



# Corsicana ISD Police Department

POLICY AND PROCEDURE MANUAL  
CHIEF SCOTT STEPHENS

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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 1.01</b>	<b>Law Enforcement Agency Role</b>



**I. Policy**

It is the policy of the CISD Police Department to manage its employees and resources in a manner that maximizes operational efficiency and service to our citizens within the constraints set forth by federal and state laws and municipal ordinances. This philosophy is set forth in the CISD Police Department's Mission Statement.

**II. CISD Police Department Mission Statement**

The Officers at the Corsicana ISD Police Department are committed to effectively and efficiently creating a safe educational environment and protecting our future by providing diverse levels of service, utilizing problem solving techniques, and embracing lasting partnerships for all stakeholders involved.

**III. Value Statement**

The members of the CISD Police Department are committed to a set of values that guide the work of the organization and thus, help contribute to the quality of life for all citizens of our community. These include:

**Leadership**

Each member of the organization is responsible for establishing the direction of the Department and communicating the vision at every level of the organization. We show the way in our community by going first and guiding those who follow. We are entrusted with caring for the spirit of the organization. Leadership means we:

- Lead by example
- Do the right thing
- Look for and acknowledge things done right
- Create a trusting environment where people can develop
- Are willing to go beyond traditional expectations

**Service Orientation**

Each employee enhances the quality of life within our community and our Department through dedicated service. Service Orientation means we:

- Are empathetic and compassionate in dealing with people - Treat problems fairly and respectfully.
- Follow through on promises – if we set an expectation, we meet or exceed it
- Treat people with dignity

## **Integrity**

Our value as police employees depends upon the respect and confidence we earn from the community and each other. The integrity of each individual, as well as the organization, is necessary for citizens to give us their trust. Without this trust, we cannot expect to form a partnership with the community. Integrity means we:

- Are honest
- Admit mistakes and take corrective actions
- Do what we say we will do
- Behave consistently with our Department values

## **Excellence**

We meet challenges and adversity with perseverance to attain individual and organizational goals. Excellence means we:

- Strive for excellence in everything we do
- Are responsible and dependable
- Are accountable
- Commit to our mission and values

## **Fairness**

Fundamental to delivery of professional police service is the fair and equitable treatment of all individuals. Whether a citizen or an employee, all must be treated with dignity and respect.

Fairness means we:

- Act consistently with our values and expectations
- Let compassion and courtesy guide our actions
- Have respect for all people, their ideas and opinions
- Apply rules, regulations and laws in an unbiased manner - Treat others as we want to be treated

## **Teamwork**

Teamwork is essential to the successful operation of the Department. The team must include all employees working in partnership with each other and the community to attain our goals.

Teamwork means we:

- Recognize the police are people and the people are the police.
- Foster cooperation and collaboration with the public.
- Include others in planning, decision-making, and action. - Commit to the goals, objectives and plans of the team without concern for who receives the credit or blame.
- Recognize open communication is fundamental to successful team efforts. - Are supportive of the organization's efforts.

#### **IV. Personal Responsibility**

Each of us has a personal responsibility for the success of our community. We respect, care about, trust and support each other. We respect and encourage individual responsibility, while recognizing we have a right and obligation to participate in leading our community. Personal responsibility means we:

- Set a positive example in our personal and professional lives.
- Seek challenges and risk success.
- Take initiative.
- Accept responsibility for our mistakes.

The adherence to and belief in these values and the promotion of professional law enforcement will distinguish the CISD Police Department as a truly exceptional police organization.

#### **V. Procedure**

##### **A. Role and Responsibility**

##### **1. Goals and Objectives.**

The CISD Police Department shall establish goals and objectives, and provide quarterly updates, to ensure that the direction of the CISD Police Department is consistent with its Mission Statement.

- a. Along with their annual budget request submittal, each organizational component of the CISD Police Department shall formulate written goals and objectives with the Administration Management Analyst.
- b. Once the goals and objectives are established for each year they will be made available to all affected personnel via Departmental meetings and handouts.
- c. The goals and objectives shall tie into the respective budget request submissions, with impact statements outlining the consequences on the level of customer service.
- d. Personnel at all levels of the CISD Police Department shall be consulted to provide input during the development stage of the goals and objectives and shall be advised of the final selection of goals and objectives which will be posted in the Chief of Police office.
- e. Goals and objectives shall be submitted to the Chief of Police in conjunction with their respective annual budget requests.

(1) Additionally, a status of the current fiscal year's goals and objectives shall precede this submission, outlining the progress made on each, and the proposed goals for the annual operating budget.

## **B. Recruitment and Certification of Sworn Personnel:**

The Chief of Police shall maintain a copy of the current Texas Commission on Law Enforcement (TCOLE) standards for certification of sworn officers.

During the initial recruiting process, the Chief of Police shall review each candidate's documentation to determine if it reveals anything that is contrary to the minimum TCOLE certification standards. All sworn personnel must hold a Texas Basic Peace Officer license before performing any duties of a Police Officer.

- a. The Chief or Police or designee shall ensure that all required forms and paperwork are submitted to TCOLE within the required time frames.
- b. Prior to assuming sworn status, all CISD Police Department personnel shall take an Oath of Office to enforce the laws and uphold the constitution of the United States and the State of Texas. The Oath of Office is administered at the time of hiring.
- c. Code of Ethics. All sworn officers shall abide by the following Code of Ethics for the duration of their employment.

*“As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice. “I will keep my private life unsullied as an example to all; maintain courageous calm in the face of dangers, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. “I will never act officiously or permit personal feelings, prejudice, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence, and never accepting gratuities. “I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement.”*

C. Authority and Responsibility of Sworn Personnel:

In accordance with the laws of the State of Texas and CISD Policy the CISD is empowered to establish a Police Department consisting of a Chief of Police and such other personnel as may be required.

D. Authority of Police Chief:

The District's Chief of Police is accountable to the Superintendent of Schools and shall report to the Superintendent or designee. District police officers shall be licensed by TCOLE and be supervised by the District Chief of Police or the chief's designee. (Education Code 37.081(f))

1. Agency Jurisdiction: The jurisdiction of District police officers shall include all territory within the boundaries of the District and all property, real and personal, outside the boundaries of the District that is owned, leased, or otherwise under the control of the District and the Board.
2. Peace Officer Authority: Under the direction of the Chief of Police, the CISD Police Department's sworn personnel have the following responsibilities within an CISD PD officer's jurisdiction:
  - a. Have the powers, privileges, and immunities of peace officers.
  - b. May enforce all laws, including municipal ordinances, county ordinances, and state laws.
  - c. May take a juvenile into custody in accordance with Chapter 52 of the Family Code. (Education Code 37.081(b); Family Code 52.01(a))
3. Scope of Duties  
The Board shall determine the scope of the on-duty and off-duty law enforcement activities of its peace officers, and the District must authorize in writing any off-duty law enforcement activities performed by a District peace officer. The District peace officer shall perform law enforcement duties as determined by the Board, which shall include protecting the safety and welfare of any person in the officer's jurisdiction and protecting property of the District. (Education Code 37.081(d)(e))



- a. **Primary Duties:** The primary duties of District police officers shall be to perform law enforcement functions for the District that aid in protecting the safety and welfare of any person engaged in the educational process within the police officers' jurisdiction and in protecting the property, real and personal, of the District. In performance of these primary duties, police officers shall first attend to protecting persons and assets on school-owned property, and second, shall attend to protecting students, school personnel, and District personal property (assets) off District property but within the jurisdiction (school District boundaries) of the police officers.
- b. **Secondary Duties:** Code of Criminal Procedure Articles 2.13 and 14.03 shall guide secondary duties of District police officers, involving non-school related incidents. Article 14.03 specifies offenses committed in the presence of a police officer. Intervention into other non-school-related cases shall be handled on an emergency basis and shall be concluded within a reasonable time. The District police officer shall notify the agency with primary jurisdiction and will release the responsibility of the case to that agency. The intent of the transfer of jurisdiction is to enable more effective protection of persons engaged in the educational process, not to provide regular police service to communities.
- c. **Specific Duties:**
  - (1) To enforce the statutes of the State of Texas within jurisdictional limits as conferred by law and to arrest and charge the violators thereof.
  - (2) To take charge of all prisoners delivered to the Chief of Police by order of any court.
  - (3) To deliver any persons who may be confined upon conviction of a crime committed under the jurisdiction of the court to any school based program authorized by the Superintendent of schools or the Board of Trustees.
  - (4) To render such account of the CISD Police Department, its duties, and receipts as may be required by the Superintendent and keep records of the office, except those exempted by law, open to inspection by the Superintendent at any time.
  - (5) To direct traffic and ensure the orderly flow thereof and investigate and make reports on traffic accidents within the jurisdiction of the District.
  - (6) To perform such additional duties as may be required by the Board of Trustees.

D. (continued)

4.

- a. CISD Police Department policies and procedures are based on the requirements imposed by city, state, and federal governments and other law enforcement facts of law, as well as the time-tested experiences of CISD Police Department employees.
- b. It is the responsibility of supervisors to direct subordinates to perform their job duties within the parameters of established policies and procedures and to use proper judgment and discretion in situations not specifically covered in manuals.
- c. Orders that deviate from existing written policies/procedures, etc., may be issued by a supervisor in an emergency situation. However, all such instances will be justified and reported in writing as soon as the emergency has been brought under control.
- d. Arrest by an Officer Without a Warrant – See Policy 5.02 Arrest Procedures.
- e. Warrant Arrest – See Policy 5.02 Arrest Procedures.
- f. Alternatives to Arrest – See Policy 5.02 Arrest Procedures.
- g. Immunity from Arrest – See Policy 5.02 Arrest Procedures.

E. Authority of Non-Sworn Members over Sworn Members:

Regardless of job assignment, nonsworn members shall not have authority over sworn members in matters involving the exercise or review of police powers.

F. Duty to Obey Lawful Orders:

Members shall obey any lawful order of a superior including any order relayed from a superior by another member of the Department.

**CISD Police Department**

**1.01 Law Enforcement Agency Roles**

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**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 1.02</b>	<b>Interagency Relationship and Referral</b>



## **I. Policy**

It is the policy of the CISD Police Department to establish and maintain effective channels of communication with other law enforcement and service-providing agencies as a means of providing the appropriate level of service to its citizens and other individuals encountered who are in need of assistance. This includes referral to an agency or agencies that is/are best suited to meet their needs.

## **II. Procedure**

- A. The CISD Police Department will provide, whenever possible, up to date referral services to the citizens it serves. CISD Police Department employees should make every effort to provide the information available on agencies providing support, assistance, and information whenever requested.
  
- B. Telephone Numbers
  1. Employees should utilize the various telephone directories available throughout the CISD Police Department.
    - a. When it is necessary to contact other departments for emergency assistance during non-duty hours, officers may do so through the Communications.
    - b. Communications will be responsible for maintaining a current list of persons to be contacted for emergency assistance in other departments.
    - c. Information on responsible parties may be obtained by telephoning communications.
      - (1) Communications will check their responsible party listings and any other sources available.
      - (2) If a responsible party is still unknown, Communications personnel will contact the entity during normal business hours to obtain an updated Responsible Party (RP) listing.
    - d. Communications will maintain a directory with the telephone number and address of all community referral agencies in the area. This directory will be reviewed annually, or updated as new/replacement numbers are identified.

- C. Coordination of Homeland Security Related Issues: The Corsicana Independent School District Police Department recognizing the necessity to coordinate with other agencies, departments and jurisdictions for the purposes of identifying, preventing, and preparing for and coordinating response to homeland security threats designates the Navarro County Emergency Management Coordinator as the Department and School District Homeland Security Coordinator. This position will represent CISD interests in regional homeland security planning.

**CISD Police Department**

**1.02 Interagency Relationship and Referral**

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**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 1.03</b>	<b>Contractual Agreements</b>



**I. Policy**

It is the policy of the CISD Police Department that all paid law enforcement services be based on a precise contractual agreement to ensure an understanding of responsibilities, costs, administration, and liability issues.

**II. Procedure**

- A. Contracted Personnel: In an effort to maximize resources and provide sufficient security personnel at all CISD events, CISD PD will contract for these services with law enforcement personnel from other law enforcement agencies if needed.
- B. The Chief of Police will oversee the scheduling, payroll, and administrative support of this function.
- D. Approved Vendors: Non-CISD PD law enforcement officers wishing to contract with CISD PD to be employed must have a completed W-9 on file with CISD. All law enforcement officers must be a full time commissioned officer with a current and valid Peace Officer Certification from TCOLE.
- E. Compensation: The rate of pay will be established prior to the beginning of each school year (July 1).

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1.03 Contractual Agreements  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 1.04</b>	<b>Organizational Structure</b>



## **I. Policy**

It is the policy of the CISD Police Department to have organized components that best promote and further the community oriented policing philosophy, provides exceptional customer service to our citizens and employees, and promote the efficient and effective allocation of resources that will assist in successful accomplishment of the CISD Police Department’s mission.

## **II. Chain of Command Procedure**

- A. The CISD Police Department will utilize a chain of command for communication, command, and direction of agency personnel. The following chain of command has been established to facilitate the decision-making processes within the CISD Police Department:
  - 1. Superintendent
  - 2. Chief of Police.
  - 3. Lieutenant of Police
  - 4. Sergeant/Supervisor
  - 5. Officer/Non-Sworn Employee.
  
- B. Commensurate Authority. Commensurate authority will accompany each level of responsibility. Commensurate authority is the authority given to an individual in a particular position or assignment enabling them to make decisions necessary for the effective execution of their responsibilities.
  
- C. Delegation. Employees shall be accountable for the use of delegated authority, as well as for the failure to use delegated authority.
  
- D. Span of Control. Generally, supervisors, both sworn and civilian, will oversee those assigned to their area of control.

1. Lieutenant of Police is considered as having day-to-day supervisory responsibility to all personnel, but delegate authority to their subordinate supervisors.
  2. Lieutenant of Police will ensure that adequate and proper supervision is provided to all personnel assigned to their areas.
- E. **In the absence of the Chief of Police, the Lieutenant of Police will assume executive command of the CISD Police Department, unless otherwise designated.**
- F. **In the absence of the Chief of Police and the Lieutenant of Police, the Sergeant or assigned officer will assume executive command of the CISD Police Department, unless otherwise designated.**

### **III. CISD Police Department Organization**

The CISD Police Department is organized with a Patrol Division as described below.

#### **Office of the Chief of Police**

- A. The CISD Police Department is under the direction of the Chief of Police who reports directly to the Superintendent of the Corsicana Independent School District.
- B. Executive Authority. The Chief's executive authority for the CISD Police Department is established in Chapter 37 of the Texas Education Code.
1. The Chief of Police will have the ultimate responsibility for:
    - a. The protection of life and property,
    - b. Preservation of law and order,
    - c. Investigation and suppression of all crimes, and
    - d. The enforcement of State laws and District Policies.
  2. In addition, the Chief of Police is responsible for direction and/or management of all CISD Police Department personnel, equipment, and resources.

### **IV. CISD Police Department Organization**

The functional units within the CISD Police Department is described as follows:

## **Patrol Division**

School Based Law Enforcement Officers

Truancy/Homeless Officer

K-9/Patrol

Extracurricular Activities Coordinator

The organizational chart located in CISD Police Headquarters represents the normal authority and accountability relationships among the positions in the Department. A copy of the Organization Chart is made available to all Department employees. It also provides a limited description of position functions. Personnel in the positions shall perform and interact in a way which best contribute to the long-range goals of the CISD Police Department.

### **CISD Police Department**

#### **1.04 Organizational Structure**

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**Chief of Police**



<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 1.05</b>	<b>Direction</b>



## I. Policy

Supervisors will direct their efforts towards the intelligent and efficient performance of the functions of the CISD Police Department and will require their employees to do the same. Supervisors are responsible for the proper performance of their employees under a variety of conditions and circumstances.

## II. Procedure

### A. Verbal Communication

1. The line of authority from subordinate to supervisor shall be preserved within the department as indicated under the organizational structure of the CISD Police Department.
2. Lawful Orders. Lawful orders and commands will be given to subordinates as needed and required. Supervisors should be cognizant of current policy when issuing orders and commands and any deviations or amendments should be carefully considered and based on past practices, experiences and training.
  - a. Supervisors making decisions on critical criminal legal matters should consult with the Navarro County District Attorney's Office prior to the filing of charges. Subordinate police employees who receive lawful orders or commands from supervisors, including any order relayed from a supervisor by an employee of the same or lesser rank, shall obey such an order or command.
  - b. Employees receiving orders or commands which are in conflict with established written procedures or with a previously issued order/command, have the authority to respectfully address this conflict with the issuing supervisor. If the order is lawful, and the situation is one in which immediate action is required by the subordinate employee, the employee shall follow the direction of the last order received.
    - (1) The last supervisor who commands or orders an employee in this type of a situation will assume total responsibility for the action taken by the subordinate employee regarding the order. The employee will not be held accountable for disobeying the first

order if they are ordered by another supervisor to take immediate action, or the first order has not been modified, altered, or retracted.

- (2) Supervisors shall listen to subordinates who bring conflicting orders/commands to their attention and shall consider this information when making their decision.

If the order is deemed unlawful, as defined by federal or state law, the affected employee shall notify the issuing supervisors' supervisor immediately of the order.

- (3) As a means of ensuring that conflicting orders are not given to subordinate employees, supervisors should, under normal situations, order only those employees directly under their daily command or responsibility. If it becomes necessary, supervisors will notify the affected employee's supervisor prior to an order or command being given.
- (4) Orders that deviate from existing written or verbal orders may be issued in emergency situations. All such instances will be reported in writing to the issuing employee's supervisor.

## B. Exchange of Information

1. Timely Dissemination. The current and relevant exchange of information between all functions of the CISD Police Department is paramount to coordinating activities and ensuring that pertinent knowledge is disseminated in a timely manner.
2. The CISD Police Department uses several methods to exchange information between all functions. The more common methods are as follows:
  - a. Staff Meeting Minutes – As determined by the Chief of Police or designee.
  - b. Calls for Service Log - Daily.
  - c. Supervisor's Meeting Minutes - Monthly.
  - d. E-mail System
3. Immediate Notification. The Lieutenant or Sergeant, is responsible for immediate notification, through the chain of command, to the Chief of Police by telephone or in-person concerning the following situations.
4. Notifications should be made within a reasonable period of time after preliminary facts of the incident are determined.
  - a. All serious on-duty injuries or illnesses that require emergency medical treatment of an employee.
  - b. When a police officer fires their weapon in the course of duty, or is shot at by a suspect.
  - c. Hostage situations, or when a person has barricaded himself and threatens harm to himself or others.

- d. Armed robbery or sexual assault cases when serious injuries or death occur.
- e. Any major incident where multiple serious injuries or loss of life occur.
- f. Any serious personnel problem wherein the supervisor feels the Chief of Police should be notified immediately.
- g. Severe weather warnings for the CISD.
- h. Significant equipment failures that indicate an immediate threat to basic police services.
- i. Major incidents in which significant staffing from the CISD Police Department is committed.
- j. Other incidents, as determined by the supervisor, which have a high probability of generating mass media, political attention, or may have any negative impact on the operation of the Department or the CISD.

**CISD Police Department**

**1.05 Direction**

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**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 1.06</b>	<b>Written Directives</b>



## **I. Policy**

It is the policy of the CISD Police Department that all written communications are in compliance with State law and contain only information which is necessary and which will contribute to the attainment of CISD Police Department policy or purpose. All written communications should be clear, concise, written in black or blue ink or typed, not in conflict with other approved written communications, and should avoid duplication as much as possible. Written communications between employees from within the CISD Police Department are a vital and necessary part of the daily work routine. In addition, there are also occasions when necessity will dictate written communications to individuals or entities outside of the CISD Police Department. It is a policy of the CISD Police Department that a degree of uniformity and coordination be exercised in the issuance of written communications while at the same time allowing for personal expression.

## **II. Procedure**

This procedure applies to written communications as they pertain to CISD Police Department Policies/Procedures, CISD Police Department Directives (pertain to all department employees), Dispatch Directives (pertain to Communications personnel only), Personnel Orders, Staff Reports, Memorandums and Notices.

### **A. Written Direction**

1. Directives - a directive is a written communication from the Chief of Police issued as a temporary solution to a onetime problem, or to provide information or direction that affects CISD Police Department operations.
  - a. Any employee may propose recommendations for a directive, through their chain of command, to the Chief of Police.
    - (1) All recommendations should indicate the reasoning or situation that prompted the recommendation as a statement of the research conducted.
    - (2) The Chief of Police shall review recommendations forwarded through the chain of command and make a determination to implement or not implement the proposal.

- (3) The submitting employee shall be advised of the status of the recommendation by the supervisor who originally received it.
    - (4) The master (original) CISD Police Department Directives shall be maintained by the Chief of Police or designee in hard copy format.
  - b. All directives shall contain a sequential number that reflects the year issued (i.e. 08-001, 08-002, etc.) Directive numbers are issued and maintained by the Chief of Police or designee.
  - c. All directives shall remain in effect until cancelled or revised.
  - d. Directives that are issued as a change to CISD Police Department policy or in any way affect the current policy of the CISD Police Department shall be incorporated during the normal policy review process unless otherwise indicated by the Chief of Police.
  - e. Indexing: An indexing system will be used to cross reference written directives. This will serve to ensure that changes in one area of the manual will also be updated in all other areas affected by that change. The Chief of Police or designee.
- 2. Personnel Orders – A Personnel Order is written communication from the Chief of Police issued to provide information that affects CISD Police Department personnel and their assignments. These orders will also be utilized to communicate separation from employment and promotion.
  - a. The master (original) CISD Police Department Personnel Orders shall be maintained by the Chief of Police or designee, in hard copy format.
  - b. All Personnel Orders shall contain a sequential number that reflects the year issued (i.e. 2008-001, 2008-002, etc.). Personnel Order numbers are issued and maintained by the Chief of Police or designee.
- 3. CISD Police Department Policies/Procedures - CISD Police Departmental policies and procedures are written guidelines on the direction and operation of the CISD Police Department.
  - a. The policies are the rules and regulations with which employees will use in the performance of their duties.
  - b. All CISD Police Department policies shall be in accordance with established CISD policy and the current Memorandums of Understanding between other entities.
  - c. CISD Police Department policies and written directives shall be issued, revised and deleted only under the authority and signature of the Chief of Police and be maintained in a Policy and Procedures Manual.
- 4. Other Manuals. The Chief of Police may adopt the use of other manuals, Policies/Procedures and/or Operations Orders issued by outside agencies that address specific functions within the CISD Police Department and do not conflict with our established goals and objectives (i.e. Communications manuals, TCIC/NCIC manuals, FTO manuals, etc.).

## B. Policy and Procedures Manuals

1. Accountability. All employees shall read, adhere to, and be held accountable for all policies, procedures and directives that affect their area of responsibility.
2. The Policy and Procedure Manual is in an electronic format and is available to all employees and members of the general public on the CISD Police Department's web page. Any approved changes to CISD Police Department policy will be immediately updated and placed on the web page by the Chief of Police or designee. The Chief of Police or designee will also maintain the original hardcopies of the policies signed by the Chief of Police in a Master Policy Manual.
2. Access. All CISD Police Department employees shall have access to the current policy via CISD Police Department computers. In the event that the computerized documentation is inoperable, The Patrol Division shall maintain a current hard copy of the CISD Police Department's policy and procedure manual. A patrol hardcopy shall be kept in the Patrol Room and the Chief of Police or designee shall be administratively responsible for updating this policy and procedure manual.

C. Policy Implementation and Dissemination

1. All policies approved by the Chief of Police shall be affixed with an original issue date, last revision date, and next review date. The policy will be distributed to all members of the CISD Police Department. CISD Police Department Supervisors shall be responsible for ensuring that all new and revised policies are distributed to employees under their authority and that each employee fully understands the provisions contained therein.
2. When possible and practical, written communications establishing new policy and procedures shall be distributed to employees at least ten (10) days prior to the effective date.
3. Directives and Personnel Orders will be issued via CISD Police Department e-mail. An employee's electronic access to this e-mail constitutes receipt thereof. In addition, all Directives and Personnel Orders can be accessed electronically through the CISD Police Department's network computer system.

**III. Routine Policy Review Process/ Revisions and Corrections**

A. Policy Review Process:

1. The Chief of Police shall initiate an annual review of each CISD Police Department Policy/Procedure to determine if a need exists to purge or revise any outdated material.
2. This will be accomplished by the Chief of Police or designee through receiving input from all affected employees of the CISD Police Department. All affected employees are expected to participate in this process and provide feedback to assist in keeping the CISD Police Department's manuals current and effective.
3. All CISD Police Department policies and procedures must be approved and endorsed by the Chief of Police prior to implementation.

4. Management is inherently responsible for the development and approval of policy. The Chief of Police retains the option to accept, modify or reject proposed policy

A.

4. (continued) changes from the Planning and Research Committee or any other source, and to substitute policy changes or issuance.

B. Procedure.

1. Every policy shall be reviewed annually.
2. One month prior to the review date, the Chief of Police or designee shall advise all employees of the policies to be reviewed and shall assign a 30 day review period for all employees. This shall be done via e-mail.
3. Any employee making a recommendation shall send the recommendation directly to the Chief of Police or designee via e-mail or memorandum. The recommendation shall be comprised of the proposed change and the reasoning behind the suggested change.
4. The Chief of Police or designee may assign an “ad hoc” committee or other specialty committee to review certain proposed policies in lieu of using the regular policy review process.
5. After the Policy editors and reviewers review or make additional recommendations, the Chief of Police, Command Staff, and who shall decide to adopt or not adopt the recommendations. Final policy decisions shall be made by the Chief of Police. Upon notification of approval from the Chief of Police, the Chief of Police or designee shall make the changes to the policy.
6. After the Chief of Police, Command Staff, and officer review, the Chief of Police or designee shall edit the final policy and forward the policy to the Chief of Police for final approval.
  - a. After approval by the Chief of Police, the Chief of Police or designee shall forward the policy via department email with changes highlighted, to all CISD Police Department supervisors who shall be responsible for ensuring employees are briefed on the changes.
  - b. All CISD Police Department policies and procedures must be approved and endorsed by the Chief of Police prior to implementation.
7. The Chief of Police or designee shall place the final policy on the CISD Police Department Web page. At this time there will be no markers (strikeouts, highlights) left in the policy.

### **III. Routine Policy Review Process/ Revisions and Corrections**

C. Administratively, the Chief of Police or designee is responsible for:

1. File maintenance of the final approved policy.
2. File maintenance of all recommendations made in the changing of the policy.
3. File maintenance of Directives.
4. File maintenance of Personnel Orders.

- D. Policy Format: The CISD Police Department Policy manual shall be in outline form to address the: POLICY, PROCEDURE and sub-headings. A separate policy or chapter will cover each major topic.
- E. Policy Maintenance: The Chief of Police or designee shall maintain a file that contains a record of all policy revisions and changes that have been approved or implemented. These files shall be kept for a period of four years.
- F. Formats for Internal Memoranda, Staff Reports, Operations Plans and After Action Reports are available are available from The Chief of Police.
- G. Forms and Bulletins
  - 1. Personnel status changes are sent to the CISD Police Department by the Human Resources Department. These changes are used to update CISD Police Department records on the status change of an employee, such as promotion and/or change in salary. They may or may not be accompanied by an CISD Police Department evaluation/appraisal form depending on the employee's circumstances.
  - 2. Training Bulletins are used to provide up-to-date information on recent court decisions, law reviews, areas of liability, new techniques, etc.
- H. Correspondence Outside of the CISD Police Department
  - 1. Written communications outside the District may be in the form of memorandum or letter and shall be on approved CISD Police Department letterhead.
    - a. Correspondence shall be in the form of a memorandum for internal District governmental purposes.
    - b. Correspondence shall be in the form of a letter when addressing external governmental agencies or citizens.
  - 2. Any written (or verbal) communication that releases information to anyone other than an agent or employee of an authorized criminal justice agency (i.e. law enforcement, adult/juvenile probation officers, parole officers, attorneys for the state and/or county, etc.), concerning an employee, an investigation (past or present), suspects, intelligence information, or any other sensitive material shall be approved by the Chief of Police prior to release. This does not preclude the issuance of media and public record releases as stipulated by CISD, or CISD Police Department Policy/Procedure.

### **III. Routine Policy Review Process/ Revisions and Corrections**

- H. Correspondence Outside of the CISD Police Department (continued)
  - 3. Any external written communications sent on CISD Police Department letterhead regarding commendations, awards, policy, operations, or the



purchase of equipment, to include firearms, must have prior approval by the Chief of Police or designee.

I. Meetings

1. Executive Staff Meetings shall be held on a weekly basis unless rescheduled by the Chief of Police or designee.
2. Supervisor's Meeting: The Supervisor's Meeting is held each month, or as deemed necessary by the Chief of Police. Topics will include, but are not limited to, any relevant issues regarding the operation of the CISD Police Department.
3. Department Meetings: Staff meetings will normally be held on Monday mornings or as deemed necessary by the Chief of Police. Topics will include, but are not limited to, any relevant issues regarding the operation of the CISD Police Department. These meetings will allow all supervisors to effectively verbally communicate needs, problems or concerns of their respective units or divisions, through the chain of command, to command personnel for discussion and evaluation. These meetings will also allow the Chief of Police an opportunity to give verbal direction to staff personnel, as well as receive staff input.

J. Electronic Communications

1. System

- a. Employees of the CISD Police Department have access to the CISD information systems network consisting of:
  - (1) Electronic communication (E-Mail).
  - (2) Internet access.
  - (3) Communications between personal computers.
  - (4) Remote access and related services.
- b. The system is the property of the CISD and is to be used for official use only.
- c. All electronic communications, data, download information and input information (data) is the property of CISD.
  - (1) The data on the system may constitute a public record under Texas Law and shall be retained in accordance with CISD's records management program.
  - (2) Users of the system should recognize that this data may be disclosed to third parties.

2. General use by operators.

- a. Prior to using the system, employees will be trained on how to use the equipment properly, and will have signed the appropriate training rosters.
- b. Each employee will check their E-mail at least once during each tour of duty.

- c. The Department's IT Help Desk will be notified if there are any difficulties with accessing the system or computer application problems.
  - d. Employees choosing to utilize the e-mail system to formally address issues concerning CISD Police Department operations, grievances, personnel issues or other such matters must ensure that the proper chain of command is followed as stated in policy 2.01 (Rules of Conduct).
3. Supervisory usage
- a. On-duty supervisors will access the system daily at the beginning of the shift to obtain their E-mail.

K. Reproduction, production, and copying of CISD Police Department related documents.

- 1. CISD is the authorized vendor for the production and copying of all CISD Police Department related materials and/or documents.
- 2. Any and all requests for reproduction, production, and/or copying that are to be accomplished by the Reproduction Center or other outside vendor shall be approved by a supervisor.

**CISD Police Department**

**1.06 Directives**

**Original Issue Date: 04/01/2019**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<p><b>Corsicana Independent School District</b>  <b>Police Department</b>  <b>Policy and Procedure Manual</b></p>	
<p><b>Policy 2.01</b></p>	<p><b>Rules of Conduct</b></p>



**I. Policy**

It is the policy of the CISD Police Department that employees shall at all times conduct themselves in a professional and courteous manner and exhibit only that conduct which would exemplify the CISD Police Department to both the community and other law enforcement organizations.

**II. Procedure**

**A. General Rules**

1. All CISD Police Department employees, regardless of position, rank, or compensation, shall be provided a copy of this order and will be responsible for their familiarity and compliance with all provisions contained therein.
2. Employees, regardless of rank or position, will be responsible for the completion of assigned duties and will be held accountable to their supervisors for the satisfactory performance of those duties.
3. Employees will have assigned duty hours and will be considered off-duty at all other times unless specified by CISD Police Department policy. The CISD Police Department has the right, under certain circumstances, to recall any employee from off-duty status.
4. All employees will abide by the CISD Police Department's Code of Conduct for their respective job classifications, i.e., sworn or non-sworn.

**B. CISD Police Department Code of Conduct – The employees of the CISD Police Department are committed to a code of conduct that guides behavior and performance to ensure our professionalism is reflected in the activities and operation of the agency. As such, the CISD Police Department employees pledge to:**

1. Always remember we exist to serve the public.
2. Treat the public with dignity, respect, and understanding, without regard to race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation, and assist them in a prompt, courteous manner during all public contacts including:
  - a. Traffic contacts,

- b. Field contacts, and
    - c. in asset seizure and forfeiture efforts.
  3. Know that profiling of another based on race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation is prohibited.
  4. Maintain the highest standards of integrity, truthfulness, honesty, and impartiality in the performance of daily duties.
  5. Abide by all Federal and State laws, rules and regulations, local ordinances, CISD Police Department policies, and CISD Policies and Regulations.
  6. Conduct ourselves in a manner that shall never bring discredit or embarrassment to the CISD or the CISD Police Department.
  7. Ensure open lines of communication with all members of the CISD Police Department.
  8. Extend professional courtesy and respect to every CISD Police Department and District of CISD employee and every citizen with whom we come in contact.
  9. Maintain confidentiality of information and never compromise our positions with the CISD Police Department.
  10. Practice and promote teamwork and cooperation in all dealings with CISD Police Department and District personnel.
- C. General Rules for Sworn Personnel. All sworn personnel, regardless of rank, will comply with the following:
  1. Officers will:
    - a. Preserve the public peace,
    - b. Suppress all types of crime,
    - c. Detect and arrest violators of the law,
    - d. Protect life and property, and
    - e. Enforce the laws of the State of Texas.
  2. Sworn supervisors may direct sworn subordinates to carry out the duties listed above. However, this does not relieve or preclude a sworn supervisor from taking appropriate action as a certified peace officer for the State of Texas.
  3. Specific duty assignments and rank will not alter an officer's obligation to take police action in situations requiring immediate attention.
- D. Specific Rules. All CISD Police Department employees will comply with the following:
  1. Acceptance of Gifts, Rewards, or Gratuities:
    - a. Employees will not solicit nor accept, either directly or indirectly, rewards for performance of duties and will not ask for or accept gratuities, or use their position to seek favors of any kind.
    - b. Gratuities include, but are not limited to, free or discounted food and/or beverages.
    - c. Employees are not restricted from using coupons or discount cards that are available to the general public or part of a special business promotion.
    - d. Employees will not engage in any business transaction with a person in custody.
  2. Alcohol/Substance Abuse:

- a. Employees, on or off-duty, will not intentionally abuse any controlled substance or legal substance that would impair them to such a state that would discredit the CISD Police Department.
  - b. Employees on or off-duty should recognize that excessive consumption of alcohol resulting in disorderly conduct or driving while intoxicated violates State and local law.
3. Driving While Intoxicated (DWI)
  - a. Employees will not operate any vehicle while DWI.
  - b. If arrested for DWI by any law enforcement agency, employees will notify their supervisor immediately.
  - c. An administrative investigation will be conducted along with any criminal investigation.
4. Employees, while in uniform or wearing any identifiable part of the uniform, regardless of rank or position, will not taste, drink or purchase alcoholic beverages nor will they consume beverages that approximate the appearance or smell of an intoxicating beverage. Plain-clothes officers may consume alcohol or non-alcohol beer or wine substitute on-duty while acting in an undercover capacity with prior approval from their supervisor.
  - a. Employees will not report to duty while impaired to any degree by the use of alcohol or with blood alcohol content greater than .01.
  - b. Employees will not use or possess for use any controlled substance, narcotic or dangerous drug in violation of any Federal, State or local law. (Employees may possess controlled substances, narcotics, or dangerous drugs for official law enforcement purposes, i.e., impound, destruction, k9 aide, etc.)
  - c. Employees taking drugs, or medication which may interfere with the performance of his/her job duties, shall report the usage of the drug or medication to his/her supervisor via memorandum *prior* to going on duty.
5. The employee shall report within the memorandum, any such drugs or medications taken within seventy-two (72) hours of reporting for duty.
6. The employee shall include the name of the medication, the prescribing physician's name, address, and telephone number.
7. The memorandum shall be forwarded through the chain of command for inclusion to the employee's CISD Police Department Medical Information File, and shall be considered confidential.
8. Employees taking such drugs or medication shall determine the possibility of side effects, which may interfere with his/her job performance based upon the prescribing physician's advice, and the pharmacist's advice, and/or the warning on the drug or medication label, and notify their supervisor.

Employees shall be granted all protection provided under the Americans with Disabilities Act. In working with employees who are taking medications that may impact their performance of

essential job functions, supervisors shall be aware of the confidentiality and non-discrimination provisions of the law.

E. Nepotism/Fraternization Prohibited.

1. No employee will be permitted to directly supervise a member of their immediate family.
2. Employees shall not fraternize with, engage the services of, accept services from, or do favors for any person being investigated or arrested by the CISD Police Department for a felony offense, except as set forth in writing by the Chief of Police.
3. Employees shall not associate socially or fraternize with the spouse of any person being investigated for a felony offense or arrested by the CISD Police Department.
4. No CISD Police Department employee shall be permitted to conduct a performance review of, supervise, be placed within the direct chain of command of, or otherwise serve in a position to directly supervise, direct the work, or review the performance of another CISD Police Department employee with whom he or she is related, is a relative of, is a household member of, or with whom he or she is having a romantic relationship.

F. Attention to Duty

1. Employees will maintain a professional approach to their duties at all times. Employees will not sleep or read newspapers or magazines while on-duty and in public view, unless such conduct is part of their assigned duties.
2. Employees, while on duty, shall not have in their possession, (except in the course of duty), read, distribute, display or circulate adult oriented literature that is defined as books, magazines, periodicals or treatises characterized by an emphasis on specified sexual activities. (Refer to Policy #2.04 Sexual Harassment)
3. Members of the CISD Police Department are to conduct themselves in a professional and courteous manner at all times, remembering that we are here to serve our citizens and that our charge is to manage conflict, so as to preserve the peace. Although confrontation is a tool in law enforcement to uncover the truth, employees are to use this technique only when absolutely necessary and the application is reasonable.
4. Employees are to utilize their duty time in the furtherance of our mission and to enhance our law enforcement effort, by remaining on the constant lookout for the criminal element in our community and areas of assigned responsibility.
5. Employees shall limit any personal business, to include the use of personal cellular telephones and pagers, to that which in no way interrupts the delivery of law enforcement and community service, as well as the productivity of the individual employee.
6. Employees will check their e-mail, voice mail, and physical mailboxes at least once during each tour of duty. They will return messages in an expeditious manner.
7. Employees shall not disable either voice mail or e-mail without supervisory approval.
8. Personal Pagers/Cell Phones: Uniformed employees are permitted to carry personal pagers and cellular telephones. However, while on-duty, the devices' ringer must be set to an inaudible mode for incoming calls or left in the vehicle. While on a call or in contact with a citizen, personal calls and/or pages will not be taken.

G. Limitations of Conduct

1. Absence without proper leave.
  - a. No employee shall be absent from duty without proper leave nor shall they be absent from duty without permission, except when unable to report for duty due to sickness or injury to him/herself, their immediate family, or other personal emergency.
  - b. Employees will not leave their assigned duty post or job assignment without prior supervisory approval. This includes training and special assignments, both on duty and off duty.
2. Punctuality.
  - a. All employees shall be punctual in reporting for duty at the time and place designated by their supervisor, or as indicated on department schedules.
  - b. Failure to notify their appropriate supervisor of any absences or delays prior to the start of the scheduled duty shift by telephone, person-to-person contact shall be considered neglect of duty.
3. Court/Administrative Appearances.
  - a. Employees shall be punctual in all court attendance and administrative hearing proceedings in which a subpoena or an appearance request has been properly issued and received.
  - b. Employees will return all telephone calls received from prosecuting attorneys or attorneys representing the District in a timely manner, as directed by a supervisor and in no case later than the end of the first working day following receipt of the message.
  - c. Proper Preparation Required. Employees will be properly prepared for all proceedings and will bring all of the necessary or requested evidence and/or paperwork to their scheduled appearance.
  - d. Proper Attire Required. Employees shall wear proper attire during all pre-planned court proceedings.
    - (1) Proper attire is described as both clean and pressed (Class "B" minimum) uniform or clean business attire.
    - (2) Employees should consult with the prosecuting agency as to which attire would be most appropriate for the proceeding.
  - e. Professional Conduct Required. Employees will conduct themselves in a professional and truthful manner when giving testimony in any administrative hearing or court proceeding.
  - f. Employees will notify their supervisor and the appropriate prosecutor if they are subpoenaed or otherwise agree to either testify as a witness or assist the defense in a criminal or civil matter. Employees will provide a copy of the subpoena and case explanation to their immediate supervisor. If testimony is to be given for the defense, it will be done in plain clothes, not in police uniform, unless otherwise approved.
  - g. Employees will receive compensation for testimony in a civil or criminal case not related to CISD Police Department or a District investigation.

- h. Employees will not solicit themselves or otherwise encourage their appearance as an expert witness as a result of abilities gained through employment with the Department.
  - i. Employees will not wear the Department issued uniform or any type of police identification when testifying in a civil or criminal case not related to CISD Police Department or a District investigation.
- 4. Judicial Proceeding Participation.
  - a. Unless specifically asked by the prosecuting agency, employees shall not recommend punishment or reduction of sentence for any offense unless the employee is the arresting officer, the primary victim, or a witness to the offense.
  - b. Such recommendations will be accomplished only as a means of cooperation with the prosecuting agency in the interest of justice.
- 5. Sickness/Illness/Injury Reporting.
 

CISD Police Department employees who are unable to report to duty due to illness or injury will first make a notification to the on-duty police dispatcher. The employee is then required to notify by phone or in person their immediate supervisor at least sixty minutes prior to the start of their assigned shift.

  - a. In the event that the employee's immediate supervisor is not available, the on duty supervisor (where applicable) will be notified.
  - b. *Voice mail messages or electronic messages are not acceptable.*
- 6. Call Out Responses. All CISD PD employees are subject to emergency call out. CISD Police Department Employees who are "Called-Out" to perform duties at system failures, crime scenes, serious traffic accidents, or any similar investigation will respond immediately.
- 7. Civil Process Prohibition.
  - a. No employee will serve as a Civil Process Server, either on or off-duty, unless the CISD is a party to the action or the employee is acting in an official capacity for the CISD.
  - b. This does not preclude a sworn officer from serving valid court orders, i.e., Orders of Protection or Confinement, as long as the sworn officer has proper jurisdiction and authority from the issuing court and the order is relevant to a law enforcement function.
- 8. Firearms in Court.
  - a. Employees will abide by the respective court's rules regarding firearms inside the courtroom.
  - b. If officers are not permitted to carry their weapon into the courtroom they must place the weapon inside a secure court approved lock box along with their vehicle keys.
- 9. Personal Information Notification. The CISD Police Department is entitled to have the correct name, current residence address, and telephone number of every member and employee, and to know whom to notify in case of an emergency.
  - a. Employees will notify their immediate supervisor in writing not later than the first workday following the date of any change of address or telephone number.



- b. All CISD Police Department employees shall maintain a working telephone that allows for contact at their place of residence
10. Unusual Incident Notification. All CISD Police Department employees shall advise their supervisors of any unusual activity, situation, or problem with which the CISD Police Department would logically have an interest.
- a. Any CISD Police Department employee who receives a moving vehicle citation or any employee, who is involved as a witness, victim, or suspect in any situation under investigation by any law enforcement agency, shall make notification, in writing, to their supervisor not later than the first work day following the date they are aware of their involvement.
  - b. All CISD Police Department employees are to follow these rules of conduct and to encourage other employees to comply with these standards of conduct in the performance of their duties.
  - c. Each employee has an ethical duty to report to their supervisors any unlawful acts committed on or off-duty by an employee.
  - d. Any CISD Police Department employee sued for any act shall report this fact in writing to the Office of the Chief of Police through the chain of command not later than the first work day following the date they are aware of their involvement.
11. Use of Tobacco. The use of any tobacco product while on duty, or in uniform is prohibited.
12. Confidential Information.
- a. No CISD Police Department employee, regardless of rank or position, will release any confidential information, CISD Police Department confidential business or investigation or circumstance, to any person or organization unless that person or organization is authorized by law to receive such, and has an established and approved need to know.
  - b. Releasing such information to unauthorized individuals or organizations will be considered neglect of duty and a possible violation of law.
13. Law enforcement identification.
- a. All police employees will display their CISD Police Department issued Police Commission/Identification cards at all times while on-duty. (Personnel working in an undercover capacity shall be exempt from displaying Police issued ID's if doing so would compromise the officer and/or the assignment.)
  - b. All uniformed personnel working extra-duty shall display their CISD Police Department issued Police Commission/Identification cards.
  - c. Sworn officers of the CISD Police Department that are off-duty, are required to keep a firearm immediately available, and are therefore required to carry their CISD Police Department issued Commission Card.
  - d. Except when impractical or where identity is obvious, sworn personnel shall identify themselves as Police Officers by displaying their Commission cards and badges.

- e. All on-duty employees shall courteously provide their names, ID number, and/or other forms of police identification upon the request of a citizen.
14. Neighborhood Disputes.
    - a. Sworn officers of the CISD Police Department shall not use their police authority to become involved in neighborhood disputes while off-duty.
    - b. These matters are to be adjudicated by a disinterested party, including the appropriate law enforcement agency.
    - c. Sworn officers shall not make arrests in their personal quarrels or those of family members or neighbors unless such action is warranted by the immediate threat of serious physical injury or excessive property damage.
  15. Personal Involvement in Police Related Cases.
    - a. Sworn officers will not apply for a warrant on a crime of any kind committed against them or file a civil suit for damages involving an CISD Police Department matter without first consulting with the Chief of Police.
    - b. Sworn officers will not investigate, nor will they use any of the rights, powers or privileges associated with their positions to further an investigation into a crime where they, a family member, a friend or a business acquaintance/associate are involved as a victim, witness, suspect or investigative lead or have a personal or business interest in the investigation, unless authorized by the Chief of Police.
  16. Requirement to Take Action. Off-duty sworn officers will take appropriate action on all felonies coming to their attention, according to laws and District/Department policies.
  17. Loss or damage to District Equipment.
    - a. CISD Police Department employees will not abuse District equipment and will immediately report any damages or losses of District equipment to their supervisor.
    - b. Any employee responsible for damaging District property may be required, at the discretion of the Chief of Police, to repair or replace such equipment if it has been proven that willful negligence has occurred.
    - c. Employees committing such acts may also be subject to disciplinary action.
  18. Use of District Equipment. CISD Police Department employees will utilize District owned or CISD Police Department issued equipment for its intended purpose and refrain from use for unauthorized personal reasons.
    - Employee Organization Activity. CISD Police Department employees will not solicit membership or otherwise conduct employee organization activities during working
  19. hours, except as provided in the applicable Memorandum of Understanding between the employee organization and the District.
  20. Involvement in Labor Disputes: All employees of the CISD Police Department shall remain strictly impartial while performing their assigned duties, or while wearing any uniform/clothing item identifying them as a District or CISD Police Department employee, while at the scene of a labor dispute.

21. Games of Chance/Gambling. Police employees will not engage in games of chance while on-duty, except with the approval of a supervising officer and in conjunction with an official investigation.
22. District Limit Responsibilities. CISD Police Department employees will not leave the District limits while on-duty unless:
  - a. they are on official business,
  - b. in pursuit of a criminal or traffic violator,
  - c. they are traversing from one part of the District to another,
  - d. the shortest route is to pass temporarily through another jurisdiction, or
  - e. prior authorization has been received by a supervisor.
23. False Statements, Records, etc.
  - a. CISD Police Department employees will not make false or misleading statements, reports, records or cause to be recorded in any report, performance evaluation, or CISD Police Department document any false or misleading statements.
  - b. This order does not preclude employees from including into a report any information given to them by a suspect, witness, victim, etc., that the employee believes to be false (i.e., suspect denies involvement in a crime and the employee knows this to be false).
24. Political Activity in Uniform.
  - a. CISD Police Department employees shall not participate in any political function and/or affair while in or wearing any uniform/clothing item identifying them as a District or CISD Police Department employee other than to cast a vote, unless the function and/or affair is sanctioned or sponsored by the District and the CISD Police Department, and prior written authorization is received from the Chief of Police.
  - b. Provisions regarding off-duty political activity are contained within the CISD Policy
25. Courtesy.
  - a. All CISD Police Department employees will be respectful, courteous, and civil with the public and each other, and shall not use coarse, profane, or insolent language toward any individual.
  - b. Sworn subordinate ranks and civilian employees will address sworn superior ranks by their appropriate titles.
26. Respect of Superior Officer.
  - a. Employees shall be respectful of superiors at all times, recognizing their rank and obeying their lawful orders.
  - b. Employees shall not use contemptuous words towards any superior officer.
27. Respect of Subordinates.
  - a. Supervisory personnel shall be respectful of subordinate personnel at all times, recognizing their position with the Department and their personal dignity.
  - b. Supervisors shall not use contemptuous words towards any subordinate.
28. Conduct Unbecoming a Police Officer or Civilian Employee.

- a. CISD Police Department employees will not engage in any conduct unbecoming of a sworn officer or a civilian employee of the CISD Police Department while on or off-duty.
  - b. Conduct unbecoming is limited to, and defined as, any violation of Statute, Law, City Ordinance, CISD Policy/Regulation, CISD Police Department Policy, and/or issued written procedure.
- 29. Conduct - Personal. Employees shall not engage in acts which are subversive to the good order and discipline of the CISD Police Department, or acts which tend to bring discredit to the CISD Police Department, even though such conduct is not specifically set forth in these rules.
- 30. Association with Suspects/Felons.
  - a. CISD Police Department employees shall not associate with any person(s) or organizations(s) which is (or is believed to be) under investigation for a felony offense, being sought by a law enforcement agency or is a known convicted felon or a member of a known criminal organization.
  - b. Associate means to frequently have contact with a person(s) and/or organization(s) as described.
  - c. Exceptions for association with suspects/felons will be made for officers who have immediate family members that are felons and/or mentoring adults/youth in community based programs. The Chief of Police or designee will have final approval under this section.
- 31. Discrimination.
  - a. Employees should recognize that the CISD is committed to a culturally diverse work place.
  - b. Employees shall not discriminate against or harass other employees or the public on the basis of race, sex, ethnic background, disability, national origin, religion, or sexual orientation.
- 32. Public Appearances.
  - a. CISD Police Department employees shall not make public appearances in which the CISD Police Department, its employees or departmental policy will be the topic of discussion without obtaining prior authorization from the Chief of Police or designee.
  - b. Exceptions:
    - (1) This shall not prevent the release of legitimate public information concerning daily police activities to the press, radio, or television. Inquiries of this type shall be referred to the on-duty supervisor or the CISD Police Department Public Information Officer.
    - (2) Units or individuals may be approved to make specific presentations as authorized by the Chief of Police or designee (i.e., Canine Handler, etc.)
- 33. Competent Discharge of Duties. All CISD Police Department employees shall perform their job duties in a professional and competent manner as expected by the department based upon any or all of the following:
  - a. Formal training.
  - b. In-service/On-the-job training.

- c. Job specifications.
  - d. Performance standards.
  - e. Past established accepted practices.
  - f. Supervisory guidance and/or direction.
34. Insubordination.
- a. The failure by an employee to perform a task or comply with an order given by a supervisor shall result in corrective action and/or discipline.
  - b. All employees shall obey and properly execute any lawful order emanating from a superior or a supervisor whether oral or written.
  - c. The term lawful order shall be construed as an order in keeping with the performance of any duty prescribed by law or rule of the CISD Police Department, or for the preservation of order, efficiency, and proper discipline.
  - d. Any employee whose speech or conduct to a superior or supervisor is discourteous, abusive, profane, or threatening shall be deemed to be insubordinate.
  - e. Supervisors are required to ensure that their orders and direction are clear and understandable and within the guidelines of the regulations, policies, procedures, and practices of the CISD and the CISD Police Department. Supervisors shall ensure that specific orders and directions are not given as a suggestion or advice.
  - f. Employees that disagree with an order or direction of a superior shall immediately obey the order and may question or grieve the order through the appropriate venue in a timely manner, which shall not interfere with the safe or efficient operation of the CISD Police Department.
  - g. In matters that are deemed or termed as insubordination, supervisors shall evaluate each case on its own merits. All of the facts will be evaluated to determine the degree or level of insubordination that occurred.
  - h. If conflicting lawful orders are given or received, refer to CISD Police Department Policy 2.02.
35. Cowardice.
- a. No sworn police employee of the CISD Police Department shall display cowardice or fail to support their fellow officers in the performance of duty.
  - b. They shall act together and assist and protect each other in the maintenance of law and order.
36. Financial Responsibility.
- a. Employees shall not participate in irresponsible credit buying which results in their inability to pay their just debts when such behavior affects, or reflects upon the CISD Police Department.
  - b. Employees shall notify the CISD Police Department of any financial judgments awarded against them, or garnishments of wages not later than the next working day following notification of such action. (Settlements as opposed to judgments are exempt from the reporting requirement.)

