

Lake Travis ISD

Police Department



Policy Manual

Issue Date: July 1, 2021

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 1.2 Jurisdiction, Organization, and Authority	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
Reference: TBP 1.01, 1.05, 1.06, 1.07, 2.03, 3.07, 6.05, and 8.10.		

I. POLICY

The department is established by state law and local ordinance, and consists of a Chief of Police and other full and part-time officers and non-sworn employees as determined by the Superintendent and Board of Trustees. The Chief executive of the police department is the Chief of Police, appointed by and subordinate to the superintendent. The Chief, in turn, appoints police officers who are charged with enforcing the laws of the State of Texas and all local ordinances. The jurisdiction of the police department is limited to the LTISD district boundaries, except in cases of pursuit of offenders who have committed a violation within the district boundaries and then flee outside the district boundaries, or when another department requests assistance, or when enforcing laws on property owned by the district but outside its boundaries. The organization of the police department shall support the effective and efficient accomplishment of departmental responsibilities and functions according to community-oriented policing principles.

II. PURPOSE

The purpose of this policy is to describe the jurisdiction and organization of the police department, outline its rank structure, and assign responsibilities, functions, and duties.

III. AUTHORITY AND AGENCY JURISDICTION

The jurisdiction of the Lake Travis ISD Police Department is limited to inside the district's boundaries with certain exceptions. (TBP: 1.05, 1.06)

- A. Police officers appointed by the district have all the authority granted to them by the State of Texas as Peace Officers. Appointed officers have the responsibility to act within the law, preserve order, arrest offenders, and protect the residents and visitors to our district.
- B. Officers have arrest authority anywhere within the State of Texas; however, the exercise of that authority will be limited when outside the district boundaries to those situations involving a felony or criminal misdemeanors committed in the officer's presence or a breach of the peace jeopardizing public safety.

- C. When off-duty or out of our primary jurisdiction, officers seldom have appropriate equipment, communications, or the assistance needed to properly intervene in dangerous situations. Intervention in these cases may be resolved by calling appropriate authorities and remaining on scene to provide witness information
- D. Officers have authority to enforce the law on property owned by the district but outside the district boundaries.
- E. Officers have authority to pursue offenders outside the district boundaries who have committed violations inside the district pursuant to the department's pursuit policy. When investigating a crime that occurred inside the district, officers may utilize their authority to conduct investigations, including interviewing witnesses, interrogating suspects, executing search and arrest warrants, and making lawful arrests without warrants anywhere in the State of Texas.
- F. Officers have authority to enforce the law in another jurisdiction pursuant to a properly executed mutual aid agreement.
- G. While officers have full authority to make arrests, issue summonses, and use force in enforcing the law, officers are also expected to use discretion and common sense in the application of this authority. Officers should always seek the least intrusive level of intervention appropriate to preserve the peace and protect the public safety.

IV. ORGANIZATIONAL STRUCTURE, CHAIN OF COMMAND, AND AUTHORITY

A. Organizational structure

1. The resolution passed by the Board of Trustees authorizes the creation of a police department to be headed by a Chief of Police. The Chief of Police is responsible for directing all activities of the department. This direction is accomplished through written and oral orders as well as by personal leadership. Written orders take the form of general orders, standard operating procedures, and other directives as needed.
2. The department consists of a Chief of Police, and as many police officers as the Superintendent or Board of Trustees determines to protect and serve the community and otherwise support or carry out the department's objectives.

B. Chain of Command and Succession

1. The Chief of Police has full control over departmental activities. In the absence of the Chief of Police, the senior officer on duty shall take command and notify the Chief of all major decisions that he or she may make
2. Supervisors, if applicable, shall, without specific instructions, undertake the required details and assignments necessary to carry out the business of the department. The number of officers available for duty and the necessity to assign them where they will be most useful shall guide supervisors in the assignment of personnel.

3. Plans for any event utilizing departmental personnel will clearly delineate the command structure and outline the span of control.

C. Authority and responsibility

1. At each rank within the department, personnel are given the authority to make necessary decisions for the effective performance of their responsibilities. The department is committed to fostering an organizational climate that rewards employees for initiative, innovation, community involvement, and problem solving.
2. Each employee shall be held accountable for the use of, or failure to use, delegated authority. Any employee with questions concerning his or her delegated authority shall refer the matter to the on-duty supervisor or the Chief of Police for prompt resolution.
3. Supervisors will be held accountable for the condition and preparedness of the personnel assigned to them.
4. Supervisors are responsible for the good order and sanitary condition of department offices, vehicles, and equipment.
5. Supervisors are responsible for the efficiency, discipline, and morale of employees under their charge. Supervisors shall investigate or cause to be investigated all allegations of employee misconduct.
6. Supervisors shall ensure that employees have been supplied with all appropriate written orders and shall instruct them thoroughly on all oral and written orders. Supervisors shall regularly review and instruct subordinates in pertinent laws, ordinances, and necessary skills.

