

Texas Police Chiefs Association Foundation

Texas Law Enforcement Best Practices Accreditation Program

Best Business Practices

Including Glossary

**Edition 16
July 1, 2022**

**Texas Police Chiefs Association Foundation
P.O. Box 1030
Elgin, Texas 78621**

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Acknowledgements

The Texas Police Chiefs Association is deeply indebted to the following individuals for their contribution to the development and institution of this program. Their unselfish dedication to the Texas Police Chiefs Association, the Texas Police Chiefs Association Foundation, The Law Enforcement Accreditation Program, and the Citizens of the State of Texas cannot be overstated.

Mr. James McLaughlin, Esq. Executive Director of the Texas Police Chiefs Association for his vision and leadership in the development of the program.

Chief David James, Carrollton Texas Police Department, for his leadership of the Interim Accreditation Committee in the development of the program, and his continuing leadership as Chairperson of the first Accreditation Committee overseeing the implementation of the program.

Chief Marlin Price (Ret. – Dallas Police Department) – Chief Price was instrumental in the development of the Accreditation Program. Without his energy, foresight, and professionalism the Accreditation Program would not be what it is today. Chief Price is, and continues to be, an outstanding credit to the law enforcement community.

The members of the Interim Accreditation Committee which assisted in the development of the program and approved the Best Practices included:

Chief Robert Burby, Texas City Texas Police Department
Chief Bobby Griffin, Canyon Texas Police Department
Chief Mark Hafner, Keller Texas Police Department
Chief David Barber, Hedwig Village Texas Police Department
Chief Mike Dupree, Atlanta Texas Police Department
Chief Rex Hoskins, Decatur Texas Police Department

The members of the first Accreditation Committee included:

Chief Robert Burby (Ret), Texas City Texas Police Department (Vice Chair)
Chief Bobby Griffin, Canyon Texas Police Department
Chief Mark Hafner, Keller Texas Police Department
Chief David Barber (Ret), Hedwig Village Texas Police Department
Chief Mike Dupree (Ret), Atlanta Texas Police Department
Chief Rex Hoskins, Decatur Texas Police Department
Chief J.D. Martinez, Weslaco Texas Police Department
Chief Tim Vasquez (Ret), San Angelo Texas Police Department

Assistant Chief Monty Stanley, Carrollton Texas Police Department, for his experience and leadership as Chairperson of the Best Practices Task Force which developed the Texas Best Business Practices for Law Enforcement.

Members of the Best Practices Task Force included:

Doris Certain, University Park Police Department
Paula Ibsens, Burleson Police Department

Joe Tieber, Round Rock Police Department
Lesley Hicks, College Station Police Department
Larry Roberson (Ret), Austin Public Safety Department
Kevin Phillips, Gainesville Police Department

Special thanks to our current Program Coordinators:

Chief Mike Sullivan
Chief James “Jim” Harris
Chief Richard Reff (Ret.)
Chief Kevin Lunsford

And to Assessor Coordinator/Trainer – Chief Monty Stanley (Ret.) who without his leadership and guidance the Accreditation Program would not be what it is today – leading the way in Texas Law Enforcement.

A note to all Program Managers – We wish you the serenity to accept the things you cannot change, the courage to change the things that you can, and wisdom to know the difference.

Sixteenth Edition Changes

New and Modified Standards:

The 2022/23 Standards Manual added new standards and edits that are now fully incorporated in the Sixteenth Edition and subsequent editions.

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| New Standards and Wording Changes: |
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Wording Change for 2022 / 23: (See Highlight below)

10.03 Approval of Juvenile Holding Area (V)

The Agency has written approval from a juvenile court judge, or juvenile board as provided for in the Texas Family code, for the holding and processing area for juvenile arrest, if used. If an agency changes the location of their holding/processing area or if the agency moves into a new or different facility, the agency is required to seek an updated written approval notice by a juvenile court judge or juvenile board as provided for in the Texas Family Code.

New Standards for 2022 / 23:

Agencies under an existing contract with the TPCAF have one full year to come into compliance with the following new standards. The deadline for compliance with these standards (if applicable to your agency) is July 15, 2023.

7.35 K-9 Teams

7.36 Artificial Intelligence

9.10 Communications Quality Assurance

All material needed for the program (both initial Accreditation and Re-Accreditation) is now available at www.texaspolicechiefs.org Click on “Accreditation Program.”

PREFACE

The Best Business Practices Manual is the compilation of what Texas law enforcement professionals believe are basic business practices needed to address the most critical of law enforcement tasks in our state. The standards were developed to ensure appropriate protection of citizen's rights, to improve the safety of public safety employees, and ensure the operational and professional integrity of a law enforcement entity. This manual includes the Best Business Practices and Glossary which are updated from time to time when legal or environmental changes necessitate.

The Accreditation Program Manual provides detailed information regarding the operation of the Accreditation Program.

Texas Police Chiefs Association Foundation

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Introduction

The Accreditation Committee

The Law Enforcement Agency Best Practices Accreditation Program Committee manages the overall operation of the Accreditation Program and awards “Accredited” status to qualifying agencies. The Committee is under the direct supervision of the Texas Police Chiefs Association Foundation Board of Directors. The Committee establishes and approves Best Business Practices for Texas Law Enforcement, develops and manages a system for accepting applications for “Accredited” status, develops and manages a system for evaluating Candidate Agency’s compliance with the established Best Business Practices, and awards “Accredited” status to agencies that have adequately proven compliance with the established Best Business Practices.

The Committee is composed of nine (9) members appointed by the Foundation Board. Committee members are Chiefs of Police who hold Active Membership in the Texas Police Chiefs Association and the bylaws have recently been amended to allow committee members to remain on the Accreditation Committee until such time that the Chairperson has cause for a change or the committee member chooses to step down.

A quorum exists when at least five (5) members of the Committee are present at a business meeting. Decisions are made based on a simple majority of those present and voting. Issues and submission for “Accredited” status may be submitted to the Committee members for electronic vote.

Committee members who have a personal relationship with a Candidate Agency or the Candidate Agency Chief of Police will abstain from voting on “Accredited” status for that agency.

How Agencies are Reviewed

Agencies that enter this voluntary program conduct a self-assessment of their policies and procedures and construct a paper or electronic file for each of the Best Practices. These files contain the “proofs” that the agency complies with the standard. Upon completion of compiling these proofs, the agency announces they are ready for review and a team of assessors, usually two, from another area of the state are sent to review the agency’s files. The assessment team leader prepares a report of this on-site assessment and forwards it to the Accreditation Committee for review and awarding of “Accredited” status.

Assessors are usually Chiefs of Police, Command Officers and Program Managers from other agencies. These assessors are trained by the Program Staff and must agree to a Code of Ethics prior to accepting the assignment and must abide by that Code of Ethics during their assessment of the agency.

The Electronic Submission Process

All new agencies entering the Accreditation Program are required to submit their files through the TPCAF electronic submission process. This is a free download from the TPCAF web site and the files are reviewed by one of three coordinators for the program. Agencies using an outside vendor to help organize their files and policies are encouraged to maintain their current business practice with the understanding that all new agencies entering the program must submit their files through the TPCAF electronic submission process.

Agencies going through the re-Accreditation process do not submit files through the TPCAF electronic system. For questions about the re-Accreditation process please refer to the Program Director or the re-Accreditation training available at texaspolicechiefs.org

The Best Practices

The original standards were developed by a Task Force of Texas Law Enforcement professionals who had extensive experience in the law enforcement accreditation process. Input was sought from numerous other state's accreditation programs as well as a detailed review of Texas statutes and rules of the Texas Commission on Law Enforcement. The best practices represent the basic practices needed to address critical issues within the law enforcement profession in Texas.

These standards have been and will continue to be updated and modified as the legal and social environment changes and law enforcement operations continue to evolve. Any member of the Texas Police Chiefs Association may submit items and issues for consideration regarding the modification or development of new standards.

The standards are organized into twelve chapters that correspond to major areas of law enforcement operations.

Best Practice Composition

Each standard is composed of the *standard number and title*, whether the standard is approved for *electronic submission*, the *standard statement*, a *discussion*, and *items needed for proving compliance*.

The *standard number and title* identify the Best Practice.

The (E), (V), or (EV) designation after the title indicates whether the standard is approved for *electronic submission* (or mail) if the agency opts for this review process. (E) Indicates the standard is approved for electronic submission. (V) Indicates the standard will be reviewed on-site only. And (EV) indicates the standard is approved for electronic submission but will be reviewed on-site as well. (EV) standards typically have some aspects which may require visual observation or review of more extensive files.

The *standard statement* is the definitive requirement or requirements which must be met by the agency. The agency must show compliance with each part of a standard if the standard contains multiple parts. Some standards require a written directive. Others may only require an action, activity, inspection, or report. Some may require both a written directive and activity or action. Most standard statements indicate what the agency must address or perform, but usually allow great latitude in determining how to do it.

The Discussion, if present, is an explanation of the standard and in some cases may contain a discussion of possible methods and requirements for compliance with the standard. The discussion provides the agency and assessors with the minimum levels of performance for acceptance. Agencies are expected to comply with the minimum levels of performance or the equivalent.

Proof of Compliance is a listing of the items or methods that are needed to show proof of compliance with a standard. If the *standard statement* requires a written directive, a written directive must be submitted. If a written directive is not required by the *standard statement*, the method of proof is the choice of the agency. Sufficient evidence must be provided to prove compliance with the standard. If an agency does not have the proof of compliance items listed, the agency should contact their assigned Program Coordinator to determine alternative methods of showing compliance.

Evaluators Review is a section on the bottom of the Standard's Document Submission Form. The Evaluators Review also provides an understanding of what needs to be submitted in order for the proofs to be accepted.

Best Practice Applicability

With the exceptions listed below, all standards are required for all agencies.

Some standards are conditional standards. Conditional standards usually contain the word "if." If an agency does not have that particular operation or provide that service, the standard does not apply. A file would still be maintained and the Document Submission Form in the file would indicate that the agency does not have or perform that function and the standard is N/A.

If an agency utilizes another entity to perform any of its functions such as Communications, Holding Facility, or Property and Evidence, the performing agency must meet the standards for that function.

An exception is made for agencies that do not have holding facilities and utilize County Jails or other facilities that are controlled by the Texas Commission on Jail Standards or by written contract. Detailed information on this exception is covered in the introduction to Chapter 10, Detainee Processing and Transportation.

Getting Started

Regardless of whether an agency wishes to become officially "Accredited" or not, these standards can be used in every community to improve basic law enforcement operations and reduce liability. We encourage all law enforcement agencies within the state to become familiar with these standards and work toward ensuring compliance with these standards within your agency.

If you wish to become a "Accredited" agency, the first step is to obtain the Program Manual and become familiar with the program operation and these standards. Training of both the Police Chief and Program Manager within the agency is required prior to being formally accepted into the program.

Police Chief Familiarization training is an overview of the program. Program Manager training is a detailed explanation of how the program works and the proofs of compliance required. Program Managers are required to attend both the Chief Familiarization training and the Program Manager Training.

Training is now available in an on-line format at texaspolicechiefs.org – however, agencies are strongly encouraged to attend scheduled training sessions.

If you have not yet been to training, you do not have to wait to get started. Reading the Program Manual and this Standards Manual can provide you with the information to begin your own self-assessment. Paper files can be created and appropriate documentation and proofs of compliance gathered. There is also a Paperless file process which can be utilized. When training has been completed and your agency accepted into the program, the completion of the program will take much less time.

The Accreditation Program Website (texaspolicechiefs.org) has a host of resources for your use. You do not have to be registered or accepted into the program to have access to all the forms, manuals, or sample policies. All downloads are provided at no charge.

CHAPTER 1

ADMINISTRATION AND ORGANIZATION

The administration and organization of a law enforcement agency is crucial to the achievement of its mission. Clear lines of authority and responsibility are necessary to fix responsibility and assure performance. Critical issues of organization, budgeting, and financial management, policies and procedures, authority and jurisdiction, and asset management are covered in this chapter. Effective administration and organization will assist the agency in providing efficient and effective services to the citizens of the community.

1.01 Organization (EV)

The Agency has a current organizational chart depicting the organizational components available to all personnel. The chart is updated as needed but will be reviewed annually.

Discussion: The Organizational Chart should have a date on it, such as “XXX Police Department 2011,” or a “Date Reviewed” at the bottom to show proof of annual review.

The agency should have the Organizational chart posted somewhere in the department for employee reference.

Proof of Compliance

- Copy of current organizational chart
- Some method of showing annual review of the organizational chart
(Review or issue date on chart or policy stating annual review)
- Organizational charts are made available to all personnel
Signed for by officer as part of department policy manual, **or**
Statement on DSF of how made available to personnel, **or**
Photo of posting on bulletin board, **or**
Observation of chart posted on bulletin board (On-site)

1.02 Budget (E)

The Agency develops, submits, and manages a budget, and a written directive designates a position responsible for the budget.

Discussion: None

Proof of Compliance

- Copy of directive or memo designating who is responsible for the budget preparation and management, **and**
- Copy of written directive outlining budget process, **or**
- Copy of instructions for budget preparation, **or**
- Copy of submitted budget request, **and**
- Copy of monthly budget summary or status report

1.03 Financial Transactions (EV)

The Agency has a written directive instructing personnel on how to handle and document all financial transactions. The directive will document functions in the agency authorized to perform any financial transactions. This does not include confidential or narcotics related transactions or normal budgetary functions. (See Discussion for examples.)

Discussion: Agencies often manage financial transactions in any number of areas including petty cash transactions, receiving cash for bonds and fines, receiving cash for copies of reports, receiving cash for assorted permits such as dog licenses or alarm permits, and even fingerprinting services. Agencies often use an array of various financial transaction methods, e.g.: credit cards, electronic funds transfers, etc. This standard is intended to capture these various methods.

For each function or area of the department that receives or handles these financial transactions, there should be a policy that should clearly identify:

- Who is the custodian of the account (the person or position that is responsible for its security)

- Who is authorized access to the cash, if used (can be by name or by position such as the on-duty dispatcher, or all records personnel)

- Where and how the cash, if used, is maintained (maybe a lockbox locked in the file cabinet, etc.)

- How transactions are documented (requests, receipts, log or balance sheet, etc.)

- What to do with the cash, or receipts, when it is received (such as put in the safe or turned in daily, weekly, to City finance.)

- How money, if used, is turned in, how much is kept available (if any), how additional funds are requested, etc.

- How often and by whom audited (if a balance is maintained).

The policy for each of these areas should be clear enough to allow someone who knows nothing about the process, to be able to read the policy and conduct financial operations with minimal questions. The policy should also be clear enough for a supervisor or auditor to know if something is wrong.

Proof of Compliance

- Copy of written directive(s)

Ensure person or position responsible for each financial transaction is identified, **and**

- Copy of documentation for transactions, submission, or reconciliation, **and**

- Copy of account log, receipts, balance sheet, or ledger, **or**

- Observation of account security, log, and transaction detail (On-site)

1.04 Written System of Agency Directives (EV)

The agency has a written directive system in place that includes all agency policies, procedures, and practices. The written directive system must:

- a. Be numbered and organized in a manner that allows numerical reference.
- b. Require a periodic review and updating of directives to include that all directives are in accordance with applicable Texas Law.
- c. Require directives and updates be made available to, and reviewed by, all affected agency personnel in a manner designated by the Agency Director.
- d. Require maintenance of documentation proving receipt of directives by agency personnel in a manner designated by the Agency Director.

Discussion: It is the responsibility of the agency to ensure their written directives are in compliance with applicable Texas Law. In some cities, all policies must be reviewed by the city's attorney. In many cities, this task is left to the Chief of Police. A written statement from the Office of the Agency Director, that departmental written directives comply with all applicable Texas Law, is required as part of this standard's proof of compliance. This can be a stand-alone letter or memo, or may be included in the actual written directive that the Chief, or a designee, is responsible for ensuring that all policies and procedures are in compliance with Texas Law.

The written directive should also clearly state how often (such as annually or every two years, etc.) the department directives will be reviewed instead of using the term "periodic."

Proof of Compliance

- Copy of a sample policy, procedure, general order, etc., **and**
- Statement on DSF about how directives are made available to employees and evidence of that process, **and**
- Signature sheet or other proof that personnel receive copies or state they have reviewed, **and**
- Some documentation of periodic review of directives, **and**
- Some indication that policies are in compliance with State Law.
- Observation of availability of written directives to all personnel (On-site)

1.05 Agency Jurisdiction (E)

The Agency has written documentation from a unit of government that authorizes the existence of the Agency and defines its jurisdictional boundaries.

Discussion: This is typically an Article within the City Charter or an ordinance passed by the City Council which establishes the agency. TCOLE does not establish an agency. There must be some formal action on the part of a government body creating the agency. This must be either a clear section of the City Charter or a City ordinance.

The "General Powers" clause of a Charter or the Local Government Code may authorize a City to establish a Police Department but the City has to affirmatively do so by either Charter or City Ordinance.

Proof of Compliance

- Copy of documents for Agency existence and jurisdiction,

- Possibly copy of portion of City Charter or Ordinance, **and**
- Copy of boundary ordinances or portions of Metes and Bounds book, **or**
- Copy of map provided to employees with jurisdictional boundaries delineated.

1.06 Peace Officer Authority (E)

The Agency has a written directive stating the authority of the police officers to act as Peace Officers.

Discussion: This is generally found in the City Ordinance or City Charter. A Police Department Policy can also grant this authority if the City has authorized a Police Department (TBP 1.05), and should refer to the authority granted under the Charter or Ordinance or the Code of Criminal Procedure.

Proof of Compliance

- Copy of agency directive outlining authority, **or**
- Copy of city ordinance or charter regarding authority of police officers, **or**
- Copy of Texas Code of Criminal Procedure 2.12., and 2.13.

1.07 Authority of the Agency Director (E)

The Agency has written documentation from a unit of government designating the authority of the Agency Director.

Discussion: This is often found in either the City Charter or City Ordinance authorizing the department.

Proof of Compliance

- Copy of City Charter or Ordinance giving Agency Director authority over Department, **or**
- Copy of Chief's letter of appointment, **or**
- Copy of Chief's job description if approved by Council.

1.08 Duty to Obey Lawful Orders (E)

The Agency has a written directive requiring employees to obey lawful orders from a higher-ranking member and explaining how to respond to conflicting or unlawful orders.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Copy of any Internal Investigations related to failure to obey orders, **or**
- Copy of any supervisor counseling where officer failed to obey supervisor, **or**
- Copy of sign-in sheet where officers trained on subject or received copy of policy.

1.09 Sworn Personnel License (E)

The Agency has a written directive which requires that personnel hold a Texas Peace Officer license before performing law enforcement duties.

Discussion: The department should have a written directive that clearly prohibits employees from performing law enforcement duties prior to attaining a peace officer license. This standard does not require the employee to hold a Basic Certificate, only a license.

Proof of Compliance

- Copy of written directive, **and**
- Copy of officer's licenses (at least 2) or L-1 applications.

1.10 Accounting for Agency Owned Capital Assets (EV)

The Agency has a written directive for insuring accountability at least annually of all Agency owned capital property, equipment and other assets. Capital assets will be those assets with a value above a limit set by Agency policy. (*Example, all items over \$5000 in value are capital items, or other value determined by the Agency or governing body*). The inventory results will be forwarded to the Agency Director.