- c. No employee shall establish accounts or make purchases for personal gain using the District or CISD Police Department's name and or address.
37. Handling Monies and Property.
- a. Employees shall deliver to the proper custodian any monies or other property coming into their possession which is not their own and make a report of the transaction.
  - b. Employees shall not appropriate for their own use any evidence or lost, found, stolen, recovered, or District property.
  - c. Members shall obtain permission from the Chief of Police or designee, before duplicating any keys or other District property.
38. Duty to Give Statement During Official Investigation. During the course of any official investigation by the CISD Police Department, all employees shall give a full, complete and truthful written response and/or oral statement, if requested.
39. Derogatory Remarks or Acts.
- a. Employees shall not speak, write, or act derogatorily to other members or persons outside the CISD Police Department about official acts, orders, or instructions issued by a supervisor.
  - b. Employees shall not willfully, by written or spoken word, or by an act (except through the authorized grievance procedure), subvert or undermine the CISD, the CISD Police Department or its members, or any directive of the CISD Police Department.
  - c. Employees shall be subject to disciplinary action for misconduct, neglect of duty, conduct prejudicial to good order and discipline or conduct unbecoming an officer/civilian employee.
40. Use of Position for Private Gain.
- a. No employee shall use for private gain or advantage the badge, uniform, equipment, prestige, or influence of his/her position with the CISD Police Department.
  - b. No employee shall use for private gain or advantage the time, facilities, equipment, or supplies of the District without proper authorization.
41. Pending Disciplinary Actions. Supervisors shall not discuss any aspect of any pending disciplinary action against an employee with anyone other than another supervisory or management employee, the District's legal counsel, or an authorized employee representative.
- Criticism. An employee shall not destructively criticize the CISD Police Department or its policies, programs, actions, fellow officers, or superior officers, or make any statements that tend to interfere with the reasonable management and discipline of the CISD Police Department.
42. Gossip. Employees shall refrain from discussing the personal conduct or character of another employee to his/her discredit.
43. Recommendation for Professional Services. No CISD Police Department employee, while on-duty, will recommend the employment of any particular attorney, bail bond organization or individual, alarm company, tow service, or other service for which a fee is charged to any citizen.

44. Chain of Command. All CISD Police Department employees shall utilize the CISD Police Department and District chain of command and comply with District and CISD Police Department policies, grievance procedures, and protocols when attempting to resolve work related issues, except as otherwise authorized by law or District policy.
45. Professional Memberships.
  - a. CISD Police Department employees must receive written approval from the Chief of Police prior to accepting professional memberships when such memberships could require an employee's active participation while being compensated by the District (i.e. conducting membership duties during duty hours or in order to fulfill membership obligations).
  - b. Once a professional membership has been approved, employees must receive permission from the Chief of Police prior to running for or accepting any office in that membership.

## Breaks

1. Meal/Rest Breaks
  - a. Police employees are authorized two fifteen-minute rest breaks and a non-compensated meal break during their shift.
  - b. Operational employees who are authorized an (1) hour non-compensated meal break shall comply with the following when taking meal and rest breaks:
    - (1) Advise communications of the address for the break by radio.
  - b. Operational employees who are authorized an (1) hour non-compensated meal break shall comply with the following when taking meal and rest breaks:  
(continued)
    - (2) Remain within District limits and not take breaks outside the District limits, unless the establishment is across the street from assigned area.
    - (3) Ensure no more than two marked Department vehicles or three uniformed employees are at the same location for a break.
    - (4) Monitor the radio and respond to traffic as directed.
    - (5) Avoid taking meal breaks within the first and last two hours of the shift.
  - c. Employees who are not compensated for meal breaks begin/end their meal break upon leaving/returning to their assigned workstation. Employees required to miss a meal break or be called away from the break shall be compensated as appropriate.
2. An on-duty supervisor must approve deviations from this policy.

**CISD Police Department**  
**2.01 Rules of Conduct**  
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**Scott Stephens**  
**Chief of Police**



<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 2.02</b>	<b>Employee Disciplinary Process</b>



**I. POLICY**

It is the department's policy to impose any necessary disciplinary action fairly and impartially and to offer adequate appeal procedures to ensure that the rights of employees are protected.

Discipline is the process of taking specific actions that will help train, develop, or modify the inappropriate actions of an employee, preferably through positive rather than negative measures.

Discipline in the department takes two approaches: (1) rewarding employees for excellence and positive actions and (2) training, counseling, and in some cases sanctioning for inappropriate actions or behavior.

**II. PURPOSE**

The purpose of this policy is to establish procedures concerning informal and formal disciplinary practices within the department.

**III. DEFINITIONS**

- A. Days: The term "days," as used herein, means “work days provided”; however, if the last day of any time period mentioned is a Saturday, Sunday, or holiday, the time period shall be extended to the next day.
- B. Moral turpitude: An intentional act or behavior displayed in words or actions that violates public morals or the common sense of the community involving but not limited to intent to defraud, intentional dishonesty for personal gain, lying, perjury, subornation of perjury, cheating, bribery, unlawful possession of controlled substances, sexual harassment, unlawful sexual conduct, or excessive use of force.

- C. Relief from duty: An administrative action by a superior whereby a subordinate officer is temporarily relieved from performing his or her duties.
- D. Discipline: The taking of specific actions intended to help train, develop, or modify the actions of an employee. Discipline may be positive (awards and training) or negative (punishment).

#### **IV. PROCEDURES**

##### **A. Positive Reinforcement**

1. Positive discipline seeks voluntary compliance with established policies, procedures, and orders. Methods of positive discipline include:
  - a. Recognition of excellent job performance through rewards or awards.
  - b. When people outside the department compliment an employee's performance, the person who receives the information shall make a record of the comments and pass them to the employee's supervisor. A chief who receives compliments about an employee should write a thank-you note to the individual. Copies of the person's statement and the chief's response shall be sent to the officer involved and the supervisor. A copy of all correspondence shall be placed in the employee's personnel file.
  - c. Truly exceptional acts shall be clearly and promptly identified to the Chief of Police. These acts may be the basis for special awards or for special recognition by community groups or media coverage.
2. Discussion and counseling
3. Training

##### **B. Consistency in discipline**

1. The department abides by the philosophy that discipline must be applied consistently and uniformly.
2. The department provides employees with descriptions of prohibited behavior in the "Rules of Conduct Policy" and elsewhere in these orders. No list, however, can be all-inclusive. Employees are expected to have a reasonable perception of what constitutes proper behavior, based on training and experience.

##### **C. Relief from duty**

1. An employee may be relieved from duty whenever a supervisor, whether the Chief of Police, Lieutenant, or Sergeant questions an employee's physical or psychological fitness for duty. An internal investigation may follow.

2. The Lieutenant or Sergeant has authority to relieve an employee from duty, but must promptly report this action to the Chief of Police, accompanied by a written report setting forth details and circumstances.
3. If the necessity to relieve from duty is not immediate, the behavior or actions of the employee shall be deemed a matter for internal investigation. In an internal investigation, only the Chief of Police may relieve an employee from duty. Only the Chief of Police, in consultation with the Superintendent, may suspend an officer without pay.
4. An officer who refuses to obey a direct order in conformance with the department's orders may be relieved from duty by the Lieutenant or Sergeant, who may recommend suspension to the Chief of Police. The chief, in consultation with the Superintendent, may then suspend without pay.

D. Penalties: Documented oral reprimand, counseling, and/or training.

1. Oral reprimands resulting from improper actions, while informal, require documentation with an employee's acknowledgment of such record. The following steps shall be observed:
  - a. At the time of an oral reprimand, the employee receiving it shall be counseled as to correct behavior, and further advised that a written record shall be maintained concerning the reprimand/counseling, and that the employee may read the record.
  - b. The employee shall be further advised that he or she has the right to file a statement in his or her personnel file setting forth his or her position, in case of disagreement.
2. The reprimanding supervisor shall prepare a memorandum for the personnel record that contains the following information:
  - a. Employee's name
  - b. Date of reprimand/counseling
  - c. Summary of reasons for reprimand/counseling
  - d. Summary of employee's response
  - e. Suggestions for improvement or specific actions suggested
  - f. Name and signature of counselor
  - g. The following statement must appear:

"I acknowledge that I have today received counseling and I have been advised of the following rights: (1) that a written record of reprimand/counseling shall be maintained; (2) that the employee has a right to review the record and respond in writing; (3) that the form shall become part of the personnel file; and (4) that the employee is required to acknowledge the reprimand/counseling by signing the record."

- h. The employee shall sign and date the form on which the statement appears.

3. Oral reprimand/counseling may involve remedial training. This training may be deemed necessary to rectify the improper behavior. Remedial training may include attendance at academy classes, in-service, or other training specially created to help the employee correct or modify his or her behavior. Remedial training is reasonably offered until the employee can demonstrate proficiency in the correct behavior. All training shall be documented.
4. If the employee's actions did not result in a formal internal investigation and employee has not behaved improperly following counseling for two years, the record of counseling shall be expunged from the employee's personnel file.
5. Accumulation of three oral reprimands in a twelve-month period may result in a written reprimand, suspension, or termination depending on circumstances.
6. Supervisors are expected to informally counsel employees regularly without waiting on instances of poor performance. Most counseling is informal, positive, supportive, and often undocumented.
7. Supervisors are responsible for counseling employees concerning job-related matters within their capabilities. Since many things can affect the job and an employee's performance, job-related counseling may involve family and other individual, personal subjects. Counseling may include identification of unacceptable behaviors or actions, specifically what was done wrong and the desired or acceptable performance. Counseling can attempt to determine the reason for the particular behavior, determine and recommend how to correct or improve performance or to solve the problem.

E. Written reprimand. A written reprimand becomes a permanent part of the officer's file.

1. A written reprimand, issued by the Chief of Police:
  - a. cautions an employee about poor behavior,
  - b. sets forth the corrected or modified behavior mandated by the department,
  - c. specifies the penalty in case of recurrent poor behavior.An employee may appeal a written reprimand in writing within ten days of its receipt. The employee may appeal the reprimand to the Superintendent, who shall be the final arbiter.

F. Demotion or suspension without pay

1. If the situation warrants, the Chief of Police, in consultation with the Superintendent, may demote an employee, suspend without pay.
2. Suspensions without pay will to a period of time, as determined by the Chief of Police and Superintendent.
3. If an employee becomes a candidate for suspension a second time within one year after the first suspension, the employee may be terminated.

4. Suspensions resulting from the arrest or criminal investigation of an employee may be indefinite or result in termination.
  - a. Should an employee be arrested or identified as a suspect in any felony, misdemeanor involving violence or moral turpitude, family violence or DWI, he/she shall immediately be placed on administrative leave with pay and an internal investigation shall commence. At the conclusion of the internal investigation the Chief of Police may take appropriate disciplinary action based on the results of the internal investigation, including indefinite suspension or termination.
  - b. An employee who is acquitted of criminal charges may yet be disciplined at the discretion of the Chief of Police or reinstated with full or partial back pay.
5. Any employee suspended for a period five days or longer shall return all department-owned property. On any suspension, the officer must return to department custody his or her badge, identification card, and issued firearm.
6. During a suspension, the employee shall not undertake any official duties.
7. Demotion shall be to the next lowest rank. Demotion shall apply only to the Lieutenant or Sergeant.
8. An employee may appeal a suspension within five days of notice. An employee may appeal a suspension through the Chief of Police to the Superintendent, whose decision is final.

#### G. Termination

1. Terminations are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. A complete record of the circumstances of the misbehavior shall be made by all persons having knowledge of the misbehavior.
2. Employees may appeal a dismissal within five days of receipt of notice, and may appeal in accordance with CISD Policy.

#### H. Reporting arrests

Any employee arrested for, charged with, or convicted of any crime, or required to appear as a defendant in any criminal or civil proceedings must so inform the Chief of Police in writing as soon as possible. Employees do not have to report parking tickets. Employees must report summonses or arrests for reckless driving, DWI, or any other hazardous or moving- traffic offenses. Failure to notify the department of the foregoing shall be cause for dismissal.

### V. PROGRESSIVE DISCIPLINE

- a. Except for gross breaches of discipline, moral turpitude, or serious violations of law or conduct, the department generally follows the principles of progressive discipline.

- b. Probationary employees shall be dismissed, suspended, or otherwise disciplined according to the foregoing. The only difference is that a probationary employee has no right of appeal. In the case of a dismissed probationary employee, the official record shall merely indicate that the person was dismissed during probationary employment.

**VI. ADMINISTRATION OF SUSPENSIONS, DEMOTIONS, OR DISMISSALS**

- a. After an appropriate investigation, should the Chief of Police sustain the allegation and determine that the discipline may be a suspension, demotion, or termination the chief may request review of the investigation by the officer's chain of command to obtain their recommendations for disciplinary action.
- b. Upon receipt of the recommendations, if the Chief of Police believes the discipline should be greater than a written reprimand, the chief shall request that the officer read the written investigation summary and initial each page. The review will take place in the presence of the investigating officer or other staff member. The employee will be allowed to add a written statement to the investigative package stating any arguments with the evidence or investigation process. This statement will be prepared and added to the investigation summary before the employee and the investigating officer leave the review site.
- c. The Chief of Police will meet with the employee and allow the employee to make any statement regarding the evidence or investigation, and review any written statement provided by the employee. The Chief of Police will then have the employee report back after a period of time determined by the chief.
- d. The Chief of Police will again review the investigation, considering the employee's input and may then decide on the discipline or send the investigation back for further investigation.
- e. The chief will meet with the employee to inform him or her of his/her decision. The chief will present the employee with a letter outlining the discipline, the effective date of the discipline, the reason for the discipline, and the employee's appeal rights.
- f. Copies of all investigation reports that indicate disciplinary action and all other disciplinary paperwork will be filed in the employee's personnel file. A copy of the investigation report will be maintained in the internal investigations files.

**CISD Police Department**  
**2.02 Employee Disciplinary Process**  
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**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 2.03</b>	<b>Internal Investigation Process</b>



## **I. POLICY**

The department's image and reputation depend on the personal integrity and discipline of all departmental employees. To a large degree, the public image of the department is determined by what kind of response the department gives to allegations of misconduct against its employees. The department must competently and impartially investigate all allegations of misconduct by employees and complaints bearing on the department's response to community needs. The department recognizes that its personnel are often subject to intense pressures in the discharge of their duties. The employee must remain neutral under circumstances that are likely to generate tension, excitement, and emotion. In these situations, actions and events frequently result in misunderstanding and confusion. It is to the advantage of all employees to have a procedure for the investigation of the more serious allegations and underlying circumstances so that complaints can be resolved in light of the complicated pressures of law-enforcement work.

## **II. PURPOSE**

The purpose of this policy is to describe the procedure that a citizen must follow in making a complaint against department personnel, to outline the procedure for investigating complaints, and to list and define the dispositions of complaints.

## **III. PROCEDURES-GENERAL**

### **A. Receipt of complaints**

The department encourages any person to bring forward grievances regarding misconduct by employees. Department members shall receive all complaints courteously and shall handle them efficiently. All officers are obligated to explain complaint procedures to anyone who inquires.



## B. Responsibilities of supervisors

1. First-line supervisors are primarily responsible for enforcing conformance with departmental standards and orders.
2. First-line supervisors shall know the officers in their charge by closely observing their conduct and appearance.
3. First-line supervisors shall be alert to behavioral changes or problems in their subordinates and, if necessary, document these changes and confer with higher authorities. The first-line supervisor shall assess the behavior, and take or recommend appropriate action.
4. The supervisor shall recommend and, if appropriate, help conduct extra training for officers not performing according to established standards.
5. The first-line supervisor shall employ counseling techniques sanctioned by the department. Counseling is used to adjust and correct minor, infrequent errors or instances of poor performance and to ascertain the nature of any professional or personal problems that bear on performance.
6. The supervisor shall document all instances of counseling.

## C. How to make a complaint

A copy of "How to Make a Complaint" will be posted in the public area of the department, provided to media representatives, and given to any person requesting information on how to make a complaint.

## D. Responsibility for handling complaints

1. All complaints alleging a violation of the law or policy will be investigated.
2. Complaints regarding law-enforcement operations will usually be handled through the chain of command, beginning with the first-line supervisor.
3. Complaints involving how law-enforcement service is provided or a failure to provide service or improper attitudes or behavior may be investigated by an assigned supervisor or by the Chief of Police.
4. Depending on the nature of the complaint, the Chief of Police may request another agency or DPS to undertake the investigation.

## E. Complaint-handling procedures. NOTE: This same procedure can also be used by agency employees who wish to file a complaint against another employee.

1. All complaints, regardless of nature, can be filed in person, by mail, or by phone at any time. As part of the follow-up investigation, persons making complaints by mail or phone normally shall be interviewed and a written, signed complaint prepared.
2. A signed letter of complaint will be accepted as a signed complaint without requiring any specific form.

3. Anonymous complaints shall be followed up to the extent possible. In case of an anonymous complaint, the officer or other person who receives the anonymous complaint shall reduce the complaint to writing in a memorandum with as much information as possible and forward the report to the Chief of Police.
4. Every effort shall be made to facilitate the convenient, courteous, and prompt receipt and processing of any person's complaint. An employee of the department who interferes with, discourages, or delays the making of complaints shall be subject to disciplinary action.
5. Normally, a person with a complaint shall be referred to a supervisor or the Chief of Police, who shall assist the individual in recording pertinent information. If initially reported to a supervisor, the first-line supervisor shall conduct a preliminary investigation. The Chief of Police may, if appropriate, conduct a preliminary investigation. The preliminary investigation consists of questioning the officer, complainants, or witnesses, and securing evidence. Upon completion of the preliminary investigation, the following documents shall be prepared and forwarded through the chain of command:
  - a. a report of the alleged violation
  - b. any documents and evidence pertinent to the investigation
  - c. recommendations for further investigation or other disposition.
6. If the first-line supervisor or other investigators determine that the complainant is apparently under the influence of an intoxicant or drug, or appears to have a mental disorder, or displays any other trait or condition bearing on his or her credibility, the supervisor or investigator shall note these conditions.
7. Any visible marks or injuries relative to the allegation shall be noted and photographed.
8. Prisoners or arrestees also may make complaints. Circumstances may require that a department representative meet the complainant at a jail or prison for an interview. If appropriate, the representative will have photographs taken of any injuries suffered by the complainant.
9. An employee who receives a complaint through U.S. mail shall place the correspondence and envelope in a sealed envelope and forward it to the Chief of Police, who shall determine investigative responsibility.
10. Complaints received by telephone by dispatchers or other employees shall be courteously and promptly referred to a supervisor or the Chief of Police. The dispatcher or employee shall record the name and telephone number of the complainant and state that the Chief of Police or, if unavailable, the supervisor will call back as soon as practical.
11. In every case, the Chief of Police will be notified of any complaint as soon as possible by the supervisor receiving the complaint. Complaints received overnight will be brought to the Chief's attention the next workday.

Complaints alleging a violation of the law or any other serious violation should be reported immediately regardless of the time of day.

F. Disposition of complaints generally

The Chief of Police or his designee shall:

1. Notify the complainant, in writing, as soon as practical, that the department acknowledges receipt of the complaint, that it is under investigation and that the complainant will be advised of the outcome.
2. Enter the complaint into the complaint log, assign a complaint number, and have the complaint investigated. Minor complaints alleging rudeness, minor policy violations, and general performance issues may be assigned to a supervisor for investigation and resolution. Allegations of a violation of the law or serious policy violations will be investigated by the Chief of Police, an investigator assigned by the Chief of Police, or an outside agency as determined by the Chief.
3. Maintain complaint files separate from personnel files.
4. Take disciplinary action following the investigation, if appropriate.

G. Disposition of a serious complaint

1. Allegations of misconduct that might result in discharge, suspension, or demotion, or allegations of criminal charges are serious complaints. The term "serious complaint," in this manual, means that there will be an "internal investigation." Internal investigations examine alleged brutality, gross excesses of legal authority, or allegations involving supervisory or multiple personnel.
2. If a criminal offense is alleged, two separate investigations shall be conducted: a criminal investigation and an administrative or internal investigation. The criminal investigation examines compliance with criminal law while the internal investigation determines compliance with policy and procedure. The Chief of Police will assign these investigations as required.
3. In cases of a serious complaint the Chief of Police shall:
  - a. Determine if the officer complained of should remain on-duty, be relegated to non-contact assignments, or put on administrative leave until the investigation is complete.
  - b. Determine and assign responsibility for the investigation.
  - c. Cause the complaint to be registered and assigned an investigation number in the complaint log.
  - d. Maintain close liaison with the district attorney in investigating alleged criminal conduct. Where liability is at issue, the Chief shall similarly maintain contact with the city attorney or legal counsel.

4. All investigations will be completed within 30 days to include the taking of disciplinary action when necessary. If additional time is necessary to conclude the investigation, a request for extension will be presented to the Chief in writing providing justification for the extension. If the Chief agrees to an extension a specific number of days will be approved. A copy of the request for extension will be provided to the involved officer and the original placed in the case file.
5. Upon completion of any investigation, the Chief of Police will notify the complainant in writing of the results of the investigation and any action taken.

## **INVESTIGATIVE PROCEDURES**

- H. Two types of investigations may take place: administrative or criminal. Different rules govern interviews of employees in each case.
- I. Assistance of legal counsel
  1. Employees are permitted to have an attorney, supervisor, or other representative with them in the room during any interview regarding allegations of misconduct.
  2. The employee's representative is limited to acting as an observer at the interview, except that where the interview focuses on, or leads to, evidence of criminality, the attorney may advise and confer with the employee during the interview.
- J. All Interviews
  1. Prior to being interviewed, the subject employee shall be advised of the nature of the complaint and provided a copy of the complaint.
  2. All interviews will be conducted while the employee is on duty, unless the seriousness of the investigation is such that an immediate interview is required.
  3. During interviews conducted by the department, one employee will be designated as the primary interviewer.
  4. The complete interview shall be recorded. The recording will note the date and time of the interview, who is present at the interview, the time at which breaks are taken in the interview process, who requested the break, the time the interview resumed, and the time the interview was ended.
  5. The employee shall be provided with the name, rank, and command of all persons present during the questioning.
- K. Interviews for criminal investigative purposes

1. If the Chief of Police believes that criminal prosecutions are possible and wishes to use statements against the employee in a criminal proceeding, or at least wishes to maintain the option of their use, he/she or another interviewer shall:
  - a. Give the employee the rights as specified in the Texas Code of Criminal Procedure, Article 38.22.
  - b. In addition to the rights set forth in state law, the Chief or designee shall advise the employee that if he/she asserts the right not to answer questions no adverse administrative action will be taken based upon the refusal.
  - c. If the employee decides to answer questions at this point, the responses may be used in both criminal and disciplinary proceedings.

L. Interview for administrative purposes

1. If the Chief of Police wishes to compel an employee to answer questions directly related to his or her official duties, the Chief of Police or another interviewer shall advise the employee of the following:
  - a. You are advised that this is an internal administrative investigation only.
  - b. You will be asked and are required to answer all questions specifically related to the performance of your duties and your fitness for office.
  - c. All questions specifically related to employment must be fully and truthfully answered.
  - d. If you refuse to answer these questions, you can be subject to discipline that can be as much as discharge or removal from office.
  - e. Any answers given are to be used solely for internal administrative purposes and may not be used in any subsequent criminal prosecution should such occur.
  - f. The purpose of the interview is to obtain information to determine whether disciplinary action is warranted. The answers obtained may be used in disciplinary proceedings resulting in reprimand, demotion, suspension, or dismissal.
2. In an interview for administrative purposes, no Miranda rights are required.

## **INVESTIGATIVE TOOLS AND RESOURCES**

- M. In addition to interviews of the employee and witnesses, other activities in support of a complaint investigation or internal investigation may be required, including:
1. The Chief of Police may order medical and laboratory examinations.
  2. The Chief of Police or designee may, based on reasonable suspicion or his/her observation, require a department employee to submit to a test for alcohol or drug use while on duty. The results may be used in a disciplinary

hearing. Refusal to submit to the examination will be grounds for disciplinary action and may result in the employee's dismissal.

3. If the employee is believed to be under the influence of alcohol, a licensed breathalyzer operator shall administer the test. The Chief of Police or officer in authority shall witness the test and sign the report.
4. If the employee has a reading of .01 or higher, or there is other competent evidence of impaired abilities to perform duties, the officer shall be relieved of duty by the Chief of Police or officers in authority.
5. If the employee is believed to be under the influence of self-administered drugs, he/she may be compelled to submit to a blood or urine test. The test shall be administered under medical supervision where hygienic safeguards are met. The sample shall be handled using the same safeguards as evidence in a criminal process.
6. If the test shows positive results, or there is other competent evidence of impaired abilities to perform duties, the employee shall be relieved of duty as soon as possible by the Chief of Police or other officers in authority.
7. If an employee refuses to submit to a test, (alcohol or drugs) the Chief of Police or other officer in authority shall immediately relieve the employee from duty (on paid leave) for failure to cooperate in an administrative investigation.
8. Property assigned to the employee but belonging to the department is subject to inspection if the department has a reasonable suspicion that evidence of work-related misconduct may be found therein. Department property includes files, storage lockers, desks, and vehicles.

#### N. Photograph and lineup identification procedures

1. Officers may be required to stand in a lineup for viewing for the purpose of identifying an employee accused of misconduct. Refusal to stand in a properly conducted lineup is grounds for disciplinary action and may result in dismissal if criminal prosecution is not anticipated.
2. A book of photos of department employees may be maintained for the purpose of identification of an employee accused of misconduct.

#### O. Financial disclosure statements

An employee may be compelled to make financial disclosure statements when directly and narrowly related to allegations of misconduct involving any unlawful financial gain.

#### P. Polygraph

1. All personnel shall be required to submit to a polygraph if ordered to do so by the Chief of Police.

2. The Police Chief may order employees to take a polygraph under the following circumstances:
  - a. The complainant has taken and passed a polygraph concerning the incident, unless the complainant is willing to submit to testing but the polygraph operator determines the complainant is not a fit subject due to mental condition, age, or medication.
  - b. Regardless of whether or not the complainant takes a polygraph (or is positively identified), and the complaint is of such a nature as to bring severe discredit and suspicion on the department and cannot be satisfactorily resolved in any other manner.
3. The results of the polygraph examination shall not be used as the sole basis for disciplinary action against any employee.
4. Any polygraph examination given under the provisions of this order shall be administered by a private contractor licensed to administer polygraph examinations in the State of Texas or must be a licensed examiner from another law-enforcement agency. No employee shall administer an examination to another employee.
5. Refusal to submit to a polygraph examination or to answer all questions pertaining to the charges in the polygraph examination, or deliberately impeding the administration of the polygraph shall be grounds for disciplinary action and may result in dismissal from the department.

## **ADJUDICATION OF COMPLAINTS**

- Q. The Chief of Police will classify completed internal affairs investigations under the following headings:
  1. Unfounded - no truth to allegations.
  2. Exonerated - allegations true, but are the result of adherence to departmental policy or procedure. Exonerated complaints will be reviewed by the Chief of Police for consideration of policy revision.
  3. Not sustained - unable to verify the truth of the matter under investigation.
  4. Sustained - allegations are true. Complaints will not be classified as sustained unless the finding is based on facts determined during the investigation.
- R. Completed investigations classified as unfounded, exonerated, or not sustained will be maintained in internal affairs files in the Chief's office. Sustained complaints shall be filed in the individual employee's department personnel file with a copy in the internal affairs files.
- S. Disciplinary action taken shall be determined by the seriousness of the violation or the extent of injury to the victim, and the officer's prior disciplinary history. It shall

be commensurate with the circumstances surrounding the incident, and the employee's service record, including prior sustained complaints, will be considered.

T. Disciplinary records

1. The department shall maintain a log of all complaints.
2. The complaints and internal investigative files shall be kept in a secure area and shall be maintained in accordance with state law and city policy.
3. The Chief shall direct a periodic audit of complaints to ascertain a need for training or a revision of policy.
4. The Chief shall publish an annual or other periodic summary of complaints that shall be made available to the public.

**CISD Police Department**  
**2.03 Internal Investigation Process**  
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**Scott Stephens**  
**Chief of Police**



<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 2.04</b>	<b>Sexual and Other Harassment</b>



## **I. Policy**

It is the intent of the Department to provide all employees, and other persons over whom the Department may have substantial control, a working environment free of sexual harassment and intimidation. Such harassment, or intimidation, is illegal under provisions of Title VII of the Civil Rights Act of 1983 (Federal Law). In some cases, actions may be susceptible to prosecution under the criminal laws of the State of Texas. Employees shall also be guided by District Policy DIA (legal, local).

- A. **SEXUAL HARASSMENT:** The CISD Police Department prohibits sexual harassment by all employees at all levels and recognizes that all employees have a right to work in an environment free from any type of discrimination, including freedom from sexual harassment.
  
- B. **OTHER PROHIBITED HARASSMENT:** Harassment of a District employee on the basis of the employee's race, color, gender, national origin, disability, religion, or age includes physical, verbal, or nonverbal conduct related to these characteristics when the conduct is so severe, persistent, or pervasive that the conduct:
  - 1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
  - 2. Creates an intimidating, threatening, hostile, or offensive work environment; or
  - 3. Otherwise adversely affects the employee's employment opportunities.
  
- C. The purpose of this order is to:
  - 1. Define sexual and other harassment
  - 2. Establish a CISD Police Department policy prohibiting sexual and other harassment and
  - 3. Establish complaint procedures for employees who feel they have been subjected to sexual harassment.

## II. Procedure

### A. Definitions

1. Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - a. Submission to such is made explicitly or implicitly a term or condition of an individual's employment.
  - b. Submission to, or rejection of, such conduct by an individual is used as a basis of employment decisions affecting such individual.
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
  - d. Sexual harassment is not just blatant physical actions, but also includes the more subtle forms of harassment such as verbal statements (direct or indirect) and innuendo.
2. Other Harassment includes, but is not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other types of aggressive conduct such as theft or damage to property.

### B. Harassment Complaints

1. An employee who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to an appropriate person designated below.
2. Any CISD PD employee with supervisory authority who receives notice that another employee has or may have experienced prohibited harassment is required to immediately report the alleged acts and take whatever other steps are required by this policy.
3. Any other person who knows or believes that an CISD PD employee has experienced harassment should immediately report the alleged acts to the appropriate person designated by this policy.
4. A Department employee may report harassment to his or her supervisor, Lieutenant, or the Chief of Police. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District officials below:
  - a. For all other prohibited harassment, the Superintendent. A report against the Superintendent may be made directly to the Board.

3. Any of the listed harassing behaviors are grounds for disciplinary action:
    - a. Abusing the dignity of an employee through insulting or degrading sexual remarks, epithets, slurs, jokes or conduct;
    - b. Visual conduct, i.e., leering, making sexual gestures, displaying of sexually suggestive objects, pictures, cartoons or posters;
    - d. Verbal abuse of a sexual nature, i.e. graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations; Physical conduct, i.e., touching, assault, impeding or blocking movements; Threats, demands or suggestions that an employee's work status is contingent upon the employee's toleration of, or acquiescence to, sexual advances; or
    - e. Retaliation against employees for complaining about the behavior described above.
  4. Behaviors listed in "Other Harassment", or behaviors that by their very nature would be considered harassment by a reasonable person. Any employee who encounters or witnesses such behavior from supervisors, fellow employees, or citizens shall immediately contact a supervisor of any rank.
  5. Upon receipt of a report of harassment, a supervisor shall immediately notify the appropriate District official listed above. CISD Policy will direct the process from this point forward.
- C. Supervisor's Responsibilities
1. Supervisors have the affirmative duty to maintain the work place free from sexual harassment and intimidation.
  2. Supervisors shall set an example of appropriate behaviors through their own conduct at work and counsel their employees on prohibited behavior and CISD Police Department procedures for resolving complaints.
  3. Supervisors will take immediate and appropriate corrective action in cases involving complaints of sexual harassment.
  4. Corrective action includes, but is not limited to:
    - a. Discussing this policy in detail with subordinates.
    - b. Ensuring subordinates that they can work in security and dignity and will not be required to endure any form of harassment.

D. Supervisory personnel and co-workers are prohibited from taking any retaliatory actions toward an employee who has made a complaint of harassment, or testifying witnesses to the violation.

- c. Retaliation is illegal and considered serious employee misconduct, which is subject to disciplinary action.
  - d. Supervisory personnel shall closely monitor the work environment to insure that retaliation does not occur.
5. Supervisors shall, through their chain of command to the Chief of Police, immediately report any complaints concerning sexual or other harassment.
  6. The Chief of Police shall report the complaint to the District Official who is responsible for implementing formal investigations.

**CISD Police Department**  
**2.04 Sexual and Other Harassment**  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 2.05</b>	<b>Use of Social Media</b>



## I. POLICY

**It is the policy of CISD Police Department to establish guidance for the management, administration, and oversight of social media. This policy is not meant to address one particular form of social media but social media in general, as advances in technology will occur and new tools will emerge.**

Social media platforms provide a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem solving, investigations, crime prevention, and other related objectives. The department supports and utilizes the secure and appropriate use of social media to enhance communication, collaboration, and information exchange.

The department also recognizes the role that these tools play in the personal lives of department personnel. Because the improper use of social media platforms by employees may impact department operations, the department provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

These policies and procedures apply to all personnel including sworn and non-sworn employees, reserve officers, and any volunteers working with the department.

## II. DEFINITIONS

- A. Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “web log.”
- B. Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- C. Post: Content an individual share on a social media site or the act of publishing content on a site.
- D. Profile: Personal information that a user provides on a social networking site.

- E. Social Media: A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flicker, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).
- F. Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- G. Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- H. Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.
- I. Wiki: Web page(s) that can be edited collaboratively.

### **III. DEPARTMENT SPONSORED SOCIAL MEDIA**

#### **A. Requirements for Department Sponsored Public Social Media Sites**

1. CISD's Public Information Officer is responsible for the management, posting, and monitoring of the department's public social media network sites. Other members of the department may post and monitor specific social media sites as approved by the Chief of Police.
2. The Chief of Police, with input from departmental members and the public information officer will determine the extent of the department's official use of social media platforms. No social media platform will be utilized by the department without the express approval of the Chief of Police.
3. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
4. Where possible, the page(s) should link to the department's official website.
5. Social media pages shall clearly indicate that they are maintained by the department and shall have department contact information prominently displayed.
6. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
7. Content is subject to open government laws. Relevant records retention schedules apply to social media content. Content must be managed, stored, and retrieved to comply with open government laws, records retention laws, and e-discovery laws and policies.

8. Social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.
9. Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove any posting.
10. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

#### B. Operation of Department Sponsored Public Social Media Sites

Department personnel approved by the department to post to social media outlets shall do the following:

1. Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
2. Identify themselves as a member of the department.
3. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission.
4. Not conduct political activities or private business.
5. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.
6. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

#### C. Uses of Departmental Sponsored Social Media Sites

1. Social media can be used to make time-sensitive notifications related to:
  - a. road closures,
  - b. special events,
  - c. weather emergencies, and
  - d. missing or endangered persons.
2. Social media is a valuable investigative tool and may be used to seek evidence or information about the following:
  - a. missing persons,
  - b. wanted persons,
  - c. gang participation,
  - d. crimes perpetrated online,
  - e. photos or videos of a crime posted by a participant or observer.
3. Social media can be used for community outreach and engagement for the following purposes:
  - a. providing crime prevention tips,

- b. offering online-reporting opportunities,
- c. sharing crime maps and data
- d. soliciting tips about unsolved crimes (e.g., Crime Stoppers, text-a-tip).

- 4. Social media can be a valuable recruitment mechanism, since many people seeking employment and volunteer positions use the internet to search for opportunities.
- 5. Background investigations.
  - a. This department has an obligation to include internet-based content when conducting background investigations of job candidates.
  - b. Search methods shall not involve techniques that are a violation of existing law.
  - c. Vetting techniques shall be applied uniformly to all candidates.
  - d. Every effort must be made to validate internet-based information that is considered during the hiring process.

#### D. Use of Covert Social Media Sites for Investigative Operations

- 1. Covert or undercover social media sites are exempt from the requirements of sections 1, 2, and 3 above.
- 2. Only the Chief of Police may approve the use of any covert or undercover social media site or postings to other social media sites for undercover investigative operations. A supervisor will be assigned to monitor the operation of the investigation.
- 3. Prior to operating any covert or investigative social media site, or posting to other social media sites for purposes of a covert or undercover investigation, the Chief of Police shall make contact with the prosecuting attorney to determine the admissibility and requirements of the law regarding preservation of information for both prosecution and open government as well as records retention requirements.

### V. PERSONAL USE OF SOCIAL MEDIA

#### A. Precautions and Prohibitions

Barring state law or binding employment contracts to the contrary, department personnel shall abide by the following rules when using social media:

- 1. Members of the department may not access social networking or social media sites through the use of departmentally provided information systems unless authorized to do so on behalf of the department or during the course of an investigation.
- 2. While on duty, employees may only use personal communications devices to access social networking sites strictly during **authorized** meal breaks, provided such usage does not in any way interfere with the performance of job duties.



Employees are prohibited from authoring posts on a social networking site at any time while on-duty, even during meal breaks.

3. Due to concerns for officer safety and to preserve tactical advantage, the posting of information related to any police response by any officer or an assisting agency is absolutely prohibited without the approval of the Chief of Police.
4. All matters of, by, within, and about department details regarding calls for service and the customers we interact with are generally considered confidential information that may not be released, blogged about, posted, or otherwise shared outside the department without prior authorization that has been obtained through an official open- records request, or without the information already being in the public realm [already otherwise released officially].
5. Display of departmental logos, uniforms, uniform patches, or departmental badges on their own or other social media sites is prohibited without written approval of the Chief of Police.
6. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.
7. As public employees, department personnel are cautioned that speech, whether on or off-duty, made pursuant to their official duties—that is, speech which owes its existence to the employee’s professional duties and responsibilities—may not be protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department.
8. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.
9. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police.
  - a. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without that member’s permission. In relation to this, department personnel are cautioned not to post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are working, or who may reasonably be expected to work, in undercover operations shall not post any form of visual or personal identification.
  - b. Personnel are reminded that many individuals that we contact in our profession become angry and on occasion seek revenge for official actions taken. Employees are encouraged not to post any information that could be used to identify an employee’s residence, vehicle, or the identity of family members.
10. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Employees are required to be credible witnesses in criminal prosecutions and that credibility

can be attacked using inappropriate posts on social media sites. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

- a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
  - b. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
  - c. Engaging in prohibited speech noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
  - d. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.
  - e. Department personnel should be aware that they may be subject to civil litigation for the following:
    - i. publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
    - ii. publishing or posting private facts and personal information about someone without that person's permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
    - iii. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose;
    - iv. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
11. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.
  12. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and never assume that personal information posed on such sites is protected.
  13. Department personnel are reminded that the department policies and Code of Conduct applies to on-line activities.

14. There should be no expectation of privacy for items or activities conducted on-line.

**B. Monitoring of Social Media**

1. Supervisors within the department may make random investigations into the postings of employees for purposes of protecting the integrity and reputation of the department, protecting the integrity of investigations, and ensuring privacy and security of departmental records and information.
2. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.
3. No supervisor or member of the department below the rank of Chief of Police is authorized to cancel, modify, or make exceptions to the contents of this order at any time.

**CISD Police Department**  
**2.05 Use of Social Media**  
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**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 2.06</b>	<b>Off-Duty Assignments</b>



**I. POLICY**

It is the policy of the CISD Police Department that employees be permitted to work off-duty jobs subject to the procedures outlined in this policy. It is further stipulated that professional and consistent standards, both in appearance and performance, for off-duty employment be maintained at all times to ensure a positive public image. This policy applies to all off-duty employment.

**II. DEFINITIONS**

Off-duty work. Off duty work is defined as work that is law enforcement related and where the employer is other than the CISD.

**III. PROCEDURES**

**A. Off-duty Employment**

1. The Chief of Police shall designate an Off-duty Work Coordinator, who shall be responsible for coordinating all off-duty work requests and assignments that are received by the CISD Police Department and/or worked by CISD Police Department employees.
2. Employees shall only be eligible to work in a police related capacity when capable of performing full duty assignments. Employees, while on approved limited duty assignments due to an injury or sickness, employees on FMLA, employees in a non-duty status, and employees off work on paid sick leave status shall not be authorized for any off-duty employment, regardless of where it is to be worked.
3. Nothing in this policy should restrict the ability of a department employee to be engaged in gainful self-employment of a non-police related activity as long as the self-employment does not infringe upon the employee's work schedule, the reputation, effectiveness, or convenience of the CISD Police Department as the employee's primary employer.

## B. Authorization

1. Off-duty request may be submitted for approval to The Chief of Police or designee using CISD e-mail, or in person. Requests for authorization of Off-duty employment shall be sent through the normal chain of command for approval and then forwarded electronically to the Off-Duty Work Coordinator.
  - a. Only one off-duty request for authorization is required for off-duty work that is generated through the CISD Police Department.
  - b. A separate off-duty request for authorization is required for off-duty work that is coordinated or arranged directly by the outside vendor/contractor. The request shall document significant aspects of employment, including name of off-duty employer, dates, times, location, and funding source (District/non-district).
  - c. An employee must have completed at least one-half of their initial probationary period to be considered for off-duty work. The Chief of Police, on a case-by-case basis, bases the approval on employee experience, the nature of the off-duty work, and review.
1. Chief's Authorization. The Chief of Police must authorize all law enforcement related off-duty employment. The required authorization is necessary when the employee generates an off-duty job for an outside organization that is either requesting specifically that employee or is of a continuous nature for an indefinite period of time.
2. Maximum Hours. No employee shall be allowed to exceed thirty hours (30) hours of off-duty employment per payroll week, without advanced approval from the Chief of Police or designee.
3. Revocation. An employee's supervisor may request, through the chain of command, revocation of authorization upon showing cause that the off-duty employment is in any way interfering with or impeding job performance.
  - a. The granting of a request for off-duty employment does not create a right of continuation of the approval.
  - b. The Chief of Police may, at any time, revoke the approval by providing written notice to the employee.
4. Charities. Sworn personnel may not donate law enforcement related services to a charitable or non-profit organization.
  - a. The Fair Labor Standards Act provides that employers may not "suffer or permit" employees to perform for "free" duties comparable to those they are compensated for.
  - b. Nothing prohibits an employee from making a comparable financial donation back to the charitable organizations following payment.
5. While performing off-duty employment that is police related, employees shall conform to the CISD Police Department Policies and Procedures Manual. CISD's required pay scale for off duty assignments will be \$30.00 per hour.
6. Identified performance problems may result in removal, after notice to the employee, from off-duty employment consideration for a period of time to be determined by the Chief of Police based on individual circumstances.

7. Outside District Limits. Employees will not be approved to work non-district related off-duty assignments outside District Limits unless authorization is given from the Chief of Police.

C. Off-Duty Job Requests for Officers

1. 48 Hour notice. Requests for off-duty officers to work should be submitted to the Off Duty Work Coordinator, at least 48 hours in advance of the time the officer(s) is needed. If the Department is not notified of cancellation by the entity, which requested the off-duty employee at least 12 hours prior to the start of the event, and the officer reports for the assignment, then that entity is responsible for paying the employee the 2-hour minimum charge.
2. Eligibility list. The Off-Duty Work Coordinator shall maintain an eligibility list comprised of officers and sworn first line supervisors who are authorized to work off duty.
3. Off-duty assignments for any law enforcement-related job opportunities made available through the CISD Police Department designated off-duty work coordinator will be awarded on a first come-first-serve basis. Off-duty assignments that are District related and have an insufficient number of officers responding to meet the needed staffing levels will result in mandatory assignments being made. The Off-duty Work Coordinator maintains mandatory call-up list.
4. Supervisors. When working at a District related assignment, a supervisor shall be paid at the designated supervisor rate of pay. On all non-assignments, the supervisor shall be paid at the established Department off-duty rate. Except when working as a supervisor, sworn supervisory officers shall not exercise supervisory powers or status while working an off-duty assignment.
  - a. Three officers are permitted to work an off-duty assignment without a supervisor being present unless a supervisor is specifically requested and paid for by the employer.
  - b. A supervisor is required at an off-duty assignment any time the total number of officers exceeds three. If the total number of officers exceeds fifteen, a second supervisor shall also be required.
5. When a supervisor is required, only supervisors shall be utilized for filling the supervisor position. On those assignments, non-supervisory personnel shall fill all other positions on the team.
6. Failure to appear. Employees/contract vendor officers failing to appear at an off-duty assignment shall be considered absent without leave, unless the officer has a valid excuse for not being able to respond to an assignment, and:
  - a. Gives a two (2) hour minimum notice,
  - b. Contacts the Off-Duty Work Coordinator; and
  - c. Finds their own authorized replacement
  - d. Employees/contract vendor officers who fail to appear at the off-duty assignment, and who fail to meet the above requirements shall not be approved to work off-duty assignments for the following time periods:

- (1) First Offense – Supervisory Counseling.
- (2) Second Offense – Thirty (30) day suspension from Off-Duty Assignments and a follow with counseling/discipline.
- (3) Third Offense – Ninety (90) day suspension from Off-Duty assignments plus a Written Reprimand.\*
- (4) Fourth Offense – Removal from Off-Duty assignments for six (6) month plus a Written Reprimand. \*

\*Contract vendor officers will have a letter outlining the failure to appear sent to their agency’s assigned point of contact.

- e. The offenses will be monitored in twelve (12) month increments with the clock starting at the first offense.
  - f. Any employee who misses such an assignment shall forward an electronic notice through the Chain of Command detailing the circumstances of the absence.
1. Communications. Upon reporting for duty at the off-duty job site, employees will advise Communications via radio of the fact that they are performing an off-duty job, the location and the employee number. If working off District property, the same information will be relayed to the appropriate Communications area.
  2. Off-duty coordination.
    - a. The CISD Police Department Off-duty Work Coordinator is responsible for all coordination of off duty work.
    - b. Employees who are contacted directly by a business or organization to provide off-duty services shall not accept a coordinating role for any off duty assignment.
    - c. The employee shall refer the business or organization to the department’s Off Duty Work Coordinator.
    - d. Employees shall not make contact with a business or vendor to solicit off-duty work.
  3. Uniform. Employees engaging in off-duty assignments shall wear the appropriate uniform for the assignment, or as otherwise directed by either the Off-Duty Work Coordinator or a lieutenant.

D. Prohibited Off-duty Employment

1. Certain types of off-duty employment are prohibited for the following reasons:
  - a. Conflict of Interest. Is employment that has the potential to create a conflict between the employee’s duties as a police officer and their duties for the outside employer. Such employment may confront the employee with having certain types of off-duty employment are prohibited (continued) to enforce the law against the employer's interest. Examples would be laws on serving liquor after hours or to minors and providing special advantage to private interests at the expense of a public interest.

- b. Threats to the Status or Dignity of the Police. Includes employment that adversely effects the department or lowers the dignity of the police profession. Decisions on employment that may fall into a prohibited category are made on a case-by-case basis.
  - c. Unacceptable Risk of Injury. Limitations on employment that presents a high potential for injury are intended to avoid injuries that would deny the department of the employee's regular duty. Such limitations also involve the issue of who is to pay compensation for injury and the employee's eligibility for retirement if an injury is permanently disabling.
2. Members of the CISD Police Department shall not work for or perform the following activities:
- a. For a company with which the District has entered into a contract for services, bail bond agency, private security guard company, taxi service, escort service, adult bookstore, adult theater, adult entertainment center, or any adult oriented business.
  - b. Serve civil processes or work as a private detective or investigator, or any position where the purpose of employment is to gather information for or appear as a witness in a civil action.
  - c. Businesses Serving Alcoholic Beverages. Employees shall not work in any capacity or have ownership in a business engaged primarily (51% of gross revenue) in the sale of alcoholic beverages for on premise consumption. CISD will allow officers to work at alcohol related events with prior approval from The Chief of Police. CISD will require a minimum of two (2) officers at events where alcohol is served and the CISD pay scale will be \$35.00 per hour per officer.
  - d. Work outside the CISD limits in any capacity, except traffic control/direction, while carrying or utilizing CISD police equipment including firearm, badge, identification card, etc. The exception to this section is working under the direction of another law enforcement agency, with the approval of the Chief of Police.

E. Restrictions

- 1. Employees on suspension due to disciplinary action shall not work any police-related off-duty jobs that require the wearing of an CISD Police uniform or exercise of authority as a peace officer of the State.
  - 2. Employees shall not work off-duty while being listed as off for sickness, injury, or emergency leave.
- a. Any employee taking sick or emergency leave shall not engage in off-duty employment within eighteen (18) hours of the time they would have normally begun work unless supervisory approval is obtained.
  - b. An employee assigned to light duty shall not engage in off-duty employment while in this status without written authorization from the Chief of Police.
- 3. Employees shall not use police identification, authority, or powers while engaged in the collection of debts, bills, or checks.



4. Employees shall not work off-duty for any person who is a known convicted felon to the employee or who is openly associating with individuals the employee knows are convicted felons.
5. Employees shall not engage in off-duty employment that requires the performance of police related services without being armed with a department approved firearm and in a Department issued uniform.
6. No employee shall engage in off-duty employment that in any way discredits District employment, detracts from employee performance and proficiency, or takes preference over off-duty or overtime required by the CISD Police Department. Decisions on employment that may be in conflict with this are made on a case-by-case basis.
7. Probationary officers must have completed at least 8 of their 12 months' probation, and obtain written approval of the Chief of Police, prior to being placed in off-duty employment of a police nature.
8. Authorization for off-duty employment for probationary supervisors shall be discretionary based upon their job performance.
9. The Chief of Police will revoke authorization for off-duty employment for any employee whose probationary period is extended. This revocation will remain in force until job performance is satisfactory.
10. Employees shall not refuse to respond to a citizen request for aid while in uniform and on an off-duty employment status.
11. Only the Chief of Police or his designee may approve or cancel off-duty work requests.
12. All employees shall have eight (8) hours of uninterrupted rest within any twenty-four-hour period (midnight to midnight) before working an off-duty work assignment.
13. Employees in a compensated "on-call" status shall arrange for coverage when performing any off-duty work.

F. Off-Duty Employment Arrests

1. Employees are advised to use discretion in making arrests during off-duty employment. Employees should refer to CISD Police Department Policy and Procedure 1.01, Law Enforcement Agency Role, for additional information regarding arrests.
2. Off-duty sworn personnel have the same power and discretion as one in an on-duty status and may arrest for misdemeanor or felony offenses with probable cause. The following information is intended as a guideline for off-duty arrests:
  - a. Felonies or violent crimes
    - (1) Off-duty employees shall take police action in the event a felony or violent crime occurs in their presence during their off-duty assignment.
    - (2) The off-duty employee will contact an on-duty supervisor, or lead officer.
    - (3) An on-duty officer shall be called to take custody of the prisoner, if necessary. The on-duty officer will perform the booking

process, and conduct necessary follow-up investigation to assist the booking process.

- (4) The off-duty employee shall contact Communications for an IR number and complete all necessary paperwork as if the arrest were made on-duty. The employee will be considered on-duty at that time and be compensated by CISD in lieu of the off-duty employer.
- (5) In instances that occur outside the CISD limits, the employee will take appropriate action and report the offense to the local law enforcement agency.

a. Misdemeanors

- (1) Off-duty employees will use discretion when making an arrest for a misdemeanor crime occurring during their off-duty assignment.
- (2) The off-duty employee will contact an on-duty supervisor, or lead officer, if an arrest is made.
- (3) Employees will issue citations in lieu of arrest when feasible.
- (4) An on-duty officer may be called to assist with follow-up investigation, if necessary.
- (5) The off-duty employee shall contact Communications for an IR number and complete all necessary paperwork.
  - (a) The employee will be compensated if they are completing an arrest and/or paperwork when they are working in the capacity as an CISD police officer.
  - (b) The employee will author the report after the remainder of their off-duty assignment.
  - (c) The employee will hold a report taken during their off-duty assignment unless the report includes anyone being booked into jail, involved in a domestic violence situation, and/or there is a break between the employee's off-duty assignment and reporting back to their regular work assignment.
- (6) In instances that occur outside the CISD limits, the employee shall report the offense to the local law enforcement agency, if necessary.

G. Injury

1. If an injury or sickness is due to non-police related activity, there is no liability of any nature on the part of the CISD.
2. Employers are not required to provide a Certificate of Insurance to verify they hold Workman's Compensation and General Liability insurance before authorization is granted for employees to perform off-duty services to non-district entities. **District employees are hear-by warned that District Worker's Compensation Insurance does not cover injuries sustained working in a non-district capacity.**

#### H. Special Needs

1. Specialized police equipment (other than the equipment issued to the employee for routine duty use) required for off-duty employment, other than for the CISD, will require the advanced approval of the Lieutenant
2. If twelve (6) or more employees are to be hired for an event or an assignment, one of the employees will be of a supervisory rank and will be in charge of and responsible for the detail.
3. When a supervisor is required, the supervisor shall be paid the current supervisor rate.

#### I. Reporting

1. All off-duty, law enforcement related work (security, traffic direction, etc.), paid by District funds, shall be reported by entering the hours on the appropriate off-duty form approved by the department and forwarded to the Off-Duty Work Coordinator, who will approve and forward for payment.
2. Each and every assignment paid with District funds, whether arranged by the department Off-Duty Work Coordinator, the employee, or an outside organization shall be reported. Information required shall include:
  - a. Organization paying for services.
  - b. Date and times worked to match exactly with any pay documents submitted to the organization paying.
  - c. Location where services provided.
  - d. All hours worked must be provided.
3. The Off-Duty Work Coordinator shall complete a monthly report of all off-duty jobs filled and the employees who filled them. This report shall be forwarded through the chain of command to the Chief of Police.
4. Officers contracted with outside employers, not paid with District funds, and not managed by the Off-Duty Work Coordinator, is responsible for the arranging of payment for services provided. All approved department equipment charges are to be handled by the Off-Duty Work Coordinator.

**CISD Police Department**

**2.06 Off Duty Assignments**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 3.01</b>	<b>Uniforms and Equipment</b>



## I. POLICY

CISD Police Department personnel shall practice good grooming habits at all times when working both on-duty and extra-duty/off-duty. Uniforms and equipment shall be maintained in a clean serviceable condition at all times. Employees should bear in mind that they represent the CISD Police Department to members of the community and that the CISD Police Department strives for professionalism in appearance as well as performance.