D. Authority of the Chief of the Department (TBP: 1.07)

1. As the Chief executive of the department, the Chief of Police has full authority and responsibility for the management, direction, and control of the operation and administration of the department.
2. The Chief of Police shall attend the initial police training provided by the Law Enforcement Management Institute of Texas as required by the Texas Education Code within 24 months of appointment.
3. The Chief of Police is also the Departmental Homeland Security coordinator and will maintain relationships with the State Homeland Security office and other state and federal Homeland Security resources. (TBP: 8.10)

E. Part-time Officers

1. Part-time officers, if applicable, will have the same jurisdiction and authority as full-time officers of the department. All part-time officers will be supervised directly by the Chief of Police.

F. ORGANIZATIONAL CHART (TBP: 1.01)

G. OATH OF OFFICE REQUIRED (TBP: 2.03)

1. All sworn officers will swear or affirm any oath required by state law or city ordinance before assuming law enforcement duties. All sworn officers shall abide by the Law Enforcement Officer's Code of Ethics. A copy of the law enforcement Code of Ethics is provided to each sworn officer.

H. AUTHORITY TO CARRY WEAPONS AND USE FORCE (TBP: 6.05)

1. Sworn officers who are licensed peace officers of the State of Texas are authorized to carry firearms and other weapons as identified in these directives, and to use force when necessary and to the extent authorized by these orders and state law in enforcing the law and protecting the public.
2. Sworn officers who are off-duty are encouraged to carry firearms in order to take action when necessary to preserve life. When off duty and not in uniform, officers will not allow any weapon to be visible to the.
3. Officers are not to carry any weapon when off-duty if they have consumed or intend to consume any alcoholic beverages.


I. OFF-DUTY AUTHORITY

1. Liability Protection: Officers of this agency have liability protection for the on and off-duty performance of official duties. This protection does not extend to those actions that the police officer knew, or reasonably should have known, were in conflict with the law or the established policies of this department.
2. Authorized Off-Duty Arrests: When off duty and within the legal jurisdiction of this law enforcement agency, an officer may make an arrest only when all of the following occur:
 - a. There is an immediate need to prevent a crime or apprehend a suspect.
 - b. The crime would require a full custodial arrest.
 - c. The arresting officer possesses appropriate police equipment and police identification.
3. Off-Duty Responsibilities
While off duty, the police officer is responsible for immediately reporting any suspected or observed criminal activities to on-duty authorities. When an officer is prohibited from taking off-duty enforcement actions under provisions of this policy, the officer shall act as a trained observer and witness to the offense, and shall summon on-duty personnel as soon as reasonably possible. Where an arrest is necessary, the off-duty arresting officer shall abide by all departmental policies and procedures.
4. Prohibitions of Off-Duty Arrests
Despite the fact that a police officer has police powers and responsibilities 24 hours a day throughout the jurisdiction, the off-duty officer generally

should not attempt to make arrests or engage in other enforcement actions when the provisions of this section are not met or when any of the following circumstances exist:

- a. The officer is personally involved in the incident underlying the arrest.
 - b. The officer is engaged in off-duty employment of a non-police nature.
 - c. The officer's ability or judgment to use a firearm or take a person into custody has been impaired by use of alcohol, prescription drugs, or other medication, or by a physical ailment or injury.
 - d. A uniformed police officer is readily available to deal with the incident.
5. Off-duty officers in plain clothes shall follow all orders issued by uniformed officers without question or hesitation during enforcement encounters and shall identify themselves as law enforcement officers as prescribed by departmental training. The department's training authority shall establish protocols (including the use of signs and signals) for recognition of off-duty officers in plain clothes to reduce the potential of misidentification of such personnel during enforcement encounters. Such protocols shall be reviewed periodically during in-service training.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 1.3 Supervision and Utilization of Part-Time Officers	
	Effective Date: 7/1/2021	Replaces:
	Approved:	<i>Andy Michael</i> Chief of Police
	Reference:	