Discussion: While not required, agencies should consider including all departmental weapons and critical equipment regardless of value because of their critical nature.

Agencies that do not have an accounting system for these items may wish to look at Microsoft Access Database Program which has a "Template" for Assets which can be used to track assets. Additional fields can be added to that Template to create a checklist by location for the required annual inventory.

The Agency Director should date and initial the annual inventory to show proof that it was received and reviewed. (Signature or initials)

The proof submitted should not be simply a list of asset items but must show that an inventory has been done. This can be date, initials and checkmarks on the asset list or in a memo to the Chief with a copy of the checked off items attached.

Proof of Compliance

- Copy of written directive, **and**
- Copy of recent agency asset inventory.

1.11 Approval for Personally Owned Equipment (E)

The Agency has a written directive that requires all personnel to obtain written approval from the Agency Director or designee prior to carrying or using any personally owned equipment during the performance of their duties.

Discussion: The intent of this standard is to ensure the Agency Director is aware of and has control over what weapons, equipment and uniform items are carried and worn by the members

of the agency. It includes personally owned uniform items, leather gear, equipment such as handcuffs and ASP batons, handguns, rifles, and any non-lethal weapons including Tasers, OC sprays, etc. Any items not issued or specifically approved in the department policy manual.

Agencies must have a policy which requires all employees to request permission and obtain approval from the agency director or a designee before carrying or using any personally owned equipment during the performance of their duties. This policy can be as simple as requesting approval in a memorandum and having the memorandum filed in the employee's personnel file.

Agencies can authorize employees to carry or use specific personally owned items in their directives and specifically prohibit any other items (weapons, equipment or uniform items) other than those approved in their written directive. If the directive clearly states that no items other than the items listed in the policy will be authorized, then the agency is not required to have a written approval process from the Agency Director. If other items are allowed, then an approval process is required.

Proof of Compliance

- Copy of written directive, **and**
- Copy of any request or approval of personally owned equipment by the Agency Director, **or**
- Proof of receipt by officers, **or**
- Copy of any supervisory counseling or investigation for violating provision.

1.12 Agency Issued Property/Equipment (E)

The Agency has a written directive which requires all personnel to sign for any Agency owned property/equipment issued to the employee, and includes a process for recovering the property/equipment when the employee leaves the Agency.

Discussion: Sample property issue and return forms are available on the website.

Proof of Compliance

- Copy of written directive, **and**
- Copy of property sheets for personnel signing for issued property/equipment, **and**
- Copy of property sheets for personnel returning issued property/equipment.

1.13 Continuing Compliance with Best Practices (V)

The agency has a written directive that designates a responsible person within the agency for monitoring continued compliance with Accreditation Program Best Practices. The agency has a system in place that ensures continued compliance.

Discussion: Agencies are required to continue compliance with Accreditation Program Best Practices throughout their four year Accredited period. A number of standards require performance of various inspections, audits, and reports as well as continuing operational

processes (such as hourly prisoner checks.) Left uninspected, many of these requirements may not be done regularly. The agency must clearly identify in a written directive a person responsible for ensuring the standards are maintained.

The agency must also develop a system – designed by the agency – to ensure these requirements are continuously met. This system may simply be the use of a “required performance” checklist which is personally monitored by the assigned person, an automated or computerized reminder system requiring periodic checks (such as Microsoft Office Outlook Calendar or Task system) or formalized reporting system with individual units of an agency required to submit formal reports.

Proof of Compliance:

Copy of written directive showing assignment of a person or position responsible.
On-site observation or evidence of a system developed to ensure compliance.

CHAPTER 2

PROFESSIONAL STANDARDS AND CONDUCT

All professional law enforcement agencies must have clearly delineated rules and regulations to guide officer conduct and ensure the proper public image of the agency. These Code of Ethics and rules of conduct ensure the public that their law enforcement agency is properly supervised and held to a high standard of conduct. It ensures the public that complaints against officers will be fairly investigated and acted upon if wrongdoing is found.

2.01 Bias Based Profiling (EV)

The agency has a written directive, complying with current laws on the reporting of the Bias Based Profiling information collected by the agency, and training of enforcement personnel in the prohibition of Bias Based Profiling. If the Agency uses in-car cameras and/or body cameras, the directive shall require the supervisory review of at least three random videos, at least every six months, per officer.

Discussion: Bias based profiling and especially racial profiling is highly injurious to a law enforcement agency as it erodes public confidence in equality of treatment. Agencies should ensure their definition of racial profiling (part of bias based profiling) meets the definition of the Texas Code of Criminal Procedure Article 3.05 as well as the operational procedures required under Articles 2.131 through 2.138.

Prohibition of Bias Based Profiling however is broader than the state required racial profiling prohibition. The agency's written directive should meet or exceed state law requirements for prohibition of racial profiling, but must also prohibit any profiling based on ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Agencies need to ensure their policy includes all of this expanded definition.

Agencies are required to publish an annual report of their traffic stops under Article 2.134. This annual report is also required as part of this standard but will not be submitted electronically. Agencies should indicate on their Document Submission Form that the Annual Reports are in the file. If all other parts of the Best Practice requirements are met, the standard will be "Accepted" and the actual annual reports will be reviewed on-site by the Final Review team.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with a supervisor, or received a copy of a policy and been tested over its content.

When conducting random, six month (minimum), supervisory reviews of officer's video, supervisors are not required to watch each incident of an 8-, 10-, or 12-hour shift; however, reviewing the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law is required.

Proof of Compliance:

- A written directive which:
- Prohibits all forms of bias-based profiling (not just racial – see glossary)
 - Complies with current law on the reporting of Biased Based Profiling information collected by the agency
 - Requires training of enforcement personnel in the prohibition of Biased Based Profiling
 - If in car or body cameras are used, requires supervisory review of at least three random videos, at least every 6 months, per officer?

2.02 Code of Ethics (E)

The Agency has a Law Enforcement Code of Ethics as part of its Agency policy and personnel have been provided a copy of the Code of Ethics.

Discussion: Any commonly accepted Code or Canon of Ethics may be accepted as long as it is part of the agency's policy manual. The agency may also develop its own Code of Ethics if they desire.

Proof of Compliance

- Copy of written directive or Code of Ethics, **and**
- Proof of training or receipt by officers.

2.03 Oath of Office (E)

The Agency has a written directive that requires every employee who is a peace officer, under Texas law, to take and sign an oath of office before conducting law enforcement duties for the Agency.

Discussion: This requires a department written directive which requires that officers take the Oath of Office prior to performing any law enforcement duties.

Article 16 Section 1 of the Texas Constitution prescribes the specific wording of both the officer's statement and Oath of Office. Agencies may add to the Oath of Office but the basic requirements which are stated in the Texas Constitution must be met.

The requirement for signing the "Statement of Appointed Officer" is part of this standard and is required for its completion. On-line access to Texas Statutes is available at <http://tlo2.tlc.state.tx.us/statutes/statutes.html>. A printable copy of both the Statement of Appointed Officer and the Oath of Office is available on the Secretary of State website at <http://www.sos.state.tx.us/statdoc/statforms.shtml#AUF> (Forms 2201 and 2204)

This standard requires both the Statement of Appointed Officer and Oath of Office, but these may be placed on a single page for swearing in purposes.

Proof of Compliance

- Copy of written directive, **and**

--Copies of at least 2 signed Oaths of Office (and Statement of Appointed Officer).

2.04 Internal Investigations (E)

The Agency has a written directive on how to receive, investigate, and conclude complaints against employees. Sustained complaints must be based on facts determined during the investigation.

Discussion: The department policy on Internal Investigations should be reviewed to insure it meets all of standards 2.04 through 2.10.

The policy should clearly address when and how complaints are received, investigated and concluded. The Written directive should also in some manner indicate that allegations are sustained based only on the facts determined during an investigation or a preponderance of the factual evidence.

Proof of Compliance

- Copy of written directive, **and**
- Proof of receipt of policy by officers, **or**
- Copy of an IA Investigation showing conclusion was based on finding of fact.

2.05 Time Limit on Internal Investigations (E)

The Agency has a written directive that sets a time limit for completion of Internal Investigations including disciplinary action, if necessary, and includes procedures for request and approval of extensions of time if needed.

Discussion: Agencies should ensure that their time limits include the taking of disciplinary action if necessary. Time limits must be in a specific number of days and may allow for extensions if requested and approved by the Chief of Police.

Agencies can give a time limit in their policy for the “investigation and taking of disciplinary action” or provide a time limit for the investigation and a separate time limit for the taking of disciplinary action if necessary.

Proof of Compliance

- Copy of written directive, **and**
- Proof of receipt of policy by officers, **or**
- Review Internal Investigations or logs for compliance with time limits

2.06 Complaints Requiring an Investigation (E)

The Agency has a written directive requiring that complaints, alleging a violation of policy or law, be investigated, and identifies those that will require formal internal investigations, and those that will require investigation by line supervisors. The agency must maintain a log of all formal complaints received, investigated, and the results.

Discussion: In smaller agencies, the department may not differentiate formal or informal complaints. It is sufficient if all complaints are sent to the Chief who decides by whom and how they are investigated.

The required log is sufficient if it includes the date of the Complaint, the Complaint's name, the employee involved, a description of the complaint, the date the investigation was concluded, and the results including any disciplinary measures. The log may be in paper or computer format.

Proof of Compliance

- Copy of written directive, **and**
- Copy of IA log or documents showing investigations, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Copy of formal internal investigation and supervisor investigation file.

2.07 Notification of the Agency Director (E)

The Agency has a written directive for notifying the Agency Director, as soon as practical, of formal complaints against agency employees and agency volunteers (if any).

Discussion: The intent of this standard is to notify the agency director of external complaints as soon as possible. The agency may determine when and how this notification is made, but should be done early in the complaint receipt and investigation process.

Proof of Compliance

- Copy of written directive, **and**
- Copy of log, memo, or email showing Chief notified of complaint per directive

2.08 Appeal Procedures for Disciplinary Actions (E)

If the agency allows appeals of disciplinary action, the Agency has a written directive describing the appeal process, including which actions may be appealed and what level/position will constitute the appeal authority.

Discussion: If the agency uses or relies on an appeal process issued by a higher authority, such as City personnel rules, city or state civil service rules, the agency should submit those documents and they must meet the requirements of the standard.

An appeal process is not specifically required, but if it exists, it must be clearly spelled out in a written directive.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**

- Proof of receipt of copy of policy by officers, **or**
- Copy of an appeal case or memo to officer of appeal process.

2.09 Records and Security of Complaints and Investigations (V)

The Agency has a written directive that requires that complaint and investigation records be kept secure, consistent with the current Public Information Act requirements.

Discussion: The requirement that records be kept secure includes being secure from unauthorized access by agency employees. This requires the records to be kept in locked cabinets or rooms with only limited access by designated individuals.

The written directive must clearly state that the records will be maintained in a secure manner.

The Public Information Act is Texas Government Code Chapter 552 which regulates Public Information retention and public access. Section 552.004 requires the agency to maintain any record created by the agency in accordance with records retention schedules adopted by the governmental unit.

Proof of Compliance

- Copy of written directive, **and**
- Photograph of file security for file, **or**
- Physical inspection of security of files. (Onsite, DSF notation of location)

2.10 Notification to Complainant (E)

The Agency has a written directive to notify the person who files a complaint, against the agency or employee, of the results of the investigation.

Discussion: Notification of a Complainant is only required if they filed a formal complaint with the department.

Proof of Compliance

- Copy of written directive, **and**
- Copies of letters (2) where complainants have been notified of results of investigations

2.11 Sexual and Other Unlawful Harassment (E)

The Agency has a written directive that prohibits sexual or other unlawful harassment. The written directive must provide for reporting procedures that include when it is appropriate to make a report outside the chain of command or outside the Agency. The agency must provide training to all personnel.

Discussion: Minimum Training Level 3. The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used. Proof will be sign-in sheets, completion certificates, or TCLEDDS entry. Training must be provided to all department personnel, not just sworn. The requirement for training does not have to be in the written directive, but proof of training must be shown.

Proof of Compliance

- Copy of written directive, **and**
- Proof of receipt of copy of policy by sworn and non-sworn employees, **and**
- Proof of Level 3 training: Copy of training lesson plan and/or dated schedule, and/or Copy of sign-in sheet.

2.12 Professional Conduct (E)

The Agency has a Professional Conduct written directive that identifies acceptable and unacceptable conduct and includes mandatory training of all personnel.

Discussion: This is typically the department's Code of Conduct or Rules of Conduct and may have numerous rules and regulations regarding what employees are required to do and what actions are prohibited.

Minimum Training Level 1. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that employees have received and signed for a copy of the policy. Proof of training is required for both sworn and non-sworn.

Proof of Compliance

- Copy of written directive, **and**
- Proof of receipt of copy of policy by employees (sworn and non-sworn).

2.13 Appearance (V)

The Agency has a written directive that describes uniform and personal appearance standards for sworn and non-sworn employees, including when non-uniform clothing is approved for special assignments.

Discussion: This directive should describe the agency uniform standards and other appearance standards such as cleanliness, grooming, jewelry, tattoos, and other appearance guidelines.

Standards for non-uniform positions should be included such as for Criminal Investigations.

Standards for non-sworn work staff, dispatchers, etc. must also be included. (These may be covered in a city manual but if additional uniform requirements exist (such as for dispatchers or jailers), they must be clearly covered.

If special assignments are used, such as undercover narcotics, specific exceptions to appearance rules should be made in policy or specific approval from the Agency Director, or designee required.

Proof of Compliance

- Copy of written directive, **and**
- Proof of receipt of copy of policy by employees, **and**
- Observation (On-Site) that employees present a professional image.

2.14 Truthful (E)

The Agency has a written directive requiring all employees to be truthful in all official verbal and written communications and reports. Employees will be truthful in any court related testimony or agency investigations.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.15 Political Activity (E)

The Agency has a written directive that prohibits an employee's personal involvement in political issues or campaigns while on duty or in uniform.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.16 Attendance (E)

The Agency has a written directive regarding attendance requirements for employees under normal duty assignments, training assignments, and other times identified by the Agency.

Discussion: This standard requires the agency's written directive to specifically address attendance requirements for normal duty assignments and training assignments. The agency may also add other requirements such as attendance at court or other times.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.17 Individual Rights (E)

The Agency has a written directive that employees are to respect the rights of individuals and specifically states that employees will not engage in discrimination, oppression, or favoritism.

Discussion: The agency directive must, must clearly and specifically, require officers to protect the rights of individuals (not just citizens or residents) and prohibit discrimination, oppression and favoritism. This is often accomplished by simply having a rule to this effect in the department Rules Manual or Code of Conduct.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.18 Personal Conduct (E)

The Agency has a written directive that no employee shall establish an inappropriate social relationship with a known victim, witness, suspect, or defendant of an Agency case while such case is being investigated or prosecuted as a result of such investigation.

Discussion: The term inappropriate is intended to mean ANY social relationship with a known victim, witness, suspect, or defendant during the time a case is being investigated or prosecuted which would jeopardize the prosecution or embarrass the department.

This prohibition is broader than the prohibitions normally found in police agencies against associating with criminals or subversive groups. It is intended to prohibit the development of any personal relationship with a victim, witness, suspect or defendant while the case is being investigated or prosecuted.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.19 Alcoholic Beverages (E)

The Agency has a written directive regarding the use of alcoholic beverages when reporting for duty and while on duty.

Discussion: The directive must address both when reporting and while on duty.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.20 Drugs (E)

The Agency has a written directive regarding the illegal use of any drug including prescription drugs, and the taking of legal prescriptions when it would negatively impact the judgment or physical condition of an employee while on duty.

Discussion: These directives should prohibit any illegal drug use and the use of any prescription drug taken illegally (without specific prescription for that employee). It should also address the taking of any prescription drug when it would negatively impact the judgment or physical condition of the employee when on duty. This is usually handled by requiring employees to notify a supervisor whenever they are taking any medication which they believe will impair their performance.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.21 Gifts/Gratuities (E)

The Agency has a written directive regarding gifts and gratuities that may be offered to, or solicited by, employees.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.22 Emergency Recall Procedures (E)

The Agency has a written directive regarding the availability of personnel during emergency situations.

Discussion: Agencies should specifically spell out employee's duty to report during emergencies as directed by supervisors or the Chief of Police.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

2.23 TCOLE Personnel Files (V)

The agency maintains a Personnel File on each sworn officer which contains all originals or copies of all documents required by TCOLE to be maintained by the department. The files must be secured with limited access.

Discussion: TCOLE requires certain documents to be maintained by each department on all sworn officers. These requirements as well as a self-audit sheet for officer's files can be found on the TCOLE website in the "Law Enforcement Administrator's Desk Reference" in the "Chief's Corner" section of their website.

Proof of Compliance for this standard can either be documentation of a successful TCOLE file audit within the previous twelve months or evidence of the use of a TCOLE File Audit form for each file, a written statement from the Records Supervisor or Chief of Police that all required files have been audited internally within the past twelve months and all required documents are present, and an on-site random sampling of at least five files.

Proof of Compliance

- Copy of Written Directive describing the files, if any, **and**
- Written documentation of a TCOLE file audit within the previous 12 months, **or**
- Written statement from Records Supervisor or Chief of Police that all required files have been audited within the past 12 months, using the TCOLE audit form, **and**
- Observation of at least 5 files during on-site with proper documentation of audit.

2.24 Community Outreach (E)

The Agency has a written directive that requires and supports community outreach and community involvement. The directive should require some form of community feedback.

Discussion: Agencies should seek out opportunities to interact with the public they serve and to build a trusting relationship in the community. Feedback from the community should be sought at all levels of the agency from the Chief of Police to the newest officer and non-sworn staff.

Positive police interaction with the community is paramount to building an open, trusting relationship and dialog. Examples of how to accomplish these goals are too numerous to mention; however, a few common methods include: community forums/meetings, a cup of coffee with the chief at a local breakfast establishment, open house at the police department, social media outlets, officers going to lunch at local schools, police activity leagues, and community surveys. Agencies cannot rely solely on social media to meet this standard.

These activities should be part of mission for every employee at the Agency.

2.25 Duty to Intervene (E)

The agency has a written directive that requires every employee, regardless of rank, to have a duty and responsibility to intervene with any other employee's use of force that clearly exceeds agency directives and training regarding what is objectively reasonable under the circumstances. The agency's written directive must also clearly state that all employees, regardless of rank, have a duty and responsibility to prevent the use of excessive force, and to report, in writing, any use of excessive force to a supervisor. This directive will be included in the annual Use of Force training. This directive applies to both sworn and non-sworn.

Discussion: Excessive force by any police officer or employee is untenable and will not be condoned or tolerated. All officers and employees, regardless of rank, tenure, or level of training, have the duty and responsibility to intervene in any other officer's or employee's use of excessive force. "Intervention" will obviously be different depending on the circumstances and who is involved. Agencies should write policies that help their employees understand what is expected under given circumstances.

Proof of Compliance

- Copy of Written Directive, and
- Copy of memorandum / report describing an excessive force incident (if any)

CHAPTER 3

TRAINING

Police agencies are held accountable both by their community and by the courts for their actions. Employee's actions are guided by clearly written policy, by adequate supervision, and by training. The Texas Commission on Law Enforcement (TCOLE) prescribes the minimum level of training for both entry into law enforcement operations and for continuing education after employed. These standards ensure these training mandates are completed and appropriate records are kept to prove the appropriate training was conducted.