## II. PROCEDURE

### A. General Provisions

1. For the purposes of this Order, reference to "Right" or "Left" will mean the wearer's right or left.
2. Supervisors are responsible for ensuring that employees under their command maintain a neat and professional appearance, and utilize only CISD Police Department approved uniforms and equipment.
3. Grooming: Good grooming will be practiced at all times when working both on-duty and extra-duty/off-duty. Uniforms and equipment will be maintained in a clean, serviceable condition. Hands and fingernails will be clean and nails trimmed.
  - a. Female's face and eye makeup will be neatly and thinly applied and will harmonize with hair color and the color of the uniform or plainclothes.
  - b. Fingernail length for on-duty female officers and uniformed civilian personnel will be no longer than one quarter (1/4) of an inch beyond the fleshy portion of the finger.
  - c. For those uniformed employees who desire to use nail polish, the color will be a conservative shade without decals or ornamentation.
4. Uniforms: Uniforms will be sized for an appropriate fit, clean, and neatly pressed, and creased. Pockets, sleeves, and shirtfronts of all approved uniform items will be worn buttoned whenever possible, with the exception of the collar button.

5. Leather and Accessories: All leather items will be of the same style, either plain leather, basket weave, or nylon gear.
6. For the purposes of this Order, "equal" shall mean:
  - a. Structured in the same manner,
  - b. Present the same overall appearance in terms of shape, color, and quality as a  
CISD Police Department issued item and
  - c. When viewed simultaneously, the items should reveal no significant difference.
7. Disrepair: Articles of the uniform, which require repair or which have been patched or repaired, will not be worn unless the patch or repair is inconspicuous.
8. Sunglasses: Sunglasses, when worn, will be conservative in style. Mirrored and/or iridium multicolored type glasses are prohibited. Retainers (cords) for eyeglasses or sunglasses may be worn, but must be of a conservative color and design and be compatible in color and design with the uniform. Bright contrasting colors may not be worn with the uniform. Officers and employees should remove their sunglasses when conversing with citizens whenever possible.
9. Commission Card: Police employees will display the commission/identification card at all times when on-duty or in uniform off-duty, and carry it at all times when off duty and armed.
10. Jewelry:
  - a. Personnel may wear watches and rings of a conservative style at their discretion.
11. Piercing: All body piercing, except earrings, will not be visible while on duty (i.e., tongue, eyebrow, nose, etc).
12. Tattoos: Offensive tattoos as defined by the CISD Police Department (to include but not limited to profanity, nudity, sexually or racially insensitive designs), which would bring discredit or embarrassment upon the CISD Police Department, will not be visible while on duty.
13. Civilian Attire: All civilian employees who are dressed in civilian attire will adhere to the following guidelines:
  - a. Appropriate Dress
    - (1) Office employees should maintain a professional office image, and may include jacket and tie, professional suit, dresses, skirts, and blouses, pant suits, or slacks.
    - (2) Dresses, skirts and skorts lengths shall be at an appropriate office attire length.
  - b. Inappropriate Dress: Items such as jeans, shorts, tank tops, sundresses without jackets, halter tops, bare midriff tops, casual romper outfits, shirts with tails not tucked in, T-shirts, any apparel with screen print advertising, inappropriate slogans, thongs and thong type shoes, and

shoes without hose/socks, shall not be worn by any CISD Police Department employee except as permitted elsewhere in this policy.

- c. Casual Day: The CISD PD has established Casual Friday's throughout the year. Employees are encouraged to dress casually, yet maintain a neat and well-groomed appearance. The Chief of Police has authority on casual attire.
  - (1) Jeans are acceptable as long as they appear to have an even tone or pattern throughout the garment and are not worn, faded or tattered from wear. Jeans are only approved on days the Superintendent announces jeans are appropriate.
  - (2) Capri pants (not jeans) knit polo shirts, or shirts with banded collars are acceptable.
- e. Special Events: The CISD PD may designate optional dress for Special Events, (i.e., Halloween, or special work assignments, etc). The Chief of Police will announce dress for designated events prior to the event or assignment.
- f. Meetings and Events: External meetings or other events (i.e., court), require appropriate dress regardless of Casual Day (Friday) exceptions. Court or judicial appearances shall always be made in uniform or professional business attire (shirt and tie for male employees).
- g. Training Attire: Uniformed employees who are attending training and therefore wearing civilian attire should consult with their supervisor for guidelines on appropriate training attire.
- h. Supervisory Responsibility: It is the responsibility of the supervisors to insure employees adhere to these guidelines and maintain a professional, well-groomed appearance.

## B. Hair Regulations

### 1. Males:

- a. Hair may be worn in contemporary styles but no lower than the top of the shirt collar at the back of the neck when standing with the head in a normal upright position. It must be neat, combed, clean, and not extend more than one and one-half inches from the sides and top of the head and must be worn above the ears. Wigs may be worn to comply with the foregoing. Unnatural hair colors and hairstyle with distinct color changes from top to bottom are prohibited.
- b. Sideburns: Sideburns may be worn no more than one-inch-wide at the widest point measured from the natural hairline nearest the ear, will not extend below the bottom of the ear lobes and will be cut straight horizontally and neatly trimmed.
- c. Mustaches: Mustaches may extend no further than the corner of the mouth and cannot extend below the corner of the mouth or over the edge of the upper lip. Mustaches may not be waxed or twisted and will be neatly trimmed.

- d. Beards and Goatees: Beards and goatees will be allowed for CISD Police Department employees while in uniform assignments. The Chief of Police will set and maintain grooming standards for officers that choose to wear facial hair.

2. Females:

- a. Hair may be worn in contemporary styles but will be no longer than the bottom of the collar and may be worn over the ear. It must be neat, combed, clean, and not extend more than one and one half inches from the side of the head. The bulk around the head may not extend more than five inches.
  - b. Long hair shall be pulled back in a ponytail or in a bun, but when worn in this style will not extend more than three inches from the back of the head, and must present a conservative personal appearance. Ponytails may extend no further down than the middle of the back. Wigs may be worn to comply with the foregoing.
  - c. Female officers who wear civilian clothing while on-duty will wear their hair in a contemporary, conservative style.
3. Hair color – conservative hair coloring or highlights in a natural blend appearance are authorized, however unnatural colors and hair styles with distinct color changes from top to bottom are prohibited.
4. Employees assigned to special details where it is deemed necessary to deviate from these regulations may do so upon receipt of written approval from their Lieutenant (or above).

C. Insignia of Rank

1. Police Chief:

- a. Authorized uniform with collar insignia of gold-colored stars worn up, in tandem on the collar.

3. Police Lieutenant:

- a. Authorized uniform with collar insignia of gold-colored Lieutenant Bars pointing up in tandem on the collar.

4. Police Sergeant:

- a. Authorized uniform with collar insignia of gold –colored Sergeant’s chevrons on each collar.
- b. Police Officer - Authorized uniform.

D. Authorized Uniform Items: All uniformed personnel will wear the authorized uniform as indicated in this policy. It is incumbent upon the officer to match uniform pants and shirts in color. Alterations to fit the body contour of individuals are authorized, but alterations beyond inseam/waist and sleeve length adjustments will be at the expense of the employee.

- 1. Cap - The cap will be a baseball cap, dark blue/black in color, with the CISD Police emblem embroidered/attached on the front. The cap may be fitted or adjustable, and will be worn with the bill facing forward.

- a. The baseball cap is approved for uniformed personnel.
- 2. Uniform Shirt - The authorized shirts are:
  - a. Police Officer
    - 1. The standard CISD Police Department shoulder patch will be worn on each sleeve.
    - 2. Police T-shirts, black in color, may be worn when appropriate. The word "POLICE" must be marked boldly on the front and "CISD POLICE" on the back of the shirt. Patches will not be worn on the police T-shirt.
    - 3. Unfaded and unfrayed crew neck T-shirts shall be worn under the uniform shirt; however, they must be dark navy or black in color. The T-shirt sleeve must not extend beyond the end of the uniform sleeve.
- 3. Pants - The authorized pants are:
  - a. Police Officers
    - 1. Men's / Woman's - BDU pants, department issued
- 4. Shorts - Are authorized for Patrol Officers.
- 5. Shoes - All shoes shall be clean and brush shined. The Department does not furnish shoes. The authorized shoes are:
  - a. Low quarter, uniform type (Rocky, Thorogood and including military style "chukka" shoe or equivalent) black smooth polished leather, Corfam, or Porvair. These shoes are not to be a canvas tennis shoe style.
  - b. Boots, to include high-top, (either lace-up or slip on with round toe and straight heel) black smooth polished leather, Corfam, or Porvair. Canvas insets or side panels are only authorized if the toe and heel area are leather.
  - c. Shoes/Boots are recommended to have a non-slip sole for on duty wear.
  - d. Shoes/Boots worn with approved uniform shorts or by Bike Patrol Officers:
  - e. Athletic cross trainer type shoe, black in color, all leather uppers, smooth finish leather. Canvas insets, or side panels are only authorized if the toe and heel area are leather. High-top or low quarter, or authorized similar shoe.
- 6. Items of Identification
  - a. Breast Badge - The authorized breast badge will be worn shined and centered above the left breast pocket.
  - b. Nameplate - The nameplate, silver with black or blue letters for officers and uniformed civilians, and gold with black or blue letters for the rank of Sergeant and above, shall bear the last name of the wearer. The nameplate shall be shined and will be worn centered with the bottom of the nameplate touching the top seam of the right shirt pocket.
  - c. Cloth Badge or Embroidered Badge - The cloth, or metal badge is optional for wear with the jacket, sweater, or utility uniform. The cloth badge is mandatory for the polo and will be in the approximate same



position as the breast badge worn on the shirt. Embroidered nametags will be worn with embroidered badges only.

- d. Shoulder Patches - The authorized shoulder patches will be worn on both sleeves of all-uniform shirts, jackets, and sweaters. Shoulder patches will be changed when there are obvious signs of excessive wear or fading.

#### F. Periods of Wear

2. All uniform items listed in Section D of this policy are authorized for wear year round unless otherwise stated.

#### E. Gear and Special Equipment

2. Gun Belt: The gun belt will be worn without sagging and without exposing the trouser belt.
3. Holster: Black.
4. Handcuff Case(s): At least one handcuff case will be worn
5. Magazine Pouch: Will be worn on the duty belt

#### F. Uniform Classes

2. Class B – Short sleeve shirt, trousers, duty gear. (Minimum authorized uniform for all Court appearances, or professional business attire.)

#### G. Body Armor

2. Body armor is available to all officers through the CISD Police Department.
3. All officers are required to wear the armor anytime while in field duty or working law enforcement related off duty jobs.
4. All personnel involved in the execution of high-risk tactical duties, execution of search warrants, drug raids, etc., are required to wear agency provided protective vests at all times while discharging their high-risk duties.
5. Body armor will be replaced by the department for each authorized employee once every five years. If an employee's body armor no longer fits properly, or there is excessive wear to the ballistic vest panels, the department will authorize a new vest, one time only, in any five-year period. The five-year vest replacement cycle for that employee will then start over.
6. The wear of exterior vest carriers is authorized as follows:
  - a. Exterior body armor carriers must be dark blue in color and closely resembles the Class B uniform shirts authorized for wear. Authorized carriers must have two shirt pockets, buttons down the front with plaquets, shoulder epaulets and military creases.
  - b. The exterior carrier is not intended to be a load-bearing vest; therefore, no equipment pockets may be added to the exterior of the vest carrier.
  - c. The exterior vest carrier must be worn with the Class B uniform
  - d. The exterior vest carrier must have a badge and officer's name affixed.

- e. The exterior vest carrier must be clean and well maintained at all times. Vests that are damaged or faded must be removed from service and replaced.

#### H. Other Uniform/Equipment Items

##### 2. Flashlights

- a. Flashlights must be available while on duty, either in their vehicle or on their person, for all officers.
  - b. Flashlights are authorized for the conventional use of illuminating a darkened area, and may also be used to break a window to gain entry into a vehicle or structure, when required. Flashlights are not designed as an impact weapon; however, a flashlight may be used in a baton-like manner if empty-hand control techniques have failed or are not possible under the circumstances and a baton is not readily available. Employees will not purposely strike or jab suspects on the head, neck, sternum, spine, lower abdomen, groin or kidneys unless faced with a deadly force situation.
- 3. Knives – The carrying of a knife is optional and may be purchased at the employee’s expense.
  - 3. Traffic Vests: Only the CISD Police Department issued traffic vest is authorized for wear on duty or for extra-duty/off-duty assignments.

#### I. Uniform/Equipment Replacement

- 1. The employee will notify their supervisor as soon as possible of the damage to their uniform or personal equipment. The supervisor will then inspect the item for damage. The CISD Police Department will not authorize reimbursement in cases where the employee's negligence contributed to the loss/damage of the uniform/equipment or personal item.
- 2. If the occurrence requires an Incident Report, the details of the damage to the uniform will be included therein. If the damage occurred as the result of criminal activity, a notation will also be made noting that restitution is requested if a suspect is successfully prosecuted.

#### J. Uniform/Equipment Storage and Security

- 1. It is imperative that employees, both sworn and non-sworn, exercise accountability and control of CISD Police Department issued equipment at all times. While not in use, employees will not secure their equipment in areas readily accessible to the public.
- 2. CISD Police Department issued portable radios, police identification and badges, cellular telephones, and firearms are not to be stored in personal vehicles.

**CISD Police Department**

**3.01 Uniform and Equipment Policy**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 4.01</b>	<b>Use of Force – General Policy and Reporting</b>



## I. Policy

- A. The CISD Police Department authorizes its employees to use force in a police action when, and to the extent, it is objectively reasonable.
- B. It is the policy of the CISD Police Department that its employees will use that force or threat of force that is objectively reasonable to effect a lawful arrest, lawful detention, or in preventing or assisting in preventing a crime, or assisting in preventing escape after arrest or detention, and/or to stop the violent behavior of an individual.

CISD Police Department officers, depending upon an employee’s assignment and training, have less-lethal tools that are obtainable, accessible, and available. Less-lethal is defined as a force application, which meets an operational objective with less potential for causing death or serious injury than conventional police tactics. The application of this force option requires the use of special training, techniques, and tools. ***Officers who use less-lethal weapons must receive training and demonstrate proficiency annually.*** *Use of excessive force in any situation is prohibited.*

- C. While it is the ultimate objective of every employee to minimize injury to themselves and/or another, nothing in this policy requires an employee to actually sustain physical injury before applying force.
- D. An employee’s use of force will be evaluated from the perspective of a reasonable employee on the scene. The inquiry into every use of force incident will be based upon the employee’s training and experience, and the employee’s reasonable belief that the amount of force used was necessary considering the circumstances confronting the employee at the time and not through the 20/20 vision of hindsight.
- E. The CISD Police Department recognizes that this policy is a guideline. It is understood that no set of policies or procedures can effectively cover every possible scenario an employee may encounter. The CISD Police Department also recognizes that the judgment and discretion of the individual employee involved govern much of the decision-making utilized in use of force incidents. However, to the extent the employee use of force deviates from these guidelines, the employee must have a sound and

articulable reason for doing so as determined by the *totality* of the circumstances. These reasons must be clearly articulated by the employee. Any deviations from these guidelines for reasons that are not sound or articulable may subject the employee involved to disciplinary action by the CISD Police Department.

- F. The CISD Police Department recognizes that State and Federal law provide direction for the use of force. The policy of the CISD Police Department is purposefully more restrictive and specific than current State or Federal law. *It should be understood that compliance with State and/or Federal law does not imply conformance with this policy.*

## **II. Definitions**

- A. Accessible – A firearm or less-lethal tool is on-scene, but not immediately available (e.g., the tool is secured in a patrol car), however, can be made available if time and the situation permits.
- B. Available – The firearm or less-lethal tool is on hand and ready for immediate use.
- C. Covering Fire – Intentional discharge of a firearm directed at a “specific target” threat or “threat area” (cognizant of background), utilized to stop or prevent deadly behavior caused by the suspect(s) when entering an exposed area to gain a tactical advantage, or entering an exposed area to effect a rescue/recovery, by making the suspect(s) seek cover. Police response tactics must not place citizens at greater risk than the actions of the suspect.
- D. Deadly Force – That force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.
- E. Deployment – To station or place, in accordance with a plan, a firearm or less-lethal tool for immediate application or discharge.
- F. Employee – For purposes of the application of the use of force and CISD Police Department policies, employee means all sworn police officers.
- G. Excessive Force – That force used during a police action, which is greater than that which is objectively reasonable to obtain lawful objectives under the circumstances presented for each situation.
- H. Force – Force shall be defined as the use of any weapon, instrument, device, or physical power used to control or restrain a person, or to overcome resistance. It includes gaining control of a subject or overcoming resistance through the use of physical strength, weaponless defense techniques, control techniques, to include defensive weapons or a combination thereof. Anytime force is used, the employee should apply a use of force option that is reasonable for the situation.

- I. Obtainable – A firearm or less-lethal tool is within the CISD Police Department’s inventory, but not on-scene and not immediately accessible or available.
- J. Police Action – Any circumstance, on- or off-duty, during which an employee exercises or attempts to exercise official authority.
- K. Soft Empty Hand Control - techniques with minimal chance for injury (touch pressure and joint locks).
- L. Hard Empty Hand Control - techniques with a probability of injury (leg and hand strikes).
- M. Reasonable Belief – The facts and/or circumstances the employee knows, perceives, or should know, at the time that the decision to use force is made and are such as to cause an ordinary and prudent employee to act and think in a similar manner under similar circumstances. The U.S. Supreme Court in *Graham v. Conner*, 490 U.S. 386 (1989), has written that it is necessary to evaluate the facts and circumstances confronting the employee at the time force was used, rather than with the 20/20 vision of hindsight.
- N. Response Options – Control techniques, less-lethal weapons, and firearms available to CISD police employees to counter and/or control a resistive subject.
- O. Serious Physical Injury – Physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ.
- P. Warning Shots – The intentional discharge of a firearm to warn or stop a perpetrator in order to control a situation.

### **III. Philosophy**

- A. The CISD Police Department recognizes that the value of human life is immeasurable in our society. This policy recognizes that the employee’s responsibility for protecting life must also include his/her own. The CISD Police Department recognizes and respects the value of life and dignity without prejudice.
- B. The use of force by law enforcement personnel is a matter of critical concern both to the public and the law enforcement community. The CISD Police Department recognizes and authorizes its employees to use appropriate force; however, there is an expectation that employees will use only that force that is objectively reasonable to resolve a situation. Employees must understand and appreciate the limitations on the authority granted to them – particularly with respect to overcoming resistance.

- C. The use of excessive force will result in appropriate corrective action and/or discipline and may create personal liability for the involved employee as well as civil and/or criminal penalties. It is expected that all employees will intervene to stop the use of excessive force.

#### **IV. Legal Disclaimer**

This policy statement is for CISD Police Department and CISD use only and does not apply in any criminal or civil proceeding. The CISD Police Department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

#### **V. Procedures**

- A. The policies of the CISD Police Department regarding the use of physical force, less-lethal weapons and equipment, deadly force, and discharging firearms will be set forth in this policy, other related policies, and Texas Statutes. Each employee will be issued a copy of these policies, instructed in these policies, and demonstrate proficiency before employing any of these weapons and/or tactics as trained. Only CISD Police Department issued or approved weapons, equipment, and chemical agents will be authorized.
- B. Employees may use force only when they reasonably believe it is necessary to:
  - 1. Prevent or terminate the commission or attempted commission of an offense.
  - 2. Lawfully take a person into custody, make an arrest, or prevent an escape.
  - 3. Prevent the commission of suicide or self-inflicted serious physical injury.
  - 4. Defend self or a third party from what is reasonably believed to be the use or imminent use of physical force.
  - 5. Accomplish some official purpose that is authorized by law, by judicial decree, or performed within the scope of the employee's official power, duty, or function.
- C. The use of force by an employee can be viewed as an option selected in response to a subject's actions and behavior. The option selected is determined by the relationship between a subject's actions and the employee's response. It must be understood that as the selected option moves from lesser to greater force, the risk of injury to the subject and/or employee also increases. Based on an officer's training and experience, if a lesser force option will not likely lead to control of the subject, then a reasonable and greater force may be used. Suspect resistance levels are:
  - 1. Psychological Intimidation
  - 2. Verbal Non-compliance

3. Passive Resistance
  4. Defensive Resistance
  5. Active Aggression
  6. Aggravated Active Aggression
- D. Employees who are not readily identifiable as police employees, whether on or off-duty, shall identify themselves as police employees, unless identification would jeopardize the safety of the employee or others.
- E. The CISD Police Department trains its employees on an array of force options. Depending on assignment, some employees may receive specialized training in options that others have not. The options are based on the concept that as the resistive subject increases their degree of resistance or threat to the employee, the employee may use any reasonable and necessary options to overcome that resistance. Conversely, it is expected that the employee will decrease the use of force as compliance is attained. Options include:
1. Presence
  2. Verbal Direction
  3. Soft Empty Hand Control Techniques
    - a. Wrist Locks
    - b. Joint Locks
    - c. Pressure Points
    - d. Restraining Devices- Leg restraints may be used to prevent suspect or others from injury or to prevent destruction of property. In the event a leg restraint is applied, the suspect will then be laid on his/her side, with his/her legs fully extended. Once officer(s) have gained control of suspect, he/she will NOT be placed on their chest with their legs bent, tied behind their back in a position known as "hogtie".
  4. Chemical Weapons
  5. Intermediate Control Techniques
    - a. Hard Empty Hand Control
    - b. Impact Weapons
    - c. Canine Application
  6. Deadly Force
- F. **Chemical Weapons - Oleoresin Capsicum (OC):** The use of chemical agents is considered a less-lethal tactic.
1. All uniformed employees will be trained in the use of OC spray/foam, demonstrate proficiency. It will be optional to attach OC to their gun belt and carried while on duty.
  2. All officers will carry only authorized OC spray/foam purchased by the Department and issued to each officer.
  3. Carrying OC spray/foam is optional for Department employees assigned to plain clothes operations.



4. Employees using the OC spray/foam will direct a one-second burst into the face of the suspect. The suspect may have a 3-5 second delayed reaction to OC.
    - a. Employees should subdue and handcuff the suspect.
    - b. Employees should resist the urge to immediately rush into the contaminated area to control the suspect.
- G. Suspect Care – Employees who have used any OC on a suspect will not leave the suspect unattended and will continue to provide post-use care of the suspect until the suspect has recovered from the effects.
1. Employees shall avoid restraining suspects with their legs behind their back or on their stomachs as this can contribute to positional asphyxiation.
  2. During riot situations when large unruly crowds are encountered, it may not be possible to arrest or provide medical attention to all OC deployments as the subjects struck may wander off or be carried off within the crowd.
  3. Warm water can be used to flush the eyes without rubbing. Suspects should recover within 45 minutes, but intense sensation of skin burning may persist 30 to 90 minutes after exposure to OC foam. If possible photographs of deployment should be taken.
- H. Notification – When OC is utilized, a supervisor will be notified as soon as possible, and the Use of Force Form shall be completed before the end of the duty shift.
- L. **Expandable Police Baton** – An expandable police baton may be used if empty-hand control techniques have failed or are not possible under the circumstances. When the use of the baton is warranted, employees will attempt to strike the suspect in authorized strike locations. Employees will not purposely strike or jab suspects on the head, neck, spine, lower abdomen, groin or kidneys, unless faced with a deadly force situation.
1. Officers electing to carry batons will successfully complete an *annual* re-certification course, and *demonstrate proficiency*, as scheduled by the Department.
    - a. Each employee wishing to carry an expandable baton shall satisfactorily
    - b. Complete a basic baton course taught by a Texas Commission on Law Enforcement (TCOLE) certified impact weapons instructor.
    - c. Recruits will receive basic baton training while in the academy.
  2. Suspect Care – In the event of an apparent injury, or a complaint of injury, employees who have used the baton on a suspect will not leave the suspect unattended and will provide care to the suspect until medical care is available. Emergency Medical Service paramedics will be summoned to the scene, and a supervisor shall be advised of the situation.
  4. Employees shall avoid restraining suspects with their legs behind their back or on their stomachs as this can contribute to positional asphyxiation.

5. Notification – When an Expandable Baton is utilized, a supervisor will be notified as soon as possible, and the Use of Force Form shall be completed before the end of the duty shift.

**M. Other Impact Weapons (Flashlights)** – Flashlights are not designed as an impact weapon; however, a flashlight may be used in a baton-like manner if empty-hand control techniques have failed or are not possible under the circumstances. Employees will not purposely strike or jab suspects on the head, neck, spine, lower abdomen, groin or kidneys, unless faced with a deadly force situation.

1. Employees who have used an impact weapon on a suspect will not leave the suspect unattended and will provide care to the suspect until medical care is available.
2. Notification – When an impact weapon is utilized, a supervisor will be notified as soon as possible, and the Use of Force Form shall be completed before the end of the duty shift.

## **VI. Deadly Force**

- A. The use of statutorily defined deadly weapons constitutes deadly physical force. In addition, dangerous instruments including, but not limited to, flashlights, batons, and the use of police vehicles may constitute deadly force, depending upon the circumstances in which it is used. Employees must be mindful of the risks inherent in employing deadly force. A member's reckless or negligent use of deadly force is not justified in this policy. By design and intent, this policy is more restrictive than current State Statutes.
- B. Employees should ensure that their actions do not unreasonably precipitate the use of deadly force by placing themselves or others unnecessarily in jeopardy by engaging in actions that are inconsistent with the officer's training, CISD Police Department guidelines, standards set forth by the Texas Commission on Law Enforcement (TCOLE), as well as industry standard tactics and practices.
- C. An officer in the performance of duty is confronted with an infinite variety of complex situations that require appropriate action. Since policy is objective rather than situation oriented, it is broad enough in scope to encompass most situations. There may be circumstances when noncompliance with policy is justified. Each instance of a deviation from policy will be examined on a case-by-case basis. Each officer must be prepared to articulate specific reasons for any non-compliance. The Chief of Police, based upon investigations and recommendations of reviewing Department/District staff, will make the final decision on the appropriateness of a decision pursuant to this policy and other appointed reviewing individuals.

- D. Deadly force is normally employed as a last resort when other measures are not possible or appropriate within the existing circumstances. The decision to use deadly force must be based upon the factors and circumstances known or perceived by the employee at the time the force is used.
- E. In situations where the employee must overcome an attack that the employee reasonably believes would produce serious physical injury or death to the employee or another person, the employee may resort to any method necessary to overcome the attack. *Once the situation has stabilized and the threat of serious injury or death is past, the employee must once again immediately resort to approved non-lethal force tactics.*
- F. Employees shall not rely on third party information as the sole basis for the decision to use deadly force.
- G. Use of Firearms – It is policy of the CISD Police Department that an employee may resort to the use of firearms when the employee believes it is reasonable, necessary, and the last resort, and at least one of the following circumstances exists:
  - 1. As a means of self-defense from death or serious injury.
  - 2. To defend the life of another employee from death or serious injury.
  - 3. To defend the life of a victim of a crime from death or serious injury.
  - 4. To prevent a crime in which human life is in serious jeopardy as a result of a suspect's actions.
  - 5. To apprehend or capture a person whom the employee knows has committed a felony involving the use or the threatened use of deadly force, and there is an imminent and great risk that the person will cause death or serious injury if apprehension is delayed.
  - 6. When shooting of a suspect appears imminent, employees will, if feasible, first issue a verbal warning.
  - 7. To dispose of an animal that poses an immediate danger to the employee or the public, when other means of protection are impractical.
  - 8. A sworn employee may discharge a firearm in a tactical situation (covering fire) to neutralize the use of deadly physical force.
- H. Shooting at moving vehicles:
  - 1. Firearms may be discharged at a moving vehicle if the person in the vehicle, such as the driver, is imminently threatening the officer or another person with deadly force by means of using the vehicle as a deadly weapon and the officer is left with no other alternative other than the use of deadly force.
  - 2. For the purposes of this section, *the moving vehicle itself shall not presumptively constitute a threat that justifies an officer's use of deadly force.* An officer may not place himself/herself in front of a moving vehicle as the occupants are making an effort to flee the scene.

I. Shooting from a Moving Vehicle. Employees will not discharge a firearm from a moving vehicle, except:

1. In defense from an imminent threat of death or serious injury to the employee or another person, and
2. No other means exists at the time to avert or eliminate the threat.

J. Background

1. It is understood that this policy may not cover every situation that may arise. In all situations, officers are expected to act with intelligence and exercise sound judgment, attending to the spirit of this policy. Any deviations from these paragraphs shall be examined carefully on a case-by-case basis. The involved officer(s) must be able to articulate clearly the reasons for the use of deadly force. Factors that may be considered include whether the officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.
2. The prohibitions specified in paragraphs G. and H. above exist for the following reasons:
  - a. Bullets fired at moving vehicles are extremely unlikely to stop or disable the moving vehicle.
  - b. Bullets fired may miss the intended target or ricochet and cause injury to officers or other innocent persons.
  - c. The moving vehicle may crash and cause injury to officers or other innocent persons if the bullets disable the operator.
  - d. Moving to cover, repositioning, and/or waiting for additional responding units to gain and maintain a superior tactical advantage maximizes officer and public safety and may minimize the necessity for using deadly force.
  - e. Shooting accurately from a moving vehicle is extremely difficult and therefore unlikely to successfully stop or prevent a threat to the officer or other innocent persons.
  - h. Employees will **NOT** fire warning shots.

K. Employees do not receive training in the application of the carotid neck restraint or other types of neck restraints. Therefore, these techniques are prohibited except when the employee believes she/he is involved in a deadly force situation and deadly force is justified.

L. Discharging weapons at animals.

1. Deadly force shall not be used unless the animal represents an immediate danger to the officer or a third party.
2. When the officer comes in contact with a seriously injured or dangerous animal, the officer will attempt to notify the appropriate agency *e.g.* Animal Control, Livestock, *etc.*

3. If time allows, the officer should first attempt to gain supervisor approval prior to using deadly force on a seriously injured animal.
4. Any officer who discharges a firearm at a seriously injured animal must thoroughly document the circumstances of the event in an incident report prior to the end of shift.
5. In any instance where an animal is shot, the officer's supervisor will review the incident for policy compliance.

## **VII. Reporting and Investigations – Serious Injury or Death**

The investigation of an employee's use of deadly force requires that complete information be obtained in a timely manner. A thorough investigation into the events surrounding an incident is of critical importance to the involved employee, the CISD Police Department and the public. The CISD Police Department also recognizes the impact these traumatic incidents have on its employees and acknowledges the need to be sensitive when conducting the required investigation. Recognizing these dual responsibilities, the following procedures serve to meet both goals.

- A. Use of Deadly Force – The ranking on-scene supervisor will ensure the following CISD Police Department members are immediately notified:
  1. Superintendent
  2. Chief of Police
  3. District Public Information Officer (PIO)
  4. District Board of Trustees
- B. Employees who discharge any firearm will make a verbal/oral report to an on-duty supervisor as soon as possible and submit a written report as soon as practical. (Firearms training, target practice, and lawful hunting are exempt.)
- C. Investigations will be conducted in all deadly force incidents and all situations where a weapon has been discharged either intentionally or unintentionally. An investigation may be assigned in the case of unintentional or accidental discharges as directed by the Chief of Police or designee. When assigned, a complete and thorough investigation will guarantee impartiality; maintain public confidence, fairness, and protection of the employee. In addition, the following guidelines must be followed.
  1. Involved Employee – At any time an employee is involved in the use of deadly force, the employee must immediately advise the Communications Section of the nature and location of the incident. Where applicable and when safe to do so, the employee must determine the physical condition of any injured persons; render first aid, and request necessary medical assistance.

2. Weapon Integrity – Employees are responsible for maintaining the integrity of the weapon for possible examinations, and will release the weapon to the investigator of the incident when instructed to do so.
3. On-Duty Supervisor:
  - a. The on-duty supervisor will assess the shooting incident and make a preliminary determination whether the Corsicana Police Department (CPD) Criminal Investigations Division (CID) and/or an Administrative Investigation should investigate the incident, or if the employee’s supervisor should investigate the incident.
  - b. The on-duty supervisor will ensure that all employees involved in the incident shall remain at the scene until instructed to leave. If the employee is injured and must leave to obtain necessary medical attention the on-duty supervisor will ensure that another supervisor or Employee Assistance Program representative accompanies the employee to a medical facility.
4. CPD CID Supervisor Responsibility – A designated CID supervisor will assume command and responsibility for the criminal investigation when the use of deadly force results in the death or injury of another person.
5. In the event an involved employee becomes injured, the on-duty supervisor will remove the employee’s entire duty gear and secure it until it can be surrendered to the investigator of the incident. The chain of custody must not be compromised.
6. When an employee’s duty gear and weapon are seized in conjunction with an administrative or criminal investigation, the Chief of Police will be summoned to make a decision on how to replace the duty gear and officers weapon.
7. Employee’s Duty to Report – Employees shall make a verbal report to their supervisor immediately. *Employees directly involved in a deadly force incident ARE NOT required to complete a Use of Force Report Form.* Such report shall be completed by the investigating agency.
8. CISD Police Department Review – CISD Police Department management staff, through the chain of command, will review all investigations with a final disposition issued by the Chief of Police indicating training and/or policy needs along with any necessary corrective action.

### **VIII. Employee Assistance**

The CISD Police Department recognizes that the physical and emotional wellbeing of its employees and their families are of the utmost importance and is a primary concern following any deadly force incident.

#### **A. Assistance at the Scene.**

1. Employees directly involved in a deadly force incident will be permitted and encouraged to contact their spouse, significant other, or other family member as soon as practical.
    - a. If the employee has been injured and feels that it will be helpful, a designated employee who knows the involved employee and/or the involved employee's family/significant other personally shall contact the employee's family/significant other immediately and in person.
    - b. It is imperative that every effort be made to notify the family/significant other prior to the appearance of the press or media.
  2. Employees who have been directly involved in a serious use of force incident may be removed from the scene if necessary by a supervisor as soon as practical. The involved employee shall not be assigned duties in the investigation.
  3. The Chief of Police shall designate a representative of command staff to initiate personal contact with the involved employee, a family member, and/or a significant other to provide support and assistance as soon as possible. Further assistance for the family/significant other of an employee who either dies or is seriously injured in the line of duty may include the following:
    - a. Assisting the family/significant other at the hospital.
    - b. Supporting the family/significant other at the funeral and burial.
    - c. Helping the family/significant other with legal and benefits matters.
    - d. Counseling the family/significant other regarding finances and other possible problems.
    - e. Supporting the family/significant other during criminal proceedings (if any).
    - f. Maintaining long-term contact with the family/significant other and keeping informed of needs.
- B. Reassignment: Any employee who seriously injures or causes death to a person and who is capable of working may be reassigned to their home for a minimum of two (2) days following the incident. The employee shall be assigned to an administrative position pending staff review of the incident.
- C. Counseling:
1. Any employee directly involved in a use of deadly force incident resulting in the death or serious physical injury to another person shall be referred by the Chief of Police, to a selected professional counselor for a psychological stress debriefing.
    - a. This debriefing should be scheduled as soon as possible following the incident (normally 2-3 days).
    - b. Additional counseling that may be needed is available to the employee as part of their District provided medical coverage.
    - c. Any exception to the psychological debriefing requirement shall require approval from the Chief of Police.
    - d. The Chief of Police shall review the recommendations of the psychological stress debriefing prior to the employee's return to work.

2. Any employee who is a witness to a deadly force incident and feels they are negatively affected as a result of their involvement may request an appointment with a counselor. Assistance is also available through counseling programs offered through the Employees medical coverage.
3. Any employee directly or indirectly involved in a deadly force incident is encouraged to take advantage of the counseling services available through these above listed sources.
4. It shall be the policy of the CISD Police Department that employees who receive consultation or counseling will be assured of full confidentiality consistent with law.
  - a. No individual, group, organization, department, employee, or official shall have access to any information regarding an employee's participation in any counseling program, except as noted below.
  - b. The right to confidentiality will be waived if the psychologist has reason to believe that an employee poses an immediate danger to self or others. In the event of such an occurrence, the Chief of Police will be notified and action taken to protect those concerned.

#### **VIII. Use of Deadly Force – Training**

- A. Annual training: Sworn personnel will receive at least annually, training in the proper use of deadly force. This training will be guided by information gained from, but not limited to, the following:
  1. Recent court decisions
  2. Changes in statutes
- B. The Training Coordinator, and other support personnel will review and modify, as needed, the deadly force training curriculum on an annual basis, prior to the start of the Department's summer in-service training cycle. This training shall include, but is not limited to:
  1. Weapons proficiency (technical use, nomenclature, maintenance, accuracy)
  2. Knowledge and understanding of applicable laws and court decisions.
  3. Department procedures and policies governing use of deadly force.
- C. Employees do not receive training in the application of the carotid neck restraint or other types of neck restraints. Therefore, these techniques are prohibited except when the employee believes s/he is involved in a deadly force situation and deadly force is justified.
- D. Employees are trained that, in situations where the employee must overcome an attack that the employee reasonably believes would produce serious physical injury or death to the employee or another person, the employee may resort to any method necessary to overcome the attack. Once the situation has stabilized and the threat of serious injury or death is past, the employee must once again immediately resort to approved non-lethal force tactics.



E. Employees are trained that the use of warning shots is **NOT** authorized.

## **X. Reporting**

- A. The CISD Police Department will incorporate a Use of Force Report Form to document all reportable incidents involving the use of force by CISD Police Department employees as defined in section E. The Use of Force Report Form will be submitted to the Lieutenant no later than the end of the employee's duty day and forwarded through the chain of command. The Use of Force Report Form, along with the Incident Report attached, will be forwarded to the Chief of Police through the chain of command.
- B. Each individual employee shall provide justification on the narrative portion of the Incident Report or Supplement. The narrative will annotate who, what, where, when, how, and why.
1. When completing the Incident Report, the employee will mark the appropriate box for use of force and note in the narrative whether or not a form was completed and attached.
  2. It is the responsibility of the reviewing supervisor to ensure that the employee has satisfactorily explained the subject's actions, the type of force deployed, and the manner in which it was applied.
  3. One Use of Force Report Form will be completed for each individual involved, regardless of the number of employees involved or the type(s) of force used. It will be the responsibility of the assigned/case officer to ensure that the names of each involved employee and force option utilized has been documented.
- C. Use of Force Report Form File. The Chief of Police shall maintain the original form, and the Training Coordinator will address any training issues as they arise.
- D. Annual Analysis of the Use of Force Reporting. The Training Coordinator shall prepare an annual analysis for the Chief of Police on all Use of Force reporting.
- E. Use of Force Types. Types of incidents (there may be others as designated by a supervisor), which must be recorded on a Use of Force Report Form include, unless performed within a training environment, such as at the shooting range:
1. Employee's use of Soft Empty Hand Control Techniques.
  2. Employee's use of an Intermediate Control Technique. .
    - a. Utilization of police service dog resulting in person being bit.
    - b. Impact Weapons
    - c. Hard Empty Hand
    - d. Chemical weapon.
    - e. Expandable baton.
    - f. K-9 release/contact
  3. Employee's intentional/ unintentional discharge of a firearm.

**CISD Police Department**  
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**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 4.02</b>	<b>Firearms</b>



## **I. POLICY**

It is the policy of the CISD Police Department that only CISD Police Department issued firearms and ammunition, and firearms specifically authorized by the Chief of Police or designee, be used for duty purposes by all certified personnel employed by the CISD Police Department. Civilian personnel are prohibited from possessing non-issued deadly weapons of any nature on the employer's premises, regardless of any permit, at any time they are performing duties associated with their employment.

Sworn members, regardless of assignment, shall be armed at all times while on duty with a semiautomatic pistol of a make and model approved by the Chief of Police. Sworn members working in a uniform capacity shall carry a Department approved handgun as their primary duty weapon.

Members assigned to plainclothes assignments may carry the issued pistol or an alternate pistol approved for their assignment and shown on the approved weapon list maintained by The Chief of Police. Members choosing to carry the alternate plainclothes weapon shall be responsible for the purchase, maintenance and replacement of that weapon as needed.

A list of authorized weapons shall be maintained by The Chief of Police. The Department Armorer shall maintain a list of all firearms that have been authorized for use by particular officers or units, or under specified circumstances. All weapons issued, or authorized for carry, by this Department will be inspected by the Rangemaster, or his designee, on an annual basis, and a record maintained of those inspections.

## **II. PROCEDURE**

### **A. Safety and Handling of Firearms**

1. Basic Safety Rules: All certified personnel of the CISD Police Department will adhere to the following basic safety rules and "Condition Check Rule" at all times while handling any firearm.
  - a. Treat all firearms as though they are loaded.

- b. Point the muzzle in a "safe direction." Safe Direction is defined as an area where, if an accidental or negligent discharge occurs, only minor property damage and no human injury will result.
  - c. Keep your finger along the frame until your sights are on the intended target and you have decided to fire.
  - d. Be sure of your target and what is around and behind it.
  - e. "Condition Check Rule": Whenever you pick up a firearm that has been out of your direct control (even for an instant), open the action and check to make sure the firearm is unloaded.
  - f. The Firearms Instructor will brief all officers on the firearms safety rules and "Condition Check Rule" prior to qualification/training firing.
2. Officers will not clean, repair, cycle the slide, assemble or disassemble, or load firearms in the police facility unless authorized to do so by a supervisor. Loading and unloading of firearms in a building will be accomplished through the use of a Clearing Device and firearms will be inspected for clearance of ammunition.
3. Officers will not unnecessarily handle or display firearms. All handguns will be secured in an approved CISD PD holster while on duty when the weapon is not in use to deter an imminent or possible threat of deadly force against the officer or a third party. All approved rifles will be secured in the trunk of a designated CISD Police unit or in a secure locked box located inside the officers assigned school. At no time shall an officer leave any firearm, of any kind anywhere inside a school to include the officer's office, regardless if the weapon is secured or not during non-duty hours.
4. Officers will immediately inspect and unload all firearms that come into their possession unless a particular circumstance or investigative procedure prevents them from doing so. Officers not familiar with a particular weapon will immediately contact the on-duty supervisor or the CISD Police Department Armorer for assistance.
5. All firearms (evidence, found, impounded) will be unloaded prior to placement in a property locker. If this is not possible, the "safety" on the weapon will be activated and the firearm will be clearly tagged to indicate that it may be loaded.
  - a. Loaded weapons, or weapons suspected of being loaded, shall be placed in the armory if they cannot be safely unloaded.
  - b. A copy of the incident report property sheet shall be placed in the envelope opening on the Evidence Room door and shall indicate the condition and location of the firearm.
  - c. A firearms instructor or an Armorer shall be notified of the location of the firearm and shall clear the firearm and place it into evidence as soon as possible.
6. The CISD Police Department Weapons Proficiency Officer is responsible for maintaining a record on every weapon that has been approved for agency use

to include description and type of firearm, model and serial number, and the name of the owner or person to whom it is assigned. Additionally, the records should reflect the courses fired, scores obtained, dates, last annual inspection and approving official's name.

B. Care of Firearms

1. Cleaning and Care: Officers are responsible for the care and cleaning of CISD Police Department issued firearms, as well as personally owned firearms, authorized to be carried both on and/or off-duty. Weapons shall be clean and lubricated at all times, and cleaned as soon as practical following a qualification.
2. Field Stripping: Disassembly of CISD Police Department issued firearms for cleaning is limited to "field stripping" only. (Personnel trained and approved by the Chief of Police or Designee to further disassemble firearms are exempt from this provision).
3. Repairs: Firearms in need of repair shall be submitted, without undue delay, to the Rangemaster with a written memorandum describing the type of malfunction and, if known, the cause.
4. Damage to weapons: Damage to CISD Police Departmental firearms will be immediately reported to the on-duty supervisor. A written memorandum must be submitted and the firearm shall be taken out of service until checked by the Rangemaster.
5. Monthly Inspections: Supervisors will conduct unannounced, monthly inspections of CISD Police Department issued weapons.
6. Personally Owned Firearms: In those situations where personally owned equipment, including firearms, is permitted to be carried, the Department assumes no responsibility for loss or damage that may occur to that equipment.
7. Carrying out-of-state: CISD Police Department issued firearms will not be taken out of state without prior written authorization from the Chief of Police.
  - a. A sworn employee requesting permission from the Chief of Police or his/her designee, to transport or possess a CISD Police Department issued firearm outside the State of Texas shall submit a memorandum to the Chief of Police, through the chain of command, requesting permission to carry their CISD Police Department issued firearm out of state, or on board an aircraft.
    - (1) The memorandum shall detail the reason to be armed, the specific dates and times of the travel, the method of travel, the location of where the employee is going, and the reason for the travel.
    - (2) The memorandum shall list the specific dates and itinerary for flights when firearms are needed.

- (3) The memorandum shall list the specific firearm(s) the employee shall be in possession of.
  - b. If the sworn employee is traveling by air, the Transportation Security Administration (TSA) Law Enforcement Officer Flying Armed guidelines shall be adhered to.
  - c. The sworn employee must have attended the required TSA Law Enforcement Officer Flying Armed training prior to being authorized by the Chief of Police or his/her designee to board an aircraft with an CISD Police Department issued firearm.
  - d. The sworn employee shall provide a draft letter of authorization to be signed by the Chief of Police.
    - (1) The letter of authorization shall detail the reason to be armed, the specific dates and times of the travel, the method of travel, the location of where the employee is going, and the reason for the travel.
    - (2) The memorandum shall list the specific dates and itinerary for flights when firearms are needed.
    - (3) The letter shall list the specific firearm(s) of which the employee shall be in possession.
  - e. The sworn employee shall have the letter of authorization from the Chief of Police or his/her designee in their possession at all times when authorized to board an aircraft or be out of state with an CISD Police Department issued firearm.
  - f. The sworn employee shall abide by the policies governing CISD Police Department use of force guidelines and the use of CISD Police Department issued weapons.
  - g. The Chief of Police or designee may authorize a sworn employee to carry and possess their CISD Police Department issued firearm at a specific destination, but not authorize the employee to travel on an aircraft while carrying a firearm. The employee would transport the firearm to their destination in accordance with TSA guidelines governing transporting firearms within the check in baggage.
8. Storage:
- a. Officers going on vacation or leave may, if they so desire, make arrangements with the Rangemaster or Weapons Proficiency Officer to secure their CISD Police Department issued weapon in the armory.
  - b. Officers shall not store any CISD Police Department owned firearm at home without written permission from the Chief of Police or a designee. This does not apply to any other firearm assigned to an officer, which may be necessary to fulfill that officer's assignment.

9. Preventative Maintenance: A qualified Armorer will be responsible to conduct preventative maintenance of each CISD Police Department issued firearm a minimum of once each calendar year.
  - a. Firearms not serviced shall be taken out of service until the preventative maintenance is conducted.
  - b. Preventive maintenance on shotguns and other specialty weapons will be conducted once each year or as needed or required.
10. Safety Inspections: Prior to a certified officer carrying their assigned duty weapon, the weapon shall be safety inspected and test fired by a Rangemaster.
  - a. Once the weapon has passed its initial inspection, it shall be stored in a secured cabinet in the Armory until assigned to an officer.

### C. Firearms Training and Qualification

1. All sworn members, unless otherwise excused in advance by the Chief of Police, are required to attend regularly scheduled Department Firearm Training and Qualification exercises.
2. Officers must qualify annually with their CISD Police Department issued firearm they are authorized to carry, or are normally equipped with, during the course of duty.
  - a. Annual qualification is defined as completing a departmental qualification shoot within twelve months of the officer's last qualification.
  - b. Safety, correct techniques, and accuracy are the goals of firearms training.
  - c. Courses to emphasize both night and day shootings will be established and may include the use of special weapons and equipment.
  - d. Officers will receive at least annual training on Policy 4.01, Use of Force, including the criteria necessary to employ deadly force.
  - e. The Chief of Police may approve deviations from this policy which comply with TCOLE requirements
  - f. Qualifications Sessions: Firearms qualification is part of mandatory advanced officer training held on a semi-annual basis as directed by the Chief of Police. Training sessions may include a duty weapon qualification course and tactical courses of fire.
  - g. Scoring on qualification courses will be done on a pass/fail basis. No numerical score will be recorded for qualification purposes. The Training Coordinator shall set the minimum firearms qualification standards so that TCOLE minimum firearm qualification standards, and the needs of the Department are met.
3. Officers must be certified on any specialty weapon (Shotgun, specialty impact munitions shotgun, AR15/M16, etc.) that they carry on their person or within their vehicle.

- a. The certification process consists of successfully completing the certification course for that weapon system.
4. Firearms training requirements will include the following:
  - a. Firearms certification with primary weapons shall be required at annually, with additional practice training sessions at the range each year when practical.
  - b. In the event of an accidental or negligent discharge, the involved officer must undergo re-certification within ten (10) days. The Chief of Police may assign an officer involved in an on or off-duty accidental or negligent discharge to administrative duties pending re-certification.
  - c. An officer will be allowed no more than two attempts of the qualification course to qualify on any given range day, unless authorized by the Rangemaster.
  - d. Failure to Qualify
    - (1) Officers only shall carry weapons with which they have qualified.
    - (2) Officers who fail to qualify shall attend remedial firearms training. Failure to qualify after attending remedial firearms training may result in discipline up to and including termination.
    - (3) Officers who fail to qualify during a Department qualification shoot shall not carry that weapon on or off duty. If an officer fails to qualify with their duty weapon during a qualification shoot, the Training Coordinator will provide remedial training and a second opportunity to achieve a qualifying score the same day. If an officer still does not qualify with their duty weapon, the officer shall not carry that weapon other than to transport it to and from an approved range for firearms practice. At this time, the officer will be placed on probation for 30 days.
    - (4) The Training Coordinator, in conjunction with the affected officer's supervisor, will arrange remedial training at the next available opportunity, usually within 48 hours. Before attending remedial training, the officer will be put on a temporary assignment that does not require the officer to carry the weapon with which they did not qualify. This issue will be specifically addressed in the officer's performance evaluation.
    - (5) After the remedial training, if an officer still fails to qualify, the officer will be considered ineligible for duty (including Extra Duty) and shall be placed on restrictive duty. The officer shall have a maximum of thirty (30) days to demonstrate firearm proficiency by qualifying at the Department range in the presence of a firearm instructor selected by The Chief of Police.



- (6) During remedial training, the officer will spend a minimum of two (2) hours of each workday with a Department Firearms Instructor.
      - (7) An officer who fails to qualify after the thirty (30) day period shall be terminated.
    - e. Each officer shall receive training and instruction on Use of Force before being authorized to carry any firearm.
  - 5. Officers are mandated to carry a handgun on or about their person, or readily available, when off-duty. An officer who elects not to carry a handgun while off-duty may be subjected to disciplinary action if an occasion should arise in which they could take action if they were armed. Exception: Off-duty sworn personnel, while operating an CISD Police Department vehicle, shall carry their duty weapon.
  - 6. All range activities to include proficiency training shall be monitored by a Rangemaster, or Weapons Proficiency Officer.
    - a. Qualification “shoots” to meet state requirements shall be supervised by a Firearms Instructor.
    - b. A Rangemaster, or Weapons Proficiency Officer may supervise Training “shoots”.
  - 7. Lateral police officers and recruits who graduate from the academy shall not carry any weapon systems until the Rangemaster has qualified them on each weapon system and confirmed that all eligibility requirements have been met.
- D. Firearms and Ammunition. Only weapons issued by the CISD Police Department or weapons inspected and approved by the CISD Police Department will be authorized. CISD Police Department issued ammunition shall be the only ammunition authorized for duty and official police use. Weapons and ammunition will be stored within the CISD Police Department Armory or an approved designated bunker area in accordance to all Federal and State regulations.
  - 1. Shotguns
    - a. All shotguns will be the pump action 12 gauge. Personally owned shotguns will be authorized for police use following the same guidelines set out for long guns and handguns.
    - b. All shotguns carried in patrol vehicles will be placed into secured at all times with the chamber void of any ammunition.
    - c. Shotguns will be unloaded immediately when removed from vehicles for cleaning and inspection. Shotguns will be unloaded prior to storage, with the safety in the "ON" position and the action (slide) open after each use.
    - d. Departmental shotguns will be cleaned and inspected annually by the Armorer. Records shall be retained in the Master Firearms Maintenance Log and a copy submitted to the Training Coordinator.

- e. Officers who receive the annual re-certification on use of the shotgun are mandated to have the shotgun or less lethal shotgun readily available for use when on duty and when the weapon is available. Officers must be able to justify the use and/or display of a shotgun.
- f. Supervisors should not routinely deploy a shotgun unless exigent circumstances exist (active shooter, on-going gun-battle, etc.). It is vital to the success of the department that they maintain their supervisory role and not tie themselves up as a long-gun operator.
- g. Shotguns should be utilized anytime it provides officers a tactical edge.
- h. No sworn personnel shall be authorized to carry or utilize a shotgun without being certified by a Rangemaster, or Firearms Instructor, through CISD Police Department approved certification process. The two ways to become certified are:
  - (1) Attendance and successful completion of the CISD Police Department shotgun course.
  - (2) Laterals and officers that have been previously certified through another law enforcement agency or a branch of the military may submit a request to be allowed to participate in the alternate certification process.

#### E. Handguns

##### 1. Handguns:

Weapons shall be carried in a safe fashion, consistent with approved and authorized carrying systems. Members carrying their weapon while in plainclothes shall do so in an approved carrying system. Purses may be used but they must be designed specifically for the use of carrying a firearm. "Fanny-pack" carry systems are not authorized for on duty use.

Officers must qualify with their firearms while using an authorized carrying system.

All members shall maintain a clean, charged and fully loaded firearm, to include all magazines carried while on duty.

- a. Primary Weapon: All primary on-duty handguns for sworn personnel will be an CISD Police Department issued weapon, or a personal firearm that is approved by the department. This firearm will be carried with one round in the chamber and magazines loaded to capacity with department approved ammunition.
- b. Modifications: The grips, sights, or any other part(s) of the CISD Police Department issued handgun may not be altered or modified in any manner, except as approved by the Chief of Police.  
Officers who want to modify a personally owned weapon that will be carried either on duty or off duty, are allowed to obtain, at their

expense, authorized pistol grips. Pistol grips considered authorized must meet the following requirements:

(1) Have standard machine checkering and be black or brown in color,  
And,

Be made of wood or rubber. "Pachmayr" type grips are allowed.

c. Undercover Assignments:

Because of the nature of undercover assignments, exceptions to the *General Orders* pertaining to on duty weapons may need to be made. Should specific needs arise of assignments, the following are minimum standards and requirements for undercover officers:

(1) Weapons carried as the primary duty weapon and the ammunition to be used with the weapon must be approved by The Chief of Police. All such approvals shall be in writing and shall be maintained by the Armorer.

a. Secondary (back-up) handgun for on-duty sworn personnel is authorized; however, it must be worn concealed. Officers will be responsible for carrying a second weapon in a secure manner within a holster.