I. POLICY

The department is established by state law and local ordinance, and consists of a Chief of Police and other full and part-time officers and non-sworn employees as determined by the Superintendent and Board of Trustees. The Chief executive of the police department is the Chief of Police, appointed by and subordinate to the superintendent. The Chief, in turn, appoints police officers who are charged with enforcing the laws of the State of Texas and all local ordinances. The jurisdiction of the police department is limited to the LTISD district boundaries, except in cases of pursuit of offenders who have committed a violation within the district boundaries and then flee outside the district boundaries, or when another department requests assistance, or when enforcing laws on property owned by the district but outside its boundaries. The organization of the police department shall support the effective and efficient accomplishment of departmental responsibilities and functions according to community-oriented policing principles.


II. PURPOSE

The purpose of this policy is to establish and maintain effective protocols with other law enforcement and service-providing agencies as a means of providing the appropriate level of service to the students, parents, and staff of LTISD.

III. PROCEDURES

- A. Part-Time Officers: In an effort to maximize resources and provide sufficient security at LTISD events, LTISD PD may contract for supplemental services with law enforcement officers from other law enforcement agencies. All part-time officers must:
 - a. Be a full-time commissioned peace officer with a valid license from TCOLE.
 - b. Be in good standing with their own agency and not under suspension or investigation.
 - c. Have approval from their agency to work the assignment.
 - d. Agree to be under the direction of LTISD PD personnel during the event.
- B. All part-time officers will report to the LTISD PD Chief of Police but the Chief's designee(s) may give specific assignments during the event(s).

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 1.4 Inspections and Audits	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 1.13, 7.25	

I. POLICY

Inspections of the department shall be conducted on a regular basis to help ensure that the department is operating at peak efficiency and in compliance with established professional standards. When conducted properly, inspections enable managers to assess the department's ability to perform its mission, provide the information necessary to plan for the improvement of departmental operations, and ensure full capability to perform the department's mission. Inspections are a vital component of departmental self-assessment and as such will be carried out with care, attention to detail, and the full cooperation of all personnel concerned.

II. PURPOSE

The purpose of this policy is to establish procedures for conducting inspections of the department's administrative functions, facilities, property, equipment, operations, and personnel.

III. DEFINITIONS

- A. Line Inspection. Line inspections are ones conducted by the supervisory personnel directly responsible for the person, equipment, or facility being inspected. They are designed to examine, evaluate, and improve the performance of departmental personnel and equipment. A written report is not required for a line inspection unless it reveals a critical problem that should be brought to the attention of a higher command level.
- B. Readiness Inspections. A readiness inspection is one conducted to evaluate both equipment and operational readiness of the department to respond to exceptional or emergency circumstances. Such inspections are regularly scheduled but may be initiated at any time at the direction of the Chief of Police or a designee.

IV. PROCEDURES

- A. Line Inspections

1. The immediate supervisor of the unit or personnel being inspected shall conduct line inspections.
2. Line inspections shall be accomplished at roll call or at such other times as are appropriate for the type of inspection being conducted.
3. Line inspections shall be conducted at least once per week or at such intervals and times as otherwise directed by departmental policy and the supervisor of the unit concerned.
4. The Chief of Police may order special line inspections at any time.
5. Line inspections shall, at a minimum, include an examination of each of the following items that are applicable to that particular unit and that particular type of inspection:
 - a. Personal appearance and personal hygiene of unit personnel
 - b. Proper wearing of uniforms and uniform equipment
 - c. Health, physical fitness, and fitness for duty of unit personnel
 - d. Appearance and maintenance of department-owned vehicles assigned to or used by that unit
 - e. Unit compliance with departmental policies, regulations, and orders
 - f. Availability and currency of departmental policy and procedure manuals and other departmental publications and documents applicable to that unit
 - g. Physical condition, maintenance, safety, cleanliness, adequacy, and security of the areas, furnishings, and equipment of the portions of the physical plant used by or under the control of that unit
 - h. Such other items as are applicable to the functions of that unit.
6. Inspection Procedure
 - a. Unit supervisors shall conduct informal physical inspections of personnel, equipment, and other items, as directed. Normally no formal written report of line inspections will be required. All line inspections shall be conducted in accordance with all appropriate safety precautions.
 - b. Firearms, both individual and department owned that are used on duty, will be inspected for cleanliness and functionality at least monthly. Only persons thoroughly familiar with the item being inspected shall examine firearms and other equipment with the potential for causing injury. Inspection of firearms and other weapons shall be conducted only in a manner consistent with standard safety requirements for the presentation and handling of such weapons.
7. Wherever possible, deficiencies discovered during line inspections shall be corrected immediately by the inspecting supervisor. Where immediate correction is not possible, a re-inspection of the deficient item or personnel shall be conducted at the earliest possible date to ensure that corrective action has been taken.
8. Repeated failure to correct deficiencies shall be reported to the appropriate authority, and action will be taken to compel compliance by the person or

unit responsible for the deficiency. Failure to correct deficiencies may be the subject of disciplinary action.