3.01 Annual Firearms Qualifications (V)

The Agency has a written directive requiring that all sworn personnel who carry firearms qualify at least annually with all firearms they are authorized to carry, according to TCOLE standards, and specifies provisions for remedial training for those who fail to qualify.

Discussion: These specific requirements are found in section 1701.355 of the Texas Occupations Code and in TCOLE firearms proficiency requirements (217.21).

The written directive must require at least annual qualification with ALL firearms carried or used by an officer including handguns, rifles and any off-duty and or back-up weapons.

Minimum Training Level 4. The physical qualification portion of this standard requires agencies to prove the qualification was completed as required and remedial training if required.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Copy of records of qualifications for all types of firearms carried by personnel, or
- Observation of Qualification Records (On-Site)

3.02 Use of Deadly Force Training (E)

The agency has a written directive on training its sworn personnel at least annually in the proper use of deadly force and the use of any firearm used in the course of law enforcement duties.

Discussion: This deadly force training may consist of a review of the deadly force policy of the department and other scenario based training programs. Many agencies conduct this training as part of their annual firearms qualification but it can be done at any time during the year.

Minimum Training Level 2 & 4. Proof of receipt of copy of policy and discussion with supervisor, or higher level of training in the deadly force policy and proof of training in use of firearms (can be actual qualification or other training.) While additional firearms training each

year is recommended, the actual training in the use of the firearm may be accomplished during the actual firing and qualification with the weapon.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in deadly force policy during past year, **and**
- Proof of training in firearm use during past year.

3.03 Annual Inspection of Firearms (E)

The Agency has a written directive that requires the annual inspections of all authorized firearms by a designated firearms proficiency officer for proper functioning. This inspection may take place during firearms qualifications.

Discussion: This requirement is in accordance with TCOLE rules on firearms proficiency, Rule 217.21. Most agencies have the inspection conducted at the annual qualification after firing. Proof must clearly show each firearm (by serial number or other identifier) was inspected. Proof must also show all types of firearms used by the agency were inspected.

Proof of Compliance

- Copy of written directive, **and**
- Proof of inspection documentation.

3.04 Use of Force Training and Proficiency for Less Lethal Weapons (E)

The Agency has a written directive that requires all personnel authorized to use less lethal weapons, including EMDs, are trained at least biennially and demonstrate proficiency for those weapons. The required training should be conducted by instructors having appropriate certification for the weapon or by instructors utilizing instructional materials for that weapon.

Discussion: The agency should indicate on the Document Submission Form what less-lethal weapons are carried or used by the department and what instructor certification or materials is used for training on that weapon.

Minimum Training Level 3 & 4. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received specific instruction in the operation of the weapon used and have demonstrated proficiency with the weapons carried.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Proof of training in authorized Less Lethal Weapons, and proficiency, within last two years, **and**
- Proof of instructor certification or training materials, if required.

3.05 Training Records (V)

The Agency has a written directive which describes their employee training records system and is in accordance with TCOLE rules for appropriate personnel. Reporting of training through the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) may be used to document sworn training.

Discussion: This standard requires training records be maintained to TCOLE standards. For clarification, each officer's individual record must be kept. Using TCLEDDS is acceptable, but agencies who do not use TCLEDDS must keep up to date training records for each officer. (TCOLE rule 217.13) In addition, if the agency provides any training in-house, the agency must maintain copies of lesson plans as well as attendance records of classes.

While TCLEDDS may be used for sworn personnel, training records for non-sworn must also be addressed in the directive and maintained.

Proof of Compliance

- Copy of written directive, **and**
- Observation of Training files On-Site, **or**
- Copy of individual officer (1) training records, (TCLEDDS ok), **and**
- Copy of non-sworn training record.

3.06 In-Service Sworn Officer Training (V)

The Agency ensures appropriate in-service training or refresher training for all SWORN personnel employed by the agency, at least every two years, in accordance with training mandated by Texas Law or TCOLE standards, and any other training designated by the Agency. In each two year period the training must include:

- A. Those classes required by TCOLE for each officer's proficiency level.
- B. Some physical arrest and/or self-defense tactics.
- C. Basic or refresher training in Self-Aid / Buddy Aid.
- D. Training in bias neutralization (implicit bias)
- E. Officer safety and de-escalation tactics (force avoidance)
- F. Crisis Intervention Training (CIT)
- G. Mental Health Training (or agency has access to mental health response personnel)

Discussion: For letters A, B, and C above, minimum Training Level 3 & 4. This refers to the mandated Continuing Education under TCOLE Rule 217.11 as well as any training mandated by the agency. For letters D, E, F, and G above, a minimum of level 2 training is required.

The standard also requires some level of physical arrest or defensive tactics training every two years as part of the department required training. The type and extent of the physical training is determined by the department based on its needs but may include handcuffing, take-downs, come-alongs, and other controlling techniques as well as defensive tactics using defensive sprays, batons, and weapons retention training. Proof that personnel completed the required 40 hours training during the previous training cycle including some physical arrest or defensive tactics training is required.

The Agency Director may tailor less intensive hands on defensive tactics [such as excluding baton or OC spray] programs for certain administrative positions and permanent light duty positions. Any deviation from the standard hands on defensive tactics training must be clearly stated in the written directive. Anyone who carries any less-lethal weapon such as a baton or OC Spray, must receive training and show proficiency every two years as required in 3.04.

The Agency must provide all sworn officers with either Basic or Refresher Self Aid / Buddy Aid training at least every two years. While the provision of basic SABA equipment for all personnel is encouraged, provision of this equipment is only required for members of ERTs. (8.06). The training provided by the TPCA in the Sample Training download will suffice for this requirement.

Proof of Compliance

- Copy of training records for sworn personnel (2), (TCLEDDS ok), **and**
- Proof of physical training (Lesson plan, sign-in sheet, photos) within past two years, **or**
- Observation of training records On-Site.

3.07 In- Service Reserve Police Officer Training (EV)

If the Agency has a Reserve Police Officer program, a written directive requires that Reserve Officers receive the same in-service training as regular sworn full time personnel in the functions that the Reserve Officers are designated by the Agency to perform.

Discussion: Minimum Training Level 3 & 4 (if required). This refers to the mandated Continuing Education under TCOLE Rule 217.11. Reserve officers must complete the same minimum 40 hours as do regular officers but are only required to complete other department training if they perform the functions being trained. Reserves are required to have the same physical arrest or self defense training as regular officers if they perform field duties.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of training records for training for Reserve officers (2) (TCLEDDS ok)

3.08 Non-Sworn Training (E)

The Agency has a written directive which identifies the non-sworn positions, including volunteer positions that have any required state or agency pre-service and/or in-service training or certifications and provides the necessary training.

Discussion: The written directive should clearly identify the non-sworn positions within the department that require specialized training and what training is required for those positions.

Minimum Training Level 3. The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used.

Proof of Compliance

- Copy of written directive identifying non-sworn or volunteer positions which require pre-hire or in-service training or certifications, **and**
- Copy of training records or certificates for training of these members.

3.09 Supervisor Training (EV)

The Agency provides for training for newly promoted supervisors/commanders appropriate to their position/rank within 12 months of promotion.

Discussion: This training applies to all ranks below chief in the department. Newly promoted supervisors or commanders, (not just the initial supervisory rank) including non-sworn supervisors should be provided training "appropriate to their position/rank" and the training should take place within 12 months prior to or after promotion.

The standard does not dictate the specifics of the training. Obviously, the TCOLE First Line Supervisor Course would be appropriate for all new Sergeants and possibly even first line non-sworn supervisors. For Lieutenants, possibly some form of Management and Leadership training, and more in depth or customized training for Captains and Deputy or Assistant Chiefs. The agency is free to determine what courses are "appropriate", but this training must be provided 12 months prior to or after promotion.

Proof of Compliance

- Copy of supervisory training record (1) for at least two ranks below Chief showing proof of training within 12 months prior to or after promotion.

3.10 Emergency Response Team Training (E)

If the Agency has an emergency response team, a written directive establishes the criteria for training, and specifies the frequency of training for emergency response team members. The written directive also requires emergency response entry team members to successfully complete (at a minimum) a basic SWAT School, or equivalent, prior to active participation on the entry team.

Discussion: Minimum Training Level 3. The minimum level of basic training is completion of the State approved Basic SWAT school or the equivalent before active participation in an ERT operation. The level of continuing training is left to the determination of the agency, however that training must be required by policy and proof of completing that level of training must be shown.

The Agency must define their mandatory continuing ERT training subjects i.e. – breaching techniques, physical fitness, firearms, special weapons, team movements, dynamic entry, etc.

In addition, the Agency must list their required number of training hours – either per month, per quarter or annually.

Whatever level of continuing training that is determined by the agency, it must be mandatory and not subject to such things as “if possible, or if time permits, or when staffing allows.”

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of training records showing compliance with directive.

3.11 Hostage Negotiator Training (E)

If the Agency has hostage negotiators, a written directive establishes the criteria for training, and specifies the frequency of training for hostage negotiators.

Discussion: Minimum Training Level 3. The minimum level of basic training is completion of the State approved Basic Hostage Negotiation school or the equivalent before active participation in an operation. The level of continuing training is left to the determination of the agency, however that training must be required by policy and proof of completing that level of training must be shown.

The Agency must define their mandatory continuing Hostage Negotiation training subjects i.e. – developing empathy, communications techniques, delaying techniques, throw phone operation, etc. In addition, the Agency must list their required number of training hours – either per month, per quarter or annually.

Whatever level of continuing training that is determined by the agency, it must be mandatory and not subject to such things as “if possible, or if time permits, or when staffing allows.”

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of training records showing compliance with directive.

3.12 Field Training Program (E)

The Agency has a written Field Training program for sworn personnel. The program must:

- a. Require training be conducted by a designated field training officer(s).
- b. Be divided into phases of training based on departmental needs.
- c. Require newly certified or inexperienced officers to complete all phases of the training program prior to operating as a “solo officer”.
- d. Allow recently hired experienced officers to have the phases reduced but should include at a minimum, operational procedures and directives specific to that Agency.
- e. Be a minimum of four weeks long.

Discussion: None

Proof of Compliance

- Copy of written directive (May be separate FTO Program Manual), **and**
- Copy of recruit training records showing multiple phases and length.

3.13 Field Training Officer Training (E)

The Agency has a written directive which requires that all Field Training officers attend a Field Training course, either the TCOLE course or an equivalent course prior to assuming FTO responsibilities.

Discussion: Minimum Training Level 3. The basic requirement for this training is equivalent to the required TCOLE course. The current TCOLE course outline requires a minimum of 24 hours.

Proof of Compliance

- Copy of written directive, **and**
- Copy of Field Training Officer course completion certificates or TCLEDDS training records.

3.14 Field Training Officer Process Review (E)

The Agency has a written directive which requires that all Field Training officers conduct a process review of Field Training subjects on a schedule and format determined by the Agency. The review will be documented and will include at least any changes in directives and procedures.

Discussion: This “Process Review” is a meeting of all FTOS for a discussion or refresher program, or updating of Field Training Officers in changes in departmental policy, changes or modifications to the FTO program operation, and an opportunity to discuss training problems and offer input into program improvement. It should be scheduled as often as the agency believes necessary (usually annually in small agencies and every 6 months in larger agencies) for proper program operation but might also allow for “called” meetings when specific issues arise. These meeting should be documented in writing and attendance recorded.

Proof of Compliance

- Copy of written directive, **and**
- Copy of any written documentation for the Agency process reviews, **or**
- Copy of summary of process review on written department schedule

3.15 Training Evaluations (EV)

The Agency has a written directive that requires new officers, while in the Field Training Program, receive at least weekly evaluations by the F.T.O. The evaluation will be reviewed with the new officer and the F.T.O., and then filed in the training documents.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Copy of at least weekly documented review by new officer and FTO, **or**
- Observation of Field Training files On-Site

3.16 Training Rotations (E)

The Agency has a written directive that requires each recruit rotate to at least one different shift during training. The recruit should rotate to at least one different FTO, if possible, during the training program.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof showing rotation to at least one different shift, **and**
- Proof showing rotation to at least one different FTO, **or** explanation on DSF if rotation is not possible

3.17 Background Investigator Training (E)

The Agency requires that personnel conducting applicant background investigations have training in conducting the required investigations prior to conducting applicant backgrounds. This requirement may be a formal class or a standard full outline or other specific written document that is required to be followed on any background investigation.

Discussion: Minimum Training Level 3. Training requires attendance to Background Investigations class or copy of detailed instructions (or manual) for completing background investigations.

Agencies that do not have access to Background Investigator Training can meet this standard by requiring those assigned to conduct background investigations utilize a Background Manual (available for department editing in the Sample Manual) and complete their report in a particular format.

Proof of Compliance

- Copy of training records or certificates for Background Investigation training, **or**
- Copy of any written outline or document required to be followed on every investigation.

3.18 Required Tele-communicator Training (V)

If the Agency operates a communications center, personnel are trained in the operations in accordance with TCOLE requirements and in the procedures of the communications equipment and familiarity with departmental operations.

Discussion: Minimum Training Level 3 & 1. This standard refers to Texas Occupations Code 1701.405. This standard requires this training even for agencies that may be exempted under the Occupations Code because of the small number of employees.

Training in familiarity with department operations may be some form of formal training or by the provision and discussion of a departmental operations manual. Proof of departmental operations training is required.

Proof of Compliance

- Copy of training documentation, **and**
- Observe Tele-communicators using the equipment – On-Site, **and**
- Sign-off sheet for receipt of department manual, and
- Interviews with Tele-communicators On-Site.

3.19 Police Chief Training (E)

The Police Chief of the Agency has completed the required Texas Police Chief training program or has scheduled the required training.

Discussion: Minimum Training Level 3. Texas Education Code Article 96.641 requires a Police Chief who is newly appointed or elected to attend a basic Chief training program currently provided by the Bill Blackwood Institute. This initial training must take place within two years of initial appointment or election. This requirement for Initial Training is only for the individual's first appointment or election as a Chief and this law became effective on September 1, 1997. Chiefs serving since before that date are exempt from the Initial training.

All Chiefs are still required to attend continuing training of 40 hours every 24 months as required in the law.

Proof of Compliance

- Copy of training records or certificate, **or**
- Copy of any document proving prior service as a Chief (if needed), **or**
- Reservations letter for upcoming training (if needed).

CHAPTER 4

PERSONNEL

Employees are an agency's most valuable asset and selection of the most competent employees available is critical to the success of the agency's mission. The selection of employees must be non-discriminatory, job-related, and administered in a fair and consistent manner. Continuing evaluation of employees is also necessary to ensure consistent direction of employee's efforts toward agency goals.

Good employee relations are also necessary to retain competent employees and provide for their continued growth and development. Whether "at will" or Civil Service, agencies must have clear procedures to ensure fairness in promotional opportunities.

4.01 Employee Selection Procedures (E)

The Agency has a written selection process that details all elements of the selection process for both sworn and non-sworn applicants and requires those elements to be administered in a fair and consistent manner. Applicants for sworn positions must meet TCOLE minimum standards and any legal mandates.

Discussion: A written directive on the process or steps in the process to become a member of the agency for BOTH sworn and non-sworn. The non-sworn process may be outlined in a City Personnel Manual.

The written directive should in some manner indicate that the process is to be administered in a fair and consistent manner. Minimum TCOLE standards for licensing are found in TCOLE Rule 217.1.

Proof of Compliance

- Copy of written process (department policy, applicant handout, or brochure)
- (Must meet TCOLE standards for Sworn)
- (Must also have selection process for non-sworn.)

4.02 Polygraph Examinations (E)

If the Agency uses instruments to detect deception, such as a polygraph in the selection process, personnel who administer the test and evaluate the results must be certified in the use and testing with the instrument.

Discussion: This requirement applies regardless of whether the polygraph operator is a member of the agency, a member of another agency, or independent contractor for the agency.

Proof of Compliance

- Statement on DSF if any polygraph or voice stress analyzer is used in selection process

- Copy of Operator training and/or certification certificates, **or**
- Copy of Operator training records showing training or certification

4.03 Background Investigations for Selection of Employees (E)

The Agency has a written directive which specifies the type of background investigation to be conducted on all sworn and non-sworn applicants prior to and following a conditional offer of employment.

Discussion: The agency written directive should clearly detail the items to be investigated for both sworn and non-sworn members of the department. The directive must include those items required by TCOLE for sworn officers and those items which are completed before and after a conditional offer of employment.

Proof of Compliance

- Copy of any written directive describing background investigation process, **and**
- Copy of background investigation file (sworn and non-sworn), **or**
- Copy of Background Manual (if any).

4.04 Disposition of Selection Records of Applicants (E)

The Agency has a written directive that determines the disposition of selection records of sworn and non-sworn employees that are selected for hire and those that are not selected for hire. Those records are maintained in compliance with the retention schedule adopted by the governing body.

Discussion: Retention schedule for Law Enforcement agency records is the Local Schedule PS for Public Safety Agencies available on the Texas State Library website.

Agencies must clearly state in their written directive where selection records are kept (who maintains them) and for how long for **BOTH** those individuals hired (usually kept in Personnel file for five years after separation or retirement) and for those not hired (usually kept by either department or city Human Resources for a period of 2 years.)

Agencies may state in their directives that applicant records will be maintained in compliance with the city or organization's Record Retention Schedule and provide a copy which shows the schedule for applicant records (both hired and not hired).

Proof of Compliance

- Statement on DSF regarding how and where files are maintained.
- Copy of written directive, and
- Copy of Records Retention Schedule (if referenced in policy), and
- Photo of file locations.

4.05 Off-Duty Employment (E)

The Agency has a written directive that specifies the criteria for off duty employment. The Directive must:

- a. Address who is authorized to work off duty employment.
- b. State the types of employment prohibited by the agency.
- c. Include the approval procedure for off-duty employment.

Discussion: The written directive should clearly indicate who is eligible to work off duty law enforcement type jobs (usually sworn officers who have completed field training and are in good standing with the department); any prohibitions on the types of jobs that cannot be worked; and describe the approval process for working the jobs.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Copy of request for appropriate approval of off-duty work.

4.06 Promotional Process (E)

The Agency has a written directive that describes the components of the promotional process, which may include any applicable qualifications, announcements, any testing procedures, grading, and any appeal process.

Discussion: This standard does not require an agency to create or use any specific process, however, whatever process is used within the agency must be clearly described in the written directive. If the agency changes their process or allows the Chief to determine the process each time a vacancy occurs, the agency must clearly state that fact and describe how employees will be advised and how far in advance of any selection process.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Copy of promotional process announcement.

4.07 Promotional Eligibility Lists (E)

If the Agency establishes a promotional eligibility list, a written directive specifies the duration of the list.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of eligibility list

4.08 Annual Performance Evaluations (EV)

The Agency has a written directive that requires annual performance evaluations of all personnel, including requiring that the evaluations cover a specific period of time.

Discussion: The written directive must clearly require annual evaluations and indicate when they are done each year.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of evaluation showing reviewed with the employee, and showing evaluations over a specific time period.

4.09 Performance Evaluation Training (E)

The Agency trains supervisors in evaluating personnel performance and in conducting performance discussions.

Discussion: Supervisors should receive training before being allowed to evaluate subordinates. The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used. Proof will be either sign-in sheets, completion certificates, or TCLEDDS entry.