(1) All secondary handguns must be approved. Authority to approve weapons qualifications, and to authorize the carrying of specific weapons both on and off-duty as listed in policy shall be delegated to the Rangemaster. Approval is requested via the submission of a memorandum to include the weapon manufacturer, model number, serial number, caliber and the specific ammunition to be carried in the weapon.

(2) Upon completion of a range qualification the Rangemaster shall immediately forward the qualification records and off duty/secondary weapons authorization directly to the Training Coordinator for recording in official CISD Police Department records.

(3) The secondary weapon may only be used if the primary weapon is inoperative or unavailable.

b. Auxiliary Handguns Responsibility:

(1) While secondary weapons are authorized for use, officers choosing to carry a secondary weapon on-duty assume all responsibility with regards to the maintenance, training, storage, etc. of that weapon.

(2) The CISD Police Department shall only ensure that officers are certified with respect to TCOLE standards for firearms qualification prior to authorizing their use.

(3) The following is a list of authorized handguns for use as a secondary weapon:

- (a) Semi-auto in calibers .380, 9mm, 357 sig, .38, .40.
- (b) Revolvers in calibers .38, .357
- (c) The maximum barrel length of any secondary handgun is 6 inches.
- (4) The carrying of a secondary handgun is at the option of the officer and is not mandated by the CISD Police Department.
- (5) Officers electing to carry a secondary weapon must qualify once annually with the secondary weapon on designated range days.

## 2. Off-Duty Weapons

- a. Limitations: Officers may carry and utilize firearms when off-duty in accordance with State laws governing the carrying of firearm's usage.
  - (1) When carried under the color of the authority as a Police Officer, off duty firearms will be subject to the same policies pertaining to duty firearms.
- b. While off-duty weapons are authorized for use, officers carrying an off-duty weapon assume all responsibility with regards to the maintenance, training, storage, etc. of that weapon.
- c. The CISD Police Department shall only ensure that officers are certified with respect to TCOLE standards for qualification, and those officers electing to carry an off-duty weapon must qualify once each calendar year with that weapon.
- d. The following is a list of authorized handguns for use as an off-duty weapon:
  - 1. Semi-auto in calibers .380, 9mm, 357 Sig, 10mm, .40, and .45.
  - 2. Revolvers in calibers .38, .357 (magnums are included), .44 SPCL, and .45.
  - 3. The maximum barrel length of any off duty handgun is 6 inches.
    - a. Qualification: Officers electing to carry an off-duty weapon must qualify once each calendar year with that weapon.
    - b. When officers are dressed in anything other than a department approved, on duty uniform, and carrying a handgun outside a department facility, it must be a departmentally approved handgun and worn in way that will not alarm the public.
    - c. Officers may carry their duty weapon in any holster while off duty.
    - d. Officers will carry proper police identification and badge when carrying an off duty handgun.
    - e. All use of force policies, and officer involved shooting review policies, contained in General Orders shall apply to the use of a firearm while taking police action, whether on or off duty.

- f. The Chief of Police may assign an officer involved in an on or off-duty accidental or negligent discharge to administrative duties pending recertification. Exemption to the policy includes any recreational sports shooting, hunting or discharge during firearms training.

3. Urban Patrol Rifle (UPR)

- a. The CISD Police Department recognizes that officers may be placed at a substantial disadvantage by criminal elements armed with superior firearms and other dangerous weapons, which may preclude the safe use of the sidearm or shotgun to effectively defend themselves and the public. In the initial phase of certain critical life threatening situations, the immediate resource of a UPR by selected personnel may be paramount to saving lives and/or achieving containment until specialized tactical personnel can be deployed.

- 1. The use of UPR's shall be in accordance with CISD Police Departmental policies and procedures. All UPR equipment shall be issued and/or approved by the CISD Police Department.

- (a) The CISD Police Department authorizes the AR-15 rifle for patrol use.

- (b) UPR operators shall use only CISD Police Department issued ammunition. Weapons will be issued with a minimum of 90 rounds of .223 caliber ammunition in three (3)-thirty round

- (1) The use of UPR's shall be in accordance

- a. UPR operators shall use only CISD magazines and a protective case. The equipment issued will be noted on the officer's equipment record and weapons qualification record.

- b. The weapon shall be maintained either in the issued case secured in the trunk of the patrol vehicle, or within the rifle rack of the patrol vehicle, while on duty, or secured in the officers office at his/her assigned school in a CISD provided safe until such time as needed.

- (2) This procedure shall not preclude the use of CPD or NCSO SWAT when the situation dictates their response. The supervisor shall make an immediate assessment of the need for specialized personnel for any situations involving a tactical response and/or specialized weapons.

- (3) In every case of a UPR deployment (when the weapon is removed from the vehicle other than to secure for the shift, or for training), the officer shall complete a Use of Force Form

within 24 hours of deployment. This report shall be submitted to the Chief of Police via the officer's chain of command.

(4) Violations of this procedure will result in the revocation of the privilege to carry an UPR and/or other appropriate disciplinary action. b. Urban Patrol Rifle operators

(1) No sworn personnel shall be authorized to carry or utilize a UPR without being certified by a CISD Police Department Rangemaster through CISD Police Department approved certification process. The three ways to become certified are:

(a) Attendance and successful completion of the CISD Police Department UPR course

(b) Laterals and officers that have been previously certified thru another law enforcement agency.

b. Urban Patrol Rifle Training

(1) UPR operators shall pass a qualification course once within the calendar year as prescribed and administered by the CISD Police Department range personnel. Qualification course schedules will be determined and published by the Training Coordinator and will be in compliance with the guidelines set out in the most current edition of the TCOLE rules and regulations.

(2) Those who fail to qualify in a calendar year shall be prohibited from carrying or deploying the UPR until they have re-qualified.

(3) Those officers and supervisors, who have completed the UPR operator's course, will be authorized to carry a UPR while on patrol during their normal duty hours. Supervisors should not routinely deploy a UPR unless exigent circumstances exist (active shooter, ongoing gun battle, etc.). It is vital to the success of the CISD Police Department that they maintain their supervisory role and not tie themselves up as the operator of a long-gun.

(4) Disqualification: Officers who fail to qualify with their assigned weapon, In such an event, the officer's immediate supervisor will be responsible for retaining the weapon, assuring that all AR-15 equipment is surrendered to him/her and necessary records are annotated accordingly.

(5) Any officer failing to qualify with an assigned AR-15 will surrender that weapon to their immediate supervisor. To regain their certification, they must again attend the two-day Urban Rifle School.

c. Justification for Deployment

- (1) The deployment of the Urban Patrol Rifle is a force intended to match or exceed that of an aggressive threat during critical or high-risk incidents.
- (2) The UPR will be deployed at the direction of a supervisor, or;
- (3) When an officer can clearly justify the need of the capabilities of the UPR. Some examples, but not limited to, are:
  - (a) The suspect is situated in a tactically advantageous position (due to distance or a fortified location) in which the deployment of a UPR may more easily neutralize the threat posed by the suspect(s) and minimize the risk of death or serious bodily injury to officers or members of the community.
  - (b) A subject who is armed with a semi-automatic or automatic weapon, capable of rapidly discharging ammunition.
  - (c) A subject who is armed with weapons, wearing protective ballistic apparel.
  - (d) A subject armed with any type of rifle or shotgun.
  - (e) Critical or high-risk incidents requiring capabilities above normal standards of the issued shotgun or duty weapon.  
Deployment consideration and justification should include the type of incident, background, and distance.
  - (f) High-risk vehicle stops involving known armed individuals.
  - (g) Armed robbery in progress.
  - (h) Burglary in progress educational buildings with long hallways, which must be searched.
  - (i) Serving high-risk search or arrest warrants.
  - (j) Active searches for violent or armed felony suspects.
  - (k) Active shooting incidents.
- (4) UPR operators shall not be used in lieu of SWAT when their deployment would be the most operationally effective.
- (5) An officer deploying an UPR should function only as a cover officer, with no other duties such as searching or handcuffing, until the weapon is secured in the patrol vehicle.

d. UPR Readiness

- (1) Storage in vehicles: Urban Patrol Rifles shall be carried in a protective case or within the rifle rack of a patrol vehicle with a magazine in the

magazine well, the chamber unloaded, bolt forward, and the hammer down.

- (1) Storage in Station: Magazines will be removed from the weapons magazine well and placed in pockets on the outside of the UPR storage bag. The rifle will be stored with action closed, hammer down, and safety on.

- (a). The ammunition specified for use with the Urban Patrol Rifle will be the 55-grain or 62-grain soft point cartridge.

- (2) At no time shall ammunition other than specified by the CISD Police Department be authorized for use in the Urban Patrol Rifles.
- (3) Magazine Readiness: The UPR magazines will be maintained in a ready (loaded) condition at all times, not to exceed magazine capacity of thirty (30) rounds in 30 round magazines. Magazines will be issued to and maintained by certified UPR operators.
- (4) Accessories: The UPR will be equipped with a rifle sling at all times, to be used during deployment of the weapon.

e. Care and Maintenance

- (5) Care and maintenance of the UPR is essential to insure proper operation of the weapon, follow Section B.8 of this policy to insure periodic maintenance and inspection of the weapon.
- (6) Supervisors and all UPR operators will inspect the UPR, magazines, and ammunition at the beginning of their shift to insure serviceability and deployment readiness.
- (7) The Urban Patrol Rifle will be inspected/maintained by CISD Police Department Armory Personnel quarterly, to insure serviceability standards.
- (8) In the event the Urban Patrol Rifle must be removed from its protective case for maintenance or servicing, the chamber of the weapon will be visually checked to insure the chamber is void of any ammunition.
- (9) Supervisors and UPR operators will report any damage or malfunctions encountered immediately to the Range Officer and label the weapon out of service.
- (10) Supervisors and UPR operators will insure that the weapon's safety is engaged in the "safe" position at all times when moving or loading the weapon.
- (6) All armory personnel will be familiar with the UPR deployment, cleaning, and placing the rifle into a safe condition.
- (7) All maintenance requirements will be conducted only by certified UPR Armorers.



- f. All CISD Police Department issued and owned Urban Patrol Rifles shall be will be retained under the care of the officer assigned, both on and off duty. UPR assigned officers reporting for uniform assignments, whether primary or secondary, will have their semi-automatic rifle (AR-15) available should a need arise.
- g. Personally Owned Long Rifles: The department has authorized officers to carry personally owned long rifles while on duty in accordance with this policy and any applicable procedures.
  - (1) Personally owned long rifles are for the exclusive use of the weapon's owner and will not be loaned or distributed for use to any other officer.
  - (2) To carry personally owned long rifles, the officer(s) must meet the following criteria:
    - (a) Officers must receive approval to carry their own long rifle through their chain of command, up to and including the Chief of Police.
    - (b) A semi-automatic of 5.56mm/.223 caliber is authorized for use under this section of general orders. Only those brands approved by the Rangemaster and the chief of police or his designee may be carried. A list of the department's authorized weapons is maintained at headquarters.
    - (c) The officer must present the long rifle to the range personnel for inspection.
    - (d) Prior to carrying the long rifle on duty, the officer will have successfully completed the approved departmental rifle course and a qualification course designated by the Training Officer. The officer will also undergo annual qualifications on a course designated by the Training Officer.
    - (e) Officers may carry a minimum of 90 rounds of factory load 5.56mm/.223 caliber ammunition in three (3), thirty (30) round magazines. The ammunition and weapon will be carried in a protective case.
    - (f) Security and weapon maintenance is the responsibility of the weapon owner.
    - (g) Once approved to carry personally owned long rifle, and the above criteria is met, officer(s) reporting for uniform assignments, whether primary or secondary, may have their long rifle available should the need arise.

- (h) Officers authorized to carry their personally owned long rifles will be subject to monthly inspection procedures by their supervisor.
- (i) Officers who fail qualifications (initial or semiannual) as set forth above, or who have lost the endorsement of their chain of-command, will no longer be authorized to carry their personally owned long rifle while on duty.

#### 4. Ammunition

- a. Practice Ammunition: Reloaded, hand loaded, remanufactured and lead-ball ammunition will not be used in CISD Police Department issued weapons.
- b. Qualification Ammunition: Qualification ammunition used in CISD Police Department issued weapons will be factory loaded full metal jacket (FMJ). Duty ammunition will be issued by the CISD Police Department.
- c. Off-duty/secondary weapons: All ammunition used in off-duty/secondary handguns must meet the specifications of the weapon's manufacturer, be comparable to CISD Police Department ammunition, and be approved by the Chief of Police. It is recommended that lead-ball type ammunition not be used in these handguns to prevent lead build-up in the barrels. Teflon coated ammunition is not authorized.
  - (2) All ammunition for qualification with off-duty/secondary handguns must be supplied by the officer.
  - (2) Ammunition carried shall not be altered in any way from its original condition.
  - (3) Officers shall not carry, in a duty, off duty or auxiliary firearm, any explosive or incendiary loads, armor-piercing bullets, KTW types of ammunition, or pre-fragmented bullets, *e.g.*, "Glaser Safety Slug."

#### E. Weapons Mounted Lighting Systems (WMLS)

- 1. A lighting system that is designed to be attached to a weapon via the use of a rail, clamp or other specifically designed attachment system.
  - a. Only approved WMLS shall be used on department firearms.
  - b. Employees utilizing a WMLS shall have a functioning handheld light system on their person.
  - c. A WMLS shall never be utilized as a flashlight; it is a dedicated part of the weapon system. If the weapon comes out you must be able articulate

the reason for doing so. Violation of this policy shall result in disciplinary action.

2. WMLS allow for:
  - a. An officer to utilize a firearm while having an active light source to help identify a threat, when compressed time constraints make access to an independent light unfeasible.
  - b. An injured officer to utilize a weapon and have a light source.
  - c. Officers to effectively check secondary's in a building search, when another officer is unable to assist in checking the secondary threat area.
  - d. Handgun (WMLS): members that wish to utilize a WMLS on their firearms must:
    - (1) Have the firearm inspected by the Departmental Armorer.
    - (2) Have the light inspected by a certified Armorer to insure it will not interfere with the functioning of the weapon.
    - (3) Wear a holster that allows the weapon to be holstered with the light system attached

#### F. Duties and Responsibilities of a Rangemaster, Firearms Instructor, and Armorer

1. The Chief of Police shall appoint Rangemasters, Firearms Instructors, and Armorers. Rangemasters, Firearms Instructors, and Armorers are responsible in all matters concerning CISD Police Department firearms and firearms training.
2. The Rangemaster must be a Firearms Instructor.
3. The Rangemaster will oversee all other Firearms Instructors and will lead all firearms training sessions and qualifications.
4. The Rangemaster will ensure the following duties are performed in an efficient and effective manner:
  - a. Coordinate an efficient firearms training and qualification schedule for all sworn personnel.
  - b. Establish and maintain effective liaisons with the other agencies and facilities to ensure availability of facilities and quality firearms training.
  - c. Ensure sufficient inventories of firearms, ammunition, and related supplies are within current budget constraints.
  - d. Maintain current firearms records for both duty and off-duty firearms, including.
  - e. Ensure a proper firearms function check and inspection is completed on each firearm used for qualification and training at the firearms range, including secondary and off-duty weapons.
  - f. Ensure the proper care and safe usage of the Firearms Range during the scheduled use of the range by the CISD Police Department and

immediately report any damage, deficiencies, or other problems to the appropriate responsible individual.

4. Firearms Instructors will assist the Rangemaster in providing effective firearms training and qualifications on all of the weapons systems the Department currently authorizes.
5. The Rangemaster and all assisting Firearms Instructors shall follow established firearms range safety rules.
6. Eye and ear protection are required as mandatory range equipment for all firing drills and qualifications.
7. Armorers must have successfully completed the appropriate Armorer's School prior to appointment.

**CISD Police Department Policy**

**4.02 Firearms**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 4.03</b>	<b>Dispatching Dangerous and Severely Injured Animals</b>



## **I. POLICY**

While performing Department duties, officers of the CISD Police Department may be required to discharge firearms for the purpose of dispatching dangerous or severely injured animals. In the course of duty, an officer may be confronted with situations in which wild or domestic animals pose a threat to the health or safety of the officer or the public. This policy outlines officer responsibilities in these situations.

## **II. PROCEDURE**

### **A. General Provisions**

1. The definition of "dangerous animal" is an animal, wild or domestic, posing a hazard to the health or safety of the officer or the public.
2. Firearms should be discharged only after consideration has been given to the extent of the animal's injury, the extent of danger to the officer or the public, and the surrounding area in the event the bullet exits the animal's body.

### **B. Domestic Animals**

1. The owner's permission and prior supervisory approval should be obtained before a dangerous or severely injured animal is dispatched. The officer must consider:
  - a. The danger to the public,
  - b. The size of the animal, and
  - c. Insure that the line of fire is in a safe direction.
2. A dangerous animal, either wild or domestic, which has bitten an individual, or an animal which is suspected to be rabid, should be shot with the duty weapon directly behind the front shoulder, halfway between the upper and lower body, when practical.
  - a. Care should be taken to preserve the brain for examination.
  - b. An immediate call shall be made to Corsicana Animal Control to arrange for removal of the body for medical examination.

3. Animals, such as dogs, should be shot with the duty weapon in or behind the ear, with the shot angling toward the brain area or a shot may be fired from the front, although care should be taken to dispatch rather than stun the animal.
  - a. When shots are fired to dispatch an animal from the front, the line of fire should be in a downward angle to the animal's forehead to avoid the possibility of a ricochet.
  - b. After dispatching the animal, a call should be made to the appropriate agency to arrange for removal of the animal's body.

#### C. Livestock

1. When severely injured livestock are posing a threat to the public, Animal Control will be notified
2. When practical, the officer should attempt to contain the animal in question while awaiting the arrival of an Animal Control officer to dispatch the animal.

#### D. Wild Game, Fur-Bearing Animals, and Predatory Animals

1. Discretion should be used in the decision to dispatch an injured wild animal. Animals, which appear to be injured, may be merely stunned or only slightly injured. If an officer is in doubt over the extent of the animal's injury, a call shall be made to the Texas Parks and Wildlife Department giving the location, type of animal, and an appraisal of the extent of the injury.
  - a. If an officer of the Texas Parks and Wildlife Department can respond to the scene, the CISD police officer's involvement will terminate, when practical, after removing the animal from the road.
  - b. In those cases where an officer of the Texas Parks and Wildlife Department cannot respond or will not arrive on the scene in a timely manner, the final decision for action rests with the CISD officer.
2. Injured animals posing a traffic hazard should be removed to an off-road area, when practical, and dispatched if it poses a direct threat to the public.
3. Also, when practical, the animal should be shot at close range in or behind the ear with a duty weapon. Use of these weapons in dispatching an injured or dangerous wild animal enables the Texas Parks and Wildlife Department to perform a medical examination of the animal and to donate certain types of wild game animals to State and charitable institutions.
  - a. In those cases where shooting a severely injured animal at close range presents a hazard to the officer or to the public, or where a dangerous animal, particularly a large game animal, must be dispatched, the animal should be shot with a shotgun.
  - b. When firing a weapon to dispatch an animal from the front, the line of fire should be in a downward angle to the animal's forehead to avoid the possibility of a ricochet.
4. Following the dispatch of a wild animal, the officer shall notify the Texas Parks and Wildlife Department, giving the location, type of animal, and reason for dispatch.

E. Removal of Dead Animals from the Roadway

1. Dispatched animals or animals found dead in the roadway that create a traffic hazard, should be removed to an off-road area when practical. Gloves should be worn when handling these animals.
2. Small animals such as skunks, dogs, bobcats, and coyotes may transmit rabies. Consequently, special care should be used when touching these animals.
  - a. The officer should wear gloves, preferably rubber gloves, in handling animals suspected of having rabies to avoid skin contact with saliva and other animal secretions.
  - b. When possible, the dead animal should be placed in a double-thick plastic bag or closed airtight container.
3. The type of animal will determine whether the officer calls the Texas Parks and Wildlife Department, or in the case of domestic animals, the Corsicana Animal Control Department.

F. Incident Reporting

1. The officer involved in dispatching a dangerous or severely injured animal will immediately report the incident to the on-duty supervisor.
2. The involved officer shall obtain an Incident Report number and title the report "Dispatching an Animal." The officer shall document in the report the circumstances surrounding the incident and their actions.

**CISD Police Department**

**4.03 Dispatching Dangerous and Severely Injured Animals**

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**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 5.01</b>	<b>Search and Seizure</b>



## I. POLICY

It is the policy of the CISD Police Department that all searches and seizures of private property will be conducted within well-defined, lawful, and constitutional guidelines. As such, this policy will serve as a standard for all matters concerning search and/or seizure.

## II. DEFINITIONS

**Curtilage:** The yard and building which relate to domestic activities and surround a residence or dwelling place, generally including garages, sheds, outhouses, driveways, barns, fenced-in areas around the house/building, and the like. It **does not** include vehicles, commercial business structures, or open fields surrounding a residence. For apartments or multi-unit dwellings, it also does not include fire escapes, lobbies, or common hallways.

**Exigent Circumstances:** An emergency or unforeseen occurrence or combination of circumstances, which requires an officer to act immediately. For example, exigent circumstances may exist if:

- a. A wanted suspect may escape,
- b. Bodily injury may occur,
- c. Evidence will be lost or destroyed, or
- d. Serious damage to property, real or personal, may occur.

**Mere Evidence:** Property or items (but not contraband or a fruit or instrumentality of a crime) constituting evidence of an offense or tending to show that a particular person committed an offense.

**Nexus:** Probable cause which, by connecting mere evidence to an offense, permits an officer to seize mere evidence even if the search warrant does not describe it.

**Probable Cause:** That total set of apparent facts and circumstances based on reasonably trustworthy information which would warrant a prudent person (in the position of and



with the knowledge of the particular peace officer) to believe something; for example, that a particular person has committed some offense against the law.

**Reasonable Suspicion:** An officer's rational belief, based on credible and articulable information and circumstances, that something may be true (e.g., that a person might be armed or involved in past, present, or future criminal activity).

**Search Warrant:** A written order, issued by a magistrate (on a showing of probable cause) and directed to a peace officer, commanding him/her to search for any property or thing and to seize the same and bring it before such magistrate.

### III. PROCEDURE

#### A. Rules Governing Search and Seizure

1. Officers are reminded that orders and regulations concerning the subject of search and seizure are extremely difficult to set forth. The instructions and guidelines in this policy cover as many phases of the subject as possible. However, the application of these instructions must not be arbitrary. Officers will adhere to them as closely as possible, keeping in mind that the variations inherent in search and seizure are endless, and that court decisions are constantly changing their application.
2. Navarro County District Attorney/Courts will be the primary points of contact for search warrant approval and signature.
  - a. The Navarro County District Attorney's Office are available to provide assistance concerning interpretation of search and seizure rules and the legality of a search and seizure procedure.
  - b. The Navarro County District Attorney's Office will be the primary point of contact, however in the event of extenuating circumstances, i.e. after hours, municipal court may be used to obtain a search warrant.
  - c. The appropriate Attorney will be given an opportunity to review affidavits regarding the following criminal acts:
    - (1) Homicides
    - (2) Felony Assaults
    - (3) Armed Robbery
    - (4) All Sex Related Criminal Acts
    - (5) Crimes against Children
    - (6) Sales of Narcotics
    - (7) Elder Abuse
    - (8) Arson
    - (9) Major Criminal Conspiracies

## B. Reasonable Search and Seizure

1. All citizens and their property are protected against unreasonable search and seizure.
2. Plain View Exception
  - a. An object or contraband, in plain view of an officer who has the lawful right to be at a location to have that view, may provide probable cause for a seizure.
  - b. It is not a search to observe, that which is in the open and visible in either daylight or artificial light.
  - c. It is not a search when lawful entry has been made into a residence and a contraband article is exposed to view.
  - d. It is not a search for an officer to peer through the window of a detained vehicle.
3. The legal courses of action available to officers for conducting a reasonable and legal search are as follows:
  - a. With a valid search warrant issued on probable cause.
  - b. By consent of the owner or person having authority to give consent.
  - c. Incidental to a lawful arrest.
  - d. Emergency situations whereby the safety of the public/officer is endangered. (Probable cause exists, but there is no time to obtain a warrant.)

## B. Reasonable Search and Seizure

3. (continued)
  - e. Vehicle search based on probable cause without warrant.
  - f. Incidence where probable cause exists and any delay could result in the destruction of the evidence.
4. Warrantless searches not listed in paragraph III.B.2 are normally considered unreasonable and illegal.

## C. Search Warrants

1. A search warrant will be issued only on probable cause and must be supported by a sworn affidavit naming and describing particularly the property or person to be seized and the persons and/or premises to be searched.
  - a. When an officer possesses an arrest warrant, a search warrant need not be obtained to enter the suspect's own residence. However, before entering, the officer must have reason to believe the suspect may be in the residence (i.e., lights on at night, stereo on, etc.).
  - b. A suspect's residence is considered the place where the suspect permanently resides. The knock and announce provisions of Texas Law must be complied with, giving the suspect the opportunity to surrender.
  - c. A warrant may be issued for the following purposes:

- (1) To recover property that has been stolen or embezzled (fruits of a crime).
- (2) To seize property used as a means of committing a public offense (instrumentalities).
- (3) To seize property, the mere possession of which is a violation of law (contraband).
- (4) To seize property in the possession of any person who intends to use it as a means to commit a public offense, or in the possession of another to whom it may have been delivered for the purpose of concealing or preventing it from being discovered.
- (5) To seize property or things which constitute any evidence which tends to show that a particular offense has been committed, or tends to show that a particular person has committed an offense (items of evidentiary value only).
- (6) To search for the subject of an arrest warrant in a third party's residence, absent consent or absent exigent circumstances.

## 2. Completing an Affidavit for Search Warrant

- a. The Affidavit for Search Warrant presented to a judge should be based on the personal knowledge of the applicant or another peace officer and/or information received from a reliable informant whose reliability should be established at the time the warrant is issued.
- b. In rare cases, the judge may find probable cause based on the totality of the circumstances, even though the informant is anonymous or otherwise is not a past proven reliable informant.
- c. An affidavit lacking sufficient facts for a magistrate to exercise the necessary judgment, even though the warrant is issued, will likely lead to the suppression of the evidence seized on the warrant.
  - (1) The search warrant and affidavit will be written by the affiant and coordinated with the appropriate unit.
  - (2) The officer attempting to obtain a search warrant will submit the affidavit to their supervisor for review prior to contacting a magistrate.
  - (3) The search warrant checklist will be completed by the affiant of the warrant. Regarding affidavits which apply to Section II.A.2 above:
    - (a) The appropriate Prosecuting Attorney will be briefed and contacted on the facts of the case, probable cause, and informant reliability and background.
    - (b) An opportunity will be given to the Prosecuting Attorney to review the affidavit either in person, fax, or e-mail.

- (c) The Prosecuting Attorney's name, along with the time and date, will be annotated on the search warrant checklist.
- (4) The officer must be extremely careful to describe exactly those premises to be searched, especially those composed of apartments, duplexes, or any places where more than one family lives. If a vehicle is to be searched, it will be described as accurately as possible.
- (5) Each item that is the object of the search will be enumerated.
- (6) A warrant to search premises cannot be automatically extended by itself to include the search of a person. If it is considered necessary to search the occupants of the premises, they will be described particularly in the affidavit and the warrant.
- (7) When drafting an affidavit specifically requesting a nighttime search, the officer must be able to allege that there is good cause for searching then, rather than waiting until daytime. Daytime is anytime between 0630-2200 hours.
- (8) During the investigation of any offense, Prosecuting Attorney's may be asked to provide input and recommendations regarding the appropriateness of completing a search warrant. However, the final decision to apply for a search warrant will be made by an on-scene supervisor, or other ranking officer on scene.
- (9) It will be the supervisor's responsibility to notify the Lieutenant, who will in turn be responsible for making notification to the Chief of Police via the chain of command. All notifications will occur prior to the execution of the search warrant.

3. Obtaining a Search Warrant
  - a. Affiants and their supervisors will take all search warrants and affidavits to the Navarro County Courthouse Complex, or other designated location, to obtain approval of a search warrant.
  - b. The following steps will be adhered to in the issuance of a search warrant:
    - (1) Affiant briefs a supervisor on the facts of the case.
    - (2) Affiant begins writing the search warrant and completing a search warrant checklist.
    - (3) The Lieutenant preliminarily approves the warrant and begins notification process of the chain of command.
    - (4) Appropriate Prosecuting Attorney is contacted, briefed, and given opportunity to review the written affidavit, under exigent circumstances, with a supervisor's approval, this may be done verbally.
    - (5) In order for the affidavit and search warrant to be signed by the District/County/Justice/Municipal Court Judge the officer would contact the appropriate judge's office, or residence if after hours.
    - (6) A complete Affidavit for Search Warrant and the completed search warrant will be presented to the judge who, if satisfied that probable cause exists, will sign the warrant.
    - (7) Only sworn testimony, in addition to the affidavit, can be appropriately considered by the judge prior to the issuance of the warrant.
    - (8) Any communication in support of the affidavit, whether verbal or written, must be made under oath.
4. Executing a Search Warrant: An CISD Police Officer anywhere in Navarro County may serve a search warrant:
  - a. Normally, search warrants will be signed by a District Court Judge.
    - (1) Under exigent circumstances, if the warrant is obtained from a Justice of the Peace, or City Magistrate it generally may be served only within that court's jurisdiction.
    - (2) A Justice of the Peace has jurisdiction to issue search warrants anywhere within his/her county.
  - b. It is not necessary that the officer completing the warrant affidavit be present at its execution.
  - c. Only peace officers will generally participate in the execution of a search warrant. However, when appropriate, the officer in charge may permit a police legal advisor and a member of the district attorney's office to accompany the officers during the execution of the search warrant. When necessary to the success of the search warrant execution, the officer in charge may permit technical experts (e.g., a locksmith) to participate in such execution.
  - d. To protect officers and other persons from incidents of mistaken identity, doubt of credibility, or any other situation of misunderstanding, the following

procedures (Sections 5, 6, 7, and 8) will be used by officers of the CISD Police Department when a search warrant is to be served.

- e. An officer shall enter the premises by the least forceful means possible under the circumstances.
  - (1) Subject to the “no knock” exception, when seeking to enter a private premises, an officer shall ring the doorbell or knock on the door, announce his identity and purpose, and demand admittance. He shall then wait, for a reasonable time under the circumstances, to be admitted.
  - (2) If (in the view of the officer in charge) exigent circumstances exist which unduly jeopardize the safety and security of the officers, the items sought, or persons in the area, an officer shall enter the premises by the most efficient means possible. However, although entry may necessarily include breaking a door or window, an officer must strive to inflict as little damage as possible to the premises.
- f. When necessary, an officer shall first enter the building or other premises and locate and control the movement of all persons who hinder the search or might pose a threat to safety. The officers shall also locate and control all items, which might be used as weapons. An officer may frisk any person who the officer reasonably suspects may have a weapon concealed upon his person. The officers should inform all persons not needed at the search scene to vacate the premises for a reasonable period of time.
  - (1) An officer shall use the least amount of force necessary to secure the premises.
  - (2) An officer shall (as soon as practical) display the search warrant, and explain the reason for the search, and
  - (3) As soon as the officers secure the building, all unneeded officers should leave the area.

5. Before the execution of the search warrant.

- a. The Chief of Police will be notified via the chain of command when CPD/NCSO SWAT is utilized to serve the warrant or in circumstances deemed appropriate by the Chief of Police.
- b. Communications will be notified of the location of the execution of the warrant and any other pertinent information.
- c. If the warrant is served anywhere off CISD property, the jurisdiction in which the warrant is to be served will be notified and requested to have a local officer present at the execution of the warrant.
- d. Prior to the execution of any search warrant or any planned operation where the potential of violence may exist, the unit supervisor responsible for the warrant service or planned operation shall complete a Risk Analysis as well as the Tactical Plan. The Risk Analysis/Tactical Plan is a tool to determine the level of threat the suspects(s) may pose to officers executing a search warrant or planned operation.

- (1) Pre Operation briefing shall be conducted by the search team with The Chief of Police.
- (2) The Risk Analysis will assist the unit supervisor in the selection of appropriate tools in the execution of the operation.
- (3) Any units within the CISD Police Department executing a search warrant, regardless whether other tactical or agency personnel will execute the warrant must complete the Risk Analysis and Tactical Plan. This does not include those cases where entry has already been made and a subsequent search warrant is authored.

6. During normal business hours (M-F 0800-1700)

- a. The supervisor responsible for the service of a search warrant will notify the Communications Section prior to the execution of any search warrant.

- (1) This notification will be made as soon as practical following the court signing of warrant affidavit.
- (2) In addition, the responsible supervisor will ensure that the appropriate briefings/notifications have been completed as outlined in Section II.C.5.

- b. The supervisor of the unit attempting to execute a search warrant is responsible for ensuring that the following information is included in the accompanying incident report:

- (1) Date and time that service was executed/attempted.
- (2) Name of officers and supervisors present at warrant service.
- (3) Name of person on whom the search warrant was executed/attempted.
- (4) Method of service/Reason for non-service.
- (5) Address of service attempt.

- c. Communications must be notified at the time any warrant is served.

- (1) If the time frame of service is within two hours of the signing of the warrant, the responsible police supervisor may advise Communications of this during their initial notification of warrant service.
- (2) If there is an unexpected delay beyond this two (2) hour time frame, Communications will be notified of the change.

- d. With the service of any search warrant, Communications must be notified of the time frame of service, regardless of time delays. Notification will also be required if it is determined a warrant will not be served following the Court signing of same.

7. Other than normal business hours:

- a. The supervisor responsible for the service of the warrant will make notification to Communications and Lieutenant, as they would do during normal business hours.
- b. The same information as a Day Time search warrant will be logged concerning date, time, address, etc.

8. A sworn supervisor will be in charge of all search warrant executions.
  - a. If it is not possible for a plainclothes detail supervisor to be in uniform, any uniformed officer of the CISD Police Department may be assigned to accompany the officers with the approval of the lieutenant.
  
- D. Audio Recording: One officer will be assigned to record (as completely as possible) all conversations surrounding the execution of the warrant. Special attention should be given to the statement of authority, reason for the search, and admonition of rights.
  - a. When a cassette tape is being used to record a search warrant execution, officers will use a new cassette tape. Digital recordings will be transferred to audio CD's.
  - b. The recording will be properly marked, sealed in an envelope, and impounded as evidence.
  
- E. Other Agencies: When a search warrant involves plainclothes officers from another agency, the CISD Police Department's on-scene supervisor will meet with the on-scene supervisor from the other agency before execution of the search warrant to discuss assignments, provide for appropriate notifications, and ensure that all plainclothes officers involved will be wearing adequate apparel to provide immediate recognition as officers. A group assembly of involved personnel should be held to promote recognition between participants.
  - a. Involved plainclothes personnel from other agencies are expected to wear garments that are conspicuously marked to provide immediate recognition as an officer.
  - b. The assigned CISD Police Departmental supervisor will meet with the other agency's on-scene supervisor prior to execution of the search warrant to ensure the directives of this chapter are met.
  - c. If the other agency's Tactical Event Plan does not meet the reasonable expectations or requirements of CISD Police Departmental policy (i.e., inadequate staffing, inadequate current knowledge of the structure and occupants or other safety concerns, plainclothes officer recognition or the absence of an agency supervisor on scene), the CISD Police Departmental supervisor is to inform the other agency of the inadequacies and that CISD Police Department personnel will not become further involved until the inadequacies have been resolved.
  - d. Body armor will be worn by all officers involved in the initial entry.
  
- F. Forced Entry:
  - a. The amount of force used to enter a building in compliance with the search and arrest laws and procedures must be reasonable under the circumstances.
  - b. An officer and their supervisor may be held civilly liable when unreasonable force is used resulting in the destruction of property.
  - c. When the supervisor of the detail executing the search warrant anticipates forcing entry into an occupied structure and/or using force against the occupants, they will comply with the following and include that information in their Tactical Plan (in addition to the remainder of this policy):



- i Determine and make provision for communications and specialized equipment needs.
- ii Coordinate required assistance from specialized support units.
- iii Consider availability of medical resources.
- iv Develop strategies and tactics for approaching, entering, securing, and leaving the structure.
- v Discuss the threat potential and the anticipated necessity for using force and making arrests with all members of the entry and search teams.
- vi When the potential for violence is imminent and considered significant, the supervisor in charge of the search warrant event will review the plan of execution with their immediate superior to evaluate effectiveness and approve the necessity of action.
- vii Any deviation from the execution of search warrant procedures will be cleared through the highest-ranking supervisor on scene involved in the investigation.
- viii Photographs: Photographs will be taken of any damage caused by the execution of the warrant.

G. Seizure of Property: Although several officers may engage in the search, an officer should be designated the "finder" in order that one officer is responsible for documenting the circumstances of the search for and seizure of property.

- a. After securing the premises, an officer shall search for the items named in the search warrant. When possible, a team of two officers should search a single room or area.
  - i An officer shall diligently attempt to prevent and minimize damage to the premises and property.
  - ii An officer shall confine the search to places that could conceal the items sought.
  - iii During the course of the search, the officer in charge shall keep a record of the date and time, the areas examined, who examined them, the items seized, and where each seized item was found.
  - iv Each officer shall safeguard the admissibility of all seized property by protecting the "chain of evidence": The officer who actually seizes a particular item shall mark that item with his initials and the date and time. That officer shall then turn over all seized items to the single officer in charge of the search. As to all items seized, the officer in charge shall furnish a descriptive
    - v Receipt to the person from whose possession or control they were taken. (If no such person is present, leave the receipt in a logical and conspicuous place in the premises.) The officer in charge shall complete the "return" to the search warrant by attaching to it an inventory of the items seized. The officer shall also deliver the completed "return" to the magistrate.
    - vi The officer in charge shall mark all seized items as evidence and deliver them to the department evidence locker.

- vii An officer shall leave the premises at least as secure as when he entered, for example, by leaving them in the hands of a responsible person or by locking all doors and windows. Unless unavoidable, an officer shall not leave the premises in disorder or disarray caused by the search.
  - 2. Officers executing a search warrant are not necessarily limited to seizing only the items described on the warrant.
    - a. During the execution of the warrant, officers may seize:
      - (1) Contraband,
      - (2) Items of property, which the officer has probable cause to believe, are stolen,
      - (3) Instrumentalities of a crime or
      - (4) Items of evidentiary value, even though such property is not named on the warrant.
    - b. Such articles may be seized only if they have been found within the course of a proper search under the warrant. **EXAMPLE:** A warrant for a stolen television set would not justify the seizure of a pistol found in a dresser drawer.
  - 3. When an officer, by virtue of a search warrant, seizes property, a detailed receipt for the property seized will be given to the person from whom it was taken or in whose possession it was found.
    - a. If the property is seized when a person is not present, a receipt will be left at the location where the property was found.
    - b. The Property Form shall be signed by the individual designated as the Finder/Retainer.
  - 4. A search warrant authorizes only one search of premises. Thus, an officer cannot search the premises again under the same warrant once he has executed the warrant and left the premises.
- H. Returning A Search Warrant: A warrant must be executed within five (5) calendar days and returned to the issuing judge within three (3) calendar days of issue. Any delay in executing the warrant might weaken the credibility of the information source and render the search invalid.
- 1. A written list of all property seized as the result of the warrant will be returned to the issuing magistrate along with the warrant.
  - 2. At the time the warrant is returned, the officer should indicate whether the warrant will be unsealed immediately or five days after the return. If indefinite sealing is desired, the officer should contact the applicable Prosecutor.
  - 3. A copy of the search warrant, affidavit, and inventory of property, with the IR number listed in the upper right hand corner of each form.
- I. Obtaining Physical Evidence from a Person: The Prosecuting Attorney has made the following recommendations regarding obtaining physical evidence (i.e., fingerprints, photographs, handwriting samples, blood samples, urine samples, etc.).

1. Pre-arrest Situations: Texas law provides for the issuance of a court order for the temporary detention of a subject to obtain evidence of identifying physical characteristics when there is no probable cause to arrest.
  - a. A reasonable cause to believe a crime has been committed is required.
  - b. A showing must be made that procurement of the evidence may contribute to the identification of the person who committed the crime.
  - c. There is a right to counsel during temporary detention.
  - d. Evidence cannot be obtained through any other legal means.
2. Post-Arrest/Pre-Indictment Situations: A search warrant may be used in accordance with Texas law to obtain personal physical evidence so long as no unreasonable intrusion of the person's body occurs.
  - a. An officer must establish probable cause that the item to be seized tends to show that a crime has been committed or tends to show that a particular person committed the crime.
  - b. It is recommended that the defendant be allowed to contact their attorney (if they have one and wish to do so), and that the attorney be allowed to be present during the taking of the exemplar if this can be timely and reasonably accomplished without hindering the process.
  - c. If a juvenile is the subject of the request for physical evidence, other than photographs and fingerprints, the request will be presented to the Presiding Juvenile Court Judge during normal working hours.
    - (1) Emergency requests for physical evidence during non-working hours should be made to the Judicial Officer on-call.
    - (2) Warrants for the production of physical evidence executed by a judicial officer not assigned to the Juvenile Court are not legally valid and will not be honored.

#### J. Confidential Informants

3. When information leading to the request for a search warrant has been supplied by a confidential informant, the underlying circumstances demonstrating that the informant is credible or that their information is reliable, and the underlying circumstances which led the informant to conclude that the contraband (fruits of a crime, instrumentalities of a crime, items of evidentiary value) would be where they claimed it to be, must be stated in the affidavit.
  - a. When the informant's information is used to establish the probable cause and they need to remain confidential, the reason will be substantiated in the affidavit.
  - b. The officer will make certain that the informant is not present when the search takes place, because if the informant becomes a material witness to the crime charged, the court will order his identity disclosed.
  - c. When possible, the officer who is using the informant should be the affiant for the search warrant.
2. Individuals on probation or parole, or who are currently charged with an offense.

- a. An officer shall not solicit a person on probation or parole to act as an Information Source when these activities would result in violating any of the terms of the probation or parole, without first obtaining the approval of the individual's probation or parole officer, the Prosecuting Attorney assigned to the case.
- b. Prior to contacting the subject's probation/parole officer and the Prosecuting Attorney, the investigator will obtain consent from their Lieutenant through the chain of command.

#### K. Consent to Search (Without A Warrant)

1. If the person against whom the search is directed consents to the search of their person, a search may be made and any fruits of a crime, instrumentalities of a crime, weapons, or contraband articles may be seized.
  - a. Courts are sometimes reluctant to find that consent was in fact voluntary when given by a person in custody who might not be fully aware of their constitutional right to refuse permission for a search.
  - b. Reliance upon the supposed consent of the defendant is risky because it cannot be anticipated how the facts surrounding this alleged consent, as testified to by the officer and the defendant, will appear to the court.
  - c. A search may be directed against a defendant's property if a person who jointly occupies the premises with the defendant consents to it or if the person has an equal right to the use and possession of the premises. However, if the defendant, or anyone with standing, objects to the search, a warrant will be obtained prior to the search.
  - d. Equal right can usually be inferred when the person has a property right or other connection with the premises or with the defendant which establishes that he/she is entitled to bring guests into the premises. This includes a spouse.
  - e. While it is permissible to conduct searches under such circumstances, it is unwise as a matter of general practice to rely upon the arrested person giving consent at the time of their arrest if it is possible to obtain a search warrant in advance of the arrest.
  - f. Any consent to search must be voluntary, without fear, threats, or promises and given by a person having authority to give consent or when the facts surrounding the consent would lead a police officer to believe that the person has such authority.
  - g. Consent may be withdrawn at any time and, should this occur, the search must be terminated.
  - h. Consent searches are limited to areas that reasonably appear to be within the scope of the consent given.
  - i. Consent searches should be in writing on the approved CISD Police Departmental form and should be signed by the person having legal authority to consent to the search. It is recommended that a voluntarily consent be witnessed by a second officer. Additionally, when a consent to search form is not readily available, audio/video will suffice.

#### K. Search Incidental to Lawful Arrest

1. Warrantless searches incident to a lawful arrest are justified:
  - a. For officer safety concerns to search for weapons.
  - b. To seize the means the suspect might use to affect his escape.
  - c. To prevent the destruction of the fruits or instrumentalities of the crime, or evidentiary items of the crime for which the arrest was made.
2. Search for items beyond the person must be limited to those areas that remain within the reach of the arrestee.
  - a. Reach is not confined to arm's length but includes the areas reachable by the person if they made a lunge or quick move to gain possession of a weapon or of destructible evidence.
  - b. If it is necessary for the person arrested to move about after their arrest to put on clothing or assemble belongings, those areas to which they continue to have access may also be searched for weapons or destructible evidence (another room to get dressed, bathroom, etc.).
3. Protective Sweeps: A cursory search of premises or limited search of the area around the arrestee that is based on reasonable suspicion.

#### L. Emergency Search (Without A Warrant)

- a. Whenever there is a need to conduct a search of a place (even of the location where it is anticipated the arrest will be made), and if the arrest does not have to be made immediately, the proper approach is to obtain a search warrant before the arrest so that it may be executed at the time of the arrest.
  - i. A search warrant is not required when exigent circumstances exist. Exigent circumstances may include the following types of situations:
    1. Response to an emergency (medical, fire, bomb scare, etc.).
    2. Hot pursuit of a felony suspect (some sort of chase).
    3. Possibility of violence (hostage/barricade situation, sexual assault, etc.).
2. When reporting facts in an IR that pertains to a search and seizure based upon exigent circumstances, officers should articulate specific information that caused them to take immediate action. For example:
  - a. Whether or not the suspect was believed to be armed.
  - b. Whether or not there was a likelihood that the suspect would have escaped if not immediately arrested (prior record of escapes).
  - c. The seriousness of the offense.
  - d. Whether or not the likelihood of evidence being destroyed existed.
3. Whenever there is a need to conduct a search of a place, but it is necessary to make an arrest before the search warrant can be obtained to preclude the suspect's escape or the loss of evidence, the officer will consider the following alternatives:
  - a. Whether there are grounds to arrest any other persons present at the place of arrest so they will not have an opportunity to dispose of the evidence while a search warrant is being sought.

- b. Whether there is some risk, even though no one else is within the premises, that someone might enter and dispose of the evidence while a search warrant is being obtained. One officer may be left to guard the premises while another obtains the search warrant.
- c. When other persons are present who cannot be lawfully arrested or whenever another officer cannot be summoned to guard the premises, it may be permissible to proceed with the search of the premises at the time of arrest without a search warrant.

M. While Searching for Suspect

1. Police lawfully on premises for the purpose of making an arrest may search the premises for the purpose of finding the individual to be arrested.
2. When the person is known to be present and armed, it is permissible for officers conducting the search to look into small places where they might have a weapon hidden until the individual has been located and placed under arrest.
3. Evidence found may be seized without a warrant if there is probable cause to believe that the evidence will aid in the particular apprehension or conviction.

N. Stop and Frisk

1. The stop and frisk right applies only when a police officer observes suspicious conduct that, based upon their experiences and training, indicates criminal activity occurred or may occur and they reasonably fear that the individual observed may be presently armed and dangerous to them or to others.
2. Officers may carefully conduct a limited frisk of the outer clothing of the suspected person for the purpose of discovering weapons that might be used to assault them.
3. Suspicious activity alone will not allow a frisk for narcotics, instrumentalities, etc. It is reasonable suspicion of dangerous weapons only that creates the reasonableness of this type of frisk without a warrant.
4. Officers will not stop an individual based only on race, religion, national origin, gender, sexual orientation, or economic status.

O. Searching a Vehicle Without a Warrant

- a. Automobiles and other conveyances may be completely searched without a search warrant only if there is probable cause to believe that the vehicle contains sizeable articles.
- b. If the search of the vehicle is incident to arrest, the entire passenger compartment, including closed/locked containers, may be searched.
- c. If the vehicle has no connection with the offense, the search can be only within that area immediately accessible to the arrestee.
- d. If probable cause exists to search a vehicle that was in a mobile condition when it came into the custody of an officer, a warrantless search may extend anywhere in the vehicle, including closed containers, in which the items being searched for may be found.

- e. If probable cause exists to search a container that is in a vehicle, a search warrant is not necessary to search the container even though there is no probable cause to search the entire vehicle.

P. Arrest During Search

- a. In cases of combined warrants commanding both arrest and search at a premises, or where an officer reasonably suspects that an occupant may be named in an outstanding arrest warrant, an officer may require any person on the searched premises to identify himself in order to determine whether the arrest warrant names that person. An officer may also require any person on the premises, who witnessed the search or arrest, to identify himself.
- b. During the search, an officer may inadvertently find and seize contraband or some other item, which gives the officer probable cause to believe that an offense has been committed. This evidence may also provide an officer with probable cause to obtain an arrest warrant for one or more particular persons on the searched premises. Where the officer finds it impractical to obtain a warrant, he should follow the rules of Arrest Without a Warrant.
- c. An officer may arrest any person who attempts to escape or who forcefully resists or interferes with the lawful execution of a search warrant.
- d. An officer may also arrest anyone on the premises who refuses to identify himself, if the officer has at least a reasonable suspicion that such person has committed an offense.
- e. An officer shall make all arrests in accordance with the applicable rules on Arrest Without a Warrant and on Execution of Arrest Warrants.

Q. Arrest Warrants

- a. An arrest warrant may be obtained for the purpose of entering a residence to arrest a suspect when other lawful means are not available (exigent circumstances, consent, etc.).
- b. The needs of the community will be considered as a factor in determining the requirement for obtaining an arrest warrant.
- c. The investigating officer's supervisor and, if possible, the case detective or other CIS detectives, will review the investigation to determine whether it is necessary to obtain an arrest warrant.
- d. A supervisor may contact CIS personnel for assistance in obtaining an arrest warrant after business hours.
- e. Only sworn officers shall affect a physical arrest during the execution of an arrest warrant.

**CISD Police Department Policy**  
**5.01 Search and Seizure**  
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**Scott Stephens**  
**Chief of Police**



<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 5.02</b>	<b>Arrest Procedures</b>



**I. POLICY**

- A. It is the policy of the CISD Police Department to ensure that its officers carry out their duties regarding arrest procedures in a manner that is consistent with the laws of the State of Texas, U.S. Constitutional guarantees. It is also the procedure of the CISD Police Department to report all arrests, regardless of type, on an original Incident Report (IR) or on a supplement to the original IR.
- B. When making an arrest or detention of a person, employees shall strictly observe the laws of arrests as set forth in the Texas Code of Criminal Procedure (TCCP), applicable court decisions, and federal laws. It is the employee’s responsibility to be aware of and comply with any changes in the law or requirement of new court decisions.

**II. ESSENTIAL ELEMENTS OF ARREST**

- A. Intent on the part of the person making the arrest.
- B. Lawful authority on the part of the person making the arrest.
- C. Seizure or detention of the arrestee.
- D. Understanding on the part of arrestee that they have been arrested.

**III. ARREST PROCEDURES:**

- A. Employees may use only the restraint necessary to assure the safety of employees, citizens and the arrested subject.
- B. All circumstances of the use of restraints shall be documented in an incident report. For a standard arrest, this may just be a sentence stating the individual was arrested and handcuffed.

- C. When handcuffs are applied, CISD Police Department policy will be followed.
- D. Advise the arrested subject of the reason for the arrest as soon as practical.
- E. Immediately after the subject has been handcuffed and is secure, conduct a thorough "patdown" of the subject for weapons.
- F. Conduct a search of the subject for weapons and/or contraband as soon as reasonable after the arrest and always prior to being transported.
- G. Conducting additional searches when the subject is moved from one vehicle to another and when being removed from a holding cell.
- H. Conduct a thorough search of the vehicle after the subject is removed.
- I. In all cases, an Incident Report shall be completed detailing the circumstances of the arrest or the justification for the application of handcuffs/restraints if the person is released and not charged.

**IV. TYPES OF ARREST** - There are two basic types of arrest: arrest with a warrant and arrest without a warrant based on probable cause.

- A. Arrest by Warrant: Under TCCP, an officer may arrest any person based upon a valid misdemeanor or felony warrant. It is the responsibility of the officer executing the warrant to determine that:
  - 1. The suspect is the one for whom the warrant was issued confirmed by the Date of Birth (DOB), social security number (SSN), physical description, fingerprint, photograph, or other means of positive identification.
  - 2. Only sworn officers shall affect a physical arrest during the execution of an arrest warrant.
  - 3. The requisites for a valid warrant are:
    - a. It is issued in the name of the "State of Texas."
    - b. It must specify the name of the person whose arrest is ordered, if it be known. If unknown, then some reasonably definite description must be given of the person.
    - c. It must state that the person is accused of some offense against the laws of the State of Texas, naming the offense.
    - d. The warrant must be signed by a magistrate or judge, and his office must be named in the body of the warrant, or in connection with his signature.
  - 4. No arrest shall be made on a warrant until the warrant has been confirmed.
    - a. Warrants from the CISD Police Department shall be confirmed with Communications. Communications shall check the warrant files.