B. Readiness Inspections (TBP: 7.25)

1. Equipment readiness inspections, if applicable, will be conducted on all department special-use equipment on a quarterly basis.
2. Each departmental unit will create a checklist of equipment possessed by the unit for special or periodic use. This is typically equipment that is not assigned to individual members of the department. (Emergency Response Team Equipment is covered in Policy 8.4.) Special-use equipment includes special-use vehicles, equipment, or supplies for special events or disasters, or specialized investigative equipment.
3. Checklists should indicate the unit, date inspected, condition of each item, and the person who inspected the equipment. Any maintenance needs will be identified. Copies of each unit checklist shall be forwarded to the Chief of Police for review.

V. Maintaining Compliance with Texas Law Enforcement Best Practices (TBP 1.13)

- A. The Chief of Police is responsible for ensuring continued compliance with the Texas Law Enforcement Best Practices.
- B. The Chief of Police will design and implement a system to ensure all continuing compliance requirements are met.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 1.5 Mutual Aid	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference:	

I. POLICY

On occasion the need arises to request assistance from or give assistance to a neighboring law enforcement agency. This need may result from an emergency such as civil disorder, fire, flood, or other disaster, but it is most often requested for backup on calls where officers are at risk and local backup is unavailable. Before the need arises, agencies must clarify and plan emergency procedures. Available county and state support systems shall be used to support operations.

II. PURPOSE

The purpose of this policy is to establish procedures, duties, and responsibilities for providing assistance to or requesting assistance from another law-enforcement agency and to provide for the use of statewide law-enforcement support systems.

III. PROCEDURE

A. Jurisdiction

1. Generally, the legal jurisdiction of the department stops at the geographical boundaries of the district; however, officers also have authority to act as peace officers in other areas within the state when requested through a properly executed mutual aid agreement. This authority may be used for the following reasons:
 - a. Assisting neighboring law-enforcement agencies, the county sheriff, or the Texas Department of Public Safety in handling emergency calls and at times when they are unable to respond immediately.
 - b. Assisting neighboring law-enforcement agencies, the county sheriff, or the Texas Department of Public Safety when they are in need of assistance in safely completing a task or assignment.

B. Mutual aid

1. For the purpose of this policy, mutual aid is defined as the assistance given or asked for between the department and other law-enforcement agencies

during emergencies. The circumstances that require mutual aid can include one or more of the following situations:

- a. Enforcement of laws that control or prohibit the use or sale of controlled drugs;
 - b. Any law-enforcement emergency involving an immediate threat to public safety;
 - c. When executing orders for the temporary detention or emergency custody of people for mental health evaluation;
 - d. Any public disaster, such as fire, flood, epidemic, or civil disorder.
2. Mutual aid may be requested from or provided to another law-enforcement agency by the department at the discretion of the on-duty supervisor. However, officers must remember that they are primarily responsible for providing law-enforcement service to their own jurisdiction. There are generally three levels of mutual aid assistance as follows:
- a. Short duration, approximately 30 minutes or less, where an additional show of force, backup, traffic control, or assistance with prisoner transportation is required.
 - b. Medium duration, approximately one to four hours, where the senior officer on duty may provide or request assistance from the neighboring law-enforcement agencies, the county sheriff, or Texas DPS; however, their role is normally confined to a show of force, backup, transporting prisoners, or traffic control.
 - c. Long duration, more than four hours, when full-scale assistance is required. The on-duty supervisor shall immediately notify the chief of police who will assist in coordinating additional aid as required.
3. Any mutual aid support between the department and neighboring law-enforcement agencies shall be coordinated in advance through a written agreement.
4. Mutual aid agreements shall be reviewed annually to ensure compliance with national incident management system requirements.
5. All mutual Aid Agreements shall be reviewed by appropriate legal counsel prior to execution and implementation. Each Agreement shall address the issue of apportionment of liability, in addition to the other considerations discussed in this policy.
6. Any and all references to the Chief of Police shall include the designee of the Chief of Police.
7. When taking law-enforcement actions at an emergency site, including uses of force, officers from this department shall at all times adhere to this department's policies and procedures and utilize only those weapons and tactics that they have been trained and deemed qualified to use.
8. Occasionally it is necessary to request assistance from a federal law-enforcement agency, such as when a major crime has occurred, and the suspect may have left the state. The Chief of Police shall decide whether or not to notify the FBI or other appropriate agency.
9. If the department, with the help of neighboring law-enforcement agencies and DPS, is unable to cope with an emergency, such as a riot or other civil disturbance, the chief may contact the governor's office for National Guard assistance.