The Accreditation Provides a lesson plan and power Point presentation in the Sample Training that will meet the training requirements of this standard.

Minimum Training Level 3: Training required here must be specific to the evaluation of employees. If this is taught in a management or supervision school, a copy of the lesson plan which shows specific training is necessary.

Proof of Compliance

- Copy of training material (lesson plan, power point, etc.), and
- Copy of training sign-in sheet, or
- Copy of training certificates. (If training certificate or training record shows only a supervision course – copy of Lesson plan showing performance evaluation training was part of course)

4.10 Employee Safety and Accident Prevention (EV)

The agency has a written directive regarding employee safety to include both vehicle and non-vehicle accident and injury investigation and prevention. The directive includes:

- a. A requirement for the reporting, investigation, and review of all employee involved vehicle and non-vehicle accidents and personal injuries occurring on-duty or in city vehicles,
- b. An annual review of all accidents and injuries by cause with recommendations for reduction, and
- c. A departmental safety training program for all employees.

Discussion: This standard includes vehicle and personal accidents and includes personal injuries such as slips and falls. The agency may determine the severity level of injury or accidents requiring reporting, investigation and review. This might be the level where a Workers Compensation report is required for personal injuries and a certain property damage threshold for vehicle accidents. There must be a requirement that all accidents that meet that threshold and all injuries be reported immediately and investigated.

The annual review should be more than a simple counting and sorting and should include any recommendations for changes in policy, training or equipment to reduce accidents or injuries. A sample How to Do an Analysis is provided in the Program downloads.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content. Proof will be officer's signature or initials on receipt or test document.

While this training requirement can be met by one training class or program, the results of the annual reviews may indicate a need for different or updated training.

The Chief of Police should review this annual report and sign and date the report to show it was received and reviewed.

Proof of Compliance

- Copy of written directive, and
- Copy of an accident or injury report complying with written directive (with results of investigation and review by supervisory staff.)
- Copy of an annual review with recommendations
- Copy of proof of training

CHAPTER 5

RECORDS AND INFORMATION MANAGEMENT

Proper handling of agency records is critical to the successful prosecution of individuals charged with crimes and to provide the agency with the information to properly manage its operations. Agencies must comply with the provisions of the Texas Government Code, Chapter 552, regarding Public Information and the Retention Schedule for Records of Public Safety Agencies prescribed by the Texas State Library and Archives Commission.

5.01 Privacy and Security of Records (V)

The Agency has a written directive complying with applicable law for the privacy and security of records and provides appropriate training for the Agency designee responsible for records management. Records must be kept in a secure manner.

Discussion: Privacy and security of records requires departmental records such as offense reports, arrest reports, criminal history reports, and other sensitive reports must be secured to prevent unauthorized access. This does not mean simply in a secure portion of the police building. Records must be maintained in a locked room or locked cabinets with only authorized persons having access. Juvenile records must also be maintained separately as required by law and must be secure as well. Juvenile records can be maintained in the same room, just in a separate file drawer or separate shelf.

The person charged with maintaining the records must clearly be identified in the directive and proof of training provided.

Minimum Training Level 3. The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used.

Proof of Compliance

- Copy of written directive, **and**
- Copy of training record of records management designee, **and**
- Observation of security of records On-Site.

5.02 Records Retention (E)

The Agency has a written directive for the life cycle management of records in compliance with state law. If the agency maintains juvenile records, fingerprints, photographs, or a gang intelligence database, these records are addressed in the life cycle management plan.

Discussion: Retention schedule for Law Enforcement agency records is the Local Schedule PS for Public Safety Agencies available on the Texas State Library website. These standards may be already incorporated into citywide records retention plans and policies.

If a Candidate Agency creates juvenile fingerprints, photographs, or maintains juvenile arrest records, or maintains a gang database, and the City Records Retention Plan does not specifically address these items, the Candidate Agency should address their retention in departmental policy documents. Retention of these documents should meet requirements in the Texas Family Code and Texas Code of Criminal Procedure. If these items are not maintained, a statement indicating such is made on the DSF.

The Accreditation program does not require that agencies destroy any records, however any records that are destroyed must be done in accordance with the law. If records are not destroyed, they must be kept secure.

Proof of Compliance

- Copy of written directive, **and**
- Copy of records retention plan or procedures, (may be copy of city plan or may be in department policy.)

5.03 Release of Information (E)

The Agency has a written directive, in accordance with current law, regarding the release of information and open records requests, and provides training to appropriate employees.

Discussion: Department policy should clearly address what information in police reports is releasable and what is not to be released. The policy should also address who is responsible for releasing information and/or responding to open records requests.

Minimum Training Level 1. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received and signed for a copy of the policy.

Proof of Compliance

- Copy of written directive, (should address what information is releasable and what is not, and who is responsible for releasing information from police reports,) **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Proof of training of appropriate employees in Open Record Act.

5.04 Public Information Officer (P.I.O.) (E)

The Agency has a designated person(s) to release information to the news media and the public about cases or investigations. The designated person will have some type of training prior to releasing public information.

Discussion: (Level 3 Training) The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power

point, completion certificate, or other documentation. Computer based learning programs may also be used. Proof will be either sign in sheets, completion certificates, or TCLEDDS entry.

Proof of Compliance

- Copy of document appointing or informing agency who is P.I.O., **and**
- Copy of training record, lesson plan or training certificate in Public Information or Media Relations,

CHAPTER 6

USE OF FORCE

Law enforcement agencies are the only function of government authorized to use force against a citizen. Officers are sworn to intervene in circumstances to keep the peace in their jurisdiction and in doing so must sometimes resort to the use of force when other means fail. This authority to use force is granted by the people of a community with the full expectation that it will be used appropriately. It is therefore the obligation that professional police organizations review and examine their use of force to ensure that it is utilized only in conformance with the law, departmental policies and community expectations.

6.01 Authorization to Use Force (E)

The Agency has a written directive that authorizes designated employees to use only the level of physical force that is necessary and reasonable to achieve the desired legal objective.

Discussion: This requirement is to ensure Accredited Agencies only allow officers to use the minimum level of force necessary to achieve a legal objective.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

6.02 Authorization of Deadly Force (E)

The Agency has a written directive that authorizes police officers to use deadly force when the officer reasonably believes that his/her life is in immediate danger of death or serious bodily injury or a third person is in immediate danger of death or serious bodily injury.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Review any appropriate disciplinary actions (if any.)

6.03 Use of Force Documentation and Review (EV)

The Agency has a written directive requiring completion of a specific administrative form for this purpose only to document the use of force by agency personnel, including a review process of each incident by supervisory personnel. The form may be electronic or paper and the format will be designated by the agency.

Discussion: This standard requires a special “Use of Force” form that is created by the department and used to report use of force at a level defined by the agency. Some agencies require use of the form any time an officer uses any form of physical force or higher, or points a firearm at a citizen. Others require reporting only when officers use a firearm or less-lethal weapon. The form must have a review process where supervisors review the actions to determine if the officer was appropriate in the use of force. It must show proof that it was reviewed by the Chief or a designee identified in policy.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of two or more completed “Use of Force” forms.

6.04 Weapons and Ammunition (E)

The Agency has a written directive to authorize the types of weapons and ammunition approved for use by the department.

Discussion: The intent of this standard is to ensure that the Chief of Police is aware of and has approved all weapons and ammunition used by the department. This standard requires a specific list of the issued or approved weapons (such as Glock 22, Sig Sauer, Smith and Wesson) and the approved or issued calibers. The list should include all firearms issued or approved by the agency including specialized weapons used by an ERT team.

If the agency allows different back-up or off-duty weapons, these weapons must also be listed. (it is permissible on back-up or off-duty weapons to state than any weapon of a reliable make as determined by the department rangemaster in at least XX caliber. Clearly, officers must also train and qualify with these weapons annually and all weapons authorized for carry, including back-up and off-duty, should be documented by make, model and serial number and qualification date, by the department.)

The agency must also list approved ammunition (such as Gold Dot 150g hollow point, or Federal, Speer, etc.).

If the agency believes that approved weapons or ammunition may change frequently, the approved list can be referred to in policy and issued as a memorandum or letter to all personnel from the Chief of Police.

Proof of Compliance

- Copy of written directive, **and**
- Copy of list of weapons and ammunition (if not contained in directive), **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

6.05 Carrying and Use of Weapons, On and Off Duty (E)

The Agency has a written directive notifying personnel when they are authorized to legally carry and use a weapon both on-duty and off-duty.

Discussion: The written directive should clearly state when officers may carry firearms both on and off duty and any restrictions.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**

6.06 Documenting the Discharge of Firearm (EV)

The Agency has a written directive for documentation and supervisory review of the discharge of a firearm by an employee except in training or recreational situations.

Discussion: The standard requires the agency to have a written directive which requires officers to document the discharge of any firearm. It must contain the exception for both training and recreational activities. The policy must also require some form of supervisory review of the discharge.

Most agencies just have officers do an immediate verbal report to the on-duty supervisor and then complete a use of force report. Most departments conduct more detailed review of discharges up to an including a full Internal Affairs and Criminal investigation if someone is injured.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of firearms discharge report, with supervisory review.

6.07 Medical Aid after Using Force (E)

The Agency has a written directive instructing personnel in obtaining first aid for anyone injured, or reporting an injury, after use of force has been applied.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of report showing medical assistance was requested when needed.

6.08 Removal from Line Duty after Using Deadly Force (E)

The Agency has a written directive for relieving any employee from line duty who has used any deadly force, or been involved in a traffic accident, that has intentionally or accidentally resulted in the serious injury or death of a person, until a preliminary administrative review can be conducted.

Discussion: This standard requires the removal of officers from line duty after they have used any type of Deadly Force. Line duty is defined as any enforcement position. Chiefs may assign the officer to non-enforcement duties until the administrative review is completed.

This standard also applies in the event officers are involved in a traffic collision where a person was seriously injured or killed.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of notice to officer when relieved of duty pending review, if occurred.

6.09 Warning Shots (E)

The Agency has a written directive governing the discharge of warning shots.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of appropriate disciplinary actions (if any.)

6.10 Annual Use of Force Report (E)

The Agency prepares an annual report on use of force incidents that is sent to the Agency Director. The contents of the report will be designated by the Agency and the report should identify any trends in the use of force by agency personnel, training needs, equipment needs, or policy revisions.

Discussion: The intent of this standard is to attempt to reduce the overall use of force exercised by an agency when appropriate. While it is clear that officers must sometimes resort to the use of physical force to accomplish their objective, each use of force places the officer as well as the subject at risk of injury. This report therefore, should be an analysis, not just counting and sorting of the incidents. The report should lead to conclusions about the agency's use of force and whether any policies need revision, any additional training is needed, or any changes made in equipment or methods of operation or response.

If the agency does not use force frequently and has less than four or five incidents annually, a useful analysis may be difficult. Consideration should be given to reviewing more than one year together to get sufficient numbers to show specific trends, if they exist.

Depending on the number of incidents and the information collected when force is used, departments should consider reviewing such items as: what actions are reportable, how many were reported, is this an increase or decrease overall, were all reviewed appropriately, what types of force was used, was the force effective and if not why, the locations where the force was used, type premises, number of officers present, which officers used force, precipitating events, type of offense or arrest, and alcohol involvement. These are only a few of the items which can be reviewed in an attempt to determine if policy issues need to be addressed, additional training developed, or different equipment acquired.

A How To fill in the black format is available in the Program downloads that can assist in developing this report.

Proof of Compliance

- Copy of annual report.
- Copy of any action taken as a result of identifying any trends, training or equipment needs, or policy revisions.

6.11 Unauthorized Use of Force (E)

The agency has a written directive that clearly bans the use of choke holds. The written directive should also clearly define any legal exceptions to this directive by agency personnel. This directive will be included in the annual Use of Force training.

Discussion: Unauthorized use of force incidents can also extend to situations that do not involve active aggression on the part of the police officer. For example, positional asphyxia can be a concern after a subject is arrested and under control. Officers will be aware of the airway of an arrested subject and assist, as necessary, so that arrested subjects who are on the ground and horizontal are able to sit up. Agencies that authorize the use of the lateral vascular neck restraint (LVNR) or a carotid neck restraint must provide training and supporting policy. Neck holds that block the windpipe are banned unless the use of deadly force is authorized.

Proof of Compliance

- Copy of Written Directive, and
- Copy of offense report and use of force report that detail these circumstances (if any)

CHAPTER 7

LAW ENFORCEMENT OPERATIONS

Basic law enforcement operations have developed over time with input from our community, the courts, professional law enforcement organizations, as well as advancements in technology. The standards provided in this section are the best practices in our industry for law enforcement operations. They ensure agencies are meeting the most basic needs of both their employees and their citizens. Most prominent in this chapter are the standards which ensure an agency protects the rights of those it serves.

7.01 24-Hour Law Enforcement Response to Emergency Situations (V)

If the Agency has 24 hour emergency response responsibility, the Agency responds to requests for law enforcement services 24 hours a day, or has arrangements with another law enforcement agency to respond to those requests.

Discussion: None

Proof of Compliance

- Observation of 24-hour response, On-Site, **and**
- Staffing schedules showing 24 hour staffing.
- Verify communication and/or telephone calls on emergencies are forwarded to the responding agency if another law enforcement agency is used after hours.

7.02 Arrests with a Warrant (E)

The Agency trains its personnel on how to obtain and serve arrest warrants pursuant to the Texas Code of Criminal Procedure.

Discussion: While no written directive is required, many agencies find it easier to put these instructions into policy form. The training should cover how to obtain an arrest warrant (prepare affidavit, etc.); when and how to serve a warrant (do you want officers serving a misdemeanor traffic warrant at 3am at a private residence); and what to do with a hazardous warrant such as when you believe the offender may be armed (such as contact a supervisor for review before serving.)

This Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of training lesson plan or written directive, **and**
- Proof of training of officers, **and**
- Copy of an affidavit for arrest warrant prepared by department member, **and**
- Copy of offense where arrest for warrant was executed (other than traffic).

7.03 Arrests without a Warrant (E)

The Agency trains its personnel how to arrest without a warrant pursuant to the Texas Code of Criminal Procedure.

Discussion: While not required, this training is often put into actual written directive form. It should provide officers with instruction of when they are authorized to make arrests without a warrant. While agencies can refer to the Code of Criminal Procedure for authority, the department may also want to provide directions of when it is appropriate and inappropriate to make arrests without a warrant.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of training lesson plan or written directive, **and**
- Proof of training of officers, **or**
- Proof of receipt of policy by officers.

7.04 Miranda Warning (E)

The Agency trains its personnel in the use of the Miranda Warnings according to current law.

Discussion: Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Verification Items and Possible Methods of Proof of Compliance

- Copy of training lesson plan or written directive, **and**
- Proof of training of officers, **and**
- Copy of department reports showing appropriate use of Miranda Warnings.

7.05 Interrogation (E)

The Agency trains appropriate personnel in methods to conduct an interrogation.

Discussion: Going beyond the legal issues provided in Standard 7.04, this training should cover legal issues regarding the voluntariness of confessions, what officers are prohibited from doing, breaks and access to restrooms, invocation of right to counsel, and how details of the interrogation are to be recorded.

Minimum Training Level 3. The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used.

Proof of attendance to schools such as Reid interrogation schools is also proof of compliance. The Accreditation program has a lesson plan and Power Point available in the Sample Training which will meet this training requirement.

Proof of Compliance

- Copy of training lesson plan or written directive, and
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.06 Search and Seizure Warrants (E)

The Agency has a written directive instructing its personnel on Search Warrants. The directive includes:

- a. How to obtain a search warrant.
- b. How to execute a search warrant.
- c. How to return a search warrant.

Discussion: The directive must clearly explain how to obtain a search warrant (preparing affidavit, etc.); how and when to execute a search warrant, to include the possibility of a hazardous warrant or facing armed resistance, and how to return a warrant.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.07 Searches Without A Warrant (E)

The Agency has a written directive describing the scope and authority for searches incident to arrest and other searches that may be conducted without a warrant.

Discussion: This directive should clearly instruct officers in the exceptions to the search warrant (such as incident to arrest, consent, plain view, emergency, etc.) and when it is appropriate to use them.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.08 Family Violence (E)

The Agency trains its personnel in the handling of family violence cases in compliance with Texas law.

Discussion: The training should cover how to respond to calls, how to investigate, when arrests are appropriate, the enforcement of Protective Orders, obtaining Emergency Protective Orders, and providing Victim Assistance Information. This information is part of the continuing education requirement of TCOLE to obtain an intermediate certification and their lesson plan is available on-line.

Minimum Training Level 1. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received and signed for a copy of the policy.

Proof of Compliance

- Copy of training lesson plan or written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.09 Preliminary Investigations (E)

The Agency trains appropriate personnel in conducting preliminary investigations.

Discussion: This training should be more than just a statement that patrol officers are responsible for conducting preliminary investigations. It should include what steps are taken such as ensuring an offense has been committed, securing the scene, interviewing the complainant and witnesses, collecting physical evidence (or arranging for the collection), and writing a report, etc. This can be in the form of departmental written directive or in training lesson plans with proof of training.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of training lesson plan or written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers and Level 2 training

7.10 Follow up Investigations (E)

The Agency has a written directive which:

- a. Identifies the criteria necessary for a case to be assigned for follow-up investigation, and
- b. Identifies how cases are assigned for follow-up investigations and any follow-up reporting, if required.

The Agency also requires appropriate personnel to be trained in conducting follow-up investigations.

Discussion: Appropriate personnel might be criminal investigators or supervisors who conduct follow-up investigations.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of written directive and criteria for assigning cases for follow-up and reporting, **and**
- Proof of training of appropriate officers in follow-up investigations, **and**
- Proof of receipt of copy of policy by officers.

7.11 Informants (V)

If the Agency uses informants, they will have a written directive to instruct appropriate personnel in the use of informants. The written directive will include:

- a. The identification and recruitment requirements, limits on who can be used, and personal interaction with and appropriate use of informants.
- b. Payments to informants and necessary documentation.
- c. Informant file requirements.
- d. Informant files will be secured with limited access.

Discussion: The requirement that records be kept secure includes being secured from unauthorized access by agency employees. This requires the records to be kept in locked cabinets or rooms with only limited access by designated individuals.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of documentation of payments to informants, **and**
- Observation of informant files are secure and have limited access, On-Site.

7.12 Confidential and/or Narcotics Funds and Audits (V)

If the Agency has confidential and/or narcotics related funds, there is a written directive for the management of those funds. The written directive will include:

- a. Who is responsible and accountable for the maintenance of the funds
- b. How and where the funds will be secured.
- c. The procedures for requesting, receiving and returning unused funds.
- d. The documentation of cash transactions.
- e. The auditing of those funds every 6 months.

Discussion: The requirement that these funds be kept secure includes being secured from unauthorized access by agency employees. This requires the funds to be kept in locked cabinets or rooms with only limited access by designated individuals. The funds should have some form of a balance sheet or log that assists with the audit process.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observe funds are secure and determine level of access, On-Site, **and**
- Proof of audits, **and**
- Proof of tracking of debits and credits to the fund.

7.13 Vehicle Pursuits (E)

The Agency has a written directive for vehicle pursuits. The written directive includes:

- a. The criteria for initiating a pursuit
- b. The method of conducting a pursuit.
- c. The supervision of a pursuit.
- d. The criteria for terminating vehicle pursuits.

The Department also trains appropriate personnel in the pursuit policy.