- (1) The warrant files contain the physical hard copies of active warrants. Communications must have the actual warrant in hand to confirm it.
  - b. Warrants from other agencies shall be considered valid upon confirmation from Communications.
  - c. It is the responsibility of the agency originating the warrant to ensure that their warrant is removed from the Texas Crime Information Center (TCIC)/National Crime Information Center (NCIC) when an arrest on their warrant is made by one of our officers.
  - d. Communications will contact the originating agency (by teletype when possible) and advise them that an arrest has been made on their warrant by the CISD Police Department.
  - e. During each warrant service attempt/execution, Communications personnel will recall the computerized warrant record and annotate the following information within the narrative of the record:
    - (1) Date and time service was executed/ attempted.
    - (2) Name of officer(s) executing / attempting service.
    - (3) Name of person on whom the warrant was served.
    - (4) Method of service/reason for non-service.
    - (5) Address of service attempt.
  - f. All subsequent service attempts will be annotated in the narrative of the applicable record.
  - g. If it is necessary to establish identity before a person is booked into jail on a warrant, a fingerprint check will be made at Booking.
  - h. Officers will not enter a private residence in pursuit of individuals with misdemeanor warrants.
5. Arrest by Juvenile Warrant - Communications personnel will verify juvenile warrants by contacting the Navarro County Juvenile Probation (NCJP).
- a. Officers shall follow the same procedure when serving a juvenile felony warrant as outlined in 1.c.; with the exception of detention.
  - b. A juvenile arrested on a felony warrant will be detained at NCJP unless a court order directing placement in adult detention has been issued.
  - d. If such an order has been issued, the juvenile will be booked into the Navarro County Jail as an adult.

**B. Arrest Without a Warrant: Officers may arrest without a warrant under the following conditions:**

1. A peace officer may, without a warrant, arrest a person if he has probable cause to believe that:
  - a. A felony has been committed and probable cause to believe the person to be arrested has committed the felony.
  - b. A misdemeanor has been committed in his presence and there is probable cause to believe the person to be arrested has committed the offense.
  - c. Persons who the peace officer has probable cause to believe have committed an assault resulting in bodily injury to another person and the peace officer has

probable cause to believe that there is danger of further bodily injury to that person;

- d. Persons who the peace officer has probable cause to believe have committed an offense defined by Section 25.07, Penal Code (violation of Protective Order), or by Section 38.112, Penal Code (violation of Protective Order issued on basis of sexual assault), if the offense is not committed in the presence of the peace officer;
  - e. Persons who the peace officer has probable cause to believe have committed an offense involving family violence;
  - f. Persons found in suspicious places and under circumstances which reasonably show that such persons have been guilty of some felony, violation of Title 9, Chapter 42, Penal Code, breach of the peace, or offense under Section 49.02, Penal Code, or threaten, or are about to commit some offense against the laws;
  - g. Persons who the peace officer has probable cause to believe have prevented or interfered with an individual's ability to place a telephone call in an emergency, as defined by Section 42.062(d), Penal Code, if the offense is not committed in the presence of the peace officer; or
  - h. A person who makes a statement to the peace officer that would be admissible against the person under Article 38.21 (statement of accused) and establishes probable cause to believe that the person has committed a felony.
2. A peace officer may stop and detain a person to investigate an actual or suspected violation of any traffic law committed in the officer's presence and may serve a copy of the traffic complaint for any alleged civil or criminal traffic violation. A peace officer that serves a copy of the traffic complaint shall do so within a reasonable time after the alleged criminal or civil traffic violation.
  3. Officers shall not forcibly enter private residences in pursuit of misdemeanor suspects when no warrant exists.

## **V. OTHER ARREST**

### **A. Citizen's Arrest**

1. Before accepting a prisoner arrested by a private citizen, the officer will ensure that the following elements of arrest are present:
  - a. The prisoner is in custody of the citizen (either by actual physical restraint or the prisoner's voluntary submission to the arrest).
  - b. The citizen making the arrest intends to prosecute.
  - c. The citizen making the arrest has informed the person to be arrested of the intention to arrest and the cause of the arrest.
  - d. The citizen arrest is apparently lawful. The criminal act was committed in the citizen's presence, and all elements of the crime are present.
2. When the suspect is to be incarcerated, the investigating officers will print their names and serial numbers on the Arrest/Booking Record. The name and address of the arresting citizen will be listed in the IR. Arresting citizens will be advised that they may

be required to sign complaints; however, they will receive a subpoena to testify in court if the charge is contested by the suspect.

B. Complaint and Summons In Lieu of Arrest. If a citizen does not desire to make a citizen arrest or is unable to make a citizen arrest but desires prosecution, an IR will be completed. Officers will inform the citizen that the report of the offense will be forwarded to the appropriate Prosecutor for review.

C. Fugitive From Justice

1. A fugitive is any person wanted by any law enforcement agency outside the State of Texas on a verified Felony warrant.
2. Warrants for Arrest from a Law Enforcement Agency - A warrant for the arrest of a wanted subject will be honored if received from a law enforcement agency, correction agency, or other public authority with powers of prosecution and extradition.
  - a. Confirmation of the warrant shall include verification that extradition has been authorized prior to conducting a physical arrest.
  - b. Warrants should contain the following information, regardless of how they are received:
    - (1) Warrant number, date of warrant, judge, and issuing agency.
    - (2) Charges.
    - (3) Subject's full name.
    - (4) Subject's date of birth.
    - (5) Physical description.
    - (6) Date, time, and name of officer authorizing the hold.
    - (7) Bond amount, if any, and Court address.
    - (8) Recommended bond, if any.
    - (9) Statement that the demanding agency will extradite.
    - (10) County and State where the warrant was issued.
  - c. Letters requesting arrests from other agencies will be honored if accompanied by copies of the complaint and warrant, a statement that extradition has been authorized, and that the warrant has been entered into NCIC. Warrants by telephone usually will not be honored except in unusual or emergency cases. The issuing agency will be asked to FAX the required warrant and extradition information immediately following the telephone call and give an explanation as to why this warrant could not have been entered into NCIC. Under these circumstances, a sworn supervisor must authorize the arrest before it can be made.
  - d. The arresting officer will determine that the person about to be arrested is the person named on the demanding agency's warrant and will advise the defendant of the charge, the agency that has requested the arrest, the fact that a warrant has been issued.

- D. NCIC Arrests – When a fugitive suspect is detained based on information received through TCIC/NCIC, the following procedure will be used:
1. The arresting officer will advise Communications to confirm the warrant and if extradition is authorized.
  2. Communications will check CCH for any specialized information on this subject, i.e. the warrant is not honored as extraditable, etc.
    - a. If the warrant is no longer valid, the suspect will be released if there are no other charges.
    - b. If the warrant is valid, but extradition is denied, the suspect will be released if there are no other charges. The officer will request the Communications personnel to make a notation in the CISD Police Department's CAD system that extradition has been denied.
    - c. If the warrant is valid, but the issuing agency is unable to immediately confirm extradition (County Attorney not available, Records Section closed, etc.) the suspect will not be booked. However, photographs and fingerprints will be obtained and the person's address and place of employment confirmed. Immediately after contacting the issuing agency, a Communications Section Supervisor will be contacted and informed of the disposition of the wanted person so entry can be made into the TCIC/NCIC System.
- E. Foreign Fugitives: Information on subjects wanted by foreign countries is available in NCIC. Special inquiries into this file are not required, as all wanted person file inquiries will be searched against the Foreign Fugitive File. If a positive response is received, the following procedure will be used:
1. The subject will be taken to the CISD Police Department for follow up investigation and a supervisor notified.
  2. INTERPOL will be contacted and advised of the situation. INTERPOL will confirm or deny the warrant and attempt to estimate how long it will take to verify extradition.
    - a. If INTERPOL confirms the warrant and there are no other charges, the subject will be booked into NCSO with a "hold" for INTERPOL.
    - b. If INTERPOL cannot confirm the warrant, the subject will be released unless there are other charges.
    - c. Holds may be placed for both INTERPOL and INS. Immediately after contacting the issuing agency, Communications will be contacted and informed of the disposition of the wanted person so entry can be made into the TCIC/NCIC System.
- F. Consular Notification & Access for Foreign Nationals: Whenever a foreign national is arrested in the United States, when a government official becomes aware of the death of a foreign national, or when guardianship or trusteeship is being considered with respect to a foreign national who is a minor or incompetent, there are legal requirements to ensure that the foreign national's government can offer him/her appropriate consular assistance.

1. It is the responsibility of the arresting officer to determine whether consular notification is at the option of the foreign national or whether it is mandatory.
2. It is the responsibility of each officer, without delay, to notify the foreign national's consular officials when required by following the guidelines listed in this policy and by referring to the Consular Notification and Access Reference Card provided to every sworn employee.

#### G. Arrest of a Foreign National

1. Determine the foreign national's country. In the absence of other information, assume this is the country whose passport or other travel documents the foreign national travels under.
2. If the foreign national's country is not on the mandatory notification listed on the reference card, offer without delay, to notify the foreign national's consular officials of the arrest.
3. If the foreign national asks that the consular notification be given, notify the nearest consular officials of the foreign national's arrest without delay.
4. If the foreign national's country is on the list of mandatory notification countries, listed on the quick reference card, notify the country's nearest consular officials, without delay, of the arrest and charges the foreign national was booked under. Advise the foreign national that you are making this notification.
5. The notification will be made by facsimile. The fax form will be located in the printer/fax room at HQ. The form must be completely filled out to include the charges the foreign national was booked under. The telephone and fax numbers for the foreign embassies and consulates in the United States are contained within the Consular Notification and Access manual retained in Communications.
6. Officers are required to document in their Incident Report that they made consular notification either because it was required or that it was requested on the part of the arrested suspect. If notification was not mandatory, the officer must document in the Incident Report that the arrested suspect was offered the opportunity to have his/her consulate notified of the arrest.
7. A copy of the facsimile sent to the consular officials must accompany the Incident Report. Under no circumstances should any information indicating that a foreign national may have applied for asylum in the United States or elsewhere be disclosed to that person's government.

H. Non-Support: Warrants charging non-support from other states will be handled in the same manner as other out-of-state warrants.

I. Felony/Misdemeanor Warrants for other jurisdictions in Texas: Any person arrested for a Felony/Misdemeanor warrant issued by an Texas law enforcement agency will be handled in the same manner as a Felony Warrant. CISD arrest numbers will not be assigned, but the IR number will be utilized in place of the CISD Police Department arrest number.

1. The arresting officer will complete an Incident Report.

2. Immediately after contacting the issuing agency, the Communications Section will be contacted and informed of the disposition of the wanted person so entry can be made into the TCIC/NCIC System
- J. Arrests in Outside Jurisdictions: CISD Police Officers must have their immediate supervisor's permission before leaving CISD District limits to make a probable cause or warrant arrest. Officers must also notify the jurisdiction in which the arrest is to be made and request a local uniformed officer be present for arrests involving potentially violent subjects, unless exigent circumstances exist.
- K. Arrest of Federal and State Employees: With the exception of those persons immune from arrest, the following special notifications will be made when certain federal or state employees are arrested and booked:
1. Employers will be notified when any Public Safety personnel are arrested.
  2. Military Personnel - When military personnel are arrested and booked, the arresting officer will notify the appropriate military personnel.
    - a. Members of the military services of the United States cannot legally be held for being absent without leave (AWOL) or desertion until verification of their status has been confirmed by military authorities.
    - b. Military "holds" will not be placed on military personnel arrested by officers of the CISD Police Department.
- L. Arrest of CISD Employees: Whenever an CISD employee is arrested the officer shall notify their supervisor and advise them of the circumstances. Whenever a person employed by the CISD is arrested or cited for any crime or major criminal traffic offense, the arresting officer will write a memorandum listing the employee's supervisor, department, location, and telephone extension. The memorandum will be submitted through channels to the Police Chief's Office, along with a photocopy of the related paperwork (IR).
- M. Paperwork to be processed for an arrest. All adults shall be booked at Booking. The following forms shall be completed in the arrest process:
1. Arrest/Booking Record: Officers shall:
    - a. Complete the NCSO Booking Procedures.
  2. Victim Information Form: The "Custodial Copy" of the Victim Right's/Waiver Form is used to record data on the victim so they can be notified upon the subject's release. This form is placed in the prisoner's file and accompanies him/her to court.



## VI. IMMUNITY FROM ARREST

- A. Legislators: Senators and Representatives shall, except in cases of treason, felony or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same, allowing one day for every twenty miles such member may reside from the place at which the Legislature is convened.
1. The interpretation of a breach of peace and the decision to arrest will be referred to a supervisor in all cases.
- B. Foreign Consuls
1. Foreign Consuls, their families, servants and employees are NOT immune from arrest, except as follows:
    - a. The Mexican Consul is immune from arrest for misdemeanor offenses but Deputy Consuls are immune only if they are citizens of Mexico.
    - b. The courtesy of immunity is not extended to the families, servants, or employees of the Consulate; however, they will be released on a misdemeanor offense in lieu of booking, pending the issuance of a complaint for the offense.
    - c. Vehicles bearing any Consular Corps license plates will not be given parking citations nor will drivers assigned to the Mexican Consulate be cited for traffic violations when operating a vehicle bearing such plates.
  2. Offenses committed by members, families, or employees of all other Foreign Consulates will be referred to a supervisor.
- C. Foreign Diplomats
1. When foreign diplomats are arrested, the arresting officer should advise the foreign diplomat of his/her right to have his government notified concerning the arrest. If notification is to be made, the officer shall inform the nearest consulate or embassy. If notification is not requested, it shall be so noted in the IR.
  2. Inquiries regarding contact with foreign governments should be made to the Assistant Legal Advisor for Consulate Affairs, Department of State, (202) 647-9576, FAX (202) 647-4115. The Command Center of the Bureau of Diplomatic Security, Department of State, is open 24 hours a day and should be contacted after normal business hours at (202) 647-7227.
  3. Witnesses: A witness under subpoena is immune from arrest except for treason, felony, or a breach of the peace while attending or traveling to or from court.

## **VII. CONSTITUTIONAL REQUIREMENTS - Juveniles/Adults**

### **A. Interview and Interrogation**

1. Under no circumstances will any types of threats, promises, or agreements be used to obtain a confession or admission from an individual relative to any criminal activity.
2. If the suspect is in custody, or not free to leave, or the suspect believes that they are not free to leave, they will be read their Miranda Rights directly from the Juvenile Miranda Form (for juveniles) or the Miranda Card (for adults). The defendant shall acknowledge their understanding of their constitutional rights prior to any interview/interrogation. The officer shall make every attempt to explain the Miranda Rights to the defendant if the defendant is unsure of their rights.
3. If a defendant refuses to answer any questions or states that they do not comprehend their Miranda Rights, even after an officer's explanation, no further questions shall be asked of the defendant. This shall be so noted in the officer's IR.

### **B. Access to Counsel**

1. All defendants have the constitutional right to legal counsel prior to and during questioning. If legal counsel is requested by the defendant, every reasonable effort shall be made to allow the defendant to make such contact. It is the responsibility of the defendant to contact legal counsel. (We provide the means: access to a telephone and a telephone book.)
2. If the suspect refuses to answer questions without an attorney present, no further questions shall be asked, and this shall be so noted in the officer's IR. If the suspect initiates a conversation with the interviewer about the crime, the officer will clarify the suspect's desire to talk without an attorney present, and if the suspect waives this right, the interview shall continue.

C. All defendants shall be arraigned in a timely manner without undue delay. Any unreasonable delays shall be noted in the IR.

D. Pre-trial publicity that might prejudice a fair trial shall be kept to a minimum.

### **E. Juvenile Arrests/Referrals:**

1. Juveniles arrested for a criminal offense will be processed. The juvenile will either be detained at NCJP or released to an adult who has legal responsibility for the juvenile. Refer to Juvenile Operations policy.
2. Juveniles arrested on TYC warrants (Texas Youth Commission) will be processed at NCJP.

## **VIII. ARREST FROM VEHICLES/DISPOSITION OF VEHICLES**

- A. When a suspect is arrested from a vehicle, the decision must be made whether to release the vehicle to the owner, leave the vehicle legally parked at the current location, or have the vehicle towed to a secure location.
- B. The vehicle may be released to the registered owner if the owner is not under arrest under the following conditions:
  - 1. The owner must be physically present and reasonable proof of ownership must be legally established.
  - 2. The registered owner's judgment must not be impaired by alcohol or drugs.
- C. A vehicle owner may, under certain circumstances, be permitted to leave their vehicle legally parked after a person has been arrested. The following conditions must apply:
  - 1. The registered owner must be physically present and reasonable proof of ownership must be legally established.
  - 2. The owner's judgment must not be impaired by alcohol, drugs, or illness to the point that they cannot make a reasonable decision to leave the vehicle unattended.
  - 3. The owner must sign a Vehicle Liability Release form.
  - 4. The vehicle owner may also be permitted to release their vehicle to another driver as long as that driver is capable of safely operating the vehicle and is properly licensed.
- D. If the registered owner is cannot be contacted; or of a reasonable decision cannot be made by the registered owner based upon the officer's observations, judgment, and justification; or the vehicle cannot be released to the registered owner for any other reason, the vehicle will be removed from the scene and secured.
  - 1. When towing the vehicle incident to arrest, Communications will contact the contract towing service to respond and tow the vehicle to their storage location.
  - 2. The vehicle's ignition key will be turned over to the registered owner or a responsible party (i.e. contract tow company driver). If the registered owner or a responsible party cannot be contacted, the keys to the vehicle shall be impounded into property.

## **IX PERSONAL PROPERTY OF PRISONERS:**

- A. All personal property removed from a person at the time of arrest shall be returned if the individual is released, or if taken in to custody and transported, inventoried at the time of booking in the presence of the individual in custody. In the event the prisoner cannot be present, a second witness will sign the inventory sheet.
- B. If an article is removed and not inventoried at booking, due to the article being evidence or contraband, the item remaining in the officer's custody will be noted on the personal property inventory sheet.

**CISD Police Department Policy**

**5.02 Arrest Procedures**

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**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 5.03</b>	<b>Bias Based Profiling</b>



## **I. POLICY**

The purpose of the policy is to reaffirm the Corsicana I.S.D. Police Department’s commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

It is the policy of this Department to police in a proactive manner and, to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in biased based profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Biased based profiling is an unacceptable law enforcement tactic and will not be condoned.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

## **II. DEFINITIONS**

- A. Bias Based Profiling: A law enforcement-initiated action based on an individual’s race, ethnicity, race, ethnicity, background, gender, sexual orientation, religion, economic status, age, culture, or other personal characteristics, rather than due to the observed behavior of the individual, or on information identifying the individual as having engaged in criminal activity.

Biased based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against biased based profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin are biased based profiling. Examples of biased based profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
2. 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.
3. Detaining an individual based on the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or specific place.

This Department derives at two principles from the adoption of this definition of biased based profiling:

- a. Law enforcement officers use race in conjunction with other known factors of the suspect, but may not use biased based or ethnic stereotypes as factors in selecting whom to stop and search.
- b. Biased based profiling is not relevant as it pertains to witnesses or others providing information concerning an event.

- B. Race or Ethnicity: One who is of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.
- C. Pedestrian Stop: An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.
- D. Traffic Stop: A peace officer that stops a motor vehicle for an alleged violation of law or ordinance regulating traffic.

### **III. TRAINING**

Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law. All officers shall complete TCOLE training and education program on biased based profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001 held a TCOLE intermediate proficiency certificate, or who had held a peace officer license issued by TCOLE for at least two years, shall complete a TCOLE training and education program on biased based profiling not later than September 1, 2003.

The Chief of Police, as part of the initial training and continued education for such appointment, is required to attend the LEMIT program on biased based profiling.

#### **IV. COMPLAINT INVESTIGATION**

- A. The Department shall accept complaints from any person who believes he or she has been stopped or searched in violation of this policy. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- B. Any employee who receives an allegation of biased based profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of biased based profiling to their superior before the end of their shift.
- C. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief.
- D. If a biased based profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- E. If there is a department video or audio recording of the events upon which a complaint of biased based profiling is based, upon commencement of an investigation by this department in to the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

#### **V. PUBLIC EDUCATION**

This Department will inform the public of its policy against biased based profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

#### **VI. CITATION DATA COLLECTION & REPORTING**

- A. An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:
  - 1. the violators race or ethnicity;
  - 2. whether a search was conducted;
  - 3. whether the search was consensual; and
  - 4. whether there was an arrest for this cited violation or any other violation.

- B. By March of each year, the Department shall submit a report to their governing board that includes the information gathered by the citations from the preceding year. The report will include:
1. a breakdown of citations by race or ethnicity;
  2. numbers of citations that resulted in a search;
  3. number of searches that were consensual; and
  4. numbers of citations that resulted in custodial arrest for the cited violation or any

## **VII. COLLECTION and REPORTING INFORMATION GATHERED FROM TRAFFIC and PEDESTRIAN STOPS**

- A. An officer who stops a motor vehicle for an alleged violation of law or ordinance regulating traffic shall record and report the following information:
1. A physical description of each person detained as a result of the stop, including:
    - a. The person's gender;
    - b. The person's race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability.
  2. The street address or approximate location of the stop. The suspected offense or the **Policy 4.06 Bias Based Profiling** traffic law or ordinance alleged to have been violated.
  3. Whether the officer conducted a search as a result of the stop and if so, whether the person detained consented to the search.
  4. Whether probable cause to search existed and, if so, the fact(s) supporting the existence of that probable cause.
  5. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
  6. Whether the officer made an arrest as a result of the stop and/or search, and, if so, a statement of the offense charged.
  7. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.
- B. This Department shall compile and analyze the information contained in these individual reports. Not later than March 1 of each year, this Department shall submit a report to our governing body containing the information compiled from the proceeding calendar year in a manner they approve. This report will include:
1. A comparative analysis of the information contained in the individual reports in order to:
    - i. Determine the prevalence of biased based profiling by officers in this department; and
    - ii. Examine the disposition of traffic and pedestrian stops made by this department's officers, including searches resulting from stops.
  - b. Information relating to each complaint filed with this department alleging biased based profiling.



- C. This report will not include identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.

**CISD Police Department**

**5.03 Bias Based Profiling**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 5.04</b>	<b>Hate Crimes</b>



## **I. POLICY**

In response to a growing concern about hate crimes, the CISD Police Department is implementing a procedure to identify and react to such crimes. This response has been developed in accordance with the guidelines established by the "Hate Crimes Statistics Act of 1990."

## **II. DEFINITIONS**

- A. Bias: A negative opinion or attitude toward a group of persons based on their race, religion, ethnicity/national origin, gender, disability or sexual orientation.
- B. Hate Crime: A criminal offense committed against a person or property which is motivated in whole or part, by the offender's bias against the victim's race, religion, ethnic/national origin, gender, disability, or sexual orientation. Also known as a "bias crime".
- C. Responding Officer: The first law enforcement officer on the scene who must determine whether a suspected bias incident has occurred.
- D. Second Level of Judgment: The officer or unit within the law enforcement department who has received specific training in hate crime related incidents who must make an investigative determination on whether a hate crime has occurred.
- E. Racial Bias: A negative opinion or attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- F. Religious Bias: A negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- G. Sexual Orientation Bias: A negative opinion or attitude toward a group of persons based on their sexual attraction toward and responsiveness to, members of their own sex or members of the opposite sex.
- H. Ethnic/National Orientation Bias: A negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.

- I. Bias Incident: An incident fitting the description of a hate crime, but lacking any criminal element.
- J. Bias Motivation: Indicates whether the offender was motivated to commit the offense due to bias against any race religion, ethnicity, national origin, gender, disability, or sexual orientation.
- K. Disabilities Bias: A negative opinion or attitude toward a person with developmental disabilities who has a mental impairment that manifested itself before the person attained age twenty-two, is likely to continue indefinitely, and results in substantial functional limitations in three or more major life activities (e.g., self-care, language, learning, mobility, capacity for independent living). Such persons are also referred to as “mentally retarded,” “intellectually Handicapped.” “developmentally delayed,” or “severely learning disabled.” This listing is not all inclusive of disabilities.

## II. PROCEDURE

### A. Bias Motivation

#### 1. Racial Bias

- a. Anti-White.
- b. Anti-Black.
- c. Anti-American Indian/Alaskan Native.
- d. Anti-Asian/Pacific Islander.
- e. Anti-Multi-Racial.

#### 2. Religious Bias

- a. Anti-Jewish.
- b. Anti-Catholic.
- c. Anti-Protestant.
- d. Anti-Islamic (Muslim).
- e. Anti-Other religion (Buddhism, Hinduism, Shintoism, etc.).
- f. Anti-Atheist/Agnostic/etc.

#### 3. Ethnicity/National Origin Bias

- a. Anti-Arab.
- b. Anti-Hispanic.
- c. Anti-Other Ethnicity/National Origin.

#### 4. Sexual Orientation Bias

- a. Anti-Male Homosexual (Gay).
- b. Anti-Female Homosexual (Lesbian).
- c. Anti-Homosexual (Gays and Lesbians).
- d. Anti-Bisexual.
- e. Anti-Transsexual.
- f. Anti-Heterosexual.

## B. Offense Categories

1. The Hate Crime Statistics Act of 1990 requires the Attorney General to establish guidelines and collect data about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.
2. If one of the below listed crimes, in particular, is committed, it is the responding officer's responsibility to determine whether there is any indication that the offender was motivated by bias. If it is determined that the offender was motivated by bias, we have the foundation for a Hate Crime.
  - a. Homicide and negligent manslaughter.
  - b. Sexual assault.
  - c. Robbery.
  - d. Aggravated assault.
  - e. Assault.
  - f. Threatening and intimidation.
  - g. Burglary.
  - h. Theft.
  - i. Vehicle theft.
  - j. Arson.
  - k. Criminal damage, destruction, or vandalism of property.
  - l. Disorderly Conduct

## C. Responding Officer Responsibilities

1. The officer shall secure the scene, provide medical attention (if necessary), evaluate the situation, and take the necessary action dictated by the circumstances.
2. After the scene is stabilized, the responding officer shall make a determination if the elements of a "Hate Crime" exist.
  - a. Has a criminal act occurred that is defined as such in Title 6 of the Texas Penal Code, or 42.014 of the Texas Code of Criminal Procedure?
  - b. Was the apparent motive for the criminal act based upon one of the Bias Motives outlined in CCP 42.014 (a)
3. If a "Hate Crime" exists, notify the supervisor and have them respond to the scene.
4. Ensure that the Incident Report annotates the criminal violation was a "Hate Crime".

## D. Responding Supervisor Responsibilities

1. Determine if a hate crime exists.
  - a. Determine if additional personnel are required to stabilize the incident.
  - b. Request specialized units, if necessary.
  - c. Direct the initial investigation.
  - d. Annotate the incident in the Calls for Service Log and, if deemed appropriate, notify The Chief of Police.

2. Hate Crime Investigator Responsibilities

- a. Review the initial Incident Report to ensure that it meets the "Hate Crime" definitions listed in Section A of this policy and that it conforms to criteria established for Uniform Crime Report (UCR) Hate Crime reporting.

**CISD Police Department**

**5.04 Hate Crimes**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.01</b>	<b>Patrol Procedures</b>



## I. POLICY

It is the policy of the CISD Police Department to ensure uniformity and compliance with regulations dealing with the day-to-day operations of the Patrol Division. This procedure establishes a standardized system to ensure uniformity in Patrol Administrative Procedures.

## II. PROCEDURES

- A. Submission of Incident Reports (IR)
  - 1. Procedures for writing Incident Reports.
    - a. The purpose of an IR is to record any crime, incident, or activity in the District that has been reported to the CISD Police Department or observed by a police officer.
    - b. Sworn personnel will complete an IR on all offenses (felony, misdemeanor, or status offense) if the elements of a crime are present, even if the suspect is unknown and there is no need for immediate follow-up. Regardless of the victim's desire for prosecution, motive to prosecute, or only being reported for insurance purposes, an IR will be written. Burglary, theft, and auto theft offenses in which multiple offenses were committed at the same location with different victims shall generally have sole and separate IR numbers.
  - 2. Procedures for handling Incident Reports are as follows:
    - a. IR's will be turned in to the officer's supervisor for further review. *The supervisor's review approval in Omnigo (record management system) implies acceptance of a report as meeting CISD Police Department standards.*
    - b. All felony, in custody reports, and domestic violence reports where probable cause exists to arrest the suspect (including circumstances where the suspect's whereabouts are unknown), recovered stolen vehicles, missing persons, and runaway juveniles will be completed prior to the employee ending their shift. All other IR's may be held for completion no longer than the end of the employee's next workday at the discretion of the supervisor.

- (1) Officers working their last day of work before going on days off, vacation, etc., may not place reports on hold.
  - (2) IR's not forwarded to the Supervisor at the end of each shift shall require a face sheet to be completed to a degree that will allow for tracking in the system. The face sheet shall contain the IR Number; Date/Time of Report; Offense; Victim(s); Suspects; Arrested Person(s), and Charge(s).
  - (3) Officers are required to have all in custody paperwork reviewed by a patrol supervisor before securing from their shift.
  - (4) Any officer who is not returning to work the following day shall have all of their paperwork reviewed and signed off by a patrol supervisor before securing from their shift.
3. The following incidents will require a full IR. Under circumstances not covered by this policy, when a question arises, the supervisor will have the final determination on what type of report will be completed by the officer.
- a. All in-custody arrests.
  - b. Criminal acts with articulate, identifiable suspect information where investigative follow-up is warranted and likely to result in an arrest or criminal complaint.
  - c. Crimes against persons
  - d. Death investigations.
  - e. All domestic violence cases where a crime was committed.
  - f. All hate crimes.
  - g. All stalking crimes.
  - h. Property crimes.
  - i. School area reports of suspicious activity or criminal conduct.

**B. Preliminary Investigations:** Officers are responsible for the preliminary investigation of crimes committed in their areas.

1. **On-scene Considerations:** The success of any investigation that involves a definable crime scene depends heavily on the initial observations and actions of the first officer to arrive at the scene. While the circumstances of a particular scene will govern the actions taken by the officer to protect and preserve the physical evidence, the following are considered to be generally valid guidelines:
  - a. Self-protection.
  - b. Summon medical aid for and attend to injured persons at the scene as a matter of first priority.
  - c. On major crime scenes ask your-self the question, "Do I have permission to be here?" If not, do you have the consent of the owner or a warrant? Remember, there is no "murder scene exception" to the search warrant. If necessary, the scene can be secured and protected while an appropriate warrant is obtained.

- d. Secure and protect the scene. If a sufficient number of officers are available, immediate measures necessary to protect the crime scene should proceed simultaneously with giving aid to injured persons or examining apparently deceased persons. The immediate measures include such actions as:
  - (1) Checking the scene for the presence of involved parties or injured persons.
  - (2) Prevent the destruction of evidence.
  - (3) Cordoning off critical exits or entrances.
  - (4) Posting personnel to control spectators especially around areas expected to have a high potential for physical evidence yield.
  - (5) Covering exposed items that may lose evidentiary value due to rain, smoke, direct sunlight, etc. (Always keep any material used to cover items of evidence. Package and tag this material separately.)
  - (6) The underlying intent of all actions taken to protect the scene of a crime is to preserve its physical aspects so that it may be reviewed in detail by the detective or laboratory examiner assigned to the case. The major task of the officers preserving the scene is to prevent certain actions, specifically:
    - (a) Unnecessary traffic throughout the scene.
    - (b) Particular caution must be taken to avoid and prevent walking or driving in areas likely to have foot or tire impressions,
    - (c) Moving items or disturbing the bodies of deceased persons;
    - (d) Touching or moving items or touching surfaces that are likely to yield latent prints or other trace evidence;
    - (e) The removal or addition of any item to or from the scene without the specific permission of the officer assigned to process the scene.
  - (7) It is important that these restraints not be lifted until the investigator in charge has specifically released the scene.
- e. Identify witnesses and suspects. Witnesses and suspects shall be detained at the scene if at all possible. In any event, enough information should be obtained to allow them to be located. The minimum information shall consist of name, address, home telephone number, date of birth, business telephone number, cell phone, e-mail, a Texas Crime Information Center (TCIC)/National Crime Information Center (NCIC) warrant check.
- f. Maintain control of the scene until relieved of that responsibility.
  - (1) Document the entry of all persons into the scene on the CISD Police Department Crime Scene Log. Personnel posted to protect the scene should record appropriate information on all persons admitted to the scene, including other officers.



- (2) Any officer, of any rank, entering the inner scene shall be required to submit a supplemental report describing their purpose at the scene and what actions they took while there. The report shall include the time of arrival and time of departure from the scene.
  - (3) Anyone who assumes the responsibility of entering a crime scene shall be accompanied by the crime scene supervisor or their designee.
- g. Establish contact with the on-duty, or on-call supervisor. The supervisor will be notified in all incidents that may require the involvement of the Public Information Officer (PIO). Incidents requiring notification will include, but are not limited to, the following; homicides, sexually related crimes, crimes involving a child victim, crimes occurring at a school, violent felony crimes, Property crimes that may affect the operation of a school or transportation of students etc.
- h. Prepare notes to document actions and observations. Notes can be used later in the preparation of the IR. As soon as possible the following details should be noted:
  - (1) Time of arrival at the scene.
  - (2) Weather conditions at the time of arrival.
  - (3) Persons present at the time of arrival.
  - (4) Any other important circumstances that will aid the investigation.
- i. Cooperate fully with the investigator(s) assigned to the scene by making all known information immediately available to the investigator.
  - (1) If an item was touched or moved by officers securing the scene, that fact should be made known to the investigator.
  - (2) If the scene has undergone any physical changes due to weather, etc., the officer(s) who arrived first should pass their observations on to the investigator.
- i. Prepare and submit an IR.

## 2. Field Interviews (FI's)

- a. At the Scene of a Crime.
  - (1) General on-the-scene questioning as to facts surrounding a crime, or other general questioning of citizens in the fact finding process is permitted without the need to warn those questioned as to their rights. However, if after general on-the-scene questioning, a person questioned is placed IN CUSTODY and interrogation is to continue, then Miranda Warnings will be given prior to further questioning.
  - (2) Field Interrogations: Field interrogations do not require the rights admonition prior to interrogation as long as questions are limited to a request for name, address, and explanation of actions.

- (3) Vehicle Stops: A police officer may stop a vehicle and question its operator with regard to the enforcement of civil or criminal laws.
- (4) Field contacts in which no Incident Report or citation has been issued may be documented with a Field Interview form entry outlined below:
  - (a) FI entries shall be prepared by any officer of the CISD Police Department who receives information on, observes, or has contact with any person whom they believe may have been, may become involved in, or have any knowledge of any criminal activity. FI entries are not intended to supplement or replace an CISD Police Department IR.
  - (b) The officer completing the FI entry is responsible for ensuring the quality of information it contains. Further, officers shall utilize their experience, knowledge, and good judgment in determining the validity of circumstances prior to completion of the FI entry.
  - (c) Supervisors shall review completed FI entries. The immediate supervisor shall review and approval FI entries.
  - (d) All FI entries are accessible only to law enforcement personnel.
  - (f) FI entries shall be retained and purged in accordance with the current departmental policy concerning the purging of official records.
- b. One-on-One Identifications.
  - (1) Moving a Detained Subject:
    - (a) If it is necessary for a witness to identify a detained subject, officers should not move the subject to the witness. As a rule, the witnesses should always be brought to the detained subject's location. However, if that is impractical and no other alternatives exist officers may take the subject to the witness. It will be necessary to clearly articulate the reason for making this type of decision in an Incident Report.
    - (b) Unless probable cause exist, officers may not take a detainee, to the station in order to take statements, take fingerprints or for any other reason unless the detainee agrees to the movement.
  - (2) All one-on-one identifications will be conducted within two hours of the commission of the crime. *No one-on-one identifications will be conducted after the two-hour procedural rule has elapsed.*

- (3) Any subject who is detained for a one-on-one identification will be advised that they are being detained for investigative purposes. Officer may detain a person for investigative purposes only long enough to confirm or dispel any suspicions the officers may have.
- (4) When a witness is asked to view a subject under detention, they will be advised that the person being detained may or may not be the person involved. No more than one witness at a time will view a subject under detention.
- (5) If the witness identifies the detained subject as the suspect, the officer will ask the witness why they believe that person is the suspect and will document this information in the IR.
- (6) Officers will not inform the witness if their identification was correct. Additionally, where multiple witnesses are involved, the officer will advise the witnesses not to discuss their identification with other witnesses.
- (7) Officers will make a concerted effort to avoid tainting the one-on-one identification whenever possible. The subject of the line-up will not be handcuffed unless it is necessary for officer safety or the subject is a flight risk, which will be documented in the IR. Officers will avoid over saturating the viewing location with multiple patrol vehicles or personnel surrounding the subject.

#### C. False Reporting

1. Enforcement of False Report to Police Officer: It is the policy of this agency that enforcement of this statute will be limited to persons who make false reports to this agency regarding criminal matters only.
2. For example, if a person knowingly makes a false report (sexual assault, theft, burglary, etc.) this would be the appropriate code with which to charge them. Or, if the person falsely identifies themselves during the investigation, arrest, or citation for a specific crime.
3. It is difficult to convince prosecutors, judges, or jurors that a person who gives a false statement (lies) during an interview or interrogation is actually in violation of this statute, regardless of the actual wording. For this reason, our enforcement of this statute will be limited to those who make false criminal reports to our agency, or to avoid their true identity.

#### D. Notification of Next-of-Kin of Seriously Injured, Ill, or Deceased Persons

1. The message shall be delivered as quickly and professionally as possible.
2. When delivering emergency notification officers should, when possible:
  - a. Deliver the message in person
  - b. If known, a friend of the family should be contacted and accompany the officer when the message is delivered, or respond to lend ongoing support.
3. When delivering a message of serious injury or illness, the officer:

- a. Shall attempt to make notification in person if unable to make contact by telephone.
  - b. These procedures apply to requests initiated locally and/or initiated by other agencies.
- E. Emergency Street, Highway, and Utility Notifications
  1. Officers will immediately notify communications personnel of any major roadway hazards, electrical hazards, or inoperative school zone/traffic signal.
  2. Communications personnel will immediately contact the appropriate agency to ensure that emergency repairs are accomplished.
- F. Notification of Supervisory Personnel Relating to Law Enforcement Personnel Involved in Off-Duty Incidents
  1. Officers on the scene of any incident in which an off-duty officer has been identified as a suspect or investigative lead in a criminal offense shall immediately request a supervisor to respond.
  2. Supervisors responding to scenes involving off-duty officers will ensure that the duty sergeant or officer-in-charge of the applicable agency is notified of the incident as soon as practical.
  3. The Chief of Police will be notified in all cases involving the physical arrest of any off-duty officer or in cases where any off-duty officer is suspected of committing a crime.
- G. Undocumented Persons – The CISD Police Department values the importance of developing and maintaining a close relationship with all members of the community and is sensitive to the needs of undocumented persons to whom we provide law enforcement service.
  1. Enforcement: The investigation and enforcement of federal laws relating to illegal entry and residence in the United States is specifically assigned to the United States Immigration and Customs Enforcement (ICE) of the United States Department of Justice.
    - a. Officers will not stop persons for the sole purpose of determining immigration status.
    - b. Officers will not arrest a person when the only violation is an infraction of a federal immigration law.
    - c. Undocumented persons who are victims and/or witnesses of a crime should be assured that ICE will not routinely be notified by the CISD Police Department. ICE may be contacted in order to attempt to obtain lawful temporary status.
- H. Board of Trustee Meetings – Sworn Employees assigned to duty at Board of Trustee meetings are expected to remain at the Board Auditorium until relieved of duty by the Superintendent, or his/her designee.

I. In Custody (IC) Paperwork

1. The purpose of this procedure is to insure a consistent and timely process for submission of all reports and required paperwork for In Custody arrests.
2. The arresting officer is responsible for insuring that the report and all required paperwork is completed and reviewed by a supervisor prior to securing from their shift

**CISD Police Department**

**6.01 Patrol Procedures**

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**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.02</b>	<b>Prisoner Transportation</b>



## **I. Policy**

It is the policy of this Department that all prisoners be transported in a manner that will provide for the secure movement of the prisoner while at the same time providing adequate safety measures for the transporting employee, other employees, the prisoner, and the public. Department size does not require any sworn employee to be assigned full-time to the transportation of prisoners. Any sworn employee may be assigned prisoner transportation duties.

## **II. PROCEDURE**

### **A. Transport Operations**

1. Employees shall search the transport vehicle prior to the transportation of prisoners.
2. Employees shall seatbelt all prisoners in patrol vehicles.
3. The transporting employee, prior to moving from one location to another, shall systematically search all prisoners for concealed weapons and/or other contraband.
  - a. Employees will transport the prisoner and their personal property to a detention facility or booking/processing area.
    - (1) The prisoner's personal property will be inventoried while inside the above listed secured areas.
    - (2) This does not include evidence or contraband related to the offense, firearms, or any other instrument, which could be used to cause injury to an employee or another person.
  - b. Under no circumstances shall employees assume that another employee has searched a prisoner.
  - c. Independent Searches: Prior to accepting a prisoner for transport, employees will conduct an independent search of that prisoner.
  - d. Opposite Sex Searches: Employee and public safety are of the utmost importance. The transporting employee must ensure that the prisoner is not in possession of a weapon. This consideration must not be

compromised, even in those situations where the prisoner is of the opposite sex than that of the transporting employee.

- (1) Officers must exercise prudence and good judgment in conducting a search incident to arrest of prisoners of the opposite sex. Every attempt should be made to find an officer of the same sex as the prisoner to conduct the search. This will include calling to agencies within CISD PD's jurisdiction.
  - (2) If an Officer of the same sex as the prisoner is not available, a limited pat down outside of the clothing may be carefully conducted with the blade or back of the hand incident to arrest. This pat down is conducted to locate weapons and/or contraband.
  - (3) In cases where reasonable suspicion would exist when the employee, based upon their observations and knowledge obtained from witnesses, believes that the suspect may be armed or concealing contraband that if not recovered may be lost or lose its value as evidence, the search incident to arrest shall be as thorough as if the subject and the searching employee were of the same sex. The suspect should be secured in a manor to alleviate their access to a weapon or evidence. Areas of possible concealment, i.e. behind the ears, under the tongue, etc., should not be overlooked.
- e. Strip Searches: Strip searches shall not be conducted unless the employee has reasonable suspicion to believe that the suspect is concealing a weapon or contraband on their person and then only with the approval of a police lieutenant or Chief of Police.
  - f. If approved, strip searches shall be completed in the presence of two employees who are the same sex as the person who is being searched.
  - g. When the strip search is to be conducted, it will be completed in a private and secure area, preferably at the detention facility or booking/processing area.
  - h. If a weapon or contraband is observed, i.e. taped to the body, the employee shall remove the item in a tactful manner maintaining the dignity of the suspect.
  - i. If a possible weapon or contraband is observed inside a body cavity, the employee shall appropriately restrain the suspect and obtain a body cavity search warrant.
    - (1) Under no circumstances will the employees remove the item.
    - (2) The suspect shall be kept under constant and watchful supervision and shall be taken to a hospital facility where the search warrant shall be executed.

- j. All strip searches will be documented in the incident report with attention given to location, conditions, items located, etc.
    - k. Additional officers involved with the strip search will complete a supplemental report.
  - 4. Body Cavity Search: Under no circumstances shall any employee conduct a body cavity search on any person. A body cavity search requires a search warrant and must be conducted at a medical facility by a licensed and practicing medical physician. Approval is required for the search from a police lieutenant or Chief of Police.
    - a. All body cavity searches will be thoroughly documented in the incident report.
    - b. Additional officers present during the body cavity search will complete a supplemental report.
  - 5. Vehicle Checks: Vehicles shall be checked for weapons and contraband prior to and immediately after the transporting of any prisoner.
    - a. Patrol Vehicles: Patrol vehicles shall be checked by the assigned officer at the beginning of each shift and immediately after the transport of any prisoner. Special attention shall be given to areas including the front and rear floorboards and under the back seat, if it pulls out.
    - b. Found Weapons/Contraband:
      - (1) In the event that a weapon or other contraband is discovered after the transportation of a prisoner, a written supplemental report, detailing the discovery, shall be prepared by the employee making the discovery and attached to the original report of the incident.
      - (2) If the discovery leads to additional charges being filed, the arresting officer shall, at their discretion, either file the charges on the original report or initiate a new one.
      - (3) All discovered items shall be placed into evidence.
    - c. Equipment Safety: In addition to checking for weapons and contraband, any vehicle being used to transport a prisoner should also be checked to ensure that it is in safe operating condition and that necessary equipment (i.e., spare tire, lug wrench, jack, flares, and first-aid kits) are available and in good working condition.
  - 6. Seating Arrangements When Transporting Prisoners: To maximize safety, employees and prisoners shall be seated in specific locations within the vehicle depending upon the vehicle type, the number of prisoners and the number of employees involved. The seating arrangements have been developed to allow the employees to maintain visual contact of the prisoner(s) at all times to minimize the opportunity of escape. Also, it is important to ensure that the prisoner is made as comfortable as possible during the transport by having them appropriately restrained (handcuffed, etc.) and secured in their seat by a seat belt.



7. Officers and prisoners shall be seated in accordance with the following diagrams in a patrol vehicle:

Diagram A - One Officer/One Prisoner With Cage

**FRONT**

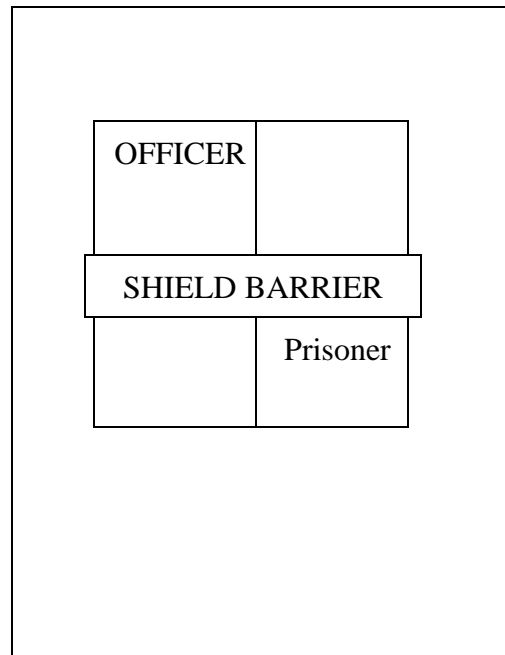
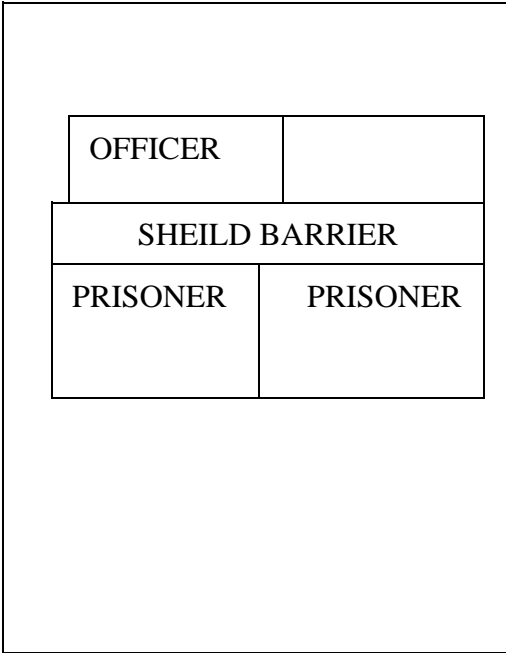


Diagram B - One Officer/Two Prisoners With Cage

FRONT



7. Restrictions
  - a. A single patrol officer shall not transport an adult prisoner in a vehicle without a cage. This restriction does not apply to the transportation of one or more juveniles. The officer must, based upon age, size, and attitude of the offender(s), determine whether more than one (1) juvenile can be safely and securely transported in a vehicle without a cage.
  - b. Male and female prisoners shall not be transported together in the back seat.
  - c. Juveniles shall not be transported in the same vehicle with adult prisoners.
8. Biohazards: Transporting employees shall be responsible for cleaning up the vehicle after each prisoner transport. Incidents of biohazard shall be immediately reported to the supervisor. In the event a significant biohazard exists, the supervisor shall approve the vehicle to be placed "out of service" for the appropriate cleaning.
9. In Route Stops: During transport, employees shall not lose sight of the prisoner(s) for any reason. Restroom stops for prisoners shall not be made when the arrest is made within the jurisdiction of the District. Due to the short distance involved, restroom stops shall not be made when transporting prisoners.
10. Emergency Stops: Employees transporting prisoners may respond to law enforcement services only when a life threatening condition(s) exist, such as:
  - a. An employee is in a life-threatening situation and needs immediate assistance.
  - b. A life threatening offense is in progress and the transporting employee is closer to the scene than responding units. In cases of minor accidents or offenses, the employee should notify dispatch or other units of the nature of the incident and location.
11. Transport employees should be aware that some prisoners will use whatever means or tactics available to them to escape. Transport employees shall use caution when assisting in a life-threatening situation that the scene is not part of an elaborate plan to free the prisoner.
12. Escapes: If a prisoner should escape from custody while being transported, the following procedures shall be followed:
  - a. Escapes occurring within the jurisdiction of the CISD Police Department:
    - a. The transporting employee shall make a broadcast to all units advising that a prisoner being transported has escaped. Broadcast shall include all known details of the escape such as:
    - b. The location of the escape,
    - c. Direction and mode of travel,
    - d. Physical description,
    - e. Charges subject was arrested on,
    - f. Whether the subject is armed or unarmed.

The transporting employee shall ensure that their supervisor has been notified of the escape and that an orderly search of the area has been initiated. The on-duty patrol supervisor shall ensure that the Chief of Police has been notified of the escape and that an orderly search of the area has been initiated. The transporting employee shall provide the circumstances and details of the escape in an Incident Report (IR).

- b. Escapes occurring outside the jurisdiction of the CISD Police Department:
  - a. The transporting employee shall attempt to notify communications who will provide the jurisdictional agency with details of the escape and request their assistance in locating and apprehending the suspect.
  - b. Transporting employees unable to make radio contact with communications shall attempt to notify the jurisdictional agency to contact the Department with details of the escape. The Department employee receiving the escape notification shall immediately advise the Lieutenant and Chief of Police.
  - c. The transporting employee shall file an incident report with the agency having jurisdiction of the location of escape.
  - d. Upon return to the Department the transporting employee shall provide an IR including the circumstances and details surrounding the escape.
- 13. During transport, no stops shall be made to allow a prisoner to speak to anyone without prior approval from an on-duty supervisor.
  - a. In the event of an emergency, the transporting employee may relay an emergency message for the prisoner by police radio or telephone.
  - b. Due to employee safety, employees are under no obligation to allow the prisoner to contact their attorney midway through a transport.
  - c. However, upon the arrival at the jail or hospital facility, the prisoner shall be afforded the opportunity to contact an attorney in accordance with their request during transport.
- 14. Prisoner Processing Area: When transporting prisoners to the Corsicana/Navarro County Prisoner Processing Areas (or Navarro County Juvenile Probation Department), the transporting employee shall, upon arrival at the facility:
  - a. Secure firearms for safekeeping in a place provided for that purpose along with the key to the patrol vehicle. If, for some reason, the firearm lockers are full or disabled, the firearm shall be secured in the trunk or locking console of the transporting vehicle.
  - b. Leave restraining devices on the prisoner until they are in the Prisoner Processing Area. Once the prisoner is inside the Processing Area and the entrance door is secured, the prisoner may have their restraining devices removed. If the prisoner is violent, self-destructive, or emotionally disturbed, the transporting employee may elect not to remove the restraining devices.
  - c. Present all necessary prisoner documentation and paperwork (i.e., warrant copy, prisoner inventory, etc.) to the receiving officer.

- d. Verify the change of custody of the prisoner by obtaining the signature of the receiving officer.
  - e. Advise the receiving personnel of any potential medical or security related matters regarding the prisoner.
15. Medical Facilities: Injured prisoners will be taken to a medical facility for treatment prior to booking and shall be restrained unless the removal of the restraints is necessary for medical treatment.
- a. The employee shall maintain visual contact with the prisoner as much as possible. If the prisoner is taken to x-ray or some other specialized medical area for treatment or testing, an employee will follow and will remain outside the entrance to that area, if not permitted to enter.
  - b. The employee should be aware that a prisoner has access to several weapons within a medical facility (syringes, scalpels) and shall take whatever action is necessary to ensure the safety of all citizens, other employees and the prisoner.
  - c. If it is necessary to admit the prisoner into the hospital the on-duty patrol supervisor shall be notified of the hospital admission prior to the employee leaving the facility.
  - d. If the prisoner is treated at the medical facility and not admitted, the transport employee shall obtain all release paperwork on the prisoner as well as written instructions for the future care of the prisoner relating to medication and treatment. This paperwork shall be signed by the attending physician. Before the prisoner is placed back into the transport vehicle, they shall be searched and restrained, if doing so will not aggravate their medical treatment.

**B. Special Transport Situations**

- 1. All prisoners transported from any jail facility shall be searched prior to transport.
- 2. Transporting prisoners of the opposite sex and all juveniles.
  - a. When practical, two (2) employees shall be used to transport a prisoner of the opposite sex. While the use of two (2) employees may not be feasible for local transports, it shall be mandatory for all out of County transports.
  - b. The transporting employee shall advise Communications of the start location and vehicle mileage. Communications shall then acknowledge the employee and provide the start time.
  - c. Upon arrival at the destination, the transporting employee shall advise communications the ending vehicle mileage. Communications shall then acknowledge the employee and provide the end time.
  - d. If the transport begins out of radio range, the transporting employee will, if possible, telephone dispatch and give the beginning mileage and time of departure.
  - e. If the transport ends out of radio range, the transporting employee will, as soon as possible, telephone dispatch and give the ending mileage and time of arrival.
  - f. On lengthy trips where male and female prisoners are being transported, a male and female employee shall be assigned to transport when possible.
- 3. Transporting prisoners who are physically or mentally handicapped:
  - a. The nature of the offense and the extent of the handicap shall be considered when determining the levels of restraint and the methods of transportation.

