to speak with the Chief. If the complaint is against the Chief, call (570)427-8640 and ask for the Borough Manager.
- You may respond to the Police Department in person and ask to speak with the Chief.
- You will be provided with a written complaint form in which you may document your Complaint
- You can receive a complaint form without providing any specifics about the complaint, and one can be mailed to you if you wish.

Return the form to the Weatherly Borough Police Chief or Borough Manager You may also mail a completed form to the Police Department and or Borough Manager.

Information in a completed complaint form should include:

- Date, time and location of the incident
- Names, badge numbers or vehicle numbers of the officers involved
- Names addresses and phone numbers of any witnesses
- Be as specific as possible

Complaints will not be investigated if the complaint is received more than ninety (90) days after the alleged incident, except if the complaint against the officer(s) involves an alleged criminal violation, or the complainant can show proper documentation or cause on why he/she refrained from making the complaint within the specified time designated by departmental guidelines

**After a Complaint is Filed**

The completed written complaint form will be forwarded to the Chief of Police and Borough Manager for review. The Chief and Borough Manager will decide whether Police Chief will investigate the complaint, or if it will be turned over to outside agency for investigation.

The investigating officer will contact you to set up an interview concerning the complaint. An investigation will be conducted, including interviewing witnesses, and one of the following conclusions will be made:

- Sustained – The incident is determined to have occurred and an assessment is made to determine the level of discipline, retraining, or counseling to be recommended for the officer(s).
- Insufficient Facts – There are not enough facts to prove whether the incident occurred or not.
- Exonerated – The incident occurred, but the officer was justified, lawful and proper. And did not violate any laws or any Weatherly Police Policies or Procedures.
- Unfounded – The investigation determined that the incident did not occur, or that the individual named in the complaint was not involved.

The Borough Manager is the final departmental authority for discipline.

You will be notified of the findings and disposition of your complaint. Please be sure to make the investigating officer aware of any change of address or phone numbers. If you are dissatisfied with the findings, you may make an appointment with the Chief of Police and or Borough Manager

## Weatherly Police Compliant Form Instructions

Blocks #1 through #5 are mandatory.

Block #1 - NAME – Full First and Last Name

Block #2 – ADDRESS – Address and Contact Information

Block #3 - REMARKS – Please provide a brief description of the events leading up to your initial contact with Weatherly Police personnel. In describing the incident, thoroughly detail the events surrounding your complaint, including the date, day of week and time of day. Also list the names, addresses and telephone numbers of anyone who was present when the incident occurred. If your complaint includes verbal abuse or rudeness, include the specific term, phrase or language you found offensive.

If an arrest action has taken place by the Weatherly Police, personnel complaints filed with this office will have no impact upon such cases. Issues regarding the validity of an arrest must be adjudicated before the appropriate judicial authority. In accordance with due process, you are entitled to request a hearing/appeal and present those issues before the judiciary identified on the citation/summons.

Block #4 – SIGNATURE – An original signature must be placed on the Complaint Verification Form.

Block #5 – DATE – Date form was signed. (Not the date of the allegation)

**Warning: Pennsylvania Crimes Code Title 18 specifically states Section 4904: Unsworn falsification to authorities**

A person commits a **misdemeanor of the second degree** if, with intent to mislead a public servant in performing his official function, he:

1. Makes any written false statement which he does not believe to be true;
2. Submits or invites reliance on any writing which he knows to be forged, altered or otherwise lacking in authenticity; or
3. Submits or invites reliance on any sample, specimen, map, boundary mark, or object which he knows to be false

Statements "under penalty" - A person commits a misdemeanor of the third degree if he makes a written false statement or allegation which he/she does not believe to be true, on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable.

**Note: By signing this form you acknowledge that you are aware of the seriousness of these allegations and making false statements may result in you being charged under section 4904 as listed above.**