Discussion: Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content. Agencies should be able to provide proof of training of all sworn and dispatch personnel.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers, **or**
- Proof of receipt of copy of policy by officers.

7.14 Pursuit Documentation (EV)

The Agency has a written directive that requires a pursuit report form to be completed after each pursuit. The report is forwarded through the chain of command to the Agency Director or designee. The Pursuit report will document at a minimum:

- a. The reasons for the pursuit.
- b. The personnel involved.
- c. The result of the pursuit, to include any injury, damage or other significant events.

An annual report of agency pursuits is prepared for the Agency Director.

Discussion: This standard requires a specialized form designed by the agency. Bullet c. can be met by having specific questions regarding each of these items or by the use of a general "Results of Pursuit" or "other Comments" section on the form.

Supervisors should review the form for compliance with agency directives. The Annual Report of agency pursuits is more than a counting and sorting. The report should identify trends and draw conclusions about the need for policy changes, training or changes in equipment. If the agency does not engage in pursuits frequently and has less than four or five incidents annually, consideration should be given to reviewing more than one year together to get sufficient numbers to show specific trends if they exist.

The Chief of police should sign and date the form showing proof that he/she has reviewed the report.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of pursuit reports with chain of command review, **and**
- Copy of annual report with Chief receipt.

7.15 Non Emergency and Emergency Response (E)

The Agency has a written directive for responding to emergency and non-emergency calls for service, including the use of authorized emergency equipment on Agency vehicles.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.16 Accident Investigation (E)

The Agency has a written directive on conducting accident investigations. The written directive will include:

- a. How officers will respond to the scene.
- b. Obtaining emergency aid for any victims.
- c. Preserving the scene.
- d. Taking any enforcement actions.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Copy of accident reports showing response, obtaining emergency aid, protecting the scene, and taking enforcement action

7.17 Reflective Vests (V)

The Agency has a written directive that requires personnel to wear a reflective vest as soon as practical when either directing traffic or working at the scene of an accident.

Discussion: Title 23, Code of Federal Regulations, Part 1, Section 634, became effective November 24, 2008, and requires officers working on federally subsidized highways to wear high visibility clothing. This high visibility clothing must meet Performance Class 2 or 3 standards in ANSI/ISEA 107-2004.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Verify officers have access to a vest, On-Site, **and**
- Observe vest worn on traffic direction or accident investigation, On-Site.

7.18 Roadblocks (E)

If the Agency authorizes the use of roadblocks, it has a written directive and trains its personnel in the use of roadblocks, including when and how roadblocks may be used. Stop sticks or road spikes are not considered roadblocks.

Discussion: This standard intends to address the use of stationary roadblocks during pursuit situations only. If the agency allows roadblocks in any circumstances at all, the agency must train officers in when it is appropriate to use roadblocks and how to use them safely. "Rolling Roadblocks" should be addressed in the agency's pursuit policy if used or authorized. A sample Training Program on Roadblocks is provided in the Sample Training download.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.19 Stop Sticks/Road Spikes (E)

If the Agency authorizes the use of stop sticks/road spikes, it has a written directive and trains its personnel in the use of stop sticks/road spikes, including when and how to safely deploy them.

Discussion: Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in spike strip operation, **and**
- Proof of receipt of copy of policy by officers.

7.20 Seatbelts (V)

The Agency requires occupants in Agency vehicles to wear a seat belt, as required by Texas law.

Discussion: State law requires the driver to wear a seat belt and to be responsible for ensuring children under age 14 wear a seat belt. Reliance on the state law or policy stating that all prisoners will be seat belted in is insufficient. There can be other adult occupants, such as riders, observers, and citizens being transported as a public service. Standard requires all occupants are required to wear seat belts.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, and
- Observation of personnel using seatbelts when driving Agency vehicles, On-Site.

7.21 Court Contact Information (E)

The Agency requires court contact information to be provided at the time a citation is issued.

Discussion: A copy of a citation showing court contact information is sufficient proof of compliance with this standard.

Proof of Compliance

- Copy of citation or other form showing how to contact court, **and**
- Copy of directive or instructions to officers on providing information, if required.

7.22 Security and Accountability of Traffic Citations (V)

The Agency has a written directive to document the issuance of, and accountability for, each traffic citation. If citations are stored on site, they are stored in a secured place with limited access.

Discussion: The intent of this standard is to control issuance of blank traffic citations. The citations need to be in a locked location with only limited access by court personnel or police supervisors. Officers or other personnel should not have uncontrolled access to books of citations. Officers needing citations should be required to request issuance and citations should be signed out by number. A sign-out log may be in paper form or computerized but should be audited periodically to ensure books of citations are not missing and all numbered books and citations are accounted for.

Agencies that use Electronic Ticket Writers may comply with this section by showing either vendor documents or a letter which indicates that tickets cannot be erased or voided by the officer after printing.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation on citations secured when stored, On-Site, **and**
- Observation of documentation of citations issue (log or computer entry), On-Site

7.23 Body Armor (V)

The Agency has a written directive on the availability and wearing of body armor, including the mandatory wearing of body armor in all uniform field assignments.

Discussion: Effective January 1, 2014, the agency must have a written directive requiring the wearing of body armor in all uniformed field assignments and availability and use in other situations. The only exception to required wear for field assignments allowed is for documented medical reasons for specific individuals or by direct order or approval of the Chief of Police or designee, in situations where wearing of the armor would be detrimental to the health of the officers (such as extreme hot weather and extended exposure to the sun for

extended periods.) These exceptional situations must be individually approved at the time and not a blanket policy.

Assessors may “Accept” specific blanket exceptions approved in policy by a Chief where there is a clear understanding that the wearing of a vest can further endanger an officer’s life. (Such as when an officer is operating a boat on a lake or river, when the officer is working undercover and believes the vest could identify them as an officer, or similar.)

Uniformed Field Assignment is defined as any position where officers are routinely in field positions and wearing the uniform that is commonly worn by Patrol Officers when working Patrol duties.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation of the use of body armor, On-Site, **and**
- Observation of the availability of body armor, On-Site.

7.24 Inspection of Patrol Vehicle and Equipment (E)

The Agency requires personnel to inspect the contents, appearance, and operability of all Patrol equipment assigned to, or provided for, an Agency vehicle, assigned for routine patrol use prior to each assignment or the beginning of each shift.

Discussion: A copy of completed vehicle check sheets is sufficient proof of compliance with this standard if all parts of the standard requirements are covered on the check sheet.

Agencies with home storage vehicles may require in policy that employees check assigned vehicles prior to each assignment or shift and require a formal report only if any new deficiency is found. Formal reports on mileage, contents, appearance and operability may be required as needed by the agency but should be also addressed in policy.

Agencies are not required to have written inspection reports if officers are required to record the inspection on audio/video in-car camera systems prior to use.

Proof of Compliance

- Requirement in Policy for vehicles to be checked prior to each assignment or each shift, **and**
- Copy of vehicle checklist, if used, or copy of recorded audio/video statement from in-car recording system.

7.25 Special Use Equipment (V)

The Agency has a written directive which requires that any equipment, including vehicles used for special assignments, or for other than routine use, have a documented readiness inspection at least quarterly.

Discussion: This standard addresses any special use vehicles such as command vehicles, crime scene search vehicles, and equipment such as radar trailers, generators, lighting systems, rescue equipment, weapons and equipment in the armory that is not issued, and emergency operations center equipment is also included.

Sample checklists are available on the website. Agencies should take care to identify all special use equipment. If on-site teams identify equipment that should be inspected that is not listed, the agency may have to repair the file during the on-site.

ERT equipment, including specialized weapons, specialty ammunitions, throw phones, ballistic shields, etc. are covered in Standard 8.06.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation that equipment is ready to be used, On-Site, **and**
- Copy of quarterly inspection documentation, On-Site.

7.26 Alarms (E)

The Agency has a written directive on protocols for responding to alarms by agency personnel. Alarms may include, but are not limited to burglary, robbery, panic and medical alarms. The written directive includes:

- a. Protocols for Communication personnel who receive and dispatch the calls.
- b. Procedures for personnel responding to alarms.

Discussion: This written directive could include how alarms are dispatched (audibly or covertly using electronic transmission), officer response procedures, and tactical considerations such as whether officers should approach the location, awaiting cover, calling the location, closing the channel to radio traffic while searching a building, and whether entry should be made when no one responds to attempted contacts.

Proof of Compliance

- Copy of written directive, (includes patrol and communications responses), **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.27 Reserve Officer Program (E)

If the Agency has a Reserve Officer program, a written directive describes the program and designates the types of functions the Reserve Officers will or will not perform.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

--Copy of a reserve assignment (may be explained on DSF)

7.28 Traffic Enforcement Operations (EV)

The Agency has a written directive describing traffic enforcement activities. The written directive includes:

- a. The traffic enforcement policy.
- b. The availability of officer discretion.
- c. Procedure for citation issuance.
- d. Under what circumstances a custodial arrest may be made.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.29 Civil Process Records (E)

If the agency is required to execute civil process, a written directive provides the direction on maintaining records on the subject of the process which includes at a minimum:

- a. When the process was received.
- b. When service is due.
- c. The appropriate court information.
- d. The officer assigned.
- e. Documentation of attempts at service if not served by the due date.

Discussion: If the agency does not serve Civil Process, the agency should submit a DSF indicating that function is not performed.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of civil process record and log.

7.30 Civil Process Procedures (E)

If the agency serves civil process, written directives govern the appropriate methods of service and required actions of the member serving the process.

Discussion: If the agency does not serve Civil Process, the agency should submit a DSF indicating that function is not performed.

Proof of Compliance

- Copy of written directive, **and**

- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of report of service of process

7.31 Sex Offender Registration (E)

If the agency is required to perform sex offender registration, the agency has a written directive which instructs agency personnel in how to conduct the registration process.

Discussion: Agencies which have primary law enforcement jurisdiction for a geographic area are usually responsible for registering sex offenders within that jurisdiction. Agencies should have a written directive that instructs personnel how to conduct that registration process and who to notify after registration.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of a sex offender registration.

7.32 Eyewitness Identification (E)

The agency has a written directive describing procedures for eyewitness identifications and trains appropriate personnel in the administration of live and photographic lineups. The written directive shall include at minimum:

- a. The composition and presentation process for live or photographic line-ups designed to prevent opportunities to influence the witness, and
- b. The prescribed instructions to witnesses including a statement that the suspect may or may not be in the line-up, and documentation of the results, and
- c. The procedures to be used in administration to the deaf and illiterate or those with limited English language proficiency, and
- d. When it is appropriate to use on-scene identifications.

Discussion: If a local District or County Attorney has issued written instructions on the procedures for eyewitness identifications, these instructions will meet this standard. Proof of training will still be required.

Agency policy must meet above standards as well as the requirements of HB 215. Adoption of the LEMIT version or the TPCA Sample Policy will meet these standards but agencies are free to construct their own that meet these requirements.

Prevention of opportunities to influence a witness can further include using sequential presentation and taking steps to prevent inappropriate feedback by the administrator. Prohibition of feedback can be accomplished by instructing or cautioning officers to take steps to avoid influencing a witnesses' selection, developing procedures that would prevent that feedback, or by use of blind administration. Blind administration refers to using an officer, other than the officer constructing the photographic line-up, who does not know the identity of the true suspect, to present the line-up to the eyewitness.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content. Appropriate personnel, such as Criminal Investigators or other officers who would have the occasion to conduct eyewitness identification must be trained.

Proof of Compliance:

- Copy of Written Directive (that meets all parts of standard), **and**
- Proof of training of appropriate officers in policy, **and**
- Proof of receipt of copy of policy by officers, **or**
- Copy of documentation from an eyewitness identification.

7.33 Missing Persons (E)

The agency has a written directive on the handling of missing persons. The written directive includes:

- a. No requirement for a waiting period, and
- b. The initial investigation process and reporting to required entities including entry into NCIC, and
- c. Any special considerations concerning children or the elderly, if any, and
- d. The use of electronic alert systems if available to the agency.

Discussion: Special considerations concerning children or the elderly should include such things as notification of additional resources, assigning personnel to remain on case until resolved, public notifications, or use of tip lines.

Electronic alert systems include such programs as Amber/Silver Alerts or other available systems.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **or**
- Copy of missing persons offense report showing policy followed.

7.34 Critical Incidents In-Progress (Active Shooter) (E)

The Agency has a written directive that provides officers guidance on their responsibilities and duties when responding to or involved in an active shooting incident. The agency trains officers in the policy.

Discussion: Many small agencies are unable to provide in-depth active shooter training. Agencies are encouraged to obtain the best training available to them for these critical incidents. However all officers should be provided with clear policy on how these incidents should be handled.

Minimum Training Level 1. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that employees have received and signed for a copy of the policy. Proof of training is required for both sworn and non-sworn.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

7.35 K-9 Team (V)

If the agency uses K-9 teams, the dog and the handler must successfully complete a nationally recognized training program prior to deployment in the field. Any on-duty police vehicle used to house and transport a K-9 must be equipped with appropriate safety features that prevent or significantly reduce the possibility of the K-9 succumbing to heat-related injury or death. Deployment of a K-9 team that results in the injury or death of anyone will require appropriate documentation and review by the chain of command.

If narcotics are used as a training tool for a K-9 team, the agency will have policies and a documented quarterly review process that clearly defines the use, storage, and replacement of these training tools. A K-9 team identifies the officer and the K-9 as a team, and as such, the K-9 will not be deployed by untrained or unqualified officers. D.E.A. guidelines or the appropriate pharmaceutical license will be used if a K-9 team is deployed as a narcotics detection asset.

Discussion: If K-9 officers receive supplemental income to assist with the expense of possessing a K-9 (food, vet bills, crates, etc.) the agency will have specific policies that outline this funding process. Agencies should also have policies in place that guide the process of K-9 retirement and/or the handler leaving the agency. FLSA guidelines that address the essential support needed for a K-9, such as kennel time and K-9 care, will be outlined by agency policy. This standard applies regardless of the specific discipline used by the agency and includes but is not limited to tracking, biting, narcotics, explosives, and electronics. If a K-9 is killed or injured to the degree that veterinary services are required, the agency will conduct a review of the circumstances to ensure training and policies were followed.

Proof of Compliance

- Proof of required training of K-9 team
- If narcotics used for training – proof of quarterly review & replacement procedures
- Proof of DEA guidelines or proof of pharmaceutical license
- Appropriate safety features for K-9
- Specific policy that requires chain of command review upon injury or death

7.36 Artificial Intelligence

If the agency uses artificial intelligence technology, the agency must have a written policy that addresses at a minimum:

- a. Which personnel are authorized to use the artificial intelligence
- b. What training is required before the technology can be used
- c. What predicate level of cause (if any) must exist before the technology is used (reasonable suspicion, probable cause, etc.)
- d. What agency personnel must approve the use of the technology, and
- e. How is the use of the technology documented

Discussion: Artificial intelligence technology is evolving rapidly, and it is incumbent on accredited agencies to ensure these technologies are being used in the manner intended. For purposes of this standard, Artificial Intelligence is defined as, computers that are designed to quickly gather intelligence for criminal investigative purposes. Examples include, but are not limited to, license plate readers, drones, facial recognition, voice analysis, and tracking devices.

Proofs of Compliance

- Copy of Written Directive that identifies authorized users of A.I.
- Copy of Written Directive that identifies the parameters for use of A.I.

CHAPTER 8

UNUSUAL SITUATIONS

The majority of police work is fairly routine even though it may involve a crime of violence. However, some situations are of such a critical nature or are of such a magnitude that special responses are necessary. These may include barricaded subjects, bomb threats, or even natural disasters. Prior planning and training for these events and sound policy on how they should be handled is critical to the successful conclusion of an event. Standards in this section address the most critical of these situations.

8.01 Barricaded Suspect and/or Hostage Incidents (E)

The Agency has a written directive instructing personnel how to respond to a barricaded suspect or hostage incident which includes:

- a. Responding to the scene.
- b. Determining the nature of the event and securing the scene.
- c. Calling appropriate assistance and/or supervision.
- d. Evacuating or protecting bystanders.

Discussion: This standard is designed to ensure the officers and dispatchers are aware of how they should handle a barricaded person or hostage situation.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of after action reports, if any.

8.02 Bomb Threats and Responding to Bomb Incidents (E)

The Agency has a written directive instructing personnel how to receive, document, and respond to bomb threats and actual bomb incidents.

Discussion: This directive could address how communications personnel should receive and question such callers, what information they should attempt to gain, how to dispatch officers (by radio or telephone), officer response methods, investigative steps, when and when not to search, what to do if a device is found, what type of offense to make among others.

Proof of Compliance

- Copy of written directive, **and**
- Proof of receipt of copy of policy by officers, **or**
- Proof of training of officers in policy, **or**
- Copy of any offense reports or after action reports.

8.03 Hostage Negotiations (E)

If the Agency has full or part-time Hostage Negotiators, a written directive established the criteria for the selection of hostage negotiators.

Discussion: Some agencies may use a detailed selection process including interviews by contracted psychologists. Smaller agencies may simple advertise the vacancy and the chief may select the person who he/she believes would do the best job. Regardless of the process used (and using psychological expertise input is recommended) the process needs to be clearly described in policy.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of any recent selection process, if any.

8.04 Emergency Response Team Officers (E)

If the Agency has full or part-time Emergency Response Team Officers, a written directive established the criteria for the selection of the Officers.

Discussion: Some agencies may use a detailed selection process including interviews by contracted psychologists. Smaller agencies may simple advertize the vacancy and the chief may select the person who he/she believes would do the best job. Regardless of the process used (and using psychological expertise input is recommended) the process needs to be clearly described in policy.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of any recent selection process, if any.

8.05 Emergency Response Team Procedures (E)

If the agency has a response team, a written directive governs the response to incidents.

Discussion: This directive should outline when and under what circumstances the team is called out to handle an incident.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Incident reports indicating response, if any.

8.06 Emergency Response Team Equipment (V)

If the Agency has Emergency Response Team Officers, the Agency approves any specialized equipment used for special operations and requires a documented inspection of the equipment quarterly. The agency also provides each member of an ERT with Self Aid / Buddy Aid Emergency Medical Equipment.

Discussion: The quarterly inspection of this specialized equipment is required regardless if it is assigned to individual officers and carried in their squad car, or stored in a department facility. All ERT equipment and specialized weapons, and equipment including any ERT vehicle, extra or specialized weapons, throw phones, surveillance equipment, gas supplies, ballistic shields, etc., should be inspected.

The minimum Self Aid / Buddy Aid equipment required consists of a compress bandage and a tactical tourniquet, and carrying pouch to allow carrying on the person. ERT teams may meet this standard on a team basis by having properly equipped and trained Tactical Medics (paramedic level) or MDs, if these personnel accompany entry teams into hazardous locations.

Proof of Compliance

- Copy of approving documentation, **and**
- Observation of equipment designated by the agency, On-Site, **and**
- Copy of quarterly documented inspections.

8.07 Emergency Operations Plan (V)

The Agency has a written Emergency Operations Plan or is included in a city/county Emergency Operations Plan. The plan is accessible to at least all command level and communications personnel. The department trains appropriate personnel in the plan.