- b. Wheelchairs, crutches, canes, etc., shall be transported in the trunk of the vehicle or other storage compartment.
  - c. Any item required by the prisoner as a result of their handicap shall be transported with the prisoner.
  - d. The subject shall be assisted into and out of the transporting vehicle.
  - e. The transporting employee shall exercise reasonable care and good judgment to ensure employee and prisoner safety while taking into consideration the comfort of the prisoner.
4. Transporting sick or injured prisoners:
- a. If a prisoner becomes ill or is injured incidental to an arrest or transport, the arresting officer shall:
    - (1) Call EMS to transport the prisoner to the hospital.
    - (2) Do Not transport the prisoner to a medical facility in a police vehicle unless they have reasonable cause to believe that waiting for an ambulance would immediately endanger the life of the prisoner.
    - (3) Document in the written report when the injury occurred, whether incidental to arrest, as a result of the criminal activity, or a pre-existing condition.
    - (4) If a prisoner has been exposed to the use of OC spray/foam during arrest, the arresting officer shall, prior to transport:
    - (5) Advise dispatch to respond paramedics to meet the officer and prisoner at the scene of the arrest, for prisoner evaluation.
    - (6) Notify the On-duty Supervisor.
- C. Prisoner Restraint: The degree of restraint applied to a prisoner in transport may vary from the use of handcuffs, "flex cuffs" (plastic), ankle cuffs, to restraining belts.
- 1. Employees will only use those restraining devices authorized, issued, and which they have received training from a Department approved course outline and instructor.
  - 2. Employees are permitted to carry additional handcuffs provided they are of the same style/type as approved by the Department.
  - 3. While the degree of restraint to be used on a prisoner shall be, in most cases, left to the transporting employee, consideration of the distance to be traveled by the prisoner, as well as good judgment shall be the basis for the determination.
  - 4. Employees shall always take into consideration the physical and emotional state of the arrestee and the nature of the offense when determining the degree of restraint to be used.
  - 5. Employees will only use standard metal handcuffs during normal working conditions.
    - a. The use of plastic "flex cuffs" will be limited to exceptional incidents where numerous arrests are made or for high-risk operations.
    - b. All prisoners being transported shall, at a minimum, be restrained with handcuffs.
  - 6. When handcuffs are used:
    - a. They shall always be double locked.
    - b. No prisoner shall be cuffed in front unless a valid medical or physical reason exists.
    - c. A prisoner shall never be cuffed to any part of the vehicle during transportation.
    - d. No prisoners will be handcuffed together, except in the event of emergency circumstances.

7. Restraining Devices on Physically or Mentally Handicapped Prisoners - The fact that a person is physically or mentally handicapped does not exempt them from wearing restraining devices. The type of device used will depend upon the type and severity of the handicap. The selected device should restrain the prisoner securely without causing injury.
8. Restraining Devices on Ill or Injured Prisoners - The transporting employee shall use their discretion when determining the degree of restraint to be used. The employee shall take into consideration the nature of the offense, the person arrested, and the extent of the illness or injury involved.
9. Restraining Mentally Disturbed Persons:
  - a. Mentally disturbed prisoners may pose a significant threat to themselves and to the transporting employees.
  - b. A restraining belt should also be used to further secure the prisoner.
  - c. Handcuffs are authorized in emergency situations.
10. Restraint devices on combative subjects - Combative prisoners pose a significant danger to the general public, employees and the prisoners themselves. The care, custody, and control of these prisoners is inherently important and it may become necessary for employees to use an additional Department approved restraining devices in order to maintain control of these types of prisoners. The following procedure will be adhered to when additional restraining devices are used:
  - a. The on-duty Supervisor will be notified and respond to the scene of the restrained prisoner.
  - b. Two employees will accompany the prisoner to the jail facility. One employee will maintain visual contact with the prisoner at all times and be in a position to monitor and check the prisoner's condition.

D. Prisoner Documentation

1. It shall be the responsibility of the transporting employee to confirm the identity of any prisoner being transported to Corsicana/Navarro County Booking or Navarro County Juvenile Probation Department. Confirmation of identify may be achieved through the use of pictures, driver's license, ID cards, personal recognition by the employee, etc.
2. It shall be the responsibility of the transporting employee to ensure that all appropriate prisoner documentation, if any, is in their possession when transporting a prisoner to the booking center. Documentation, depending upon the circumstances, will vary. Documentation will normally include, but is not limited to:
  - a. A copy of the arrest affidavit.
  - b. Copy of the warrant, or warrant information.
  - c. Copy of medical form if needed.
3. It shall be the responsibility of the employee transporting warrant arrests to the jail facility to provide a copy of the warrant document to the intake personnel.

E. Personal Property of Prisoners:

1. All personal property removed from a person at the time of arrest shall be returned if the individual is released, or if taken in to custody and transported, inventoried at the

time of booking in the presence of the individual in custody. In the event the prisoner cannot be present, a second witness will sign the inventory sheet.

2. If an article is removed and not inventoried at booking, due to the article being evidence or contraband, the item remaining in the officer's custody will be noted on the personal property inventory sheet and evidence will be processed according to policy.

**CISD Police Department**  
**6.02 Prisoner Transportation**  
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**Chief of Police**



**Corsicana Independent School District  
Police Department  
Policy and Procedure Manual**

**Policy 6.03**

**Juvenile Operations**



**I. POLICY**

The basic philosophy of juvenile law:

- A. Provide for the protection of the public and public safety;
- B. Consistent with the protection of the public and public safety:
  - 1. To promote the concept of punishment for criminal acts;
  - 2. To remove, where appropriate, the taint of criminality from children committing certain unlawful acts; and
  - 3. To provide treatment, training, and rehabilitation that emphasizes the accountability and responsibility of both the parent and the child for the child's conduct;
- C. to provide for the care, the protection, and the wholesome moral, mental, and physical development of children coming within its provisions;
- D. to protect the welfare of the community and to control the commission of unlawful acts by children;
- E. to achieve the foregoing purposes in a family environment whenever possible, separating the child from the child's parents only when necessary for the child's welfare or in the interest of public safety and when a child is removed from the child's family, to give the child the care that should be provided by parents; and
- F. to provide a simple judicial procedure through which the provisions of this title are executed and enforced and in which the parties are assured a fair hearing and their constitutional and other legal rights recognized and enforced.

Members of the CISD Police Department will take special precautions when dealing with juveniles to ensure that the least coercive methods are used in addressing any problems, in accordance with the Texas Family Code

**II. PROCEDURE**

- A. All CISD Police Department employees will contribute to the control and prevention of juvenile delinquency by supporting and/or participating in programs and activities for juveniles.

## B. School Based Efforts

1. Delinquency Prevention
2. Classroom Guidance/Instruction
3. Individual Counseling to Students
  - a. Officers assigned to the schools in any capacity, are always available to the students.
  - b. These officers and investigators should be familiar with outside agencies that may provide the needed services for on-going concerns.
3. Criminal Justice Classes
4. School Based Law Enforcement Officers
  - a. Officers assigned to the schools play an important role in explaining our presence in society. These individuals are encouraged to become acquainted with the students in the hopes of earning a mutual respect.
  - b. These individuals should not act as security guards on campus as this may damage any positive relationships between the police and students. However, an officer or investigator on campus is expected to take the appropriate action when an unlawful or dangerous act is occurring in their presence.

## C. Related Juvenile Agencies - The following agencies are involved in the juvenile justice system:

1. Navarro County Juvenile Probation Department (NCJPD) - The agency considered as a holding facility for juveniles who, after arrest, fall under one of the categories requiring detention.
2. Texas Department of Family and Protective Services/Child Protective Services (TDFPS/CPS) - The agency responsible for the welfare of juveniles in the State and for the authority to take appropriate action in situations where the morals or health of the juvenile are in danger.
3. Texas Youth Commission - The state department that maintains state correctional facilities for juveniles.

## D. Juvenile Enforcement Actions

1. The original premise of juvenile law is to protect children from abuse or neglect, to prevent delinquency, and to rehabilitate juveniles, where possible. Officers will use their discretion when dealing with juveniles and will use the least coercive among reasonable alternatives consistent with preserving public safety, order, and individual liberty.
2. The outcome of an officer's contact with a juvenile may include:
  - a. Release with no further action.
  - b. Release the child to a parent, guardian, custodian of the child, or other responsible adult upon that person's promise to bring the child before the juvenile court as requested by the court;

- c. Bring the child before the office or official designated by the juvenile board if there is probable cause to believe that the child engaged in delinquent conduct, conduct indicating a need for supervision, or conduct that violates a condition of probation imposed by the juvenile court;
  - d. Bring the child to a detention facility designated by the juvenile board;
  - e. Bring the child to a medical facility if the child is believed to suffer from a serious physical condition or illness that requires prompt treatment;
  - f. Bring the child to the school campus to which the child is assigned if the principal, the principal's designee, or a peace officer assigned to the campus agrees to assume responsibility for the child for the remainder of the school day.
2. A person taking a child into custody shall promptly give notice of the person's action and a statement of the reason for taking the child into custody, to:
    - a. The child's parent, guardian, or custodian; and
    - b. The Navarro County Juvenile Probation Department.

#### E. Criteria for Diversion

1. While NCJPD is the control point for juvenile diversion decisions, CISD police officers have a wide range of available resolution methods short of a referral to the court system. These resolution methods include:
  - a. Warnings,
  - b. Corrective action by parents,
  - c. Informal referral to voluntary programs,
  - d. Counseling and corrective action under the Student code of Conduct, or
  - e. Reparation with the consent of the victim.
2. Officers will document misdemeanor crimes in an Incident Report (IR).
3. Victim crimes with the victim's consent will be documented with an IR. This IR will include a description of the corrective action and comments concerning the victim's willingness to divert the case prior to referral or arrest.
4. The factors to be considered in diversion decisions include:
  - a. The nature of the offense.
  - b. The age and circumstances of the offender.
  - c. The offender's prior record, if any, to include school discipline history.

#### F. Court Jurisdiction in Juvenile Matters

1. The following matrix will be used to determine court jurisdiction in juvenile matters.

#### G. Mandatory Juvenile Referral

1. A juvenile offender will be referred to NCJPD in the following circumstances:
  - a. Delinquent acts that, if committed by an adult, would be a felony.

- b. Delinquent acts that involve weapons.
  - c. Serious gang-related delinquent acts.
  - d. Delinquent acts involving serious assault.
  - e. The offender is on probation, parole, or other form of conditional release.
  - f. The offender has other cases pending in the juvenile court system.
  - g. The offender has repeated delinquent acts in a one (1) year period.
  - h. Other circumstances which lead the officer to believe that formal legal proceedings are in the best interest of the juvenile and the state.
  - i. Runaway juveniles from other states that are listed in the National Crime Information Center (NCIC).
  - j. Drug related offenses
2. The following documentation will be attached by the officer when a "Non-custodial Referral" form is used to forward charges on a juvenile to NCJPD.
    - k. A complete copy of the IR, after a supervisor's review.
    - l. A copy of the "Juvenile Miranda" form if required.
    - m. The signed, notarized affidavit signed by an officer involved in the case investigation (Texas Department of Public Safety Juvenile Justice Reporting Form)
  3. The contents of the referral packet and then forward the packet to the Travis County District Attorney's Office, Juvenile Division.

#### H. Interviews and Interrogations

1. Officers will advise a juvenile suspect or investigative lead of their rights per Miranda following the same guidelines as for an adult interview or interrogation, with the additional provisions as outlined in the Texas Family Code.
  - a. The "Juvenile Rights" form will be read verbatim and the officer will document the juvenile's responses to the questions. The form will be completed and submitted along with the IR.
  - b. If an explanation is needed for the juvenile to understand their rights, the explanation will be documented within the narrative of the report or supplement.
2. The officer will explain to the juvenile and parent or guardian, if present, any CISD Police Department policies or juvenile criminal justice system procedures that apply to the case at hand. A full understanding of the criminal justice system will ensure that the juvenile knowingly and intelligently waived their rights.
3. Whether a minor child intended to cause harm is best left to the Trier of fact upon consideration of all relevant circumstance, including the ages, experiences, and relationship of the parties and the capacity of the juvenile to form the requisite intent. Officers will aid in this determination by asking the following questions:

- a. "Do you know the difference between right and wrong?" Have the juvenile explain the difference between right and wrong and document the answer.
  - b. "Do you know what you did was wrong?" The officer will attempt to record comments explaining the answer and not just a simple "yes" or "no."
4. The duration of an interview will be no more than two hours in length.
  - a. At the two-hour limit, the officer shall contact a supervisor and advise that the interview will go beyond the established limit.
  - b. The supervisor and officer will take into consideration the age and psychological state of the juvenile before making the decision to extend the time limit of the interview.
5. During an interview with a juvenile, there will be no more than two (2) uniformed officers or detectives engaging in the interview without the approval of a supervisor.
6. When felony offenses are committed by juveniles, the possibility exists that they may be remanded to adult court for prosecution. In these situations, the juvenile and/or their parent/guardian will be advised of the remand possibility.
7. The juvenile's parent/guardian will be contacted during the investigation when it is practical to do so. In cases where the juvenile is under fourteen (14) years of age, or has been traumatized, the parent shall be contacted before the interview takes place.
  - a. If the parent/guardian is present at the time of the interview, they may choose to advise their child to remain silent or to answer certain questions. The parent will not be allowed to force a child to give up the right to remain silent.
  - b. If the parent/guardian is not present at the time of the interview, they will not be allowed to invoke the child's right to remain silent. Questions may be asked of the juvenile despite the parent's wishes.
8. When a child is attending school, the school acts as their guardian and is responsible for the juvenile until the parent/guardian can be contacted.
  - a. Officers intending to interview a student at school will contact school authorities and request permission to do so.
  - b. The above requirements do not prohibit an officer from arresting any student on campus, regardless of parental or school authorities' permission to do so.

#### I. Physical Arrest, Detention, and Booking:

1. When a juvenile is detained, it will be the responsibility of the detaining officer to notify the parent/guardian of the detention of the juvenile.
  - a. Officers will notify the parent/guardian of any juvenile that has been taken into custody for a delinquent act, even when the child is released.

- b. When released, officers will include in the IR, the name, address, and telephone number of the person to whom the juvenile was released.
- 2. Unless it is impractical or a court has ordered otherwise, officers will give preference to the release of a juvenile to their parents or responsible party pending action by the Juvenile Court. Offenders will only be taken to NCJPD intake for serious offenses.
- 3. Processing will be done at one of the certified juvenile processing centers at CPD.
- 4. In cases where the field release is to a parent/guardian or responsible party, that person will be summoned to the processing center's location if a non-custodial referral is to be made or to the officer's location if to be released directly with no referral. If that is not practical and the juvenile's destination is within a reasonable distance, the officer may transport the juvenile.
- 5. The secure detention of status offenders and non-offenders in an adult jail is against federal law. A juvenile may be securely detained only under one or more of the following conditions:
  - a. When there is reason to believe they will not appear at the hearing.
  - b. That they are likely to commit an offense injurious to themselves or to others.
  - c. That they must be held for another jurisdiction.
  - d. That the interests of the child or the public require custodial protection.
- 6. In any case involving the detention of a juvenile:
  - a. All of the juvenile's constitutional rights will be preserved.
  - b. The juvenile will be transported to the detention facility without undue delay.
  - c. All juvenile prisoners brought into the juvenile processing areas must be logged in and out on the juvenile tracking log.
    - (1) The log must accurately reflect the charge the juvenile is being processed for.
    - (2) If more than one charge, the most serious should be listed.
  - d. Any necessary medical treatment will be provided following detention facility guidelines.
- 7. In cases where a juvenile is being transported to the police station only for a delinquent act, the juvenile shall not be cuffed to cuffing rings or locked in the interview room.
  - a. At no time shall the juvenile prisoner be within sight of an adult prisoner, nor be able to hear any portion of what an adult prisoner is saying. Juveniles must be continually supervised in person while in a police facility.
  - b. If a parent/guardian or a responsible party cannot be located, Child Protective Services (CPS) will be contacted with a supervisor's approval for assistance in temporary placement of the child. If CPS will not

accept custody of the child, the officer will note this in their IR and the child will be transported to NCJPD.

8. Juveniles may be taken into protective custody when a parent/guardian is not available or is alleged to have harmed the child, or when the child is in danger of harm. In these cases, a supervisor and CPS will be notified along with any necessary investigative unit.
9. Juveniles accused of delinquent acts may be securely detained for up to six (6) hours, but must be "sight and sound" separated from adults during this time. If they are to remain in custody longer than the six-hour time limit, they will be transported to intake at NCJPD prior to the time limit expiring.

#### I. Fingerprints and Photographs

1. Juveniles will be fingerprinted (one card) and photographed when referred for any offense, to juvenile authorities.
2. Juvenile arrest record information will be stored in a separate file from adult records. This will include cases awaiting trial or service of arrest warrant.
  - a. The records may be used internally for identification purposes.
  - b. Dissemination of juvenile arrest record information outside the agency will be limited to other criminal justice agencies or to individuals based on a court order.
3. Other forms of identification such as physical samples of hair, blood, or stomach contents will only be obtained pursuant to a juvenile court order or with the consent of the juvenile and the parent/guardian.

#### J. Traffic Offenses

2. Juveniles arrested for Driving under the Influence (DUI) with any detectable amount of alcohol in the child's system may utilize procedures found in Chapter 724 of Texas Transportation Code.

#### K. Liquor Law Violations

1. Juveniles arrested for Texas Alcoholic Beverage Commission violations will be cited into the Navarro County Justice Courts.

#### L. Truancy

2. Texas law requires every person having custody of a child from the age of six (6) years up through the age of sixteen (16) years to send the child to school, unless the child is otherwise legally excused in accordance with the law.
  - a. A parent/guardian failing to send a child to school may be prosecuted pursuant to the Texas Compulsory Attendance Law.
  - b. If a parent/guardian is knowingly involved in the truancy or habitual truancy of the child, they may be subject to prosecution.

- c. The juvenile age ten (10) years up through the age of sixteen (16) years who refuses to attend school may be prosecuted.
3. The JP Courts and Municipal have jurisdiction in truancy cases.
4. The school is the primary source of reports for truancy cases. It will be the school's responsibility to notify the CISD Police Department when they wish to report a truancy matter.
5. If truancy enforcement is necessary by a CISD Police Officer, the student will be referred to the proper court.
6. When truancy charges are to be filed on a parent/guardian, a complaint will be forwarded to the proper court for misdemeanor charge filing. A physical arrest will not be made on an adult for a truancy charge unless an arrest warrant has been issued by the Court.

#### M. Juvenile Operations Review

1. Revisions to policies pertaining to juvenile operations will be distributed to appropriate individuals.
2. The Chief of Police will conduct an annual review (due in January) of juvenile related operation guidelines. Based on this review, guidelines/programs will be maintained, altered, or discontinued, and procedures for handling juvenile matters may be revised.

#### N. Physical Punishment of Juveniles: The CISD Police Department does not recommend or oppose parents or guardians to use a lawful means of physical punishment to maintain discipline of a minor child.

3. This right is outlined within Texas Penal Code.
4. Our responsibility as a law enforcement agency is to assess the reasonableness and appropriateness of the physical force that may have been used to determine whether or not a crime was committed.
5. In order to make an informed judgment of criminality, the totality of circumstances on a case-by-case basis must be made. The following issues will be recorded in the Incident Report:
  - a. Was a weapon used?
  - b. What are the extent of injuries? Medical attention required?
  - c. What was the child being disciplined for?
  - d. Were other methods of discipline attempted?
  - e. Was the discipline planned or and angry reaction?
  - f. How old was the child?
  - g. What parts of the body was injury inflicted?
  - h. Was the adult under the influence of drugs or alcohol?



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**6.03 Juvenile Operations**  
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**Scott Stephens**  
**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.04</b>	<b>Juvenile Processing Centers</b>



**I. Policy**

In accordance with Chapter 52 of the Texas Family Code, the Navarro County Juvenile Board has certified areas within the Corsicana Police Department facilities as Juvenile Processing Offices. These offices shall be maintained and utilized as outlined in law and the following procedures.

**II. Procedures**

- A. A child may be detained in a juvenile processing office for the following:
  - 1. The return of the child to a parent, guardian, custodian, or other responsible adult, upon that person promising to make the juvenile available to the court;
  - 2. The completion of essential forms and records required by the juvenile court;
  - 3. The photographing and fingerprinting of the child if otherwise authorized at the time of temporary detention;
  - 4. The issuance of warnings to the child;
  - 5. The receipt of a statement by the child.
- B. A child may not be left unattended in a juvenile processing office and is entitled to be accompanied by the child's parent, guardian, or other custodian or by the child's attorney.
- C. A child may not be detained in a juvenile processing office for longer than six hours.
- D. The juvenile processing office will not contain any material inappropriate for its mission. This includes, but is not limited to; wanted posters, gang/drug paraphernalia, criminal/juvenile justice information that is of a restricted nature, and any other material that may be deemed by a reasonable person as harmful to, or inappropriate for juveniles.

**CISD Police Department**  
**6.04 Juvenile Processing Centers**  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.05</b>	<b>Domestic Violence</b>



## **I. POLICY**

It is the policy of the CISD Police Department to respond to all calls of domestic violence. When violence has occurred or been threatened, the primary responsibility of the responding officers is to investigate a crime. Officers shall conduct detailed investigations to include victim/witness interviews and evidence collection. If the preliminary investigation establishes probable cause that domestic violence has been committed and physical violence, injury, or threats of bodily injury have occurred, officers are mandated by this policy to make a physical arrest. Officers are also required by this policy to make physical arrests if an act of aggravated domestic violence has occurred.

## **II. DEFINITIONS**

A. Domestic Violence involves an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself. It also includes abuse by a member of a family or household toward a child of the family or household or dating violence. The following are examples of relationships that may involve domestic violence:

1. Husband and wife.
2. Father or mother and son or daughter.
3. Brother and sister.
4. Grandparents and grandchildren.
5. Nieces and nephews.
6. Mother and father-in-law.
7. Brother and sister-in-law.
8. Boyfriend and girlfriend who are currently, or have in the past had a dating relationship.

9. Victim and Suspect have a child in common or is pregnant with the suspect's child.
10. Identical Gender Relationships

B. The following acts constitute domestic violence offenses:

1. Assault/Aggravated Assault (including Sexual Assault)
2. Disorderly Conduct by fighting
3. Endangerment.
4. Aggravated Kidnapping.
5. Intimidation/Threats.
6. Harassment.
7. Dangerous Crimes against Children.
8. Stalking.

## **II. DEFINITIONS**

C. Family Problems are generally issues within the family not associated with violence and/or verbal arguments and when there is no allegation or evidence of a violation.

## **III TRAINING**

Officers will receive continuing education in domestic violence related calls for service through TCOLE approved courses such as Selected Investigative Topics 3232, and legal updates as required.

## **IV. PROCEDURES**

A. Police Response to Domestic Violence

1. Responding to domestic violence situations is considered one of the most hazardous duties routinely performed by police officers. All officers are reminded of the volatility of such situations and the need to practice officer safety while investigating domestic violence calls. The fact that most of the domestic violence calls to which our department will respond are during the school day and on campuses creates an additional level of danger.
  - a. Once a call has been determined and dispatched as a Domestic Violence call, it shall remain a Domestic Violence call.
  - b. Prior to arrival at domestic violence calls, officers should be advised by Communications of any prior history at the location of the incident and/or individuals involved, identify the caller and should advise if the caller is one of the participants of the family fight. Officers shall note this information in the Incident Report (IR).

- c. Officers should also note alternate or next of kin information for the victim, to include addresses and telephone numbers, in the IR.
2. The primary duties of a peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence are to protect any potential victim of family violence, enforce the law of this state, enforce a protective order from another jurisdiction as provided by Chapter 88, Texas Family Code, and make lawful arrests of violators.
  - a. The decision to take enforcement action will be based on the totality of the circumstances (i.e., injuries, observations at the scene, probability for reoccurrence, determination of the primary aggressor, etc).
  - b. An officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence shall determine whether the address of the persons involved in the allegation or call matches the address of a current licensed foster home or verified agency foster home listed in the Texas Crime Information Center. A report must be made to the Department of Family and Protective Services within 24 hours of the initial call. The report under this subsection may be made orally or electronically and must include the following information:
    - (1) the names of the suspect and complainant;
    - (2) the date, time, and location of the incident;
    - (3) any visible or reported injuries; and
    - (4) a description of the incident and a statement of its disposition.
  - c. Each law enforcement officer shall accept a certified copy of an original or modified protective order as proof of the validity of the order and it is presumed the order remains valid unless:
    - (1) the order contains a termination date that has passed;
    - (2) it is more than two years after the date the order was issued; or
    - (3) the law enforcement officer has been notified by the clerk of the court vacating the order that the order has been vacated.
  - d. A peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence shall advise any possible adult victim of all reasonable means to prevent further family violence, including giving written notice of a victim's legal rights and remedies and of the availability of shelter or other community services for family violence victims.
  - e. At the discretion of a peace officer, the officer may stay with a victim of family violence to protect the victim and allow the victim to take the personal property of the victim or of a child in the care of the victim to a place of safety in an orderly manner.

- f. Officers are mandated to make a physical arrest if physical violence, injury, or threats of bodily injury have occurred, and in the case of acts that constitute aggravated domestic violence.
- g. An incident report will be taken on all calls where an allegation of Domestic Violence has been made.
- h. Officers shall adhere to report writing guidelines and to all Navarro County prosecuting attorney office's protocols as they apply to domestic violence.
- i. Officers will keep themselves familiarized with and provide information on referral and social service agencies equipped to deal with situations that require a minimal involvement of police.
- j. Officers must interview all victims, witnesses, etc., at the scene of a domestic violence related call.
  - (1) Interviews will be conducted regardless of whether the victim desires prosecution or not.
  - (2) If it is determined that a crime has occurred or an allegation of a crime the officer will obtain an IR and author a written report of the facts.
  - (3) In cases where enforcement action is taken and an arrest is made, suspects will be booked and held to appear before a magistrate.
- j. When probable cause is present to make an arrest and the victim does not wish to aid in prosecution, officers have the authority to affect the arrest without the consent of the victim. Officers shall at no time ask the victims of domestic violence if they desire to aid in prosecution, as this causes additional emotional stress for the victim, and the State will prosecute regardless of the victim's wishes. Officers shall effect an arrest if:
  - (1) The victim has a physical injury, or has been threatened with physical injury or death. If the injury is noticeable, it shall be photographed with a digital camera.
  - (2) The incident involved a deadly weapon or dangerous instrument, and/or;
  - (3) The situation is likely to continue after the departure of police, and/or;
  - (4) There have been multiple calls at the same location involving the same parties.
- k. Officers shall provide victims with referral information procedures and resources available for their protection regardless of whether prosecution is desired or an arrest is made, pursuant to statutes.
- l. If the act of domestic violence is one which this policy requires the officer to make a physical arrest and the officer does not, contact with a

supervisor will be made immediately. The officer must be able to articulate:

- (1) Why an arrest was not made and
  - (2) How the victim will be protected from additional harm.
- m. A citation in lieu of detention is not permissible in cases of domestic violence.
- n. If an arrest is made, officers will annotate in the complaint, any information that will help the court determine the conditions of release. This would include officer's comments such as:
- (1) "Defendant should not return to residence," or
  - (2) "Victim is seeking an order of protection", or
  - (3) "An Emergency Order of Protection has been issued."
- o. If an officer determines that there is no evidence of a crime and there has been no allegation of a domestic violence offense, the officer will find the call unfounded. On all Domestic Violence calls that lack evidence of a crime and no allegation of a crime have occurred the following information is required:
- (1) The names of the involved participants
  - (2) Information regarding the lack of evidence to support a criminal violation and that no allegation of a domestic violence offense occurred.
  - (3) Information regarding referrals or social services was provided.
- q. Firearms: Officers may question the persons who are present at the scene to determine if a firearm is present on the premises.
- r. On request of a victim of an incident of family violence, the agency will provide the victim, at no cost to the victim, with any information that is:
- (1) contained in the written report prepared under Subsection A; 2; b.; (1) and (2) and;
  - (3) not exempt from disclosure under Chapter 552, Government Code, or other law.

A. Officers Duties Relating to Protective Orders:

1. Within 10 days of receipt of a protective order from the court clerk, this Department will enter protective orders into TCIC.
2. Ex parte protective orders may order law enforcement to assist the applicant. This duty is generally carried out by the jurisdiction where the applicant resides. However, it could order our officers to assist if the issuing judge deems it necessary. Officers should familiarize themselves with sections 86.003, 86.004, and 86.05 of the Texas Family Code.
3. The acts that violate a protective order may be found in Chapters 25.07, 25.08 of the Texas Penal Code.



4. An officer may make an arrest when the officer has probable cause to believe a person has violated a protective order, even if the act was not within the officer's view. If it is committed within the officer's view, an arrest is mandatory.
5. Article 5.04 of the Code of Criminal Procedure requires officers who investigate a family violence allegation, or who responds to a disturbance call that may involve family violence, shall advise any possible adult victim of all reasonable means to prevent further family violence, including giving written notice of a victim's legal rights and remedies and of the availability of shelter or other community services for family violence victims.

**CISD Police Department**

**6.05 Domestic Violence**

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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.06</b>	<b>Emergency/Non-Emergency Response - Vehicle</b>



## **I. POLICY**

The CISD Police Department’s primary concern with vehicle operations in responding to emergency situations is the protection of the lives and safety of all citizens and officers. During emergency driving situations, officers will comply with the provisions regulating the use of emergency vehicles. Driving under emergency conditions does not relieve the officer from the responsibility to drive with due regard for the safety of all persons, nor will these provisions protect the driver from the consequences of their disregard for the safety of others.

It is the intent of this directive that officers resort to emergency driving only in those cases where there are specific and articulable reasons for believing that a life-threatening situation exists or a violent crime is occurring.

*All other calls for service will be answered with the officer responding promptly obeying all traffic laws and speed limits en route.*

*Any delay in responding to a dispatched call for service will require the officer notifying Communications immediately.*

## **II. PURPOSE**

- A. This directive provides guidelines that will reduce hazards to officers engaged in emergency driving, and the ensuing public concern that follows when an officer is involved in a traffic collision when so driving. It is not intended to create doubt in an officer’s mind at a moment when action is critical, and there is little time for mediation or reflection.
- B. It is not the purpose of this directive to provide CISD Police Department personnel with guidelines regarding the operation of District vehicles while engaged in pursuits. Those are addressed in a policy/directive specific to that circumstance.

### III. LAW

Texas Transportation Code (TTC) Chapter 546 designates police vehicles as emergency vehicles when operated by sworn police personnel. TTC requires roadway traffic and pedestrians to yield to an emergency vehicle, and exempts the driver of an authorized emergency vehicle with emergency equipment in operation from the general rules of the road. However, the driver of an emergency vehicle is never relieved from the duty to drive with due regard for the safety of all persons and/or property (TTC Ch. 546; Sec.546.005).

### IV. DEFINITIONS

- A. Emergency Driving: Emergency driving is defined as the operation of an authorized emergency motor vehicle by a law enforcement officer, in response to a life-threatening situation, or a violent crime in progress, while utilizing the privileges afforded by law, in lawful disregard of traffic law and/or traffic control devices, but complying with CISD Police Department policy to drive with due regard for the safety of all persons on the roadway.
- B. Authorized Emergency Vehicle: A vehicle being driven in response to an emergency call, operating at least one red light or red and blue light.
- C. “No Code:” Shall refer to any routine call to which an officer responds, obeying all traffic laws and speed limits en route.
- D. Code 1: Shall refer to any call that an officer responds to *immediately*. The officer shall temporarily drop whatever activity they are engaged in and respond directly to the call, utilize the most direct route, obeying all traffic and speed laws while en route. Officers responding to a call Code 1, will not be pulled off call for another with a Dispatch Priority less than a priority 1. The use of emergency equipment shall not be used during Code 1.
- E. Code 2: Officers responding to certain emergency calls may respond using emergency lights only. However, the use of emergency lights only does not require other motorists to yield their right of way (TTC 545.156), nor does it exempt the driver from the provisions of TTC. The decision to utilize “Code 2” can only be made by the responding officer, who holds sole responsibility for that decision. The use of “lights only” alerts other motorists that the vehicle is responding to an emergency call and **grants no privileges or immunities**.
- F. Code 3: Shall refer to any call which the officer responds to with lights and siren (as necessary) as an emergency vehicle utilizing the privileges authorized by law, but complying with Department policy to drive with due regard for the safety of all persons on the roadway.

G. Life-Threatening Situations: These include, but are not limited to:

1. Other CISD Police Department officer requests for immediate and urgent help.
2. Other law enforcement agency requests for immediate and urgent help.
3. Response to certain medical emergency follow-up calls with life-threatening implications, i.e., subject not breathing, heart attack, drowning, only when the Emergency Medical Services unit/s being dispatched (both ambulance and Fire Department) are delayed or unavailable for response at that time.
4. Other dispatched life-threatening calls, which by the exigent, unique, and specifically articulable nature of the circumstances require an emergency response.
5. Responses to all traffic collisions shall be Code 1 or Code 2, except when the Emergency Medical Services unit/s being dispatched (both ambulance and Fire Department) are delayed or unavailable for response at that time, or when traffic around the scene is such that it poses an imminent threat of additional injury. Communications shall notify dispatched personnel of the status of Fire/EMS at the time of dispatch.

#### **IV. PROCEDURES (CODE 3 DRIVING PRACTICES)**

A. Decision Responsibility

1. The decision to drive under emergency conditions will be discretionary with each individual officer. However, the unit responding to an emergency must base their decision to operate a vehicle under emergency driving conditions on the totality of the information received, and not solely upon the type of call dispatched, or whatever the emergency tone is utilized to dispatch the call. Officers will take into consideration additional information provided that would make the call a valid life-threatening situation or a valid violent crime in progress.
2. When deciding to initiate or continue driving under emergency conditions, officers will consider such factors as traffic volume, time of day, the type of crime in progress and potential hazard or liability to themselves and the public. Officers will have sufficient information to justify the decision to drive under emergency conditions and will advise Communications of their intent.

B. Supervisory Responsibility: The Chief of Police and Lieutenant are responsible to monitor and exercise appropriate management control of Code 3 responses and shall conduct training and handle violations of this policy on a case by case basis.

C. Due Regard: Pursuant to the TTC, all officers shall drive with due regard for the safety of other persons and/or property.

D. Speed: As a general rule, speeds will vary in accordance with road and traffic conditions and any other pertinent factors.

- E. Intersections: When responding Code 3, no officer shall enter an intersection until they determine that it is safe to do so. No officer shall enter an intersection against traffic signals until they determine that it is reasonably safe, even if the officer must stop to ensure safety.
- F. Passing Emergency Vehicles:
1. No officer who is responding Code 3 to a call shall pass any other officer who is also responding Code 3 to a call unless requested to do so.
- G. No officer who is responding Code 3 shall pass any Fire Department vehicles or Alarm Responses: Some situations are normally inappropriate for emergency driving, such as alarm calls. These calls require the officer to handle the situation as if in progress; but an emergency response (rather than urgent) would be inappropriate and unduly dangerous. In calls such an alarm call, the officer should respond as quickly as possible, but not under emergency driving conditions. *If there were an indication that the situation had escalated to a life-threatening event, an emergency response would be appropriate.* Then, upon arrival at the call, the officer should handle the situation as if it is in progress. Officers should use caution when responding to any alarm since staff, students, business vendors, and innocent civilians may be present upon the officers' arrival at the scene.
1. Robbery alarms/School Intrusion
    - a. Officers shall proceed to the location/school as quickly and safely as possible and avoid alerting the suspect(s) by visual or audible means. Units not assigned to the alarm should patrol their area or set up at strategic locations to control possible escape routes.
    - b. Upon arrival, officers should position themselves at a strategic location and distance from the scene, using all available cover and concealment.
    - c. If unable to visually determine whether a robbery is in progress, the primary officer or supervisor shall advise communications personnel to attempt to make telephone contact with the complainant after officers are deployed and the scene is contained.
    - d. If communications personnel verify by phone that the alarm is false, they shall request that an employee exit the facility to meet the responding officers. Communications personnel shall provide a clothing description of the employee.
    - e. If no employee approaches in a reasonable time and communications personnel have telephone contact with the facility, then officers should consider the alarm to be a robbery in progress. In this event, the on-duty supervisor or primary officer should consider the possibility of a hostage situation within the business.
    - f. If the call is unanswered or a questionable response is provided, officers shall assume that a possible robbery is in progress.
    - g. If telephone contact cannot be made, officers should maintain positions and if it becomes necessary to approach the building, approach shall be

- made cautiously, utilizing available cover. A supervisor or primary officer will determine when and if to enter the building.
- h. If an officer at the scene or communications personnel determine that a robbery is still in progress, officers should maintain containment and confront suspects after they leave the premises. Make use of all available cover, keeping in mind the possibility of multiple suspects. If the suspect(s) exits the building, make every effort to position the necessary number of officers between the building and the suspect(s) in order to prevent re-entry into the building.
  - i. Immediately after it has been determined that a robbery has occurred and the scene is secured, the primary officer or supervisor shall direct available personnel to begin searching the area and obtain pertinent information from witnesses and, as soon as possible, broadcast it to area units and surrounding law enforcements agencies.
2. If an offense did occur, a preliminary investigation will be conducted in accordance with Departmental procedures.
    - i. Officers responding to alarm calls are responsible for classifying the alarm notification as valid, trouble, or user caused at the conclusion of the alarm response.
    - ii. The officer shall notify communications personnel of the alarm classification so that the information can be entered into the CAD.
  3. Supervisors may use their discretion regarding response to a location where there have been multiple alarms and it is apparent that the alarm is malfunctioning resulting in numerous false alarms in a short period of time and prompting numerous police responses which taxes shift resources.

#### H. Number of Units

1. Except in a dire emergency, only the primary dispatched officer, and their immediate assigned back-up officer, should respond to a call Code 3.
2. In the event that the primary dispatched officer, the back-up officer, or the on-duty supervisor believes that a third unit, or additional Code 3 responses are needed, approval shall be obtained from a supervisor prior to initiating the additional Code 3 response.
3. If an CISD Police Officer calls out for all available officers, they may choose to respond Code 3, following the notification requirement listed above.
4. If a law enforcement officer from an outside agency calls for all officers, the level of Code 3 responses will be determined by the on-duty Supervisor.

**CISD Police Department**  
**6.06 Emergency/Non-Emergency Response - Vehicle**  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.07</b>	<b>Accident and Injury Prevention</b>



## **I. Policy**

Motor vehicle crashes involving agency vehicles present serious risks to agency personnel and the public as well as considerable financial loss due to injury, loss of manpower, vehicle damage, and possible tort liability. Personnel injuries also result in lost time, financial loss and the pain and suffering of our personnel. It is the department’s responsibility to minimize these incidents through training, policy development, and review of incidents for compliance with policy. The department will utilize a review process for evaluating crashes and injuries in order to determine cause and to institute corrective and preventive actions where needed. The reviews and hearings concerning these crashes and injuries shall be conducted according to policy and procedures established herein.

## **II. PURPOSE**

This policy provides the authority, and operating procedures for review of agency motor vehicle crashes and personnel injuries.

## **III. DEFINITIONS**

- A. **Motor Vehicle Accident:** For purposes of this policy, a motor vehicle crash is any collision of a vehicle—with another vehicle, stationary object, or person—owned by or assigned to this agency that results in property damage (regardless of amount) or personal injury.
- B. **Personal Injury:** For purposes of this policy, a personal injury is any injury to a member of this department resulting in immediate or subsequent treatment by a physician, lost work time, or requiring reporting under worker’s compensation rules.



- C. Non-preventable Crash or Injury: A crash or personal injury shall be classified as non-preventable when it is concluded that the member/operator exercised reasonable caution to prevent the crash or injury from occurring and observed applicable agency policy, procedures, and training.
- D. Preventable Crash or Injury: A crash or injury shall be deemed preventable when the member/operator failed to observe agency policy, procedures, or training, and/or failed to exercise due caution or appropriate defensive driving or trained defensive tactics.

#### **IV. PROCEDURES:**

##### **A. Training**

- 1. The department will provide on-going training to all employees on accident and injury prevention. The Annual Analysis of Accidents and Injuries described in Section C of this order shall be reviewed to identify the training needs of the department.

##### **B. Reporting and Investigating Motor Vehicle Crashes and Injuries.**

- 1. Unless incapacitated, employees are responsible for immediately notifying both communications and their supervisor of any motor vehicle crashes and any personal injury sustained while on duty.
- 2. Supervisors shall be responsible for ensuring that crash investigations are conducted by persons with appropriate traffic investigation training. The supervisor will also conduct an investigation and complete any necessary worker's compensation forms needed for treatment or immediate reporting of an injury.
- 3. Where feasible, the supervisor, any accident investigators, and the involved officer(s) shall file reports on departmentally approved forms within 24 hours of a crash or injury occurrence.
- 4. The supervisor shall prepare a memorandum to the Chief that shall include the following information:
  - a. Details of the accident or injury and contributory factors to the crash or injury.

- b. Statements of witnesses.
      - c. Name and insurance information on involved drivers and others involved in a crash, and the nature/seriousness of injuries and/or property damage.
      - d. A statement as to whether the supervisor believed the member's injury or crash was "preventable" or "non-preventable"—as defined by this policy—with documentation supporting those conclusions.
      - e. Any recommendations that would help prevent similar crashes in the future.
    5. The Chief of Police will review the supervisory investigation and make a determination of whether the accident or injury was Preventable or Non-Preventable.
  6. Remedial Action  
In addition to any other disciplinary measures taken by the department for a violation of policy, members of the department may be required to comply with the following: Members of the department that have a preventable vehicle crash may be required to undergo additional training, take a defensive driving course, or other corrective measures.
- C. Annually the Chief of Police shall conduct an analysis of all accidents and injuries and make any recommendations for training, equipment or policy changes needed to reduce employee motor vehicle accidents or personal injuries.

**CISD Police Department**  
**6.07 Accident and Injury Prevention**  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.08</b>	<b>Vehicle Pursuits</b>



## **I. POLICY**

The objective of a police pursuit is to apprehend the violator without unnecessarily jeopardizing life and/or property. It is the policy of the CISD Police Department that non-violent felonies, misdemeanor crimes and civil traffic infractions will not be pursued.

## **II. PURPOSE**

- A. This policy statement is intended to provide guidelines designed to guide officers engaged in hot pursuit and mitigate the ensuing public criticism that follows when an officer or suspect is involved in a collision during a pursuit.
- B. It is intended that this policy statement will minimize the dangers to officers and the public, while still assuring the apprehension of most violators.
- C. The primary concern of the CISD Police Department in pursuit situations is the protection of the lives and the safety of all persons. Apprehension of the violator is secondary to the safety of officers and the public.

## **III. LAW**

Texas Transportation Code (Ch.56; Sec.546.002) exempts the driver of an authorized emergency vehicle with emergency equipment in operation from the general rules of the road when in pursuit of an actual or suspected violator. It does not relieve the driver from the duty to always drive with due regard for the safety of all persons using the roadway, nor does it protect them from criminal prosecution or civil liability for an abuse of the privileges granted.

#### **IV. DEFINITIONS**

- A. Pursuit: A motor vehicle, or vehicular, pursuit is an active attempt by a law enforcement officer, operating a police marked motor vehicle, to apprehend one or more occupants of another vehicle, when the driver of the fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing their speed, disobeying traffic laws, ignoring the officer or attempting to elude the officer. An active attempt is defined as the totality of the circumstances known to the officer at the time of the incident, which, when reviewed, lead to the reasonable conclusion that the officer was attempting to apprehend, chase, or overtake the violator.
- B. Emergency Driving: Emergency driving is defined as the operation of an authorized emergency motor vehicle by a law enforcement officer, in response to a life-threatening situation, or a violent crime in progress, while utilizing the privileges afforded by law, in lawful disregard of traffic law and/or traffic control devices, but complying with Department policy to drive with due regard for the safety of all persons on the roadway
- C. Authorized Emergency Vehicle: A vehicle being driven in response to an emergency call, operating at least one red light or red and blue light.
- D. “No Code:” Shall refer to any routine call to which an officer responds, by the most direct route, obeying all traffic laws and speed limits en route.
- E. Code 1: Shall refer to any call that an officer responds to immediately. The officer shall temporarily drop whatever activity they are engaged in and respond directly to the call, obeying all traffic and speed laws while en route. The use of emergency equipment shall not be used during Code 1.
- F. Code 2: Officers responding to certain emergency calls may respond using emergency lights only. However, the use of emergency lights only, does not require other motorists to yield their right of way, nor does it exempt the driver from the provisions of Texas Transportation Code. The decision to utilize “Code 2” can only be made by the responding officer, who holds sole responsibility for that decision. The use of “lights only” alerts other motorists that the vehicle is responding to an emergency call and grants no privileges or immunities.
- G. Code 3: Shall refer to any call which the officer responds to with lights and siren (as necessary) as an emergency vehicle utilizing the privileges authorized by law, but complying with Department policy to drive with due regard for the safety of all persons on the roadway.

- H. Traffic Stop: An active attempt by a law enforcement officer to stop a vehicle for a violation or suspected violation of law. It is often times necessary for officers to exceed the speed limit or to violate other traffic laws as authorized by law and policy and not be engaged in a pursuit.
  - 1. An officer who intends to stop a vehicle should drive as close as practical to the violator before activating the emergency lights and siren, considering all conditions.
  - 2. A traffic stop does not become a pursuit until a violator is actively attempting to elude the officer as defined in the “Pursuit” definition above.
  - 3. Should an individual utilize their vehicle to flee from the scene of a traffic stop (for traffic violations only) after stopping and being contacted by the officer, the officer shall not pursue the individual.
  
- I. Violent Felony: Violent felony means the totality of circumstances known to the officer at the time that would lead to a reasonable belief that a violent felony occurred, or was about to occur. A warrant or a suspect wanted on a violent felony would not constitute a violent felony unless the officer could show an immediate danger to the public if the subject escaped.

## **V. PURSUIT PROCEDURE**

- A. Initiation of a Pursuit
  - 1. Pursuits shall only be initiated when a law violator clearly exhibits the intention of avoiding arrest by using a vehicle to flee.
  - 2. The officer will activate the vehicle’s emergency lights and siren and notify Communications.
  
- B. Notification: An officer initiating a pursuit will immediately notify Communications of:
  - 1. Their unit identifier
  - 2. The statement ‘In pursuit’
  - 3. The location
  - 4. Direction of the pursuit
  - 5. Speed of the pursuit
  - 6. The reason for the pursuit (offense for which suspect is wanted)
  - 7. Description of the vehicle being pursued.
  - 8. License number of the vehicle
  
- C. Optional Information: If possible, the officer should also provide:
  - 1. The number of occupants and description of the occupants of the pursued vehicle

2. Special information such as hazards to officers, traffic conditions, etc.
- D. **Announce Responsibility:** An officer's failure to announce the pursuit does not relieve them from the responsibility of complying with all provisions of this policy.
- E. **Maintain Communications:** Officers involved in pursuits will take necessary steps to ensure that Communications understands their transmissions. This may include rolling windows up, operating the siren on manual, etc.
- F. **Primary Unit:** The officer initiating the pursuit is designated as the primary pursuit unit until relieved by a supervisor.
- G. **Secondary Unit**
1. In a pursuit, a second marked police vehicle will become the back-up unit. Upon joining the pursuit, the back-up officer will activate the vehicle's emergency lights and siren and advise radio that they are the back-up unit.
  2. Only one back-up unit is to be used unless specific authorization for additional units is obtained from a supervisor.
  3. Back-up vehicles should follow the primary vehicle at a safe distance and shall normally stay in the same lane as the primary vehicle.
  4. The officer/s in the primary unit will make radio transmissions during the pursuit until the back-up unit is close enough to monitor the pursuit and take over the radio transmissions. Once the back-up unit has joined the pursuit, the back-up unit will take charge of communications between field units and the dispatcher.
- H. **Support Units**
1. Only units that have been authorized by a supervisor or the Chief of Police will leave their assigned areas and become support units.
  2. Support units will not become actively involved in the pursuit.
  3. Support units will cover possible escape routes.
  4. Support units will be available to assume a back-up or primary role should one of those vehicles be unable to continue the pursuit.
  5. Support units will not be operated with emergency lights and sirens, and will not violate traffic laws to maintain support or parallel positions.
- I. **Communications Responsibilities:** When a pursuit is initiated, the Communications Specialist will:
1. Notify the on-duty Patrol Supervisor immediately after a pursuit is initiated.
  2. When a pursuit is initiated, the dispatcher shall broadcast an *alert tone* and notify field personnel that the radio channel should be used for Emergency Traffic Only.
  3. Notify units of the pursuit on the appropriate radio frequencies.

4. Ask the Patrol Supervisor if assistance is needed from other agency units. If one is available, the dispatcher will advise the Patrol Supervisor of the estimated time of arrival.
5. When a pursuit is terminated by an officer or supervisor, the dispatcher shall broadcast and notify all personnel that the pursuit has ended and to permit regular radio traffic to resume.
6. The dispatcher will attempt to gather as much information as possible on the suspect vehicle and/or suspect/s.
7. The dispatcher shall coordinate and advise other agencies upon the crossing or imminent crossing of jurisdictional lines.
8. Direct the units to communicate car-to-car when necessary.

#### J. Supervisory Officer Responsibilities

1. After being notified by Communications of a pursuit, a supervisor shall evaluate the circumstances regarding the pursuit and shall make a decision on whether to allow the pursuit to continue or to terminate the pursuit. If the decision is to allow the pursuit to continue, the initial supervisor or Chief of Police shall continually monitor the pursuit and shall be responsible for maintaining control and ensuring compliance with all aspects of this policy.
2. The supervisor or Chief of Police shall order the discontinuance of the pursuit when it appears that the pursuit poses a serious and unreasonable risk of harm to the pursuing officers or the public, balanced against the seriousness of the violation.
3. If a supervisor or Chief of Police is not available, the officer in the primary unit shall have responsibility for making the decision to abandon or conduct the pursuit in compliance with policy.
4. The Chief of Police and all supervisors and officers involved in vehicular pursuits will be held accountable for the continuation of a pursuit when circumstances known to involved personnel at the time indicate that it should have been discontinued.
5. If communications are lost with the pursuit vehicles, the supervisor is responsible for coordinating radio traffic and terminates at this point if necessary.

#### K. Pursuit Guidelines

1. Can the safety of the public, and of the pursuing officer/s, be reasonably maintained considering all of the circumstances, and in particular, the following:
  - a. Pedestrian and vehicular traffic patterns and volume.
  - b. Location of the pursuit. Consider officer familiarity with the pursuit location and route, i.e., whether the pursuit will traverse traffic

- controlled, congested, narrow or blind streets or intersections, past schools, require turning corners rapidly and frequently.
    - c. Effect of weather on driving conditions.
    - d. Time of day, visibility.
    - e. Effect of road conditions on safety of pursuit.
- 2. Can the officer and the police vehicle safely continue the pursuit?
  - a. Physical, mental, emotional limitations on officer's ability to safely maintain pursuit.
  - b. Police vehicle reliability: status of brakes, handling. Status of emergency equipment to include lights and sirens, radio communication capability, and any other obvious limitations.
  - c. Is the suspect vehicle's location/direction no longer known?
  - d. Speeds will vary in accordance with the conditions discussed above and other pertinent factors. All officers will drive with the understanding that it is their responsibility to drive with due regard for the safety of all persons using the roadway.
- 3. Officers will, AT NO TIME, pursue or follow violators the wrong way on a freeway or freeway frontage road.
- 4. Officers of either a primary or back-up pursuit vehicle will terminate their involvement in the pursuit if their vehicle experiences equipment failure involving the vehicle's emergency lights, siren, radio, brakes, steering or other essential mechanical equipment.

#### L. Pursuit Driving Practices

1. Consider all of the guidelines, direction, and this policy.
2. No more than two (2) units shall be involved unless otherwise directed by a supervisor or the Chief of Police.
3. Officers not assigned to the pursuit should remain in their assigned area, but stay alert to its progress and location.
4. The assigned units shall be the only units operating under emergency Code 3 conditions (emergency lights and siren).
5. There shall be no caravanning of units, paralleling the pursuit, or attempting to join the pursuit unless specifically authorized by a supervisor.
6. Officers involved in a pursuit should not pass other units unless requested to do so by the primary unit or a supervisor.
7. Emergency vehicle lights and sirens shall remain activated in order to provide maximum warning to the public of any approaching pursuit.
8. When the pursued vehicle is lost, the officer in the secondary unit shall immediately broadcast necessary information to the dispatcher. Upon receiving communications broadcast, all involved officers will resume normal non-pursuit operation of their vehicles.
9. Officers may search for a formerly pursued vehicle but shall do so in a "No Code" or Code 1 status.



M. Police Unmarked Vehicles

1. Police officers operating unmarked vehicles shall minimize their involvement in pursuits.
2. Should an officer operating an unmarked vehicle attempt to initiate a traffic stop which results in a pursuit, officer in the unmarked vehicle shall immediately discontinue involvement once a marked patrol car has entered the pursuit.
3. An officer operating an unmarked vehicle may continue as a support vehicle once the pursuit has been assumed by a marked vehicle.
4. Unmarked vehicles may be used for traffic enforcement as long as they are equipped with emergency lights and siren.

N. Police Support Vehicles: Police support vehicles are prohibited from becoming directly involved in a pursuit in any capacity.

O. Limitations: Officers will not participate in pursuits as either pursuit or back-up vehicles when their vehicles are occupied by prisoners, suspects, complainants, witnesses, civilian observers, or any other person not on-duty as a peace officer.

P. Pursuits Affecting Other Jurisdictions

1. The dispatcher shall notify all jurisdictions affected by a pursuit as soon as practical. Such notifications should not be considered as a request to join in the pursuit.
2. Other jurisdictions will not be asked to join an CISD Police Department initiated pursuit except as directed by a CISD Police Department sworn supervisor or Chief of Police.
3. Pursuits from other Jurisdictions
  - a. Pursuits that originate in other jurisdictions and extend into the CISD shall be joined ONLY if the offense for which the pursuit was initiated meets the criteria of this policy.
  - b. Pursuits which originate in other jurisdictions and extend into the CISD shall be joined ONLY when requested, and approval is granted by a CISD Police Department sworn supervisor.
  - c. No more than a total of two (2) units should be operating under emergency Code 3 conditions (emergency lights and siren) which may include one unit from each agency or a maximum of two from one agency unless otherwise directed by a CISD Police Department sworn supervisor.

Q. Discontinuing a Pursuit: Pursuits will be terminated when:

1. If at any time, the officer believes the probability of apprehension is diminishing as the pursuit continues.
2. When the officer obtains/has information which would likely lead to the identification and apprehension of the responsible suspect through other means. (Examples: vehicle license number, personal knowledge or identification of the driver of the vehicle, or other information that will lead to the apprehension.)

3. When the officer is directed to discontinue the pursuit by a supervisor or the Chief of Police.
4. When the officer loses visual contact with the suspect for an extended period of time (about 15 seconds). This does not mean that officers must cease looking for the suspect; rather they must slow to a safe speed while doing so.
5. When there is a clear and unreasonable hazard to the officer, fleeing motorist and/or other persons. A clear hazard exists when speeds dangerously exceed the normal flow of traffic or when vehicular or pedestrian traffic necessitates erratic maneuvering which exceeds the performance capabilities of the vehicle and/or the driver.
6. When the danger created by the pursuit outweighs the necessity for immediate apprehension.
7. Once a decision has been made to terminate a pursuit, officers shall cease all contact with the suspect vehicle. Officers shall not attempt to keep the suspect vehicle in observation and shall not follow the vehicle in any manner.
8. No sworn personnel will be disciplined for terminating a pursuit under the guidelines of this policy.

#### R. Prohibited Actions

1. Ramming: Officers will not resort to “ramming” to stop a vehicle they are pursuing. Police vehicle use in ramming often creates incidents resulting in liability far exceeding the merits in forcing the responsible party to stop.
2. Boxing In: Boxing in or surrounding a moving suspect vehicle is prohibited. However, marked and unmarked units may be used to box in a stationary, unaware suspect in order to avoid a pursuit.
3. Forcing: Officers shall not overtake, drive next to, or force suspect vehicles off the roadway.
4. Blocking: Officers will not block the roadway with vehicles to stop a pursuit.

- S. Stop Sticks: The “Stop Stick” tire deflation device is not authorized to be deployed by any member of this Department

#### T. End of the Pursuit

1. The primary pursuing unit is responsible for the arrest of the suspect.
2. The secondary unit shall be responsible for backing up the primary unit and broadcasting pertinent information at the termination of the vehicular pursuit. If the suspect flees on foot, the secondary unit or responding supervisor shall coordinate assisting units.
3. If the pursuing units become involved in a collision, the collision should be investigated by the law enforcement agency having jurisdiction for the location of the collision. All CISD Police Department reports specified in this policy will also be completed.

#### U. Reporting

1. Whether or not the violator is apprehended, the initiating officer will prepare a full Incident Report.
2. The responsible supervisor or Chief of Police will require each officer involved to submit a supplemental report.

3. The supervisor responsible for the officers involved in the pursuit will be responsible for submitting a supplement to the incident. These reports shall be completed prior to the end of the shift on which the incident occurred and forwarded to the Chief of Police.
4. The supervisor responsible for the shift shall review the reports and critique in writing, as to apparent compliance with this policy and any other CISD Police Department directives as may be applicable. They shall attach any other pertinent items such as radio tapes, officer statements, etc.

#### V. Review

1. The Chief of Police shall review the reports and provide a critique, in writing, as to apparent compliance with this policy and any other CISD Police Department directives as may be applicable. This will be completed within five (5) working days of receipt by the Chief of Police.
2. The Chief of Police may refer the pursuit documents for an Administrative Investigation.

#### **CISD Police Department**

#### **6.08 Vehicle Pursuits**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.09</b>	<b>Bomb Threats</b>



**I. POLICY**

Bomb threats and actual bomb emergencies present a serious threat to officers, the public, and to property. Recently, more bombings of public and private buildings have occurred in the United States than at any time this century. Law enforcement must be able to respond effectively to all bomb threats to ensure the public safety. Additionally, officers must be able to properly investigate bomb threat/bomb emergencies in order to apprehend those responsible. Officers shall display caution when responding to any bomb call: the evidentiary procedures that follow the discovery of a possible bomb or incendiary device are dangerous. For the purpose of this order, a bomb threat or an actual detonation includes a class of offenses including arson, a detonation of a device which emits hazardous or noxious fumes or gas that threatens the health or safety of citizens, or extortion based on threats of assaults with explosives.

**I. PURPOSE**

The purpose of this order is to establish procedures for handling bomb threats and actual bomb emergencies.

**II. PROCEDURES**

A. Duties and responsibilities of dispatcher: The duties and responsibilities of the dispatcher receiving a bomb threat/bomb emergency call include the following:

1. Obtain as much information as possible such as:
  - a. the bomb's exact location;
  - b. the time set for detonation;
  - c. a description of the bomb;
  - d. the type of explosive or bomb; and
  - e. the reason for the bombing
  - f. phone number threat made from.

2. Dispatch the appropriate Resources:
  - a. Appropriate patrol officer.
  - b. Supervisor
  - c. Notify command Chief of Police

B. Duties and responsibilities of the on-duty supervisor: Upon notification by the dispatcher, the area supervisor shall respond immediately to the scene. Radios and cellular phones shall be turned off. Additionally, the supervisor shall perform the following procedures:

1. Assess the situation and make a determination to notify command personnel, investigators, or additional resources.
2. Interview the person who received the original call. All details, such as the caller's voice, mannerisms, background noises, and the time shall be noted. The time the call was received is most important since many bombs are activated by a watch or clock which restricts the bomber to a 12-hour period or less. Play back the tape recording of the bomb call, if one was made. Make arrangements to collect any recordings of the call as evidence.
3. Consult with building management about possible evacuation.

C. Evacuation

1. Upon receipt of a bomb threat, the building management or school administrator must make the final decision to evacuate. The role of law enforcement is to provide information and recommendations which the management officials may use in making the evacuation decision.
2. If the decision is made to evacuate the building, officers may assist in the process.
3. If a building search reveals an explosive device, the on-scene supervisor shall order and organize and evacuation of the building.
4. All persons shall be evacuated to a distance of at least *300 yards* from the bomb site. **Elevators shall not be used during evacuation.**
5. The on-scene supervisor shall set up a perimeter around the bomb site and shall prevent anyone from entering until bomb technicians have removed or defused the device.

D. Searching the premises

1. The decision to search a building is also a management decision, with officers providing recommendations. Since building employees are most familiar with the building and the space therein, part of the building management responsibility includes helping police/fire building search teams.
2. When the decision to search has been made, the on-scene supervisor shall designate search team(s) as needed, depending on the size of the area to be searched.

3. Officers shall coordinate the search to avoid repetition. Care shall be exercised, however, to impress upon the searchers the importance of not disturbing any suspected bomb that may be located. A floor plan of the building shall be obtained and made available for immediate reference.
4. All areas open to the public shall be given special attention first: restrooms, trash receptacles, stair wells, elevator shafts, boiler rooms, fire extinguisher cabinets, and supply closets. Custodians shall be directed by their own supervisors, with law enforcement assistance, to check their closets and storage areas for any unusual objects, and supervisors shall ask their subordinates to check their work areas for unusual objects.
5. Nothing shall be done to change the environment of the area searched, such as turning on light switches or thermostats until the area has been searched thoroughly using flashlights. Do not use radios when approaching or searching the area.
6. Never tell management personnel that their building contains no explosive devices. Tell them that the search revealed nothing, but let them make any decisions concerning re-occupation of the building.
7. If a search reveals an unusual device or bomb, officers shall not try to disarm or move it in any manner. The explosive may contain an anti-disturbance device and should be approached only by explosive experts. The main concern is to safeguard lives by isolating the area.

#### D. Communications

1. Due to the danger of possible bomb detonation from radio transmissions all police radios at the scene shall be turned off. Ensure that school personnel are told to turn off their radios.
2. Communications between the supervisor and dispatch shall be by telephone or an officer can be sent several blocks away to transmit messages using the radio.

#### E. If an explosion occurs

1. The on-scene supervisor shall seal off and protect the area.
2. Officers shall attend to injured persons.
3. The on-scene supervisor shall allow only emergency equipment and necessary personnel onto the scene. With the exception of investigators and emergency rescue personnel, no one shall be permitted to enter the scene.
4. The on-scene supervisor shall assume that there are secondary devices that could be detonated and shall advise all arriving personnel of this possibility.
5. The on-scene supervisor shall secure the scene for CFD and a designated Bomb Unit.

**CISD Police Department**

**6.09 Bomb Threats**

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**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 6.10</b>	<b>K-9 Policy</b>



## **I. POLICY**

The purpose of this document is to establish guidelines for the deployment and use of the Police Canine Service Dog in support of School Police Operations, Criminal Investigations, and other Law Enforcement entities of Corsicana ISD. This policy outlines the deployment of the Canine in the areas of building searches, vehicle searches, area searches and other facets of utilization. The Department recognizes that one of the greatest values and the most difficult to measure or evaluate is the deterrent effect of the Canine team and its educational value as a teaching tool. The Community relations value of the Canine team is well known. Few branches of the Police Department inspire more interest among people of all ages than the Police Dog and handler team. When properly presented to the public, the canine program is welcomed and appreciated. The program epitomizes the high standards of courage and security that most citizens value. It is the goal of the Corsicana ISD Police Canine Unit to represent the Department on all occasions in a manner to reflect credit and professionalism on themselves, the School District and the Department.

## **II. PROCEDURE**

### **A. AUTHORITY AND RESPONSIBILITY**

- (a) The Chief of Police or Designee is responsible for the general supervision of the canine unit and is responsible for the following:
  1. General supervision of the canine team when on-duty and available;
  2. Direct supervisions of the operation and maintenance of the canine unit;
  3. Review and inspection of the canine unit's training, certification and deployment records;
  4. Coordinating all community demonstrations;



5. Approval and coordination with other agencies requesting canine unit services;
6. Approval and coordination of canine unit call outs after hours; and
7. Annual updates to this policy.

In the absence of the Chief or Police the canine unit shall operate under the supervision of the Lieutenant, unless otherwise directed.

## B. HANDLER SELECTION

The minimum qualifications for the assignment of the canine handler are:

- (a) An officer who is currently off probation and has a minimum of 5years law enforcement experience.
- (b) Residing in an adequately fenced, single-family residence with a minimum 5foot high fence with a locking gate or have a kennel constructed in the backyard of the residence to meet minimum standards set forth by this policy.
- (c) Living within the Corsicana ISD District limits.
- (d) The Canine handler must agree to the assigned position for three years.

## C. HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department issued equipment under his/her control in a clean and serviceable condition.
- (c) Handlers shall permit the Chief of Police or Designee to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicle to verify conditions and equipment conform to this policy.
- (d) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the Chief of Police as soon as possible.
- (t) When off-duty, the canine shall be in a kennel provided by the Corsicana Independent School District at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler. Then handler may allow the canine out of the home kennel for supervised exercise activities, cleaning of the kennel, and grooming. The handler shall not allow any

family member or other to remain with the canine unsupervised, out of eyesight or short distance. No one other than the handler shall care of the canine while kept at the handler's home.

- (g) Under no circumstances will the canine be lodged at another location unless approved by the Chief of Police or Police Supervisor.
- (h) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the Chief of Police or Police Supervisor so that appropriate arrangements can be made.
- (i) When the handler is unable to tend to the canine for more than 24 hours, the Chief of Police shall be immediately notified, who will find an approved alternative for proper care.
- (j) The handler shall not abuse, injure or overcorrect the canine out of anger or maliciousness.
- (k) The canine handler shall complete and maintain files on their canines using approved forms such as, but not limited to the following:
  - 1. Article Search Form
  - 2. Vehicle Search Form
  - 3. Narcotic Search Form
  - 4. Elementary Education Program Form

Monthly forms should be completed at the end of the month and a copy will be provided to the Chief of Police.

- (l) The canine handler shall be responsible for upkeep of the Canine Unit's training files.
- (m) All of the aforementioned forms and reports or any other form associated with the canine unit will not be removed from the permanent training files or canine files.

#### D. LIMITATIONS

- (a) Canine handlers shall not use their canine partners for off-duty work assignments unless authorized by the Chief of Police. The use of the canine shall be governed by the department's policy. Canine Handlers shall limit the use of their canine partner within this written policy and within the department's policy.
- (b) The CISD canine unit shall never be the lead unit in a vehicle pursuit.

#### E. TRAINING

Before assignment in the field, the canine unit shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills. The Chief of Police shall be responsible for scheduling

periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training should be conducted while on-duty unless otherwise approved by the Chief of Police or Shift Supervisor.

The canine unit shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) The canine unit should receive training as defined in the current contract with the Corsicana ISD Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the Chief of Police.
- (c) To ensure that all training is consistent no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.
- (d) All canine training records shall be maintained in the canine handler's and the canine's training file.

#### F. FAILURE TO SUCCESSFULLY COMPLETE TRAINING

If the canine unit fails to graduate or obtain certification, it shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular duties.

#### G. TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the Corsicana ISD Police Department may work with outside trainers with the applicable licenses or permits.

#### H. CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC§ 823(f); Tex. Health and Safety Code§ 481.062).

The Chief of Police or the authorized designee may authorize an officer to seek a court order to allow controlled substances seized by the Corsicana ISD Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of

this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request from the Drug Enforcement Agency (DEA) narcotics training aids.

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

## 1. CONTROLLED SUBSTANCE TRAINING PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The Chief of Police shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Section or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

The training narcotics when not in use, shall be kept in a locked safe at all times. Whenever an authorized person must retrieve the narcotic aids, designee shall sign out and sign in the narcotic aids each time they are removed from the same (under witness of another person). The canine handler shall be responsible for the accountability of the narcotic aids and the quarterly inspection of the narcotic aids. The narcotic aids shall be weighed and logged quarterly by the canine handler (under witness of another person).

## J. NARCOTICS DETECTION

The Corsicana ISD Police Department only operates with single-purpose canines for narcotic detection. A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

### A. Types of Controlled Substances

- Cocaine
- Heroin
- Marijuana
- Methamphetamines (including MDMA)

## K. Deployment

- (a) A canine handler may use their assigned canine for any authorized use of a canine. It shall be the responsibility of the handler to ensure that practical safety precautions are taken at the time of deployment such as briefing to other law enforcement personnel and school officials to explain the canine's abilities and limitations.
- (b) In circumstances where the use of a canine unit is requested and approval has been granted by the Chief of Police or Designee, the decision to deploy the canine shall ultimately rest with the individual canine handler. Only the handler truly knows the abilities and limitations of their canine to safely and to legally perform the task at hand.
- (c) Each member of the canine unit shall conduct themselves in a manner consistent with department rules, regulations and policies set forth in the Corsicana ISD Police General Orders Manual and other school district and unit directives that are applicable.
- (d) Department personnel and field supervisors should be aware that the experience and training of the handlers and canines varies from agency to agency, as do search policies. As such, the utilization of outside agency canines and handlers shall be avoided, except in circumstances which clearly dictate the need for an immediate canine deployment. Requests for outside agency canine units shall be directed through the Chief's office.
- (e) The types of deployment are as follows but not limited to:

- Outside open air sniff around the exterior of vehicles;
- Consensual searches at vehicles (without probable cause);

- Drug interdiction in public areas;
- Parking Lots;
- Buildings;
- Lockers;
- Motor vehicles;
- Area searches;
- Searches relative to search warrant executions;
- Community relations demonstrations;
- Classroom Educational Program;
- Any facilities owned and/or utilized by the school district;
- Assistance of other law enforcement agencies in any of the above situations must be approved by the Chief of Police or Designee; and
- Classroom checks or any other area within a campus or Corsicana ISD facility

When the canine unit is requested for an open air sniff around the exterior of the vehicle, the vehicle doors and windows should be left closed until the arrival of the canine unit. Any narcotics in plain view should be seized prior to the deployment of the canine. The primary officer shall advise the canine handler of the location in the vehicle of the seized narcotics. Any narcotic discovery made by a canine shall be turned over to the primary officer for disposition.

The primary unit and the on scene supervisor should determine if the narcotic search is significant enough to warrant a canine unit response or call-out. It also shall be the responsibility of the Chief of Police to confirm that a call-out is warranted. If the canine team is unable to respond he/she will immediately notify the Chief of Police. If the canine team shows a pattern of being unavailable for call-outs, this could be grounds for removal from the canine unit.

## L. DEMONSTRATIONS AND PRESENTATIONS

- (a) The handler shall only perform public demonstrations/presentations approved by the Chief of Police. In order to continuously portray a positive image and to ensure the wellbeing of everyone involved in a public demonstration, the canine unit shall adhere to the following guidelines during any public demonstration. Public demonstrations are an integral part of the Canine Unit and its relationship with the community and students. The canine unit shall always portray positively during all demonstrations/presentations. The handler shall always have the canine on a leash and when appropriate in control of the canine's head.

Taking into account the age and composition of the audience, the public demonstration/presentation shall be done with the best intentions so as not to offend or alarm anyone. The following are several demonstrations / presentations with different levels of maturity that may be chosen.

### Level One

This level is designed for the youngest audience. The handler shall display the most common equipment used by the canine. A short introduction is made prior to the level one demonstration / presentation and a question and answer session is then held afterwards.

### Level two

This level is designed for the moderately mature audience. The handler shall display the most common equipment used by the canine. The handler may show a short demonstration of the canine's detector skills by placing an aid for a search. The use and possession of the aid must follow the guidelines set forth in this policy. A short introduction is made prior to the level two demonstration and a question and answer session is then held afterwards. If a toy release is needed by way of a choke off during this level of demonstration, the handler should avoid conducting the physical release in front of the audience.

- (b) All demonstrations / presentations shall be done with the on-duty uniform.
- (c) All demonstrations / presentations shall be done while on duty unless otherwise approved and/or directed by the Chief of Police.

## M. DOG BITE PROCEDURES

For reporting purposes, a dog bite shall be defined as any gripping of a person's body or clothing by the dog's mouth, irrespective of injury or damage. Additionally, any injury or damage to a person's body or clothing caused by contact with the dog's teeth, i.e., rakes, abrasions, or tearing of clothing, will be reported.

- (a) When a canine physical bite occurs, the following procedures shall be followed:
1. Medical aid will be given as soon as possible.
  2. The Chief of Police shall be immediately notified.
  3. Any witnesses or witnessing officers shall be identified and interviewed.

4. Photographs shall be taken for visual documentation of the injury.
  5. Medical inspection of the canine shall be made as soon as practical.
- 
- (b) The handler shall be responsible for the immediate notification to the Chief of Police or Designee when the canine has been involved with any type of bite. The Chief of Police shall be responsible for the administrative course of action following the bite incident.
  - (c) The handler shall be responsible for the written use of force report.
  - (d) Any injury caused by the canine service dog, not associated with a bite, will also be reported on a use of force report and investigated by the Chief of Police or his designee.

## N. CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Chief of Police or Designee as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available emergency veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

The handler shall be responsible for ensuring that their canine receives prompt medical care from the approved contracted veterinarian. The handler shall be responsible for completing and turning in all medical forms and receipts (including a copy to the Chief of Police). The handler shall notify the Chief of Police prior to any medical treatment of the canine.

## O. GENERAL OPERATION PROCEDURES

- (a) The canine unit shall not transport any prisoners.
- (b) The canine unit will inform the communications center when the team is initially in-service and available for calls.
- (c) During call-outs or training, the handler will wear attire that is appropriate and professional. This attire must clearly represent the handler as a Corsicana ISD Police canine handler.
- (d) A handler may only use dog food, approved contracted services or Department supplies purchased and/or supplied through the Department for a Department canine. The handler shall be responsible for turning in all receipts and forms for any services or items received/purchased for the canine.
- (e) The handler of the canine shall be responsible for the maintenance of the canine. If the handler is injured and away from duty for any period of time, it shall be at the discretion of the Chief of Police to whether or not the canine is to be housed at the handler's home kennel or an approved contracted kennel facility.



- (t) The handler shall be responsible for obtaining and maintaining updated case law knowledge involving police canine issues
- (g) The canine unit may be de-certified at any time by the Chief of Police.
- (h) The canine is the property of the CISD Police Department. Disposition of any department canine shall be done at the discretion of the department and or the Corsicana ISD Board of Trustees. As a general rule, canines are usually allowed to retire to their last handler. If a handler is unable to accept the retired canine, another officer may take possession of the canine. No benefits and/or services shall be given to a retired canine. A waiver of liability shall be completed prior to releasing the canine.
- (i) The handler shall be responsible for the handling of their assigned canine unless otherwise directed by the Chief of Police.
- (j) The handler shall be responsible for securing the canine properly and briefing the public on how to approach and touch the canine or not to touch the canine at all. The handler, when possible, shall not allow more than one person at a time to approach the canine. The handler shall not allow the canine to remain off leash unsupervised. The handler shall be responsible for the action of the canine both on and of leash at all times.
- (k) A canine shall only be transported in an approved and modified department vehicle unless otherwise directed by the Chief of Police.
- (l) When the handler is away from the patrol unit or the kennel, the handler shall be responsible for the proper safety of the canine, to include the proper ventilation and temperature control of the patrol unit or home kennel.
- (m) The handler shall allow the canine to relieve bodily function on a leash.

## P. MISCELLANEOUS PROCEDURES

- (a) The home kennel shall be built by the Corsicana ISD according to accepted guidelines and specifications in Appendix A. If the handler moves to another house, the handler shall assume the responsibility of building a home kennel according to the current guidelines and specifications. The Canine Unit designee shall be responsible for the inspection of the home kennel to ensure the security and integrity of the home kennel. Home kennel inspections shall be done while the handler is on duty. The handler shall be responsible for any modifications to the home required by the Canine Unit designee. If a contract or professional kennel is chosen over home kenneling, the kennel shall be chosen according to accepted guidelines and specifications in Appendix A.
- (b) With department approval, a handler may purchase a canine or the public may donate a canine to the Canine Unit. In either case, the canine must be donated to the department, pass all selection tests and a release of a liability must be signed for that canine. Purchasing a canine from an approved vendor is the preferred method.
- (c) If during the course of training or for any reason a canine is no longer able to function acceptably for the Canine Unit; the canine shall be released from the Canine Unit with department approval. A suitable home shall be located for the canine. A waiver of liability shall be completed prior to releasing the canine to the receiving party.  
Retired or released canines shall not receive any benefits from the department.
- (d) If for any reason, a Canine Unit handler, who cannot properly or efficiently perform all of the duties of a Canine Unit handler, shall be reassigned with the Chiefs approval.

- (e) Kennels shall be kept clean at all times. Cleaning solutions are provided to the handler in order to kennel and surrounding area sanitized on a daily basis. Feces shall be removed from the kennel and surrounding area in a timely manner and properly disposed. Drinking water shall be replaced on a daily basis for the canine. Food for the canine is provided to the handler and shall be given in a prescribed manner.
- (f) A canine shall never be left unsupervised in the K9 patrol unit with the windows rolled up with or without the air conditioning, unless the vehicle is equipped with a temperature alarm that the handler can monitor.
- (g) Maintenance training is extremely important for the proper upkeep of the canine unit's skills. Therefore, handlers shall attend maintenance training, unless directed otherwise by the Canine Unit Designee.

## APPENDIX A

With the exception of the concrete slab, the home kennel is considered portable. A slab of cement shall be the thickness of a 2x4 stud and shall rest above ground. The concrete shall be of high quality and shall be made according to a currently accepted recipe. The slab shall measure no less than 7 feet by 13 feet and have a smooth surface. The slab shall be included one inch to allow for run-off. The home kennel shall be made of a minimum of four chain link fence panels. Each panel shall measure at least six feet by six feet. One of the four panels shall be a gate panel. Each panel shall be encompassed by metal tubing at least 1 5/8 inches in width. The metal tubing shall be comprised of a metal that is considered durable. The chain link fencing shall be of a metal considered to be the thickness of an 8 gauge to ensure the durability and strength of the home kennel.

Each panel shall be elevated at least 1 inch off of the slab with two small pieces of metal tubing measuring two inches long soldered at least three feet apart.

A metal or tin roof shall be secured to the panels using sheet metal screws. The roof shall cover the entire kennel and shall be waterproof. The roof shall be supported by a minimum of one metal tubing.

Rules for home kennel:

- (a) Canine Unit designee may inspect the home kennel at any time while handler is on duty to ensure that the kennel is kept clean and in a safe condition for the welfare of the canine.
- (b) If the handler moves out of the residence, the home kennel is designed to be portable to the next location. The handler shall be responsible for constructing the concrete slab to these specifications within 30 days of the move. The handler will also be responsible for the reconstruction of the portable kennel to these specifications within 30 days of the move.

The home kennel is Department property and shall be returned to the department (with the exception of the cement slab) when the handler is removed from the Canine Unit and no longer is responsible for a department canine.

**CISD Police Department**  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 7.01</b>	<b>Traffic Collision Investigation</b>



## **I. POLICY**

It is the policy of the CISD Police Department to efficiently investigate traffic collisions in a standard, impartial, and timely manner.

## **II. PROCEDURE**

- A. The CISD Police Department shall investigate all reportable traffic collisions involving injury, property damage, and those collisions involving an impaired driver, a hit and run, or hazardous materials, occurring upon CISD property.

Fatality accidents occurring within the city limits of Corsicana will be worked by the Corsicana Police Department.

Either the Navarro County Sheriff’s Department or the Texas Department of public Safety will work those accidents occurring outside the city limit.

Collisions are investigated to obtain evidence of traffic violations in a manner, which may allow a complaint against violators, and to obtain precise data concerning traffic collisions within the city, which may be utilized by the city, county or state.

1. Reportable Traffic Collision: A reportable traffic collision is defined as an incident that includes one or more occurrences of injury, death, or damage, which is not the direct result of a cataclysm, and is in excess of one thousand dollars and/or injury, involving one or more motor vehicles in transport upon a roadway, or an unstable situation that originated upon a roadway.
2. Patrol Required Documents/Forms: The following equipment/paperwork shall be carried in all marked police vehicles:
  - a. State Traffic Collision Forms.

- b. Roadway marking device.
  - c. Tow sheets.
  - d. Court Schedules for City and Justice of the Peace (JP) Court.
  - e. Collision Exchange Forms.
  - f. Citations.
  - g. Warning Citations.
3. Officers will be sent to roadway collisions, which involve the school district interest in any one or more of the following:
  - a. Death or injury of an CISD employee or student.
  - b. Hit and run.
  - c. Impairment of an operator by alcohol or drugs.
  - d. Damage to government vehicles or property.
  - e. Hazardous materials.
  - f. Disturbance between principals.
  - g. Major traffic congestion as a result of the collision.
  - h. Damage to vehicle to the extent towing is required.
  - i. Meets the requirements as defined in Section A.1.

#### B. Private Property Collisions

1. Officers will not respond to private property traffic collisions unless they involve serious injury or death, a crime, or hazardous materials, for any purpose other than to provide driver information exchange material.
2. If the above listed criterion is not met, but a citizen insists an officer respond, a sworn on-duty supervisor shall determine if officer response is appropriate.

#### C. State Traffic Collision Report Form

1. The State Traffic Collision Report Form will be completed under when a reportable collision is investigated.
2. The State Traffic Collision Report Form will be accomplished as directed in the most recent instruction manual.
3. Any associated supplement forms will be completed when required.
4. Supervisors shall conduct the initial review of all traffic collision reports completed by personnel assigned to their supervision. Initial reviews shall ensure that reports are submitted in a timely manner and contain complete and accurate information.
5. All traffic collisions will be investigated and reported in accordance with the Texas Department of Transportation (TDOT) requirements.

#### D. On Scene Consideration

1. The initial officer who responds to investigate traffic collisions will:
  - a. Provide a safe traffic pattern around the scene for the purpose of protecting those involved in the traffic collision as well as those approaching it.
  - b. Identify injured persons and summon the assistance of paramedics, fire suppression, or additional officers, if required.
  - c. Administer first aid, if required.
  - d. Identify any hazardous materials that may be involved, and isolate any areas of contamination to insure public safety. Only properly trained and equipped officers will enter areas where hazardous materials may be encountered.
  - e. Provide for initial fire suppression, if required.
  - f. Preserve evidence and protect the collision scene.
  - g. Locate witnesses and record necessary information concerning the collision.
  - h. Expedite the removal of vehicles, persons, and debris from the roadway.
  - i. Ensure the property at the scene is protected from theft and is removed to a place of safekeeping if the responsible party is unable to care for it. If a vehicle is to be removed for safekeeping, an officer shall inventory the vehicle. To ensure that the owner's interest is protected, all containers located during a vehicle inventory shall be opened and their contents accounted for.
2. Scene Responsibility: The initial officer dispatched to the collision is deemed to be in charge of the scene unless a superior officer relieves that officer. If the officer is relieved, he is responsible for the investigation, while the supervisor is responsible for the scene.
3. The officer conducting the collision investigation will be responsible for ensuring the following is accomplished:
  - a. The interviewing of witnesses and principals.
  - b. The examining and recording of vehicle damage and the effects of the collision on the roadway.
  - c. Taking required measurements.
  - d. Taking photographs as appropriate.
  - e. Collecting and preserving evidence, as appropriate.
  - f. Ensuring the exchange of information among involved parties.
  - g. Expedite the removal of vehicles and debris from the roadway.
  - h. If the traffic collision occurs on the roadway, the officer shall complete a State Collision Report and issue citation(s) if a driver does not produce evidence of vehicle insurance, regardless of the damage amount.

#### E. Hit and Run Cases

1. Misdemeanor: Misdemeanor hit and run cases will be initially investigated by the responding officer and will be handled the same as other collision cases.
  - a. If the hit and run has just occurred, responding officers will check the area for the suspect vehicle.
  - b. If there is a suspect or a lead in the case, the investigating officer will attempt to locate the vehicle and contact any witnesses, suspects, or investigative leads.
  - c. If the initial investigating officer does not clear the case, the report will be forwarded to the supervisor. The Supervisor will review the case and if necessary, return the case to the investigating officer for follow-up.
2. Felony: the responding officer using the same procedures listed in paragraph 1 will investigate Felony hit and run cases in which minor injuries are sustained.
3. Felony with Injury: In felony hit and run cases in which severe injuries are sustained, the Officer's supervisor will be notified. Based upon the information provided, the supervisor may have a CPD investigator respond to the scene. CPD may take over the investigation, or assist Patrol officers with the investigation, depending upon the circumstances.
4. Written Reports: All reportable accidents will require the State Traffic Collision Report Form as well an IR.

#### F. Traffic Control

1. At the scene of a traffic collision, the supervisor or ranking officer will be responsible for traffic direction that will protect officers and facilitate the orderly flow of traffic.
2. Employees investigating or assisting with the investigation of a collision will wear a reflective vest at all times when in the roadway.
3. At fire scenes, a supervisor or ranking officer will coordinate any traffic direction plan with the Fire Department supervisor.
4. During periods of adverse weather or road conditions, a supervisor may terminate the scene investigation if in the judgment of the supervisor, to continue the investigation would place officers or the public in a position of danger.
  - a. Officers may request from CPD manual operation of traffic control devices if in the officer's judgment, manual operations would be safer for officers and the public.
  - b. Use of temporary traffic control devices can be utilized during special traffic operations such as:
    - (1) Non-law enforcement Roadblocks (i.e., traffic cones, barricades, or flare pattern)
    - (3) Traffic operations, when in the judgment of a supervisor, such signs will facilitate officers and public safety. Any

temporary signs will be in accordance with applicable state statutes and city ordinances.

G. Uniform Hand Signals: Officers directing or controlling traffic will wear a reflective traffic vest. The use of a whistle is optional and the use of a flashlight is mandatory during time of darkness. The Uniform Hand Signals used shall be those taught at a certified police academy.

H. Employee Involved Traffic Collisions

- a. Police employees who investigate a vehicle collision involving an on duty CISD employee who works anywhere in the District other than at the police department shall issue the appropriate citation(s) to the responsible driver(s) at the time of the investigation when appropriate.
  - a. Under circumstances in which the collision needs further investigation before a determination of responsibility can be established, the at-fault driver shall be issued the appropriate citation(s) immediately upon the completion of the investigation.
- b. Police employees who investigate a vehicle collision involving an on duty police employee shall complete the investigation and not issue any citations at the time of the initial investigation and will follow the below listed protocol.
  - a. After the investigation is completed and reviewed by the investigators immediate supervisor, it will be forwarded to the Chief for review.
  - b. The Chief shall review the investigation and forward it to the Prosecutor's Office for review and recommendation.
  - c. The Prosecutor's Office will review the investigation and make a recommendation that no action is taken, or a citation(s) be issued to which driver(s) based upon the investigative findings and the elements of statute.
  - d. If a police employee is to be issued a citation this will be accomplished by the Chief.
  - e. If the driver of the other vehicle is determined to be responsible, the Chief will advise the investigator to issue the citation(s).



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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 8.01</b>	<b>Mental Health Response</b>



## **I. POLICY**

It is the policy of the CISD Police Department to protect an emotionally or mentally unstable person from harming themselves, others, or property. Police work brings officers into contact with persons who are emotionally or mentally unstable. This instability may be due to any number of factors, including alcohol/drug dependency, emotional trauma, or some form of mental illness.

Our primary concern in these cases is the safety and welfare of that person, the community, and the officer. An officer who has probable cause to believe that an emotionally or mentally unstable person presents an immediate threat of harm to himself/herself or another person shall take that person into protective custody and transport him/her to a facility where trained professionals can evaluate the emotional and mental status of that person.

## **II. PURPOSE**

The purpose of this policy is to provide officers with guidance on responding to calls involving the mentally ill.

## **III. PROCEDURES**

- A. Recognizing abnormal behavior: Mental illness is often difficult for even trained professional to define in a given individual. Officers are not expected to make judgments of mental or emotional disturbance but rather to recognize behavior that is potentially destructive and/or dangerous either to the person or others.

The following are generalized signs and symptoms of behavior that may suggest mental illness although officers should not rule out other potential causes, such as reactions to narcotics or alcohol or temporary emotional disturbances that are situationally motivated. Officers should evaluate the following and related symptomatic behavior in the total context of the situation when making judgments

about an individual's mental state and the need for intervention absent the commission of a crime.

1. Degree of Reactions. Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make the individual extremely reclusive or aggressive without apparent provocation.
2. Appropriateness of Behavior. An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.
3. Extreme Rigidity or Inflexibility. Emotionally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.
4. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:
  - a. abnormal memory loss related to such common facts as name, home address, (although these may be signs of other physical ailments, such as injury or Alzheimer's disease);
  - b. delusions, the belief in thoughts or ideas that are false, such as delusions of grandeur ("I am Christ.") or paranoid delusions ("Everyone is out to get me.");
  - c. hallucinations of any of the five senses (e.g., hearing voices commanding the person to act, feeling one's skin crawl, smelling strange odors, etc.);
  - d. the belief that one suffers from extraordinary physical maladies that are not possible, such as persons who are convinced that their heart has stopped beating for extended periods of time;
  - e. extreme fright or depression.
5. Determining Danger: Not all mentally ill persons are dangerous while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether an apparently mentally ill person represents an immediate or potential danger to himself/herself, the officer, or others. These include the following:
  - a. The availability of any weapons to the suspect.
  - b. Statements by the person that suggest to the officer that the individual is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendo to direct threats that, when taken in conjunction with other information, paint a more complete picture of the potential for violence.
  - c. A personal history that reflects prior violence under similar or related circumstances. The person's history may be known to the officer, the family, friends, or neighbors, who may be able to provide such information.

- d. Failure to act prior to arrival of the officer does not guarantee that there is no danger, but it does in itself tend to diminish the potential for danger.
- e. The amount of control that the person demonstrates is significant, particularly the amount of physical control over emotions of rage, anger, fright, or agitation. Signs of a lack of control include extreme agitation, the inability to sit still or to communicate effectively, wide eyes, and rambling thoughts and speech. Clutching one's self or other objects to maintain control, begging to be left alone, or offering frantic assurances that one is all right may also suggest that the individual is close to losing control.
- f. The volatility of the environment is a particularly relevant factor that officers must evaluate. The surroundings should be kept as calm as possible. Any elements that agitate the environment, or that make for a particularly combustible environment, or that may incite violence should be taken into account.

#### **IV. APPROACH AND INTERACTION – General Guidelines**

- A. The following general guidelines detail how to approach and interact with a person who may have a mental illness and who may be a crime victim, witness, or suspect. These guidelines should be followed in all contacts, whether on the street or during more formal interviews and interrogations. Officers, while protecting their own safety, the safety of the person with mental illnesses, and others at the scene should do the following:
  - 1. Recognize that these events are dangerous and officers must be prepared to protect themselves and others. The person may be suffering from mental instability, extreme emotions, paranoia, delusion, hallucinations, or intoxication.
  - 2. Remain calm and avoid overreacting. Surprise may elicit a physical response, or the person's "fight or flight" may be engaged.
  - 3. Approach the individual from the front.
  - 4. Be helpful and professional.
  - 5. Provide or obtain on-scene emergency aid when treatment of an injury is urgent.
  - 6. Check for and follow procedures indicated on medical alert bracelets or necklaces.
  - 7. Indicate a willingness to understand and help. Use active listening, and paraphrase responses.
  - 8. Use the person's name and your name when possible.
  - 9. Speak slowly, simply and briefly.
  - 10. Move slowly.

11. Remove distractions, upsetting influences, and disruptive people from the scene.
12. Understand that a rational discussion may not take place.
13. Recognize that sensations, hallucinations, thoughts, frightening beliefs, sounds (“voices”), or the environment are “real” to the person and may overwhelm the person.
14. Be friendly, patient, accepting, and encouraging, but remain firm and professional;
15. Be aware that your uniform, gun, and/or handcuffs may frighten the person with mental illnesses. Reassure him or her that no harm is intended.
16. Attempt to determine if the person is taking any psychotropic medications.
17. Announce actions before initiating them.
18. Gather information from family or bystanders.
19. Use patience and communications to control.
20. Use physical force only as a last resort.
21. Don’t be afraid to ask direct questions about what the person is experiencing, such as, “Are you hearing voices? Are you thinking of hurting yourself? Are you in need of something?”

B. Officers should be aware that their own actions might have an adverse effect on any situation that involves a mentally ill person. Actions that officers should generally avoid include the following:

1. Moving suddenly, startling the person, giving rapid orders, or shouting.
2. Forcing discussion.
3. Cornering or rushing.
4. Touching the person (unless essential for the safety of the person, bystanders, or the officer involved).
5. Crowding the person or moving into his or her zone of comfort.
6. Expressing anger, impatience, or irritation.
7. Assuming that a person who does not respond cannot hear.
8. Using inflammatory language, such as “mental” or “mental subject.”
9. Challenging delusional or hallucinatory statements;
10. Misleading the person to believe that officers on the scene think or feel the way the person does.

## **V. EMERGENCY APPREHENSION AND DETENTION**

A. HSC 571.003 defines “mental illness” as an illness, disease, or condition, other than epilepsy, senility, alcoholism, or mental deficiency, that has the following effects:

1. Substantially impairs a person's thought, perception of reality, emotional processes, or judgment; or
2. Grossly impairs behavior as demonstrated by recent disturbed behavior.

3. HSC 573.001 empowers peace officers without a warrant to take into custody a person if the officer has reason to believe and does believe the following:
  - a. the person is mentally ill; and
  - b. because of that mental illness there is a substantial risk of serious harm to the person or to others unless the person is immediately restrained; and
  - c. believes that there is not sufficient time to obtain a warrant before taking the person into custody.
4. A substantial risk of serious harm to the person or others under Subsection (a)(1)(B) may be demonstrated by the following:
  - a. the person's behavior; or
  - b. evidence of severe emotional distress and deterioration in the person's mental condition to the extent that the person cannot remain at liberty.
5. The peace officer may form the belief that the person meets the criteria for apprehension on the basis of the following:
  - a. representation of a credible person;
  - b. the conduct of the apprehended person;
  - c. the circumstances under which the apprehended person is found.
6. A peace officer who takes a person into custody shall immediately transport the apprehended person to:
  - a. the nearest appropriate inpatient mental health facility; or
  - b. a mental health facility deemed suitable by the local mental health authority, if an appropriate inpatient mental health facility is not available.
7. A jail or similar detention facility may not be deemed suitable except in an extreme emergency.
8. A person detained in a jail or a non-medical facility shall be kept separate from any person who is charged with or convicted of a crime.

B. Juvenile Mentally Ill Patients: Emergency detention procedure for juveniles is the same as for adults.

## **VI. TAKING A PERSON INTO CUSTODY FOR EMERGENCY DETENTION**

- A. If an officer determines that an emergency detention is necessary, the following procedures will be utilized:
  1. A minimum of two officers should be present before any action is begun toward taking the subject into custody.
  2. An officer who feels that a patient should be taken into custody will not force entry into the home of the mentally ill person unless a life is in immediate danger.

3. The officers taking the person into custody will apply handcuffs for transport. The officers should explain that handcuffs are necessary for everyone's protection. Officers who believe the subject will not resist should inform the subject of their intentions beforehand and explain their reasoning. Officers who believe the subject will resist should understand that immediate forceful action may be necessary to restrain the individual. Officer safety is paramount.
4. Officers are reminded that the use of force is authorized to the extent necessary to take the subject into custody.
5. The officers should proceed to the mental health facility and turn the subject over to the staff.
6. The officers must complete an application for emergency detention, which details actions of the subject that led the officer to believe there was danger to the subject or to others.
7. The officer must complete a miscellaneous incident report detailing the event and attach a copy of the petition to the report.

- B. Physically Ill Mentally Disturbed Persons. When a mentally ill person is also physically ill or injured so that transport by ambulance is necessary, an officer will ride in the rear of the ambulance with the person.

## **VII. CRIMINAL OFFENSES INVOLVING THE MENTALLY ILL**

- A. If an officer believes that an individual who commits a crime is exhibiting symptoms of mental illness and the person is an immediate danger to himself/herself or others, the officer should apprehend the person and take him/her to a mental health facility under an Application for Emergency Detention. The officer will prepare an offense report that provides all the details of the offense and a description of the subject's behavior. If an evaluation determines that the individual is competent he/she will be filed on for the offense and an arrest warrant obtained.
- B. Individuals who commit criminal acts and are believed by the officer to be exhibiting symptoms of mental illness but there is no evidence that the person is an immediate danger to themselves or others should be treated as follows:
1. If the offense is a misdemeanor, release to a competent adult caregiver or booked into jail. If booked into jail, every attempt will be made to locate a caregiver and release the person to the caregiver on personal recognizance.
  2. If the offense is a felony, the individual will be booked into jail and every attempt will be made to contact a caregiver. The individual will be required to make bond.
  3. In cases of family violence, a supervisor or the Chief of Police should be consulted to determine an appropriate response.
  4. In any case involving a person whom the officer suspects is mentally ill is booked into jail, but not housed with other inmates. Every effort will be

made to monitor that person's safety. Process the individual as quickly as possible to remove him/her from the facility.

5. Juveniles who are suspected of being mentally ill but non-violent who are being cared for by a responsible person will not be detained unless a felony has been committed.
6. Violent juveniles who are suspected of being mentally ill or those who have committed a felony will be transported to the mental health facility.

## **VIII. REPORTING**

- A. If a criminal incident involving a mentally ill person is reported, all pertinent information involving the offense must be included in that report.
- B. Certain individuals may habitually display unusual behavior that is or may become well known to the police department. Whenever contact is made with these individuals, a Field Interview (FI) card should be completed.

## **IX. REFERRALS TO MENTAL HEALTH FACILITIES**

- A. When a police employee receives a telephone call from a person who appears to be mentally disturbed or irrational, the employee should proceed as follows:
  1. When an officer is dispatched to a call in which a person has attempted suicide or is threatening suicide, the officer shall make certain that the immediate situation is stabilized. The officer shall also attempt to locate a relative, close friend, or other responsible party who is available. The officer shall then contact the appropriate mental health facility/provider for assistance and/or emergency detention. An incident report shall be completed regarding the attempted suicide.

**CISD Police Department**  
**8.01 Mental Health Response**  
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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 8.02</b>	<b>Active Shooter Response</b>



## **I. POLICY**

An active shooter is defined as one or more subjects who participate in a random or systematic homicidal spree by demonstrating their intent to continuously harm others. The subject’s overriding objective appears to be mass murder rather than other criminal conduct, such as robbery or kidnapping.

It is the policy of CISD Police Department to respond, contain, and stop the threats and to administer aid to the victims.

## **II. PURPOSE**

To establish policy and procedures governing the response and activities associated with an active-shooter event that will mitigate any further risk of injury or death to civilian or law enforcement personnel.

## **III. PROCEDURES**

### **A. Notifications**

The ranking supervisor or officer will notify the chain of command to include the Chief of Police or his/her designee of any active shooter event. Fire and EMS should be notified and requested to stand by in accordance with their protocols.

### **B. Mutual Aid**

Upon arriving at the scene of an active shooter event and after assessing the crime scene, the agency should implement its mutual aid agreements with other police agencies if necessary, and with fire and rescue agencies. Additionally, it may be necessary after the incident to collaborate with recovery agencies to assist with the scene and any victims.

## **IV. ACTIVE SHOOTER RESPONSE**

The first two to five responding officers should form a single team and enter the structure. (A single officer entering a structure must understand the inherent risk assumed in taking such an action.) The first officers entering the structure should recognize that their primary objective is to stop further violence. Officers should identify and communicate locations of victims needing medical attention. If practical, and absent continued shooting, officers should treat any massive hemorrhaging that may result in the immediate loss of life.

### **A. Concepts and Principles**

Safe, effective responses to active shooters are designed around concepts and principles. The first responding officers should:

1. Stay together as much as possible and enter the involved structure quickly.
2. Maximize communication by staying in close contact with other first responders.
3. Maximize threat coverage by addressing all angles.
4. Visually search involved areas using 540 degrees of coverage around and above the team.
5. Evaluate rooms from the threshold (commonly referred to as slicing the pie).
6. Differentiate between deliberate and direct-to-threat speeds and use the appropriate speed for the circumstances.
7. Use cover-contact principles when taking suspects into custody.

### **B. Follow-On Responders**

Follow-on responders should be directed to victim locations if there is no active threat. Follow-on responders should:

1. Establish and maintain security in the area that follow-on responders occupy.
2. Consider the involved structure as unsearched.
3. Not enter a hallway unannounced if it is occupied by other officers.
4. Unless what other officers want accomplished is very clear, move to them after notifications and conduct a face-to-face meeting.
5. Direct victims to safety by utilizing either shelter-in-place or evacuation. If evacuating, establish a cordon of first responders to the desired exit point to ensure safety of victims.
6. Establish a casualty collection point (CCP) for injured persons. The CCP should be a room or open area (if outside of the structure) capable of holding all victims with injuries that require medical treatment. A series of

rooms next to each other can be considered if casualties exceed available space.

7. Communicate with all involved responders to ensure the area remains secure while facilitating victim treatment.

### **C. Post-Event**

Responses to an active-shooter event must include the aftermath of the incident. Officers should apply the SIM model (Security / Immediate Action Plan / Medical).

1. Security should take priority. Responding officers must ensure that the immediate environment they are working in remains secure, particularly if the active shooter remains a threat.
2. After officer's address known threats, they should formulate an immediate action plan as quickly as possible. This plan should be quick and simple and address: "if / then" – the fluid variables of the situation.
3. Responding officers should address medical issues as soon as they establish security and have an immediate action plan in place.

### **D. OIS Investigations**

Should there be an exchange of gunfire the agency will implement its officer-involved-shooting policy and respond accordingly.

### **V. Media Inquiry**

All requests for information should be funneled through the public information officer (PIO) or the incident commander (IC) for vetting and coordination. Consideration should be given to establishing a media staging location that is not within the immediate vicinity of the active-shooter event.

**CISD Police Department**

**8.2 Active Shooter Response**

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<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 9.01</b>	<b>Collection and Preservation of Evidence</b>



## **I. POLICY**

It shall be the policy of the CISD Police Department to establish a set of thorough procedures and guidelines to be followed by all employees responsible for crime scene security and the collection and preservation of evidence.

## **II. PROCEDURES**

A. General Provisions: To the officer in charge of processing a crime scene, it is of utmost importance that a proper framework of procedures be adhered to by all personnel, and the basic steps for crime scene processing are adhered to. (See Section B of this Chapter)

1. Call-outs: The On-call Officer may be subject to call-outs to any major crime scene on a twenty-four-hour basis.
  - a. The on-duty supervisor is responsible for calling out all necessary personnel, including the Corsicana Police Department Criminal Investigations Division (CPD/CID) supervisor if warranted.
  - b. The supervisor in charge of the incident may assign processing responsibilities to other qualified employees or solicit the assistance of crime scene personnel from other agencies if warranted.
2. Supervision: The primary objective of the supervisor in charge of the crime scene is to prevent personnel from taking unorganized physical action. The supervisor in charge is responsible for directing the on-going events by asserting the leadership role from the onset of the investigation.

B. Basic Steps for Crime Scene Processing:

1. The first officer on the scene must ensure that the scene and perimeter are secure and protected and increase the outer perimeters of the area if necessary.
2. The first responding officer and/or supervisor must conduct a preliminary survey after securing the scene. This is an initial walk through of the scene in order to obtain an understanding of the scene as a whole, including the existence and location of readily observable items of possible evidence.

3. Officers arriving after the scene has been secured must contact the first officer/supervisor on the scene for pertinent information. All personnel who enter the scene must be accounted for.
4. The narrative description of the scene is prepared during the preliminary survey. This is a description of the original conditions of the scene as found by law enforcement personnel. It is limited to a view of the scene as readily observed by the naked eye.

Three (3) common methods of narrative preparation are:

- a. Handwritten notes.
- b. Audio tape recorder.
- c. Video tape with sight/sound capability.

(1) When videotape is made, the video recorder shall be set to show the correct date and time the scene was recorded.

(2) It is imperative that, once the videotaping has begun, the officer will maintain the recorder in a continuous running mode until the scene has been fully recorded.

5. Record the scene.
6. Evaluate latent print evidence.
7. Evaluate physical evidence.
8. Conduct a detailed search.
9. Collect, mark, and record physical evidence.
10. Conduct a final survey to ensure that conditions of the crime scene have been documented as thoroughly as possible.
11. Release the scene.

C. Responsibilities of Supervisor in Charge of Crime Scenes: It is the responsibility of the supervisor in charge of a crime scene to maintain control of the scene and all personnel involved in the incident. In addition, the supervisor in charge of a scene shall ensure that:

1. The objectives of the crime scene search have been determined.
2. Equipment and personnel needs have been determined and/or requested.
3. Assignments for specific duties have been accomplished.
  - a. Assignments should be made concurrent with the aptitude and training of the personnel involved.
  - b. Task assignments must be documented. This may be accomplished through the issuance of written assignments, the use of a voice recorder, or by taking written notes to document the assignments made.
  - c. Personnel given assignments must be made aware of the specifics. (No assumptions can exist in this area.)
  - d. The trading of assignments is not permitted.
  - e. Involved personnel have been briefed on the goals and direction of the search prior to the processing of the crime scene.

- f. Make no inferences that one assignment is of greater or lesser significance than others.
      - g. Either an initial or Supplemental Report shall be submitted for all assignments
    - 4. The Incident Checklist has been initiated.
    - 5. A Command Post has been established, if indicated.
    - 6. Information for actions and direction has been reviewed on a constant basis as the crime scene process progresses.
    - 7. Notes have been prepared to document actions and observations made.
    - 8. Unforeseen circumstances are dealt with in a logical manner in keeping with the objectives of the search.
  - D. Crime Scene Processor Responsibilities:
    - 1. Recording and gathering evidence at crime scene.
    - 4. Ensuring all photographic processing is accomplished.
    - 5. Developing photo line-ups if required.
    - 6. Prepare all evidence for lab submission.
  - E. Recording the Scene - The Crime Scene officer shall report directly to the supervisor/officer in charge of the incident and shall be responsible for recording all evidence in the following manner:
    - 1. Photographs of the Scene - A complete set of photographs, with written documentation, shall be made of the scene. When possible, photographs shall contain a landmark showing the relative positions of the item being photographed. During major crime scenes, photographs shall be supplemented by a video recording of the scene.
      - a. All items of evidence shall be photographed prior to removal.
      - b. When the size of an object needs to be shown, a scale shall be introduced. If a scale is used, at least two (2) photographs of the objects shall be taken; one with the scale and one without the scale. Both photographs shall use the same lighting, camera settings, and camera position.
      - c. A written record shall be made by the photographer giving the photograph sequence number, date, time, location of the item photographed, and evidence marker, if applicable.
      - d. When an officer takes photographs to document a crime, they will use a department issued digital camera. All officers are required to receive training on the use of the department issued digital camera.
      - e. All digital photographic media cards will be logged as evidence.
      - f. All digital media cards will be processed/downloaded to the department's secure software by the Chief of Police or designee.
        - (1) Once the media card is downloaded, it will be cleared and returned.

- (2) No personal photographs, negatives, audio or videotape recordings shall be taken or retained by individual employees for non-departmental related purposes.
  - g. All Audio and Videotapes shall be impounded into property as an item of evidence.
  - h. Anytime, at the scene of a serious crime against person or property, in which photographs were not taken or physical evidence was not removed from the scene, the assigned officer shall prepare a report to their immediate supervisor explaining the reasons why.
- 2. Crime Scene Sketches
  - a. Investigating officers shall prepare a sketch pursuant to the collection and preservation of evidence at all major incidents. A list of such incidents would include, but is not limited to:
    - (1) Death investigations where foul play is suspected.
    - (2) Fatal or near fatal traffic accidents.
    - (3) Major crime scenes (including traffic) to which investigators have been summoned.
  - b. Sketches shall be submitted with the IR for supervisory approval. The sketch should contain sufficient information so that a final scaled drawing can be made at a later time. The rough sketch should include:
    - (1) Dimensions, including measurements.
    - (2) Relation of the crime scene to other buildings, geographical features, or roadways.
    - (3) Address, floor, or room number, if applicable.
    - (4) Location of significant features of the scene, including the victim\
    - (5) Date and time of sketch preparation.
    - (6) Name(s) of the individual(s) preparing the sketch.
    - (7) Direction of north.
    - (8) Locations of items of physical evidence recovered.
- 3. Preparation of a complete and detailed report - The report shall include actions taken at the scene, number of photographs taken, whether or not measurements were taken, and a listing of the physical evidence removed.