The Plan or other departmental written directive includes provisions for:

- a. Civil disturbances.
- b. Mass arrests.
- c. Response to natural and manmade disasters.
- d. Uniform and equipment usage
- e. Use of less-lethal weapons
- f. Use of canine and horses (if used by the Agency)
- g. Overall goal in incident management

Discussion: Most County Emergency Operations Plans provide for law enforcement response to natural and manmade disasters. Few, however, have provisions for mass arrests or how to respond to civil disturbances. Agencies who wish to use the County Plan as their Emergency Response Plan should add sections on mass arrests and the procedures for handling Civil Disturbances to their Patrol Standard Operating Procedures or other departmental policies and procedures.

Mass arrests should cover how arrests are made, arrangements for temporary holding, report writing process, and how and where prisoners are transported.

Civil disturbances should cover how officers should respond to these incidents and the importance of protecting the rights of the protestors while at the same time ensuring the rights of the public are not infringed upon.

Agencies should ensure Communications personnel and at least Command level personnel have been briefed on the plan and have access to a copy.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of plan for all items required, **and**
- Proof of training of appropriate personnel, **and**
- Observation that plan is accessible by all command level personnel and communications personnel, On-Site.

8.08 After Action Report (EV)

The Agency has a written directive that requires an after-action report for any natural or man-made disaster, or any unusual occurrence as defined by the Agency.

Discussion: After action reports are usually completed by the commander or other supervisor present at the incident. It will generally cover a description of the event, the plans made, the staffing level and how assignments were made, and any traffic issues.

The most important part of an After-Action Report is a description of the things that went well and the things that should be improved next time. Recommendations are also made regarding any policy changes needed, staffing and equipment, and planning issues.

Agencies should list in their policy all the types of events where the department wants an After Action Report completed such as all natural and man-made disasters, barricaded person or hostage incidents, anytime ERT responds to an incident, any officer involved shooting, and any recurring special event.

At a minimum the definition of a natural or man-made disaster, or any unusual occurrence will include: barricaded person(s), planned and unplanned "major incident" (see glossary), civil disturbances, SWAT or hazardous warrant execution, and natural disasters such as severe storms e.g.: hurricanes, tornadoes, earthquakes, etc. that cause emergency response.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of After Action reports.

8.09 Review of Emergency Operations Plan (V)

The Agency must conduct a documented review of the Emergency Operations Plan at least every two years. The review may be a full or partial exercise, a tabletop exercise, or a command/supervisory staff discussion and review of the plan.

Discussion: None

Proof of Compliance

- Observation of Emergency Operations Plan review, On-Site
- Copy of documentation of plan reviews.

8.10 Homeland Security (E)

The Agency designates at least one person in the Agency to be familiar with and review homeland security information that is pertinent to the agency and the jurisdiction.

Discussion: This person does not have to be a police officer but should be either a member of the law enforcement agency or located within the department facility and required to review homeland security information regularly.

Proof of Compliance

- Copy of documentation designating specific individual and required duties
- Copy of any Homeland Security issues brought to the attention of the agency

8.11 National Incident Management System (E)

The Agency trains its personnel in the NIMS (National Incident Management System) or participates with another agency for training. Every sworn officer will complete all the NIMS courses required for each rank. The courses are available through the FEMA Website.

Discussion: Minimum Training Level 3. The training portion of this standard must be met by showing proof of some form of formal training, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used.

All Sworn Officers must have the ICS700 Familiarization and ICS100

Sworn Supervisors must also have ICS200

The Chief (other ranking officer who would actually handle the field operations) ICS300

Proof of Compliance

- Copy of a training record for each rank required above.

8.12 Hazardous Materials (V)

The Agency has a written directive instructing employees who to contact for immediate response to large scale Hazardous Materials and Biohazard situations.

Discussion: This standard is intended to address only those large-scale events where some decontamination processes are required. The agency is only required to have a written directive informing employees who to contact to respond.

Proof of Compliance

--Written Directive which instructs personnel who to call, and Proof of use or distribution of policy.

CHAPTER 9

COMMUNICATIONS

Basic communications operations are necessary to provide fast, efficient and reliable service to the citizens of a community. It is also necessary to ensure the safety of the responding officers and employees. Reliability and access to state and national databases is required to provide officers with the information necessary to do their job and protect them from harm. If an agency uses another entity to dispatch for them, the dispatching agency must meet all the applicable standards in Chapter 9.

9.01 Communication Centers (24 hour access) (V)

If the Agency has 24 hour emergency response responsibility, the Agency has a communications center, or uses a communications center, that is staffed 24 hours a day, 7 days a week for contact by the public.

Discussion: Providing a work schedule for personnel in communications can prove compliance with this standard. If the agency does not have 24 hour operation, the agency must have an advertized 24 hour recorded number for public contact. If officers ever work after hours assignments, the officer must have radio contact with an agency that is staffed during those hours.

Proof of Compliance

- Observation of Communication Center, On-Site, **and**
- Copy of staffing schedule, **and**
- Interview with supervisor, On-Site.

9.02 Facility Security (V)

If the Agency operates a communication center, the Communications area is secured from the general public and allows only those persons designated by the agency to be in the communications area.

Discussion: The agency should indicate in their written directive who is authorized entry.

Proof of Compliance

- Observe Communications Division security On-Site, **and**
- Interview staff regarding security procedures, **or**
- Photographs of security measures.

9.03 Playback System (V)

The Agency has a playback system for telephones and radios to allow for information to be retrieved when necessary.

Discussion: Radios and all incoming telephone lines where calls are received from citizens are required to be recorded. Immediate playback systems for radio transmissions are encouraged but not required if regular tape backup is accessible by on-duty dispatchers if needed.

Proof of Compliance

- Observe the playback system is functioning properly On-Site, **and**
- Interview personnel regarding training in its operation.

9.04 Back Up Power Source (V)

The Agency has access to a backup power source, or other alternate means of communications, in order to maintain operation of radios and telephones during a power failure. The backup power source or alternate means of communication has security measures to prevent unauthorized access or tampering. At least quarterly documented testing of the back-up system is required.

Discussion: If the back-up power source is a generator, then the generator “has security measures to prevent unauthorized access or tampering.” This can be achieved by any number of means including fencing with locked or secured gates; locking all access panels and fuel fill caps in some manner to prevent or clearly show evidence of tampering should it occur; or having the generator inside a secured area, such as a fenced back area of a station with secure access and locked panels and fuel fill cap. Having the area monitored by video cameras would provide additional security.

If the back-up system is a battery operated portable radio or other battery back-up system, the system must also be protected from unauthorized access or tampering. Battery backup systems must provide a minimum of 2 hours of continuous use to allow the agency administration to make alternate arrangements for continuous operations.

The department needs to have documentation that shows the generator or UPS system has been tested regularly as per departmental policy. This can be some form of log or receipt from a company which tests the system at least quarterly.

Proof of Compliance

- Observation of back-up power system On-Site, **and**
- Observation of security measures to protect back –up power, **and**
- Documentation of periodic testing.

9.05 Emergency Telephone Number (V)

The Agency has a single emergency telephone number for citizens to obtain emergency police services.

Discussion: The agency may have other administrative numbers which are answered by communications but the agency should advertise only one number for emergency service.

Proof of Compliance

- Observe incoming lines for single emergency contact telephone number for citizens, On-Site, **or**
- Copy of telephone book page showing single number for police service.

9.06 24-hour Two Way Radio Capability (V)

The Agency has 24-hour two-way radio capability between the Communication Center and police officers on duty in the field.

Discussion: None

Proof of Compliance

- Observe radio communication has 24-hour capability On- Site.

9.07 Access to Criminal Justice Information Systems (V)

The Agency has access to regional, state (T.C.I.C.) and federal (N.C.I.C.) information systems.

Discussion: None

Proof of Compliance

- Observe access to systems in communication center or through another agency, On-Site.

9.08 Warrant Confirmation (V)

If the agency enters warrants into regional, state, or federal databases, *or maintains paper warrant files*, or confirms warrants for other agencies, a written directive addresses the portions of the process exercised by the candidate agency to include:

- a. How and where the warrant files are maintained, and how accessed, if applicable,
- b. Addition of new warrants and removal of old or inactive warrants from the warrant file, if applicable;
- c. Entry and removal into any regional, state or federal database, if applicable;
- d. How warrants are confirmed; if applicable;
- e. Periodic auditing of the original warrant file, if applicable.

If the candidate agency confirms warrants for other agencies, the agency must maintain 24 hour access to the warrant file for confirmation of active warrants.

Discussion: If a candidate agency enters warrants into a database (local only, regional, state, or federal) that is accessible by members of that agency or any other agency, or If another entity (such as a municipal court, or records unit) enters the warrants into a database that is accessible by members of the agency or any other agency, and the candidate agency is responsible for confirming the existence of a warrant by reviewing either the original, copy, or computer entry of a warrant, then the agency must meet the parts of standard 9.08 that apply to the candidate agency.

If another agency, such as a municipal court, another local agency, the County Sheriff, Justice of the Peace, or other entity enters, maintains and confirms the warrant, (and the only action on the part of the candidate agency is the original citation issuance) then the standard is NA.

If another entity does entry, removal, and maintains the hard copy or computer file, and the candidate agency only confirms from the computer record, then the Candidate agency must only meet bullet a. and d.

If the agency only maintains a paper file of original warrants, accessible only to agency employees, the agency must meet bullets a, b, d, and e, but is not required to meet the 24 hour requirement if policy states arrests can only be made with immediate confirmation of original warrant.

Proof of Compliance

- Copy of Written Directive, **and**
- Observation of warrant file, On-Site, **and**
- Copies of audits, other documentation of proper file maintenance.

9.09 Crisis Communications Training

If the Agency operates a communications center, the agency must ensure communications personnel receive the following training:

- a. Communicating with persons who have mental health challenges
- b. Crisis communications
- c. The agency's use of force policy
- d. De-escalation strategies

Discussion: Agencies should ensure that call-takers and dispatchers receive thorough, hands-on training to support the police response to critical incidents that may involve the use of force. If available in the agency's area, the Agency should work with their local mental health provider community and organizations such as the National Alliance on Mental Illness (NAMI) to create outreach and education programs to enhance referral material. While it may not always be possible, Agencies are encouraged to arrange for their dispatchers to ride out with patrol officers.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that communications personnel have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a supervisor, or received a copy of a policy and been tested over its content.

9.10 Communications Quality Assurance (E)

If the agency has a communication center a written directive must establish a quality assurance program that includes at a minimum:

- a. Documented quality checks of each employee' assigned position, to include appropriate call taking and dispatch performance
- b. Frequency and quantity of quality checks
- c. Process for telecommunicator feedback, and
- d. Management reporting and review process

Discussion: The purpose of quality checks is to ensure the level of service provided is within the agency's policy and training. This can be accomplished by direct monitoring of calls or by playback of recordings. The quality checks should cover all aspects of the employee's performance. The agency will establish the number and frequency of the checks bearing in mind that monthly checks have proven to be effective in improving service delivery. Proof of these quality checks shall be documented and provided to appropriate supervisory or management personnel.

Proof of Compliance

- Copy of Written Directive explaining quality check process
- Copy of Written Directive explaining process for feedback from employees

CHAPTER 10

ARRESTEE PROCESSING AND TRANSPORTATION

Individuals taken into custody must be safely transported to a detention facility and held in a manner that meets constitutional standards. Proper transportation procedures also ensure the safety of officers and detentions personnel. Applicability of these standards depends on the type holding facility an agency employs.

If an agency operates a holding facility where individuals are booked in, locked in a cell or holding room, and leaves the prisoner alone for any period of time; the agency must comply with all standards in this chapter. Note: an interrogation room where an officer is always present would not be considered a holding facility unless the officer leaves the building.

If an Agency does not have a locking holding facility, where prisoners are booked in and kept without constant supervision, and instead uses another agency facility (such as the County Sheriff), they may show most of Chapter 10 as “NA” (Not Applicable), IF the holding facility used is subject to the Texas State Jail Standards Act. If the agency used by the Candidate Agency to hold prisoners is not subject to the Texas State Jail Standards Act, the agency must comply with all of Chapter 10, unless there is a clear statement in a written agreement that the receiving agency takes full custody and responsibility for the prisoner upon receipt.

Standards Applicable to All Agencies: Standards 10.01, 10.02, and 10.03 still apply to the Candidate Agency. Standard 10.10 still applies to the Candidate Agency to the extent that the prisoner’s property is cared for until released to the holding agency. Standard 10.12 still applies to the Candidate Agency to the extent that officers are instructed on how and when to obtain medical aid for a prisoner prior to release to the holding agency. If the agency authorizes strip or body cavity searches before reaching the jail, the agency must comply with 10.14 and 10.15. Standard 10.22 is applicable to the agency and the agency must address the standard unless the agency can show where a receiving agency has a policy to comply with the standard.

10.01 Searching and Transport (E)

The Agency has a written directive addressing searching and transporting adult prisoners. The written directive includes at a minimum:

- a. That all adult arrested persons be searched before any transport.
- b. The approved methods of how to safely transport arrested persons.
- c. Methods or actions for transporting sick, injured, or disabled arrested persons.
- d. Search of the transporting vehicle before and after the transport.
- e. The proper use of any restraining devices.
- f. Monitoring of the prisoner to avoid medical difficulties.

Training of agency personnel in searching and transportation of prisoners is also required.

Discussion: Policy must require search of transport vehicle before and after transport even if vehicle is searched at the beginning of shift or after last prisoner. Policy must require constant monitoring of prisoner for medical difficulties.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll- call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

10.02 Juveniles – Arrest, Detention, and Transportation (E)

The Agency has a written directive regarding the arrest, detention and transportation of juveniles. The written directive includes:

- a. The rights of arrested juveniles.
- b. The searching of juveniles.
- c. The methods of transporting juveniles to detention.
- d. The use of restraints and monitoring of the prisoner.
- e. Approved methods and locations of detention.
- f. The development, control, and separate storage of juvenile files.

Discussion: Juvenile files should be kept separate from adult files as required by the Texas Family Code. This can be accomplished by filing them in a separate file cabinet or drawer or on a separate shelf. All files (including juvenile files) must be kept secure. The requirement that records be kept secure includes being secured from unauthorized access by agency employees. This requires the records to be kept in locked cabinets or rooms with only limited access by designated individuals.

Agency directives should cover rights of juveniles, when authorized to arrest, detention, searching, and transporting juveniles as well.

Proof of Compliance

- Copy of written directive(s) addressing all requirements, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

10.03 Approval of Juvenile Holding Area (V)

The Agency has written approval from a juvenile court judge, or juvenile board as provided for in the Texas Family code, for the holding and processing area for juvenile arrest, if used. If an agency changes the location of their holding/processing area or if the agency moves into a new or different facility, the agency is required to seek an updated written approval notice by a juvenile court judge or juvenile board as provided for in the Texas Family Code.

Discussion: None

Proof of Compliance

- Copy of written approval from juvenile court judge or Juvenile Board, **and**
- Copy of juvenile holding log showing time held, **and**
- Observe holding area for appropriate separation from adult processing, On-Site.

10.04 Separation of Prisoners (V)

The Agency provides for the cell separation of male and female prisoners. The Agency also provides sight and sound separation between arrested adults and juveniles.

Discussion: None

Proof of Compliance

- Observe sight and sound separation for between adult prisoners and juveniles, On-Site, **and**
- Copy of directive requiring separation of male and female prisoners, if any.

10.05 Jail Cells (V)

The Agency has a written directive to instruct personnel on the operation of jail area and cells.

Discussion: The agency written directive should instruct employees how prisoners are to be brought into the facility, processed in, and housed. Specific information regarding how cells are to be operated (mechanical) and the placement of prisoners into certain cells should also be covered as well as any prisoner classification and protection system in place.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**

- Proof of receipt of copy of policy by officers, **and**
- Observe operation of Jail area/cells, On-Site.

10.06 Access to the Jail Cell Area (V)

The Agency has a written directive to control access of non-essential persons to the Jail area.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observe access control procedures, On-Site.

10.07 Visitors (V)

The Agency has written directive for prisoner visitations, including procedures for attorneys.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observe area and process for attorney/client visits, On-Site.

10.08 Fire Protection for Jail Cell Area (V)

The Agency has a fire protection plan for the Jail cell area. At a minimum the plan should include having fire detection devices and fire extinguishers available for immediate use.

Discussion: A minimum of at least two fire detection devices and at least two properly charged and inspected fire extinguishers are required. The fire detection devices should be able to alert on duty staff without relying on prisoner intervention.

Proof of Compliance

- Observe fire detection devices, **and**
- Observe existence of fire extinguishers (at least two) or other fire suppression System, **and**
- Observe fire suppression equipment inspection is current.

10.09 Evacuation Plan for Jail Cell Area (V)

The Agency has a fire evacuation diagram posted in the Jail cell area.

Discussion: This standard requires a diagram showing emergency fire exits be posted in the jail area for easy access and understanding.

Proof of Compliance

--Observe plan is posted and visible to personnel

10.10 Prisoner's Property Release (V)

The Agency has a written directive to secure a prisoner's property and return the property to the prisoner upon release, or if transferred, the prisoner's property may be released to the receiving agency.

Discussion: If agency does not have a jail, the agency must still have written directive regarding handling of prisoner's property from time of arrest until turning over prisoner to holding agency.

Prisoner's property should be secured from access by unauthorized individuals who might be present in the jail, such as other prisoners, cleaning personnel, and visitors.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observe security procedures for prisoner's property, On-Site, **and**
- Observe secure location for prisoner's property, On-Site.

10.11 Prisoner Identification Procedure (V)

The Agency has a written directive requiring verification of the identity of any prisoner prior to release or transfer.

Discussion: Most agencies require comparison of intake and release photographs or fingerprints. Agencies should not relay of the verbal responses of prisoners nor the use of wrist bands which could be swapped between prisoners.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation of intake and outtake procedures and documentation, On-Site, **and**
- Observation of identification verification procedures, On-Site.

10.12 Medical Assistance for Prisoners (V)

The Agency has written directive instructing personnel how to obtain medical assistance for ill or injured prisoners.

Discussion: If agency does not have jail, the agency must still have a directive outlining how to obtain medical attention for a prisoner prior to delivery to the holding agency.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of any injured prisoner reports, **and**
- Interview staff regarding how to summon aid, On-Site.

10.13 Medication for Prisoners (V)

The Agency has a written directive for prisoner medication if kept on site. The directive includes providing for proper storage, security, and distribution of the medication.

Discussion: Proper storage and security of prisoner's medications should include keeping medications secure from unauthorized individuals and the proper storage of medications such as those requiring refrigeration. Responsibility for distribution of required medications must also be addressed. The directive should also cover how to document the dispensing of any medications.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation of documentation for medication dispersal to prisoners, On-Site, **and**
- Observe storage of medication, On-Site.

10.14 Strip Searches (E)

The Agency has a written directive regarding the strip searches of arrested persons that requires supervisory approval of each search. Personnel of the same sex as the arrested person will conduct these searches.

Discussion: If the agency does not have a jail, the agency should have a written directive either prohibiting agency personnel from conducting a strip search or provides direction on process of conducting search prior to delivery of subject to the holding facility. Strip searches should never be conducted in the field but only in a controlled environment, with supervisory approval of each search, and conducted by persons of the same sex.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of any supervisory approved searches, **and**
- Interview personnel on Strip Search procedures and location, On-Site.

10.15 Body Cavity Searches (E)

The Agency has a written directive regarding the body cavity searches of arrested persons that requires supervisory approval of each search. These searches are more involved than a strip search and will be conducted by medically trained personnel.

Discussion: If the agency does not have a jail, the agency should have a written directive either prohibiting agency personnel from conducting a body cavity search or provides direction on process of conducting search prior to delivery of subject to the holding facility.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of any supervisory approved searches, **and**
- Interview personnel on Body Cavity Search procedures and location, On-Site.

10.16 Jail Cell Area Key Control (V)

The agency has a written directive for controlling access to keys for securing the Jail cells and book-in area.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation of key control access, On-Site.

10.17 Prisoner Escapes (E)

The Agency has a written directive for a procedure if a prisoner escapes from custody within the jail area.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

10.18 Jail Cell Area Inspection (V)

The Agency requires a documented physical inspection of the Jail cell area at the beginning of each shift, and requires a search of each cell prior to a prisoner being placed in the cell. The inspection is to determine any security or sanitation concerns, and locate any contraband in the Jail cell area.

Discussion: The agency must have a method of documenting an inspection of the Jail cell area at the beginning of each shift checking for sanitation issues and contraband. Cells must also be checked prior to placing a prisoner in a cell (if the cell is unoccupied). It does not require the removal of prisoners from a cell and search of the cell when an additional prisoner is being placed into a cell containing other prisoners. For safety, agencies should have policies where cells that are occupied by multiple prisoners for long periods of time are periodically cleared and searched for weapons or contraband.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Review inspection documentation, On-Site, **and**
- Observe conduct of inspections, on-Site.

10.19 Minimum Standards for Jail Cell Area (V)

The Agency Jail cells are equipped with water and toilet facilities except for special purpose cells. Access to food will be provided to prisoners who are detained through normal meal times.

Discussion: Holding facilities are allowed to have limited number of “special purpose” cells which may not have water or toilet facilities for combative or inebriated prisoners that are designed to protect the prisoner from harm. Prisoners placed in these cells however, meet the requirement for observation at a minimum of every 30 minutes.

All other cells must be equipped with water and toilet facilities. Three meals a day must be served although the content of the meals is up to the agency.

Proof of Compliance

- Observe access to water and toilet facilities, On-Site, **and**
- Observe access to food, if applicable, On-Site, **and**
- Interview staff or prisoners regarding access to necessities, on-Site.

10.20 Visual Observation of Prisoners (V)

The Agency requires that agency personnel should visually observe prisoners every 30 minutes as workloads allow but not to exceed one hour. The observation must be documented and can be in person or by a monitored camera system. Documented observations of prisoners who may be considered security risks, suicidal, experiencing unusual behavior, or other causes for concern by agency staff will occur every 30 minutes.

Discussion: Prisoner checks must be documented in some manner that shows proper interval checks.

Proof of Compliance

- Observation of prisoner checks conducted at least every hour, On-Site, **and**
- Review documentation of prisoner checks, On-Site, **and**
- Observation of prisoner checks on prisoners causing concern every 30 minutes, On-Site.

10.21 Weapons in the Jail Cell Area (V)

The Agency does not permit firearms to be carried into the Jail cell area. Some less than lethal weapons, such as pepper spray, may be carried in the area if authorized in a written directive by the Agency.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observe approved weapon storage lockers, On-Site, **and**
- Verify if any less than lethal weapons are authorized in writing, On-Site.

10.22 Consular Notifications (E)

The Agency has a written directive which requires appropriate consular notification after the arrest of any foreign national.

Discussion: Required by United States Treaty. If another agency is responsible for this notification, the Candidate Agency may not be responsible and may show this standard as NA. Candidate Agency should show proof other receiving agency has policy or practice to comply.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Copy of arrest document showing individual advised of right or actual consular contact.

CHAPTER 11

COURT SECURITY

Those agencies that provide security for the courts within our judicial system must ensure they are safe to protect the integrity of the criminal justice system. Security systems should be designed to protect not only the physical facilities but all participants in the court proceedings.

11.01 Courthouse/Courtroom Security (V)

If the Agency provides security for a Courthouse/courtroom, the Agency trains appropriate personnel on security measures, including the carrying of weapons in the courthouse/courtroom, and the use of restraints.

Discussion: Directions from the local judicial authority regarding the presence of weapons and use of restraints in the courtroom is required as part of this training. Compliance with this requirement can often be shown by a letter from the local Judge regarding these issues in their court. At a minimum, the training must meet current standards set by the State of Texas.

Minimum Training Level 2. While a higher level of training is always encouraged, the training portion of this standard may be met by showing that officers have received Roll-call Training or a formal Training Bulletin, watched a video, received a copy of a policy which was discussed with or by a Supervisor, or received a copy of a policy and been tested over its content.

Proof of Compliance

- Copy of training plan or written directive, **and**
- Copy of instructions from Judge regarding weapons and restraints, **and**
- Observations of security measures in courtroom/courthouse, On-Site, **and**
- Observe secured weapon storage area (if required), **and**
- Observe any special equipment available (magnetometer, special restraints).

11.02 External Communications (V)

If the Agency provides security for a Courthouse/courtroom, at least one means of external communication is available to a member of the court staff for emergency situations.

Discussion: None

Proof of Compliance

- Observation and testing of at least one means of external communications, On-Site.

11.03 Fire Evacuation Plan (V)

If the Agency provides security for a Courthouse/courtroom, the Agency has a fire evacuation plan for the Courthouse/Courtroom that is reviewed with Court employees at least annually.

Discussion: Proof of compliance with this standard is shown by providing a sign-off sheet where court employees have reviewed the fire evacuation plan for the courtroom. The placement of a fire evacuation diagram in the courtroom, although recommended, is not a specific requirement of this standard.

Proof of Compliance

- Observe copy of fire evacuation plan, On-Site, **and**
- Observe that plan is reviewed at least annually with Court staff, **or**
- Copy of sign-off sheet for Court employee review of plan.

CHAPTER 12

PROPERTY AND EVIDENCE MANAGEMENT

The proper collection and preservation of evidence is crucial to the accomplishment of any law enforcement mission. Presentation of reliable evidence in court is required for successful prosecution of criminal defendants. The property control function of a department must be beyond reproach and frequent audits, inspections, and inventories are necessary to ensure these high standards are met.

12.01 Property and Evidence – Chain of Custody (V)

The Agency has a written directive for taking property/evidence into custody, including assets seized for forfeiture, to insure proper inventory, storage, and chain of custody.

Discussion: This written directive should cover the entire Property and Evidence process. It needs to include clear definitions of the types of property and evidence and how it is taken into custody. The directive should also cover security of the actual property room, marking property for identification, the submission process, chain of custody process, intake process by the custodian, packaging and storage procedures, property sign-out procedures for court or laboratory exams, disposal guidelines as well as required inspections and inventories.

If asset forfeiture property or evidence is handled differently in the property room than other items, the procedures for that process should be detailed in the directive.

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers, **and**
- Observation of property and evidence is properly stored, On-Site, **and**
- Observation of proper chain of custody for evidence, On-Site.

12.02 Access to Crime Scene Technicians (EV)

The Agency has on staff, or has access to, trained crime scene technicians to assist with major crime investigations when necessary.

Discussion: None

Proof of Compliance

- Copy of training records of investigators, **and**
- Copy of on-call list from dispatch for crime scene staff or agencies to call, **and**
- Copy of offense report where technicians were called out.

12.03 Property/Evidence Submission (E)

The Agency has a written directive that requires all property/evidence seized by agency personnel to be submitted to the property/evidence technician or placed in the property/evidence area by the end of their tour of duty. Employees shall not personally retain property or evidence, except as part of an authorized chain of custody.

Discussion: None

Proof of Compliance

- Copy of written directive, **and**
- Proof of training of officers in policy, **or**
- Proof of receipt of copy of policy by officers.

12.04 Property/Evidence Storage Area Security (V)

The Agency authorizes by written directive, personnel who can enter the Property/Evidence storage area. The Property and Evidence storage area will be secure and access will be restricted for any unauthorized personnel unless they are escorted, and sign in and out on an access log or other type of tracking system.

Discussion: The Property Room must be secure. While we would encourage solid walls and alarm systems, these are sometimes not possible and therefore are not “required” under most circumstances. Property rooms should have a minimum level of security including at least sheetrock walls. Walls must extend up above false ceilings. Drop ceilings can be a problem. Walls should extend above false ceilings to the top of the building or next floor preventing easy crawl over entry. If walls extend only up to a false ceiling, agencies may extend the wall to the next floor or roof with sheetrock, plywood, masonry, or in some cases chain link fence material installed so it cannot be removed easily. Solid walls are preferable (wood or masonry) but sheetrock and chain link will show immediate evidence of unauthorized entry.

Doors should be solid core if possible. Hinges should be on the inside of the room so that the door could not easily be removed. Locks should be good quality (not punch the button bathroom door locks that can be opened with a small screwdriver.) Deadbolts are also encouraged. Keys should be controlled by the property custodian only. An extra key can be maintained by a departmental supervisor. A key should not be hanging up in the detail room allowing anyone access. If the property room is in a separate building that is not staffed 24 hours, it should be alarmed with the alarm reporting to dispatch. Access to the property room should be restricted to Property personnel only. All other personnel should sign in and out on a log or other tracking system.

Although not required, other things to improve property room security include alarm systems, video monitoring, and separate locked storage areas for Guns, Drugs, and Money inside the Property Room.

The directive should include that the area is restricted for unauthorized personnel unless escorted by authorized personnel and must sign in and out on an access log or other tracking system.

Proof of Compliance

- Copy of written directive showing who is authorized entry, **and**
- Observation of access logs or tracking system, On-Site, **and**
- Observation of security of the storage area, On-Site.

12.05 Disposal of Property/Evidence (V)

The Agency has a written directive for the documentation of the disposal of property/evidence stored in the Agency property/evidence storage area.

Discussion: No specific disposal schedule is required. However, documentation of the process used for all disposals, and records of disposed items is required if done.

Proof of Compliance

- Copy of written directive, **and**
- Interview staff on disposal process, On-Site, **and**
- Review documentation of disposals, on-Site.

12.06 Field Release of Property (E)

The Agency has a written directive for the release of property or evidence in the field. The policy should detail when and how items may be released to the complainant or owner when practical without compromising a case. All releases will be documented and signed for on a property/evidence release form.

Discussion: The Property Release Form is a document that is retained as proof that the officer released the property. The form can be a multi-purpose form, combining a property release form, a property intake form, and chain of custody form.

Agencies are not required to release property in the field, but directive should clearly state whether prohibited or permissible. If permissible, some form of receipt where owner signs a receipt for the property. Receipt may be electronic or video recorded but must be kept as long as other property paperwork.

Agencies may use a paper form with a signature of the owner required, or may use other electronic means of proving receipt such as a signature capture device on a hand held ticket writer, or a audio or video recording of the release. If audio recording only is used, there must be a requirement that the officer identify the person receiving the property and the person's acknowledgement clearly recorded.

Proof of Compliance

- Copy of written directive, **and**
- Copies of Releases documented on an appropriate form.

12.07 Inspection of Property/Evidence (EV)

The agency has a system in place for a documented inspection of the Property/Evidence function and procedures at least every six months. An inspection should concentrate on how the policies, procedures, and practices are followed and have minimal individual inspections of items to verify procedures.

Discussion: The Property and Evidence Custodian should not “inspect” their own operation. Inspections should be done by supervisors or other personnel not involved in the operation of the Property Room.

At a minimum, the Inspection should include inspection of:

- The review of department policy and procedures for property and evidence submission,

- The security of the property room,

- The proper use of the sign in log,

- The proper packaging and submission of evidence items

- The proper and up to date processing and storage of property

- The proper and up to date disposal of property

- The cleanliness and orderliness of the Property Room,

- Any unusual circumstances, to include:

- Any items determined missing by the Property Custodian

- Any items which may be present in the property Room without identifying information or paperwork.

The inspection will also require the Property Custodian to find a minimum of 6 items randomly selected by the person inspecting from the property intake records, to include at least one weapon, one drug and one money item.

A statement from the inspecting Supervisor that the processes in use are in compliance with the department policies regarding Property and Evidence handling.

The Inspection Report to the Chief can be either a memorandum or inspection form, but should cover all required inspection items above.

The Agency Director should sign and date the report to show proof of receipt and review.

Proof of Compliance

- Copy of written directive, **and**

- Copy of documentation of inspections.

12.08 Inventory of Property/Evidence (EV)

The Agency has a written directive requiring a sampling of individual items stored in the property and evidence area at least annually, and when the actual head custodian leaves the agency. The sample must meet the requirements for sampling in Appendix A.

If the Agency stores items of evidence, such as body camera videos, in-car camera video, etc., on a server or in “the Cloud” or other electronic format, the Agency must provide a written directive that states how and where the items are stored and how the items are secured and accounted for by Agency personnel.

Discussion: While a complete inventory of all the items stored in the property room is always preferable, the standard allows for sampling to accomplish this standard. Many agencies have a great deal of property in their property room and do not have the resources to conduct a “complete” inventory annually. Currently the Texas Best Practices Program does not require electronically stored items to be a part of the annual inventory.

This best practice encourages agencies to conduct an inventory whenever property/evidence room staff leave the agency; however, it is only required when the person who is “in charge” of this function leaves the agency. For example – if the head property room custodian has a staff of three clerks, the only time an inventory would be mandated by this standard is when the actual head custodian leaves the agency.

Two sampling methods are provided and either may be used by an agency depending on the method determined best for that agency.

The inventory should be conducted by personnel not routinely assigned in the unit but familiar with its operation. A formal report of the findings should be forwarded to the Chief of Police and the Chief should date and sign or initial his review of the report. An investigation should be conducted to resolve any discrepancies. Should significant discrepancies be discovered, the Chief of Police may require a complete inventory.

Obviously, when conducting an inventory, in addition to the item being present, the agency should examine the item for tampering or missing items, and any discrepancy reported.

Agencies that use the RFID tag system for recording, storing and inventorying found property and evidence, must also have a written directive requiring and proof of a process to put “hands on” each critical item (money, guns, and drugs) at least once annually to ensure the actual property or evidence has not been removed or tampered with (and tag left in the storage location.)

Proof of Compliance

- Copy of written directive, **and**
- Copy of inventories or sampling within past year, **and**
- On-Site, Conduct a review of a small sample of items to determine items are stored properly and paperwork for those items has been properly filed.

APPENDIX A

Inventory Sampling Methods

Agencies should strive for 100% accountability in the maintenance of all property and evidence in their custody. Agencies without bar-coding or other technological assistance find it difficult to conduct a 100% inventory. Either of the two sampling methods below will meet the requirements of 12.08. The method used should be explained on the Document Submission Form.

Sampling Method 1:

A complete inventory of all critical items (Guns, Drugs, and Money) in the Property Room and a random sample of 5% of the total number of items or 50 items, whichever is less, of the remaining items in the property room.

The inventory should be conducted by locating the intake paperwork for all the Guns, Drugs, and Money, then locating the items in the property room. The audit of the other items should be done in two parts. The first part is done by randomly selecting the paperwork for 25 items and locating them in the property room. The second part would consist of randomly selecting 25 items from the property room and locating the item's paperwork to test the record keeping system.

This system of sampling will benefit smaller agencies that have smaller numbers of critical items in their property and evidence rooms.

Sampling Method 2:

Sampling method 2 relies on a mathematical sampling formula which produces a 95 percent confidence level with a confidence interval of +/- 3 percent. This inventory is conducted on all items. Obviously, the agency will want to resolve any discrepancies discovered by an inventory, but an error rate of greater than 4 percent would indicate that a complete inventory of critical items is needed.

This sampling methodology requires a random sample to be accurate and the agency must be able to describe or show how the random sample was determined. In order to determine the sample size, the agency must also know the approximate number of total items in the property room, and then consult the table below to determine the number of items required to be located and examined. Once a random sampling method is determined, no deviation is permitted. The agency must show that it adhered to the sampling methodology selected.

Creating a random sample can be as easy as locating a random number table in a mathematics text book or on-line and using the last digits of the number that matches your agencies property numbers and use that table in order until the total number of samples has been reached. It can also be done by dividing the number to be sampled into the total number of items, ie (Total items 15,000, sample required 996, $15000/996=15.06$) and

APPENDIX A

Continued

selecting every 15th item on a list of all Money, Guns, and Drugs which would produce the proper number of sample items. Agencies that choose to use this method regularly might consider having their computer staff write a specific program for the development of a random audit list.

This sampling method would benefit larger agencies with a large number of critical items.

| Total Number Items | Minimum Required Sample Size |
|--------------------|------------------------------|
| | |
| 100 | 92 |
| 200 | 169 |
| 300 | 234 |
| 400 | 291 |
| 500 | 341 |
| 750 | 441 |
| 1000 | 516 |
| 1250 | 576 |
| 1500 | 624 |
| 1750 | 663 |
| 2000 | 696 |
| 2250 | 724 |
| 2500 | 748 |
| 2750 | 769 |
| 3000 | 787 |
| 3500 | 818 |
| 4000 | 843 |
| 4500 | 863 |
| 5000 | 880 |
| 6000 | 906 |
| 7000 | 926 |
| 8000 | 942 |
| 9000 | 959 |
| 10000 | 964 |
| 12500 | 983 |
| 15000 | 996 |
| 20000 | 1013 |
| 25000 | 1023 |
| 50000 | 1045 |
| 100000 | 1056 |

APPENDIX B

Required Training Matrix

The below is a description of the types of training in each Minimum Training Level. This matrix was developed to assist agencies in determining what level of training is required for each standard. Each standard that requires training as part of the standard has the minimum level of training stated in the Discussion section. This level of training or a higher level is required for compliance with these standards if the agency has their on-site final review after January 2012. Until then agencies may continue to determine what level of training they are able to provide.