F. Collecting and Processing Evidence in the Field - It is imperative that proper methods for collecting and preserving evidence be used in the field. Proper methods are those that will preserve the evidence in the process of collection, prevent introduction of foreign material to it, and ensure as complete a sample as possible.

1. Evidence Collection

- a. In general, employees should photograph and release property to its owner when one has been identified and verified through reasonable means. Items of property will be impounded under the following conditions:

- (1) An owner cannot be identified.
    - (2) The item is a weapon used in an offense against others.
    - (3) Any item that requires scientific analysis.
    - (4) Any evidence that by State Statute is contraband (drugs, etc.)
    - (5) Any other evidence that by its nature should be impounded.
  - b. Each item of evidence shall be labeled at the time it is collected, seized, or received. The CISD Police Department provides several types of tags, evidence labels, bags, etc. for the proper labeling of evidence.
  - c. Each item shall be numbered separately and sequentially.
  - d. Items should be tagged and placed in an appropriate package or container and sealed. If sealed with evidence tape, the seal shall be marked with the initials and ID# of the person collecting the evidence, and date. Each item of property will be completely identified and recorded on the preprinted container or evidence tag. The following information shall be included for each item:
    - (1) Name or initials and ID# of the employee collecting the evidence.
    - (2) The date and time the evidence was collected.
    - (3) The Incident Report (IR) number.
    - (4) The item number.
    - (5) Description of the item (including make, model number, serial number, color, etc.)
    - (6) This information will be included on the "Seized Property" form on items seized during search warrant service or other applicable situations. This information will include:
      - (a) Source (from whom or location from which obtained)
      - (b) Name of person collecting the items and date and time each item was collected.
  - e. Items should also be labeled or tagged in such a way as not to lessen its evidentiary value.
  - f. Evidence shall be collected, marked, and packaged only by the person(s) assigned to process the crime scene. Others may be assigned to assist in a crime scene search to locate items of evidence, but should not touch or move items of evidence when located.
2. Evidence Processing:
- a. It shall be the responsibility of the officer assigned to the case, in consultation with their immediate supervisor, to determine which items of evidence need to be sent to a criminal or forensic laboratory for further examination.
  - b. It shall be the responsibility of the assigned officer to notify the Chief of Police as to which items need to be sent to the lab, to which lab they should be sent, and what tests or analysis are requested.



- c. The laboratory will not run a test unless it is specifically asked for.
- d. Items requiring laboratory examinations shall be taken in person or sent (mail, Federal Express, etc.) to the appropriate lab as soon as practical.
  - (1) Items shall be prepared, packaged, and delivered, in accordance with the requirements of the receiving lab, by the Property Custodian, Crime Scene Officer, or assigned officer.
  - (2) There may be circumstances when an officer will need to personally take evidence to a lab. When this occurs, the officer shall coordinate with the property custodian to ensure that all necessary paperwork is completed and returned.
- e. Whenever a known source is available, material from that known source shall be collected and sent to the laboratory for comparison with the physical evidence collected.
- f. A written record on any evidence submitted to a laboratory for examination shall be maintained. The record shall include the following information:
  - (1) The name of the officer last having custody of the item.
  - (2) The date and time of submission or mailing and the method used for transmission.
  - (3) The date and time of receipt in the laboratory if given.
  - (4) The name and signature of the person in the laboratory receiving the evidence if given.
- g. A request for written results of analysis shall be made on all evidence submitted to a laboratory.
  - (1) Lab reports, when returned by the lab, shall be forwarded to the Chief of Police.

G. Vehicles - Vehicles taken into custody as evidence by this Department shall be impounded and released in accordance with the below listed procedures.

1. Processing Vehicles for Other Jurisdictions

- a. If the vehicle is reported stolen by another agency, that agency shall immediately be contacted for hit confirmation and vehicle disposition purposes. A computer locate will be placed on all recovered stolen vehicles from other jurisdictions.
- b. If the reporting agency requests that a vehicle involved in a serious crime are impounded, it shall be impounded in the same manner this department's vehicles are impounded to ensure the preservation of evidence chain of custody and security, other action as authorized by the reporting agency.
- c. If the reporting agency does not wish the vehicle to be impounded as evidence, it shall be towed by the Agency contracted towing company.

- d. Once towed, the reporting agency shall be notified by tele-type of the name and telephone number of the towing company having possession of the vehicle.
  - 2. Locally Stolen and Recovered Vehicles: Vehicles stolen from within the jurisdiction of the CISD Police Department shall be processed for items of evidence.
    - a. If the officer responsible for the investigation or processing of the vehicle has any doubt as to the need of a search warrant, contact should be made with the on-duty supervisor for advice and direction.
    - b. Upon completion of processing for evidence, the registered owner of the stolen vehicle will be requested to take possession of the vehicle.
      - (1) In the event that the registered owner cannot be contacted, the vehicle will be towed and impounded by the CISD Police Department's contract towing company.
      - (2) If the vehicle is recovered in an inoperable condition, the registered owner may request a towing company of their choice.
  - 3. Processing Vehicles Involved in Major Felonies
    - a. Vehicles involved in major felonies that are evidentiary in nature shall be processed for items of evidence. If the officer responsible for the investigation or processing of the vehicle has any doubt as to the need of a search warrant, contact should be made with the on-duty supervisor for advice and direction.
    - b. Prior to impounding a vehicle involved in a major felony, the appropriate Supervisor shall be contacted for impound authorization.
      - (1) The location of impound will be determined by the Supervisor or the detective assigned to the investigation
- H. Drug Field Testing – Only officers who have been trained in the use of field test devices are authorized to conduct the test.
- 1. Procedure
    - a. Officers will field test drugs seized, complete a report, and include in the narrative section of the report the fact that the drugs were tested along with the results.
  - 2. Only drug testing kits that have been approved for use by the Department will be used.
  - 3. Officers will identify drugs utilizing Poison Control, Field Testing, or through training and experience for Possession of Marijuana cases, prior to arrest.
    - a. All Possession cases, with the exception of Juvenile Possession of Marijuana, will be submitted to the laboratory at the earliest opportunity after arrest.
    - b. Residue Possession cases will be submitted to the Laboratory only if there is enough residue present to be sent to the Laboratory.
    - c. Residue Paraphernalia cases must have enough residue for field testing.

- I. Training
  - 1. Training in crime and accident scene processing is provided as part of the Academy's basic curriculum for recruits. In addition, all persons responsible for crime scene processing shall receive specialized training to develop the following skills:
    - a. Collecting, preserving, and transmitting physical evidence, including biological materials.
- J. Equipment: Department vehicles used by persons responsible for processing crime scenes shall be equipped in a manner that allows timely and effective processing of the scene.
  - 1. Each officer shall be issued a latent print kit that shall be carried with him or her, in his or her vehicle, while on duty.
  - 2. The patrol vehicles shall contain, at least, equipment and supplies to be used for the following purposes:
    - a. Recovery of latent prints.
    - b. Photography.
    - c. Sketch of the scene.
    - d. Collection and preservation of physical evidence.
- K. The guidelines and specific instructions for the collection, packaging and processing of physical evidence are detailed in the CISD Police Department Property and Evidence Procedure Manual.
  - 1. This manual shall be reviewed each fiscal year by the Chief of Police to ensure the accuracy and completeness of the procedures.
  - 2. Each employee that is responsible for evidence collection shall be trained and issued a manual.
- L. Hazardous Materials
  - 1. The Corsicana Fire Department will only be notified to determine the nature of the hazardous materials encountered. The fire department will be notified of the size and condition of the material so that an appropriate response can be made.
  - 2. In general, hazardous materials will not be impounded at the CISD Police Department. Hazardous materials which are evidentiary and require testing will be impounded only in sufficient quantity for testing, in an air tight container and in the property room of the CISD Police Department Property and Evidence Room until the item can be transported for testing.
  - 3. The on-duty supervisor will ensure that unstable hazardous materials encountered (other than as a result of a motor vehicle accident) are disposed of properly, i.e. notifying CFD for cleanup.
  - 4. If the hazardous material is determined to be generally stable and only an environmental hazard as in motor oil, household chemicals, gasoline, etc. the officer shall do the following:

- a. If a portion of the hazardous material must be retained as evidence the officer will only obtain a sample sufficient for testing in a laboratory.
  - (1) The item will be impounded into the Property and Evidence with a notation of the need for testing as soon as possible.
  - (2) In the event a device is encountered that appears to be constructed as an explosive (gasoline filled bottles with cloth wicks), the on-duty supervisor will notify an appropriate bomb disposal unit to ensure the device is deactivated.
- b. If there is any non-evidentiary hazardous material, or if there is excess of material after an evidentiary sample has been obtained, the CFD will be notified. The CFD has the proper storage containers to dispose of household chemicals and motor oils at that location.
  - (1) This material will not be poured on the ground, down the drain, or any similar manner.

#### M. Alcohol and Tobacco

- 1. Officers will not collect tobacco or alcohol products in connection with Class C Misdemeanors. When possible the contraband will be photographed and the pictures will be entered into the RMS property page. Officers will clearly document in the case narrative the amount of contraband and the manner of destruction in the case report narrative.

#### N. Drug Paraphernalia

In accordance to Health and Safety Code 481.153, Officers will not collect drug paraphernalia in connection with Class C Misdemeanors. When possible the contraband will be photographed and the pictures will be entered into the RMS property page. Officers will clearly document in the case narrative the description and amount of contraband and the manner in which the contraband was destroyed.

Drug paraphernalia connected to Class B Misdemeanors and above will be collected and entered into evidence following the collection and packaging guidelines in the CISD Police Department Property and Evidence Procedure Manual.

**CISD Police Department**

**9.01 Collection and Preservation of Evidence**

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**Scott Stephens**

**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 9.02</b>	<b>Property Management</b>



## **I. POLICY**

It is the policy of this Department to ensure the consistency and continuity of operation in the management of its property and evidence function.

## **II. PROCEDURE**

### **A. Acquired and In-Custody Property**

1. **Property and Evidence Personnel Responsibilities:** Employees assigned to Property and Evidence are responsible for the receipt, storing, indexing, security, retrieval, disposal, and processing of all property and evidence impounded or otherwise received by the Department in a manner that is safe, consistent, and pursuant to generally accepted property management procedures. Employees of this Section shall accurately reflect the status of all property held by the agency, including location, date and time received or released/destroyed, amount and type and chain of custody in the records systems. Property and Evidence employee's duties include:
  - a. Accountability for the security of all property once it has been placed in a property impound locker.
  - b. The security of the Property office and all storage and processing areas.
  - c. Accountability for all Property and Evidence once it has been accepted as part of the inventory of the Property Section. Property and Evidence Employees shall retain the right to refuse any evidence not packaged within Departmental Policy Guidelines.
  - d. The proper disposition of all property in custody, as prescribed by Texas State law and Department Policies.
  - e. Receiving, cataloging, and storing property as soon as possible after it has been received, and keeping current records of all transactions involving property.

- f. Ensuring that all impounded property has been properly marked and tagged, and that all property records (including property status) are accurate.
- g. Releasing property to its rightful owner.
- h. Releasing property to officers for investigation or court purposes.
- i. Reporting any discrepancies, damage to property, or any other unusual occurrences immediately to the Chief of Police.
- j. Conducting quarterly audits on all 90-day, safekeeping, and found property to ensure that all items are disposed of in a timely manner.

## **II. PROCEDURE**

### **B. Property Storage**

#### **1. Processing**

- a. The Processing areas are locations used by employees to prepare or process items prior to official impound into the Property system. Until an item is in the secured possession of the Property and Evidence employee, the custody of that property is considered within the control of the impounding employee.
- b. Although use of the Processing areas is restricted to Department employees only, all chain of custody rules will apply. As such, no item(s) being processed or packaged in any of these areas may be left unattended at any time until the item(s) are safely secured into the Property system.
- c. While personnel assigned to Property and Evidence maintains authority over all Processing areas, it is the responsibility of the impounding employee to protect the security of all property they are impounding, as well as ensuring they leave the area in a clean and orderly manner prior to leaving.
- d. The processing areas within the Department include:
  - (1) The Property/Evidence Room located at CISD Administration Building.
  - (2) The processing area in the hallway just outside the Property/Evidence room.

#### **2. Short-Term (Temporary) Storage**

- a. Short-term (or Temporary) storage areas are locations used by employees to officially impound their items into the Property system. Once the item is securely locked and stored, custody of the property transfers to Property and Evidence. From that point forward, access to these items is restricted to Property personnel, the case agent or their designees, and the case agent's supervisor.

- b. Access to the Short-Term storage areas is restricted to Property and Evidence personnel only.
- c. The short-term storage areas within the Department include:
  - (1) The safes located in certain offices at the officers assigned schools.

3. Long-Term Storage Areas

- a. The primary storage area for all property and evidence is located within the CISD Administration Building at 2200 west 4<sup>th</sup> Street. This location is monitored 24hours/7days a week by video surveillance.
- b. The majority of property and evidence is stored within the secured, main storage area of the Property and Evidence room. This area includes property/evidence that is of a general nature and is not considered high-risk.
- c. High-risk items (narcotics, weapons, and money) are stored in separate, locked areas inside the main property room.

d. Hazardous Materials

- (1) Hazardous materials, which are evidentiary in nature and require testing, will only be impounded with supervisory approval.
- (2) The material will be impounded only in sufficient quantity for testing in an airtight container.
- (3) The material will be placed in the Department Property and Evidence Room until the item can be transported to the DPS facility for testing (which should be done as soon as possible).
- (4) Explosives (i.e., blasting caps, nitro, dynamite, etc.) shall be referred to the Chief of Police for instructions on where to store such items.

Impounded property/evidence will only be stored and maintained in designated property storage areas as defined in this policy.

C. Security

1. Storage Area Security

- a. Employees assigned to Property and Evidence are responsible for all property accepted by or stored in the Department storage areas and for maintaining the security of that property. Therefore, the property storage areas shall remain locked except when property/evidence is being added, removed, or inventoried. Employees and Supervisors of Property and Evidence are the only individuals normally authorized by the Chief of Police to remove property or evidence from its storage location.



- b. The Property and Evidence Section is monitored 24 hours/7 days a week by video surveillance.
- 2. Building Keys/Access Cards
  - a. Employees assigned to Property and Evidence shall be responsible for maintaining all internal and external Police Department building keys/Access Cards, as well as the keys/cards to the Property office, storage areas, locker boxes, fenced enclosures as well as the combination to the evidence vault.
  - b. A complete set of these keys and vault combination shall be maintained in a secure location as designated by the Chief of Police.
  - c. Duplication of any key to the Property office or any of the property/evidence storage locations, without permission of the Chief of Police, is prohibited.

#### D. Access

- 1. Restricted Access: In order to further ensure the security of property and evidence, access into the locked property and evidence storage areas are restricted to the employees of Property and Evidence and the Chief of Police.
  - a. All other Department personnel shall not enter the property and evidence storage areas unless accompanied by an authorized Department employee.
  - b. All unauthorized employees entering the property and evidence storage areas must sign their name, date, time of entry and exit, and reason for access on the Visitor Log. The authorized Department employee accompanying the visitor must also sign the log.
  - c. Normal business hours for public access to the Property and Evidence shall be weekdays, from 0700 hours to 1600 hours.
  - d. All found, recovered, and evidentiary property that is acquired during times when Property and Evidence is closed shall be secured in temporary storage lockers. Items too large to fit in the lockers shall require contact with a supervisor or the Chief of Police.

#### E. Documentation

- 1. Employees assigned to Property and Evidence shall ensure that all property and evidence impounded is accurately documented and then entered into the automated Property Tracking system as soon as possible after receipt.
- 2. Property/Evidence items submitted for impound must contain the following information on each evidence/property label:
  - a. Initials or name and serial number of employee impounding the property/evidence item(s).
  - b. Incident Report Number
  - c. Item Number

- d. Property Description.
  - e. Date
  - f. Item serial number, if applicable
3. Items that are not completely and/or accurately documented shall be returned to the reporting employee for correction.
  4. All property containing serial numbers shall be itemized and labeled separately from other property impounded with the case.
  5. All narcotics shall be itemized and packaged separately from other property impounded with the case.
  6. An Incident Report shall be completed on all impounded property. The report shall provide a description of each item impounded as well as the circumstances by which the property came into possession of the Police Department.

#### F. Receipt of Property/Evidence

##### 1. Securing Property:

- a. Employees shall ensure that all property/evidence impounded during their shift is properly documented and physically placed into the property system prior to going off-duty.
  - b. If property is associated with two or more incident reports, the impounding employee will ensure that all connected report numbers are annotated under the comment section of the Property Receipt form or through submission of an email or memorandum to the Property and Evidence employee.
2. Items being impounded for the following reasons are required to be marked to ensure that the property is not inadvertently released or destroyed:
    - a. Homicides
    - b. Sexual Assaults
    - c. Any item(s) identified by a Supervisor.

Property/evidence must be properly secured and packaged or it will not be accepted for processing by Property and Evidence personnel. Employees may refer to the TX DPS Property and Evidence Manual for correct packaging procedures.

- a. Each evidence container/envelope must be securely packaged (to include being taped and/or sealed) and contain the following information:
  - (1) Initials written across the seal and name/serial number on the package.
  - (2) Incident Report Number
  - (3) Item Number and serial number
  - (4) Property Description.
  - (5) Date

3. All serialized property is required to be queried for stolen through TCIC/NCIC prior to impound into Property and Evidence. In the event that the TCJIS system is unavailable, Property and Evidence personnel will conduct the necessary stolen checks during processing. All weapons will be checked through ATF.
4. Bio-hazards: All items that may constitute a biological hazard to personnel (i.e., blood, body fluids, potential disease carrying items) will be packaged so as to protect employees of the Property and Evidence Section and all other personnel who handle property/evidence. These items must display a BIOHAZARD sticker clearly visible on the exterior of the packaging. If only a portion of an item to be impounded has been contaminated, that area will be described on the BIOHAZARD label, i.e., "blood on gun barrel."
5. Biological Evidence: Damp or biological evidence will not be accepted in plastic bags. The fluids must be exposed to the air so they will dry. Property room personnel should be contacted prior to the item being placed into evidence.
6. Syringes: Hypodermic syringes will not be accepted unless contained in plastic syringe tubes.
7. Money: All money (coins or currency) impounded into the Property and Evidence Section must be packaged in accordance with Departmental Evidence Procedure Manual guidelines. Personnel assigned to Property and Evidence will not accept money that has not been packaged and logged appropriately and according to the following procedures:
  - a. Money is to be itemized by denomination listing subtotals and total amounts.
  - b. All money logged into the property room will require at least two officers or employees to verify the count. These counts shall be accomplished independently of one another.
    - (1) All money envelopes must contain at least two signatures verifying the amount listed and enclosed.
    - (2) The impounding officer and the verifying officer shall sign their names and employee numbers to the front of the envelope, seal the envelope with tamper-proof security tape, then both must initial the back of the envelope prior to entering into the property locker.
  - c. Extremely large amounts of coin and/or currency might be seized which, because of the container or quantity of money, make it impractical to package in the evidence bag (i.e., coins stored in a large piggy bank or water bottle, large amount of bills in a briefcase or satchel, etc.).
    - (1) In those rare cases, it is acceptable to impound the container as is with the money left inside. However, a money count and completion of the evidence bag must still be accomplished. The completed evidence bag is then taped to the container.

- (2) As all money is considered high-risk property, it is essential that officers secure all containers in such a manner as to prevent tampering.
- d. An evidence bag may be used for suspected counterfeit bills; however, it will not be listed as having any cash value. Impounding employees must make a notation on the outside of the money envelope reflecting that the contents contain suspected counterfeit bills.
  - e. If there is a combination of foreign and domestic currency, the two types shall be separated into two evidence bags with the contents clearly labeled.
  - f. Currency totaling \$25.00 or more shall be placed in the property vault for safekeeping.
8. Firearms: All firearms in the custody of the Department shall be handled with care so as not to damage the stock, metal surfaces, or operating mechanisms. Under no circumstances will loaded firearms be impounded or stored in the Property and Evidence storage areas.
- a. Loaded guns shall not be placed into the storage locker. Magazines shall be carefully removed to ensure any latent prints that may be on the side of the magazine are preserved. The position of loaded chambers, empty chambers, and chambers containing fired cases with respect to position of the cylinder in revolvers shall be noted in the IR.
  - b. Firearms shall not be cleaned or fired prior to being examined.
  - c. Firearms shall not be picked up by inserting a pencil or other object in the end of the barrel.
  - d. Firearms that cannot be unloaded shall have special protection on the firing mechanism to prevent an accidental discharge. These weapons shall be impounded and stored separately into a storage cabinet in the property/evidence room and shall bear a warning note indicating that the weapon is loaded. A Department Armorer shall be notified to inspect the weapon and attempt to unload it as soon as possible.
  - e. The serial number and complete description (make, model, and caliber) shall be noted in the IR and on the Property Receipt form along with the owner information, if available. It is imperative that serial numbers be legible and clearly written as these numbers are entered into the automated Property Tracking system which is utilized for periodic TCIC/NCIC checks during audits and inspections.
  - f. Firearms shall be packaged in the boxes specifically designed for this purpose. They shall not be placed in bags or envelopes unless there is a need to protect for latent prints or there is an associated biohazard concern).
  - g. Ammunition and/or magazines shall be packaged separately from firearms.

9. Dangerous Weapons: Dangerous weapons shall be properly packaged and marked for identification prior to acceptance into the Property and Evidence Section. Cutting edges and knifepoint must be adequately covered with cardboard or other material to prevent injury.
10. Bicycles: Bicycles shall be properly tagged.
11. Drugs: Narcotics and dangerous drugs shall be impounded in tamper-proof sealed packages and impounded into the property system in the same manner as other items of evidence. The processing Property and Evidence employee will inspect the package, paying careful attention to the officer's seal and initials as well as any breaks or appearance of breaks in the tape and/or container. The processing employee will contact the Property and Supervisor in the event that any signs of possible tampering are discovered.
  - a. Employees assigned to Property and Evidence shall store sealed packages of known or suspected narcotics/dangerous drugs in a location separate from the general property. Packages shall only be opened in the presence of the incident officer, their supervisor, or the Chief of Police.
  - b. Upon final disposition for all class B Misdemeanors and above, a court order for destruction shall be obtained. Destruction of the sealed packages shall be accomplished utilizing the Drug Terminator Incineration device. Drug destruction shall be completed on an as needed basis, and no less than once annually.
    - (1) In accordance with rule 13.159 of the Texas Administrative Code, the Property and Evidence Technician, the Chief of Police and one additional witness shall be present during the destruction of all class B Misdemeanor and above drug evidence. The third witness may not serve as witness for consecutive destructions.
  - c. Class C Misdemeanor drug paraphernalia shall be destroyed without court order in accordance with HSC 481.153, also utilized the Drug Terminator Incineration device.
12. Consumables shall not be impounded unless involved in a serious felony as determined by a supervisor. If a consumable has evidentiary value, it will be photographed and returned and/or properly disposed of.
13. Refrigerated or Frozen Items: Items requiring refrigeration or freezing (such as blood, urine, items from sexual assault kits, etc) shall be impounded in the Property and Evidence refrigerator or freezer located in the Processing area adjacent to the Property and Evidence Section.
  - a. Items requiring refrigeration/freezing shall be clearly labeled as to the source and identity of the person who collected it. Additionally, the evidence shall be properly sealed with the Property Receipt form being deposited into the Property envelope locker.
  - b. When impounding blood, urine, or vaginal aspirate from a sexual assault kit, the impounding officer will utilize alpha characters (a, b, etc) to

identify blood, urine, or vaginal aspirate taken from the kit. (Example; sexual assault kit, Item 1; blood from sexual assault kit item 1a; and urine from sexual assault kit, item 1b, etc.) This will ensure that the Department of Public Safety Crime Lab will treat blood, urine, and aspirate as part of the sexual assault kit. The use of alpha characteristics is only permissible regarding blood, urine, and vaginal aspirate from the sexual assault kits.

- c. All other items inside the sexual assault kit will remain together and will be impounded as one item number.

14. Security Risk Property:

- a. Security risk property is any property/evidence that is considered sensitive, of high value, and/or constitutes a concern of theft. Items in this category include:
  - (1) Currency
  - (2) Jewelry
  - (3) Narcotics and dangerous drugs
  - (4) Firearms
- b. Items designated as high-risk shall be stored in a separate, secured area from the other property.

G. Property Categories and Disposition Guidelines

- 1. Found Property: Found property, with the exception of illegal substances/devices, will be retained for a period of 30 days.
  - a. If no owner is determined after the 30-day period, a court order may be obtained to release the property to the finder or, if no finder is identified or the finder does not wish to claim the property, be disposed of in accordance with CCP 18.17.
    - (1) Property and Evidence personnel will attempt to locate the owner of all found property by conducting inquiries on any names, social security numbers, serial numbers, or any other identifying factors that may be present.
    - (2) After the 30-day period, Property and Evidence personnel will attempt to contact the finder by telephone and certified mail advising that they have 90 days to claim the item(s).
    - (3) Unclaimed property that is determined to be of little or no value will be destroyed.
  - b. Owners claiming found property will be required to provide positive identification as well as ownership of the item(s) being claimed.
  - c. Police employees are ineligible to claim found property.
- 2. Safekeeping Property: Generally, safekeeping items are considered any property that possesses no evidentiary value and is surrendered to the Department with the understanding that the person surrendering the item(s) has

the legal right to do so and that the property will be returned to the owner within a specified time period.

- a. Safekeeping property is retained for a period not to exceed 60 days.
    - (1) Safekeeping property not claimed within 60 days shall be considered legally abandoned by the owner and shall be disposed of in accordance to CCP 18.17 by the appropriate means (destruction, use, auction, etc.).
    - (2) It is the responsibility of the employee impounding safekeeping items to notify the owner that they must claim the property within 90 days or the item will be disposed.
  - b. If safekeeping property has been impounded in conjunction with a death investigation, a Property Release Authorization must be completed by the assigned officer prior to the release of the item(s).
3. Property for Destruction: Property impounded for destruction includes items turned into the Department for disposal purposes only; non-evidentiary illegal substances/items that are seized by officers/detectives; illegal substances/items found by Department employees in which no suspects can be determined
- a. Drugs, firearms, and other dangerous weapons or devices that are impounded for destruction shall be incinerated.
  - b. Documents impounded for destruction shall be shredded.
4. Evidence:
- a. Evidence is any property that comes into the custody of a Department employee when such property may tend to prove or disprove the commission of a crime, lead to the identity of a suspect, or pursuant to an official Department criminal investigation.
  - b. Evidence may only be released, destroyed, or otherwise disposed of by Property and Evidence personnel by means of a Property Release Authorization, or court order.
  - c. If the case is exceptionally cleared and has not been assigned for follow-up investigation within 90 days of impound, the evidence shall be disposed of or destroyed by employees of the Property and Evidence Section according to law.
  - d. Impounded property (including vehicles) that have been seized or impounded as evidence which have civil actions involving, or potentially involving, the District shall not be released without the written permission of the General Counsels' office.
    - (1) The General Counsels' office shall send a memorandum to the Chief of Police requesting that any and all specific property be retained until otherwise directed by that office.

- (2) The memorandum shall be forwarded to the Chief of Police who will copy and retain it for file and forward the original to the Property and Evidence Section.
    - (3) Upon receipt of the memorandum, Property and Evidence personnel will attach the document to the original Property Receipt form.
  - e. Evidentiary property may be returned to its owner after being photographed. The photo will become the visual record of the item and will be placed in the IR file. The assigned employee will complete a supplement documenting the release and the photographing of the property. The original copies of the documents directing the release will be forwarded to Records Management for filing into the original file.
  - f. Evidence may be released to the rightful owner prior to the conclusion of a trial pursuant to court order or the written authorization of the representing County/City/District attorney which stipulates that the owner agrees not to sell, destroy, or give away the property until the conclusion of all legal proceedings in the case. A completed Property Release Authorization with the court order or written authorization attached is required from the case agent prior to Property and Evidence personnel releasing the item(s)
  - g. Once final disposition on items of evidence has been accomplished, the original Property Release Authorization will be forwarded to Records Management for filing into the original case report.
  - h. All evidence or property collected during the investigation of homicide cases will be stored until all defendants expire unless:
    - (1) All court actions involving the suspects are final and all parties involved in litigation of that case agree to the destruction.
  - i. Property and evidence will be retained in cases involving multiple defendants where the complaint disposition reports only identify one individual per report. Property and Evidence personnel must ensure that the property indicated for release or disposal is no longer needed for additional suspects' trials.
  - j. All sexual assault kits or other biological evidence obtained during the investigation of a sex crime will be retained for a period not less than 99 years or upon the submission of a Release Authorization signed by both the case agent and the case agent's supervisor.
  - k. Misdemeanor offenses in which no officer has been assigned may be released by authority of the Supervisor or an official court order signed and dated by the presiding judge.
- 4. General Disposition Guidelines
  - a. Property may be disposed of using one of the following methods:
    - (1) Returned to owner or finder



- (2) Destroyed
  - (3) Utilized by the Department (except firearms)
  - (4) Sold at auction
  - (5) Donated to a non-profit organization
- b. Only employees assigned or responsible for the Property and Evidence function have the authority to physically destroy or release any items of property maintained within the Section.
  - c. Item(s) being released to owners, victims, other agencies, etc., shall be accomplished in the Property and Evidence area to protect the privacy of the recipients. In the event that the item(s) being released are too large to be returned within this area, the owners/recipients will be directed to a separate location away from the lobby to retrieve their item(s). *If a supervisor authorizes the field release of any property seized/recovered by a member of this department, applicable release procedures found in Subsection G of this policy will be followed.*
    - (1) Property of value (\$500 or more) that is being released to an owner, victim, etc., shall require the presence of two employees.
      - (a) All packages shall be opened and any currency (including coins) shall be counted by the employee in front of the claimant prior to release.
      - (b) Both employees shall sign the release section of the Property Receipt form to verify that the item(s) released were accurate and accounted for.
      - (c) Any discrepancies shall require the Property and Evidence employee releasing the item(s) to contact the Section Supervisor or the Special Operations Bureau Commander prior to processing the item(s) further.
    - (2) Any item being processed for destruction by an employee of the Property and Evidence Section shall be verified against the item(s) listed on the package label.
    - (3) Any discrepancies shall require the Property and Evidence employee releasing the item(s) to contact the Supervisor and the Chief of Police prior to processing the item(s) further.
  - d. Unclaimed firearms will be destroyed, or converted for department use, when no longer needed for retention.
  - e. All property/evidence being released from Property and Evidence requires the recipient to sign/date for receipt of the items utilizing a Property Release form. A copy of the recipient's driver's license or identification will be attached to the Department's copy of the Property Receipt form.

- f. Prior to release, a criminal history check will be performed on all claimants of firearms to ensure that the weapon is not being released to a prohibited possessor. Firearms shall also be traced through ATF to ensure the weapon is not involved in any other known offenses.
  - g. Upon final disposition of any property/evidence, all paperwork will be filed in the applicable case file.
  - h. Impounded property shall be returned to the legal owner as soon as practical once all legal processes involving the property have been concluded; at the direction of a court order; or with the approval of the prosecuting attorney. The final disposition of all property shall be accomplished within six months of completion of all legal requirements.
  - i. All serialized property will be queried through TCIC/NCIC prior to release or disposal to ensure that no agency has entered the item as stolen while in custody of the Department. In the event that the property being queried results in a confirmed stolen hit, the Property and Evidence employee running the transaction will contact the case agent for further disposition.
  - j. Items determined to be held for Department use shall require the authorization of the Chief of Police prior to requesting the court to convert property to Department use. Upon approval from the Chief of Police to retain an item(s), Property and Evidence personnel will:
    - (1) Ensure that the receiving employee signs the chain of custody section of the Property Receipt form.
    - (2) Tags the item with the IR number, Item Number, and notice to return the item to Property and Evidence once the item becomes obsolete or no longer usable. (Note: If item is seized due to a forfeiture action, this will be annotated on the item as well).
    - (3) Change the automated file to reflect that the item has been converted to Department use.
  - k. Prior to the destruction of narcotics and firearms, all items shall be inventoried by the sworn transporting officer and the assigned Property and Evidence employee.
    - (1) Both employees shall sign and date the Affidavit of Destruction upon completion of the process.
    - (2) The original Affidavit and a printout of all items destroyed will be maintained in the Destruction logbook.
  - l. Hazardous materials will be destroyed by a professional disposal company as needed. If the material is a household chemical, paint, motor oil, etc.
6. Chain of Custody Card
- a. The chain of custody card is attached to all evidence that is checked out of Property and Evidence to ensure that anyone handling the evidence has been officially documented. All persons who are involved in the

chain of custody must sign the card as they relinquish or obtain control of the evidence.

- b. When evidence is released to court, the officer introducing the property into evidence shall ensure that a chain of custody card has been completed.
- c. If a former officer is subpoenaed, or the court requests evidence for a court proceeding, a Department employee shall be required to remove the evidence from impound and deliver it to the court. Under no circumstances is a former officer permitted to take custody of evidence.

#### 7. Inventories/Audits

- a. Required Special Inventory: Whenever a new employee is assigned to Property and Evidence, the new and former employee shall conduct a property inventory, consisting of a sampling of property records on a sufficient number of items to verify accuracy of the property records, and ensure the integrity and continuity of the system.
- a. Semi-Annual Inspections: The Chief of Police is responsible for supervising the operation of the Property and Evidence Section, and shall conduct informal semi-annual inspections to determine if the following duties are being accomplished:
  - (1) Maintenance of the Property and Evidence Section in a clean and orderly fashion.
  - (2) Protection of property from damage and deterioration.
  - (3) Maintenance of proper accountability procedures.
  - (4) Prompt disposition of property with no further evidentiary value in a manner that complies with Texas State laws, City ordinances, and CISD Police Department Policies.
  - (5) The Chief of Police shall provide the Property and Evidence employee results of each inspection.
- b. Annual Inventory:
  - (1) An annual inventory of property held by the Department shall be conducted by a supervisory member of the Department who is not connected to the control of the property function.
  - (2) This individual shall be designated by the Chief of Police.
  - (3) This inventory does not require the individual accounting of every item of property. It is intended to validate the integrity and management of the Department's property and evidence system.

- c. Unannounced Inspections: At the discretion of the Chief of Police, unannounced inspections of the property storage areas shall be conducted on a semiannual basis. These inspections, which support and are in addition to regularly scheduled inspections, shall include:
  - (1) A review of property accountability and security procedures.
  - (2) Random comparisons of written records with the actual physical property held by the Department. The random comparison is intended to be the most significant aspect of the unannounced inspection as it will reflect the integrity of the system currently in place. However, other operational procedures may be examined at this time.
  - (3) On a monthly basis, the CIS Supervisor will conduct a review of all property signed-out to Department employees to ensure that property is accounted for and returned in a timely manner. Property that is in dispute or cannot be located shall be referred to the Special Operations Bureau Commander.
  
- H. Assistance for Major Crime Scenes: Upon approval of the on-duty/on-call Patrol Supervisor, or the Chief of Police, the Corsicana Police Department is available to assist processing multiple and/or major crime scenes. If the event is a suspected arson, the Corsicana Fire Department Arson Investigator is available for assistance.
  
- I. Agency Owned Property
  - 1. The Chief of Police shall be responsible for ensuring that all agency-owned property is maintained in a state of operational readiness. The operational readiness of equipment shall be inspected on a quarterly basis by a Supervisor or the unit responsible for that equipment.
  - 2.. A record shall be maintained of all Department property that is issued to employees (i.e., building keys, helmets, protective vests, badges, etc.) and shall ensure the employee signs to indicate receipt or return of the property.
  - 3.. CISD maintains the official equipment inventory listing for all Departments within the District, including the Police Department.
  
- J. Personally Owned Equipment – Authorization: The Chief of Police, or his designee, shall approve, in writing, all personal equipment used, or carried, on-duty. In those situations where personally owned equipment, including firearms, is approved, the Department, or the District, assumes responsibility for loss or damage that may occur to that equipment.

**CISD Police Department**  
**9.02 Property Management**  
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**APPROVED:**  
**Scott Stephens**  
**Chief of Police**

<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 9.03</b>	<b>Digital Recordings/Camera/Jump Drive Procedures</b>



## **I. POLICY**

It is the policy of the CISD Police Department that employees using recorders or cameras for criminal investigations shall use District issued digital equipment. District issued Jump (flash)Drives may also be utilized for criminal investigations and police related matters when appropriate.

## **II. PURPOSE**

The purpose of this policy is to establish procedures for electronic data collection and to improve efficiency, effectiveness, and accountability of the operations of the Department. The purpose of utilizing this technology is to allow documentation of interviews, crime scenes, and other police matters. This will provide the necessary entities material that can be easily maintained and stored as a record, and can be retrieved quickly to ensure that:

- A. Department records of digital recordings are accurate and saved for court proceedings.
- B. Department records of digital photographs are accurate and saved for court proceedings.
- C. Prosecuting attorneys have easier access to recordings, photographs, and reports.
- D. Disclosures are provided on interviews and photographs are quicker for defense attorney.
- E. The Department is fulfilling its legally mandated function.

### III. PROCEDURE

- A. Management control and monitoring systems are necessary to protect the integrity of the electronic digital information received whether it is of evidentiary or non-evidentiary value.

1. Digital Recording

- a. Only those digital recorders issued by the Department are authorized for use.
- b. Under normal circumstances, prior to any recording, the employee should provide case information such as IR #, date & time, location, victim name, type of offense, person making the recording, and agency.
- c. Recordings should be accompanied by a written report for any criminal investigations. Written reports should state that a recorder was used, and for what purpose.
- d. Prior to securing for the day, patrol personnel shall download all recordings. Routine citizen contacts, traffic stops, and non-criminal matters may be saved on employee's personal drive, but should not be saved on the H: drive or copied to a CD. Any recordings are subject to public disclosure laws.
- e. Any criminal recording with an IR# assigned shall be saved to the department's report
- f. Any criminal recording of a Felony, shall be copied to a CD and should be impounded as evidence.

1. Digital Photographs

- a. Only those digital cameras issued by the Department are authorized to be utilized.
- b. Imaging disks can be utilized to store more than one crime scene.
- c. Prior to taking any images, the photographer must photograph case information such as IR #, date & time, location, victim name, type of offense, person taking photographs, and agency.
- d. The photographing employee will annotate within the IR the photographs taken and their evidentiary value.
- e. At the end of the employee's workday, any imaging disks/cards used shall be placed in a photo envelope, or downloaded into the proper file. All information on the photo envelope will be completed.
- f. Only a copy of a digital photograph will be used for any enhancement process to preserve the original image from being corrupted.
- g. Imaging disks/cards will be cleaned and returned for re-use.

2. Digital Photograph Responsibilities

- a. The officer responsible for processing department photographs into the RMS system will attach the photographs into the report file.

- b. In the event an active case is deemed sensitive in nature the supervisor of the unit responsible may request that the photographs not be attached to the report in RMS. Notification will be made directly to the officer who will store the photographs in a folder within RMS and will only release copies pursuant to current policy.

3. Jump-Drives

- a. Only Department issued jump-drives are authorized to be used.
- b. Department issued jump-drives will be password protected by Department IT.
- c. Jump-drives may be utilized for the short-term storage of investigations.
- d. Jump-drives may be utilized to complete written reports and then copied onto the RMS program or other approved department storage media.
- e. Once the information from the jump-drive is copied to an approved storage media, the information shall be wiped cleaned from the jump-drive; otherwise it is subject to disclosure on criminal cases.

**CISD Police Department**

**9.03 Digital Recordings/Camera/Jump Drive Procedures**

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**APPROVED:**

**Scott Stephens**

**Chief of Police**



<b>Corsicana Independent School District Police Department Policy and Procedure Manual</b>	
<b>Policy 9.04</b>	<b>Body Worn Camera</b>



## **I. POLICY**

It is the policy of the CISD Police Department to establish guidelines for the operation of body worn camera equipment assigned to peace officers for capturing audio/video evidence of police interactions including, but not limited to, traffic violations, field interviews, field sobriety testing, other official police activity.

## **II. PURPOSE**

- A. It is the policy of the CISD Police Department to present for prosecution audio/video evidence of traffic and other law violations. To this end, officers with properly functioning body worn camera equipment shall record all events surrounding the contact, stop, detention, interview and arrest of suspected violators and maintain this recorded evidence for consideration in criminal prosecution.
- B. All recordings generated on department-owned body worn camera equipment is the property of the CISD Police Department. The copying or reproducing of any recordings generated by members of the department for use outside of department business is prohibited. The Chief of Police or designee will process requests for copies.
- C. Distribution of any recordings generated by department members in any format or for any purpose must be in compliance with this policy or applicable state and federal law.

### **III. ADMINISTRATIVE**

- A. All generated recordings will be retained according to Section XIV of this procedure.
- B. Recordings shall not be altered, modified, misused, tampered with or any disabling of the body worn camera system in any manner.
- C. Standardized viewing privileges of recordings for administrative and investigatory purposes shall be as follows:
  - a. All officers will be able to view their own recordings;
  - b. The Chief of Police or designee will have viewing privileges for all recordings.

### **IV. START UP**

- A. At the start of their shift, officers will perform a function test of the body worn camera to ensure the unit powers on and recording initiates. The test should:
  - a. Ensure proper alignment and positioning of the body worn camera on the officer's outer most garment and no object shall be placed in front of the camera in such a manner that it interfere with recording of video.
  - b. Perform a functions test by activating the body worn camera, and stating their name, badge number and the date. (If possible, the officer will then play back the recording to ensure the system recorded correctly.)

### **V. RECORDING**

- A. Officers are not required to advise citizens they are being recorded or show any citizen a video which they recorded.
- B. Officers shall begin recording the event and continue recording, in accordance with this procedure, until the event is concluded; any deviations, including equipment malfunctions, must be documented in the officer's video or report in accordance with section VI of this procedure.
  - a. Upon observation of suspicious or criminal behavior;
  - b. All calls for service;
  - c. Officer initiated contacts:

- 1 Arrest

2 Field Contacts

3 Traffic Stops

- d. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as the Navarro County Jail or Corsicana Police Department or a Magistrate's Office, the officer may cease recording upon entering the facility or transferring custody of the prisoner/witness;
  - e. Contact with complainants regarding crimes against persons; and
  - f. In instances where the officers reasonably believe that the recording may provide evidence in criminal investigations.
- C. Subsequent arrest, handcuffing, and search of violators should take place in view of the camera when practical and in accordance with Departmental policy and this procedure. All arrests, handcuffing, and searches occurring out of view of the camera must be documented in the officer's video or report in accordance with section VI of this procedure.
- D. Officers may stop recording an event where its use may compromise police operations. The body worn camera should be turned back on immediately following the stoppage or should a significant event arise.
- a. Examples include, but are not limited to: conversations with criminal informants, private conversations between officers or supervisory personnel, working traffic control, performing crime scene duties, or situation where the officer would be placed in a tactical disadvantage.
- E. All stoppages, other than administrative functions testing or accidental activation, of the body worn camera must be documented in the officer's video or report in accordance with section VI of this procedure.
- F. Recording Suspected DWI Violators
- a. When an officer makes a decision to start an investigation of a violator, the officer shall activate the body worn camera and may verbally articulate the Initial traffic violation observed, thus starting the process of building reasonable suspicion. This articulation should continue through the entire recording including the field sobriety testing, arrest, search and transportation of the suspect.
  - b. Optimum lighting for recording should be considered whenever possible.
  - c. The officer should articulate reasonable suspicion and probable cause as it develops.
  - d. Any intoxicants found in the suspect vehicle, as well as any evidence seized,

shall be brought in view of the camera and the officer shall articulate the description of the evidence in order to record such information in the officer's vide or, report in accordance with section VI of this procedure.

- G. Officers shall not:
  - a. Intentionally create recordings of themselves or other employees in areas where a reasonable expectation of privacy exists such as locker rooms, restrooms, etc.
  - b. Use the body worn camera for the clandestine recording of the voice or image of a member of the Department is prohibited unless specifically authorized.
  - c. Knowingly record undercover officers or confidential informants.
  - d. Use a departmentally owned recording device to record any type of personal activities.
  - e. Allow non-sworn personnel to view the body worn camera video without permission from the officer's immediate supervisor. Governmental employees who are directly involved in the investigation and/or prosecution of a criminal case related to the body worn camera video or IT Services supporting body worn camera are exempt from this provision.
  - f. Create recordings in patient care areas of medical facilities unless the recording is for official police business such as a criminal investigation, dying declaration, Horizontal Gaze Nystagmus (HGN) on injured drivers, or a specific call for police service; in compliance with Federal HIPPA regulations.

## **VI. WHEN DEACTIVATION OF BODY WORN CAMERA EQUIPMENT IS AUTHORIZED**

- A. Unless otherwise permitted by this procedure, once the body worn camera is activated it shall remain on until the incident has concluded.
- B. For the purpose of this section, conclusion of the incident has occurred when:
  - a. All arrests have been made and arrestees have been transported and released from the officer's custody;
  - b. All witnesses and victims have been interviewed; and
  - c. The continued recording will not serve to obtain additional evidence.
- C. Whenever the body worn camera device is deactivated during an incident the officer will provide a brief verbal explanation for the deactivation prior to

turning off or stopping the recording and will document it via a report.

- D. Failure to record activities as denoted in this policy will not be considered a policy violation as long as reasonable justification is documented via a report and articulated to the officer's chain-of-command.

## **VII. REPORTS/RECORDING DATA ENTRY**

- A. Officers will upload video in accordance with the specific device's operational instructions.
- B. Prior to uploading body worn camera recordings the officer shall ensure the pertinent data field identifiers associated with each video have been annotated, and at minimum, include the following:
  1. Corsicana ISD PD case number for all arrest cases or incidents requiring a case number;
  2. Traffic citation number(s) in the additional data/notes field; and
  3. The appropriate video tag at the conclusion of each incident or when uploading video files.
- C. Officers shall annotate in their reports the existence or absence of any associated recordings.

## **VIII. EQUIPMENT**

- A. On an individual basis, officers will sign for and be issued a body worn camera as well as the device's associated accessories. It will be the officer's responsibility to ensure the body worn camera device is fully charged and operable prior to their tour of duty.
- B. No member assigned body worn camera equipment shall alter, modify, reuse, tamper with or disable the device or associated accessories in any manner.
- C. Department body worn camera equipment shall not be connected to unauthorized computers. Non-department-issued equipment shall not be connected to any department-issued body worn camera device.
- D. Officers assigned body worn camera equipment are responsible for ensuring the equipment remains in operating condition. Officers shall notify their immediate supervisor of damaged or malfunctioning body worn camera equipment. Damaged body worn camera will be returned to the body worn camera Program Manager or their designee.

- E. Lost body worn camera will be documented via an officer's report and reported to their immediate supervisor and the body worn camera Program Manager or their designee.
- F. Replacement body worn camera will be issued by the body worn camera Program Manager or their designee.
- G. Officers promoting or who will be reassigned to duties where they will not be utilizing the body worn camera will return their body worn camera to the body worn camera Program Manager or their designee within 72 hours of the transfer.

## **IX. VIDEO COPIES/RECORDS REQUEST**

- A. Requests for recordings will be handled in accordance with the Texas Public Information Act.
- B. A copy (for internal use only) of recordings may be requested through the Program Manager or their designee. If such copy is provided, the Program Manager or their designee shall not further copy except the file.
- C. Requests for recordings from other criminal justice agencies are to be submitted in writing on agency letterhead and signed by the agency's chief executive officer to the Program Manager or their designee.
- D. The Program Manager or their designee will produce all copies of recordings. A copy is defined as a reproduction of the primary recording of the event.
- E. Requests for recordings for prosecutorial purposes may be submitted directly to the Program Manager or their designee.
- F. Requests for recordings from defense attorneys in county, district, or federal courts must be made through the appropriate prosecutor.
- G. The cost for producing the recordings will be determined by the Chief of Police or his designee.
- H. An automated internal electronic data access log (chain-of-custody) will be generated and kept for every recording produced via body worn camera to document the authenticity of the recording. Members shall be prepared to justify the reason for accessing/viewing recording.
- I. The Program Manager will be responsible for data security and the

production of backup copies via SOFTWARE/CLOUD STORAGE/ETC to ensure recordings are not lost prior to the end of the retention period.

## **X. COMPLAINTS RECEIVED/VIDEO REVIEW**

- A. When a complaint is received alleging misconduct involving an officer who is assigned a body worn camera, the following procedures shall be followed:
  - a. The officer's immediate supervisor shall determine if body worn camera recording exists.
  - b. The supervisor or Chief of Police shall view the video of the public contact in question and determine if there is any cause for the allegations in the complaint.
  - c. If no cause is determined, the supervisor or Chief of Police shall contact the complainant and advise them a body worn camera recording was made of the contact and that no misconduct was observed.
  - d. The supervisor or Chief of Police shall advise the complaining party that they may make an open records request for a copy of the recording.
  - e. The supervisor or Chief of Police shall proceed with their established protocols if misconduct is determined.
- B. An officer required to respond to a citizen or administrative complaint shall have the ability to review any body worn camera recording of the subject incident.
- C. The Internal Affairs Investigator may, for the purposes of an investigation or complaint, export or copy recordings as needed.

## **XI. VIDEO RETENTION**

- A. Officers shall include the existence of recordings in the case report for follow-up investigation.
- B. Any video considered to have evidentiary value, which needs to be retained past the standard 90-day retention period, must be identified by Program Manager.
- C. Any video that becomes part of a criminal or internal investigation will be placed on hold for indefinite retention until it is no longer needed or the case has received a final court disposition.

## **XII. VIDEO UPLOADS**

- A. When an officer records a call for service and/or incident the officer will review and tag the video with appropriate incident information;
  - a. The officer will note at the beginning of the narrative of his report that a recording is available.
- B. Prior to the end of each work week officers will:
  - a. Go to a designated docking station and upload the body worn camera video;
  - b. Officers will ensure all recordings are tagged appropriately.
- C. Special/Exigent Circumstance Recording Uploading.
  - a. Officers involved in collisions and/or otherwise not able to be return to their assigned duties shall adhere to the following:
    - 1 The notified supervisor or Chief of Police shall coordinate the retrieval and upload of the body worn camera;
    - 2 Upon completion of the video upload the body worn camera must be returned to the officer's supervisor.
  - b. Critical Incidents
    - 1 Upon the conclusion of a critical incident all officers will return to the appropriate facility in order to have all recordings uploaded. The body worn camera device will not be returned to service until all recordings have been removed and completion confirmation of upload has been received.
- D. All video must be uploaded on a weekly basis before the next assigned work week begins.

## **XIII. SUPERVISOR RESPONSIBILITIES**

- A. Supervisors shall ensure officers are using the recording equipment according to established guidelines, policies, and procedures.
  - a. Supervisors, on a quarterly basis, will review at least one recording for all officers under their command to ensure proper usage of recording equipment and adherence to established policy and procedures.
  - b. Supervisors will take corrective action for any procedural violation they observe and document the findings on the proper form.



- B. Supervisors shall record all incidents (i.e. use of force, officer involved accidents, and complaints on officers) when requested or required to respond, in addition to those listed under V B of this procedure.
- C. Supervisors shall view the recordings of all use of force incidents, police vehicle crashes, and police pursuits prior to completing their evaluations.
- D. Supervisors may view the recordings of their subordinates in the field at any time during the shift.
- E. Minor infractions (non-criminal) discovered during the routine reviews of recorded material should be addressed by the reviewing supervisor, including retraining when appropriate. Disciplinary actions will be addressed in accordance with department policy.
- F. Any supervisor made aware of damaged or malfunctioning recording equipment shall arrange for repair of the equipment. Damage shall be inspected by the supervisor and he/she will make every attempt to get the video system working properly.

#### **XIV. REVIEWING BODY WORN CAMERA VIDEO**

- A. The viewing of videos is restricted for official use only. Videos may be viewed for the following purposes:
  - a. Criminal investigations;
  - b. Internal Affairs or complaint reviews in accordance with Section XII, *Complaints Received/Video Review*;
  - c. Pursuits;
  - d. Use of force reviews;
  - e. Open Record Request (ORRs) in accordance with XI, *Open Record Requests*
  - f. Officer involved crashes; or
  - g. Other – any purpose not listed in this procedure shall have prior approval by a supervisor or Chief of Police and documented.
- B. Personnel requiring access to locked videos will send a request for access/viewing of the specific recordings through their chain-of-command.
- C. Personnel reviewing recordings shall manually document name, badge number and the purpose of their viewing in the “notes” field in the body worn camera device application.

D. The making of unauthorized copies and/or copies for personal use is prohibited.

**MOBILE AUDIO/VIDEO EQUIPMENT TRAINING** - Officers who are assigned a body worn camera, and any other personnel who will come into contact with audio/video data obtained from body worn camera, must complete an agency approved and/or provided training program to ensure proper use and operation. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, performance, and to incorporate changes, updates, or other revisions in policy and equipment.

**RETENTION REQUIREMENTS** – All recordings shall be retained for a period of not less than 90 days. Officers are required to submit audio/video recordings as evidence pursuant to the guidelines in Best Practices “Collection and Preservation of Evidence”. These recordings shall be categorized and added the appropriate electronic media case file through department utilized Digital Evidence Management System. The recordings will be retained based on the statute of limitations of the case.

**CISD Police Department**

**9.04 Body Worn Cameras**

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