The matrix is provided only for reference and to allow agencies to understand what types of training is in each level.

| Level | Description of Minimum Level of Training | Type of Proof Needed |
|---------------------|--|--|
| 1 | Proof of Receipt of a Copy of Policy | A sign off sheet or electronic document showing officers have received a copy of the policy. |
| 2 | Roll-call Training, Training Bulletin Distribution, Video, copy of Policy with discussion by/with Supervisor, or copy of Policy with testing. | Sign-off sheet showing where officers received Roll-call Training by an Officer or Supervisor, or received a Training Bulletin addressing the Policy, or receiving training by Video. May also be shown by showing receipt of Copy of Policy with further discussion with/by a Supervisor or by follow-up testing on the Policy. A memo from the supervisor stating it was discussed or a signoff sheet where Discussion is also clearly noted will be accepted. |
| 3 | Specific Topic Training by an instructor or online course with topic clearly indicated in a class schedule, course syllabus, lesson plan, or power point, TCOLE on-line course, or specific TCLEDDS entry. (Can be classroom, seminar, or on-line) | Proof of some form of formal training by an instructor, or specific topic training at a school, seminar, or class; clearly showing the topic of training, such as a class schedule, syllabus, lesson plan, power point, completion certificate, or other documentation. Computer based learning programs may also be used. Proofs will be sign-in sheets, completion certificates, or TCLEDDS entry. |
| 4 | Proof of Specific Physical Skills training | Sign-in sheets or records showing attendance and completion of proficiency testing, such as firearms qualification records, proficiency testing for less-lethal weapons and physical arrest or self defense classes. |
| FTO Training | Proof of FTO training (specific topic clearly identified) | FTO Training cannot be used alone to prove compliance with training during Initial Accreditation as it does not prove training of all existing personnel. FTO Training can be used in Re-Accreditation Compliance Files to show continuing training of new staff members if the details of what needs to be mastered is contained in field training documents. |

APPENDIX B Continued

Minimum Training Standards by Standard Number

| Standard Number | Minimum Training Level | Comments |
|-----------------|------------------------|--|
| 2.01 | 2 | Proof of training at least once for each officer. No Minimum hours. |
| 2.11 | 3 | Proof of attendance by employees to a training program. No Minimum hours. |
| 2.12 | 1 | Proof of receipt of policy. |
| 3.01 | 4 | Proof of most recent qualification and any remedial training completed. |
| 3.02 | 2 & 4 | Proof of receipt of Copy of Policy and discussion with supervisor, or specific classroom training in Deadly Force Policy and proof of training in use of firearms (can be qualification or other training.) No Minimum hours. |
| 3.04 | 3 & 4 | Proof of specific training and proof of proficiency. Proof of Proficiency can be memo from instructor, form signed by instructor as passing, or other document which shows proof of demonstration of proficiency. |
| 3.06 | 3 & 4 | Proof of officers receiving at least 40 hours of in-service training within last 24 month training cycle (TCLEDDS record OK) <u>and</u> proof of training in physical Arrest and Self Defense training during last 24 month training period. |
| 3.07 | 3 & 4 | Proof of reserve officers receiving the state required 40 hours of in-service training within last 24 month training cycle (TCLEDDS record OK) and proof of training in physical Arrest and Self Defense training during last 24 month training period if the Reserves perform field duties. |
| 3.08 | 3 | For each non-sworn position requiring training, proof of that training for at least one person in that position. |
| 3.09 | 3 | Proof of training for position promoted to. |
| 3.1 | 3 | Proof of initial Basic ERT Training prior to active participation in ERT operations and that continuing ERT training is performed to level stated in directives. |
| 3.11 | 3 | Proof of Basic Hostage Negotiator School prior to any negotiation and proof of continuing training as required by policy |
| 3.13 | 3 | Proof of FTO school completion, minimum of 24 hours. |
| 4.10 | 2 | Proof of some form of safety training at least level 2. |

| | | |
|-------|---|--|
| 5.01 | 3 | Proof that records Manager has attended Records Management or Public Information Act course. |
| 5.03 | 1 | Receipt of Copy of detailed policy. |
| 5.04 | 3 | Proof that assigned PIO has attended some training on Media Relations. |
| 7.02 | 2 | Proof that agency has trained all sworn officer in how to obtain and serve arrest warrants. |
| 7.03 | 2 | Proof of training all sworn officers in Arrests without Warrant |
| 7.04 | 2 | Proof of training in Miranda |
| 7.05 | 3 | Proof of training of at least Investigators in Interrogations. |
| 7.08 | 1 | Proof of training or receipt of detailed policy if one is issued. |
| 7.09 | 2 | Proof of training in "Preliminary Investigations" |
| 7.10 | 2 | Proof of training of Investigators or detectives. |
| 7.13 | 2 | Proof of Receipt of Policy with discussion with Supervisor for understanding. |
| 7.18 | 2 | Receipt of Copy of detailed policy. |
| 7.19 | 2 | Proof of training on specific system used. |
| 7.32 | 2 | Proof of Receipt of Policy with discussion with Supervisor for understanding by Investigators or Detectives. |
| 7.34 | 1 | Proof of Receipt of Policy or Training in Policy |
| 8.07 | 2 | Proof of training of at least all supervisors. |
| 8.11 | 3 | Proof that officers have completed required courses, TCCLEDD entry or copies of Certificates |
| 10.01 | 2 | Proof of training in searching and transport |
| 11.01 | 2 | Personnel assigned in court must be trained by supervisor or other staff in security operations including proof of instruction in carrying weapons and use of restraints in court. Attendance of a Bailiff course by Municipal Court Association is sufficient if it shows training for all parts of the standard. Otherwise a letter from the court may be supplemented on the carrying of weapons and restraints usage inside the courtroom. |

Program Glossary

ADMINISTRATIVE REVIEW:

A documented review of an incident or occurrence prepared by or for the Police Chief or designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed. The review could also involve more than one incident.

ANNUAL:

An event that occurs at least once every 12 months.

APPEAL:

An application (as to a Accredited authority) for corroboration, vindication, or decision in a disciplinary action or other appealable action as defined by the agency.

ARREST:

The act of depriving a person of his/her liberty by legal authority, with or without a warrant including the authority to physically remove a person from their location and taking the person to a place of confinement or judicial authority.

ARTIFICIAL INTELLIGENCE:

Computers that are designed to quickly gather intelligence for criminal investigative purposes. Examples include, but are not limited to, license plate readers, drones, facial recognition, voice analysis, and tracking devices.

AUXILIARY MEMBER:

A uniformed or non uniformed civilian who contributes to the mission of the Agency in a support capacity and is in non-paid status. Included are law enforcement cadets, explorers, senior citizen groups or other volunteer groups.

BARRICADED PERSON:

An individual who resists being taken into custody by using, or threatening to use, firearms, other weapons, explosives, etc. A barricaded person is normally behind some form of cover and may or may not have taken a hostage or made threats to his/her own life.

BEST BUSINESS PRACTICE:

A Accredited and necessary professional requirement setting criteria for a specific process, function, service or procedure for law enforcement agency compliance.

BIANNUALLY:

Occurring twice a year.

BIAS BASED PROFILING:

The selection of an individual based solely on a trait common to a group for enforcement action. This includes, but is not limited to: race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

BIENNIALY:

Occurring every two years.

BIMONTHLY:

Occurring once every two months.

BODY CAVITY

Consists of the anus, female vagina, and any part of the esophageal cavity or stomach other than the portions of the mouth normally visible by opening the mouth.

CANDIDATE AGENCY:

An Agency that has made application to the Texas Police Chiefs Association Best Practices Accreditation Program.

CIVILIAN MEMBER:

A full or part-time person who is not a sworn law enforcement officer and does not possess arrest powers.

CHAIN OF COMMAND:

Formal upward or downward progression through the command structure based on rank and direct authority within the organization.

CHAIN OF EVIDENCE:

Continuity of custody serving to ensure that material items introduced into the court are the same material or items originally collected as physical evidence.

CHIEF EXECUTIVE OFFICER:

The duly authorized top administrator of the law enforcement agency and is the highest-ranking executive for the law enforcement agency who possesses ultimate command authority for the operation of the agency.

CITATION:

Written notice to appear issued to an accused person, in connection with a traffic enforcement action or other class C misdemeanor charge, to appear before a court of law.

CODE OF CONDUCT:

Specific guidelines for behavior and dress, including prohibitions.

CODE OF ETHICS:

Principals of conduct or moral values that govern individual or group behavior; the Agency's guiding philosophy.

COMMAND PROTOCOL:

Plan/policy established to ensure a continuation of supervision at all levels of the chain of command when vacancies or absence from duty exists.

COMPLAINT:

An allegation of misconduct, malfeasance, violation of law or Agency directives, against any member of the Agency, or against the Agency. This does not include a complainant's disagreement with the application of law that is properly decided in a court of law.

CONCLUSIONS OF FACT:

Final determination about allegations based on investigative activities. Classifications of investigative findings may include exonerated, sustained, not sustained, unfounded, and policy failure.

CRIMINAL HISTORIES:

A transcript of arrests for an individual usually identified by name, date of birth, or identification number.

CRISES INTERVENTION:

Assistance and support services offered to victims, survivors, and/or first responders of violent crimes or other serious incidents

CURRICULUM:

A series of courses related to a specific kind of training program.

DEADLY FORCE:

Force that is likely to cause death or great bodily harm and includes, but is not limited to: the firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and the firing of a firearm at a vehicle in which the person to be arrested is riding. The terms deadly force and lethal force are considered synonymous.

DIRECTIVE:

A written document used to guide or control the actions of members and establish Agency policy and practices. Examples of written directives include, but are not limited to: policy statements, standard operating procedures, general orders, memoranda, laws, or written orders.

EMERGENCY SITUATION:

An actual or potential condition that poses an immediate threat to life or property.

EMOTIONAL STABILITY/PSYCHOLOGICAL FITNESS EXAMINATION:

Professional screening designed to identify behavior patterns and/or personality traits that may prove either detrimental or advantageous to successful job performance.

EQUAL EMPLOYMENT OPPORTUNITY:

The providing of equal opportunities for employment and conditions of employment to all members regardless of race, creed, color, age, sex, religion, national origin, marital status, or physical impairment.

EVALUATORS REVIEW:

The minimum requirements needed for any standard to be accepted. Evaluators Reviews are used by Program Coordinators and Final Review Team Members to ensure equal treatment of

Candidate Agencies and are located on the bottom of each standard's Document Submission Form.

EVIDENCE:

Materials or items discovered or retrieved from a crime scene or other law enforcement incident.

FIELD INTERVIEW:

The stopping and questioning of a person by a law enforcement officer because there is reasonable suspicion that the subject may have committed, may be committing, or may be about to commit a crime; believes the subject may be a hazard; or believes the interview may have a preventive effect.

FIELD TRAINING PROGRAM:

A structured and closely supervised program provided for recruit members to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

FIELD TRAINING OFFICER:

A commissioned officer selected by the Agency leadership to train recruit officers in Agency policy, procedures, rules, regulations, practices, and other subjects or duties as determined by the Agency.

FUNCTION:

A general term for the required or expected activity of a person or an organizational component, e.g., patrol function, communication function.

GRIEVANCE:

Formal request in writing to resolve differences in identified matters due to an actual or supposed circumstance regarded as just cause for protest.

GUIDELINES:

Statements, past practices, or other indications of policy or procedure, used to determine a course of action.

HOLDING AREA:

Any locked area, space, or enclosure where a prisoner/detainee is placed to prohibit freedom of movement.

INCIDENT COMMAND SYSTEM:

Command, control, and coordination of a response to organize the efforts of members and agencies as they work toward stabilizing an incident while protecting life, property, and the environment. There are five major components: command, planning, operations, logistics, and finance / administration.

IN-SERVICE TRAINING:

Training received by Agency members to enhance knowledge, skills, or abilities. This includes formal retraining, specialized, promotional, or advanced training. In-service training may also include less formal types of instruction, such as roll-call training.

INSPECTION:

A comparison of an individual or an organizational component against established standards, such as policies, procedures, practices or expected behaviors.

Organizational component inspections are commonly referred to as staff inspections and encompass a full-scale review of the current operations of a unit or section of the Agency. It can also include all aspects of administration, personnel policies, directives, equipment, and facilities.

INTERNAL AFFAIRS INVESTIGATION:

A formal, detailed investigation of alleged misconduct, violation of law or Agency directives.

INVENTORY:

A survey of items designed to create a detailed list of articles or property. This includes (1) processes such as those utilized within the Agency and can be part of an audit or inspection; and (2) processes utilized by the Agency after the Agency assumes control over a person's property where such processes are designed to protect the citizen's property and the Agency from allegation of misconduct.

JOB DESCRIPTION:

An official written statement setting forth the duties and responsibilities of a job, and the skills, knowledge, and abilities necessary to perform it.

JOB-RELATED:

Pertaining to tasks performed or functions required of a specific job classification.

LESS-LETHAL FORCE:

Force which is not likely to cause death or great bodily harm. The terms non-deadly force, less-than-lethal force and less-lethal force, may be considered synonymous.

LESSON PLAN:

A detailed format an instructor uses to conduct the course. A lesson plan may include: goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

LETHAL FORCE:

See Deadly Force.

LIFE CYCLE MANAGEMENT:

The documented management process of the life of a document created in the ordinary operation of a police department, to include the storage, length of retention and destruction process. Normally contained in the Records Retention Schedule of a City Government but parts not covered in the City Records Retention Plan are developed and maintained in Departmental Directives.

MAJOR INCIDENT:

In this context (Standard 8.08), Major Incident is defined as – An unplanned major event of significant public or community interest that requires an extraordinary response by the police. Typically these are unexpected mass gatherings fueled by a common concern or theme that result in multiple arrests and/or property damage. Examples include, but are not limited to: unplanned or unpermitted gatherings that lead to civil disobedience and are focused on the action(s) of police personnel (e.g.: a controversial officer-involved use of force incident), or an unexpected celebratory crowd that turns riotous or destructive (e.g.: a crowd celebrating a sports event that degrades to property damage and mass arrest.)

MEDICAL CARE FACILITY:

Any hospital, office, mobile unit or other facility designed or utilized to provide immediate or ongoing medical treatment.

MEMBER:

A generic term utilized in this manual to describe all Agency personnel, including volunteers, auxiliary officers, and part-time personnel.

MEMORANDUM:

An informal, written document that may or may not convey an order; it is generally used to clarify, inform, or inquire. Memoranda may be used for proofs of compliance.

MUTUAL AID:

A formal agreement or legal authority among emergency responders to lend assistance across jurisdictional boundaries when required either by an emergency or disaster that exceeds local resources. This assistance includes, but is not limited to, such resources as facilities, equipment, services, supplies, and personnel.

NON-DEADLY FORCE::

Force which is not likely to cause death or serious bodily harm. The terms non-deadly force, less-than-lethal force and less-lethal force are synonymous and may be used interchangeably to meet the standards in this manual.

OFF-DUTY EMPLOYMENT

Secondary employment, outside the agency, which may or may require the actual or potential use of law enforcement powers by an off-duty member.

ORGANIZATIONAL COMPONENT:

A subdivision of the Agency, such as a bureau, division, section, unit, or position that is established and staffed on a full-time basis to provide a specific function.

PART-TIME SWORN MEMBER:

Any sworn person employed or appointed less than full time, as defined by an employing Agency, with or without compensation, who is vested with authority to bear arms and make arrests and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

PERIODIC:

Occurring at a regular time or at fixed/defined intervals not to exceed biennially.

PERSONNEL ORDERS:

Official announcements of certain administrative actions involving members of an Agency that normally form a permanent file record of each member's Agency assignments, promotions, awards, etc.

PLAN:

A detailed scheme, program, or method worked out beforehand for the accomplishment of an objective, proposed or tentative project, or goal. A plan may be a systematic arrangement of details, an outline, drawing or diagram.

POLICY STATEMENT:

A broad statement of Agency principles that provides a framework or philosophical basis for Agency procedures.

PRISONER:

Any person arrested and/or in custody of a law enforcement officer or Agency.

PROCEDURE:

A manner of proceeding, a way of performing or affecting something, an act composed of steps, a course of action, a set of established forms or methods for conducting the affairs of the Agency.

PROCESS:

A series of actions, changes, or functions bringing about a result.

PURSUIT:

An active attempt by a law enforcement officer, operating in a law enforcement vehicle(s), to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

READINESS INSPECTION:

The capability of any given piece of equipment to function in the intended manner. This type of inspection is intended to go beyond merely counting inventory or assets. It is intended to ensure that equipment is in reliably operational condition in case it's needed. **Note:** It is not necessary to actually shoot weapons to determine functionality.

REASONABLE ASSURANCE:

The level where the reviewing officer (assessor or supervisor) feels confident of the agency's compliance with a Standard. It does not require absolute proof of compliance for every officer or every program within the department.

RECRUITMENT ACTIVITIES:

Any activity or event utilized in seeking potentially qualified applicants for a particular position.

REMEDIAL TRAINING:

Training conducted, in addition to regularly scheduled training, to correct an identified deficiency.

RESTRAINING DEVICES:

Equipment used to restrict the movement of a prisoner/detainee.

ROADBLOCKS:

Use of barricades or other devices to stop vehicle or foot traffic from proceeding on a public road or other secured site.

ROLL CALL TRAINING:

Short training or informational sessions held just prior to, or after, a member's tour of duty.

RULES AND REGULATIONS:

Specific guidelines describing allowed and prohibited behavior, actions, or conduct.

SELECTION CRITERIA:

The rules, standards, or requirements used to make a judgment concerning filling a specific position.

SELECTION PROCESS:

The combination of elements and procedures utilized to make the final decision in filling a position.

SELECTIVE TRAFFIC ENFORCEMENT:

Law enforcement function designed to address a specific or recurring issue or problem at a specific location and time. Also, may be referred to as Directed Patrol

SEMI-ANNUAL:

Occurring or issued twice a year.

SERVICE COMMUNITY:

Persons within the Agency's jurisdictional responsibility.

SEXUAL HARRASSMENT:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) 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.

SPECIAL EVENT:

An activity that results in the need for control of traffic, crowds, or crime. Special events are normally time specific, short duration events, but may be extended over a longer period of time.

SPECIALIZED OPERATIONAL UNIT:

A unit, designated within the agency's organizational structure, characterized by increased levels of responsibility requiring specialized training, but operating within a given employment classification; i.e., bike patrol, traffic safety, K-9, etc.

SPECIAL ORDERS:

A statement of policy, procedure, or other instruction issued by the Chief of Police regarding a special circumstance or event and is of a temporary nature.

SPECIALIZED TRAINING:

Training to enhance skills, knowledge, and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job specific subjects, e.g., homicide investigation, fingerprint examination, juvenile investigation, motorcycles, bicycles, SWAT, etc.

STANDARD: A common term referring to a Best Business Practice.

SWORN LAW ENFORCEMENT OFFICER:

An employee of the agency who has the power and authority of the State of Texas, the political subdivision, and/or any other specified statutory entity to carry a weapon and exercise the powers of arrest or other law enforcement duties as specified by law or ordinance.

STANDARD OPERATING PROCEDURE:

A written directive which specifies how Agency activities are carried out.

SWORN MEMBER:

A member, as defined by statute, who is certified by TCOLE, possesses full law enforcement and arrest powers, and is employed either full- or part-time by a law enforcement Agency. This member may or may not be compensated.

TACTICAL TEAMS:

A select group of officers who are specially trained and equipped to handle high-risk incidents, e.g., snipers, barricaded persons, hostage takers, high risk warrant service.

TRAINING PLAN:

A plan to train Agency personnel that could include formal classroom training or a requirement of written acknowledgement of receipt of a General Order, training bulletin or other document on a specified subject or procedure.

TEMPORARY HOLDING AREA:

A location within the law enforcement agency, which is used for a brief period of time to process, question, arraign, or test individuals who are in the custody or care of the law enforcement agency. These areas would only be used for a brief time until the processing is completed prior to the release of the person or until the person appears before a member of the judiciary.

UNLAWFUL HARRASSMENT:

Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

VERIFICATION:

The number of directives, materials, or other items to be reviewed should be of sufficient number for the facilitator to make a reasonable judgment that the Best Practice has been met. Verification does not require that 100% of the items be reviewed.

VICTIM:

A person who suffers physical, financial, or emotional harm as the direct result a specified crime committed upon his or her person or property. The children, parents, or legal guardian of a homicide victim are also regarded as victims.

VOLUNTEERS:

Unpaid members who perform tasks which do not require law enforcement certification.

WARNINGS:

Notice given of impending action or danger if corrective measures are not taken.

WITNESS:

A person having information or evidence relevant to a crime.

WORK ENVIRONMENT:

Department facilities and equipment where daily activities are conducted, to include office space, patrol vehicle, interview rooms, holding areas, etc.

WRITTEN DIRECTIVES:

Any written document used to guide or affect the performance or conduct of Agency personnel. The term may include policies, procedures, general orders, special orders, memorandums, and instructional material.