C. Statewide law-enforcement support.

1. The department participates in the use of the Texas Crime Information Center (TCIC) and complies with the procedures for the use of this exchange. In addition, the department participates in the Uniform Crime Reporting system administered by the Texas Department of Public Safety.
2. Some state-owned law-enforcement resources may be made available to the department for special use. These resources, and the state agency to contact, include:
 - a. Special Weapons and Tactics (SWAT) teams.
 - b. Canine teams —DPS. Canine teams, if requested, shall be used only to track, and great caution shall be used in deploying teams in heavily populated or congested areas. Handlers are responsible for compliance with their own agency policies and procedures.
 - c. Helicopter or fixed-wing aircraft: DPS. Normally the Chief of Police requests the use of this equipment in advance from the DPS director. The equipment may be available on an emergency basis.
 - d. Polygraph: DPS
 - e. Riot truck and equipment: DPS.
 - f. Bomb disposal: DPS.

D. State law-enforcement assistance during declared emergency or disaster situations

1. Only the governor has the authority to provide state law-enforcement assistance during an emergency or disaster situation. State equipment and personnel can be used to support local emergencies or to protect life and property in natural disasters per the governor's authorization. The Chief of Police shall request the mayor to contact the governor if state law-enforcement assistance is required.
2. During declared emergencies and disasters, the support listed in section C above is requested through the mayor in the regular NIMS process.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 2.1 Rules of Conduct	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
Reference: TBP 1.08, 2.02, 2.12, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, and 2.22		

I. POLICY

The Lake Travis ISD police department and the public expect all personnel to maintain high standards of appearance and conduct. The mission of the department is to work with all members of the district and community to preserve life, maintain human rights, protect property, and promote individual responsibility and community commitment.

II. PURPOSE

The purpose of this policy is to define departmental expectations for on and off-duty personal behavior. This order applies to all employees both sworn and non-sworn. (TBP: 2.12)

III. CODE OF ETHICS (TBP: 2.02)

All officers shall display the integrity required by the Law Enforcement Code of Ethics:

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I

will enforce the law courteously and appropriately without fear, favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession – law enforcement.

IV. DEFINITIONS

- A. Affirmative Duty: The personal responsibility and obligation of an employee to report wrongdoing rather than providing such information only when requested.
- B. False Report: A report that is not made in good faith, based on information that is known or reasonably likely to be inaccurate; intentionally or negligently ignores exculpatory or mitigating information; or made with the purpose of harassing or wrongly incriminating another employee.
- C. Good Faith: A report that provides allegations concerning an employee who is reasonably believed to have purposely committed a serious violation of departmental policy, procedures, rules, or laws.
- D. Retaliation: Retaliation of the following kinds is designed to serve as retribution against an employee who, in good faith, has filed a complaint against another employee. In the context of this policy, retaliation includes any deliberate, purposeful actions or failures to act, directed against employees that cause, or that could reasonably be expected to cause, physical harm, property damage, significant emotional stress, or otherwise negatively affect another employee's terms or conditions of employment or that could seriously impair the efficiency, safety or effectiveness of that employee, this department, or both. Such adverse actions may take many forms, including but not limited to, bullying; persistent offensive comments, threats, or intimidation; false accusations; isolating; ostracizing; or acts that malign or disparage an individual's reputation.
- E. Serious Acts of Misconduct: Deliberate acts or failures to act that could reasonably form the basis for significant disciplinary action against an employee. Such disciplinary action would be reasonably likely to adversely affect that employee's terms or conditions of employment up to and including termination of service.

- F. Intervene: Taking some action that is appropriate based on the circumstances that intercedes a possible excessive use of force concern. “Intervention” is subject to the skill set, training, and duties of the individual. For example, a non-sworn employee does not have the same level of responsibility to intervene in a physical confrontation as a sworn police officer.

V. GENERAL DUTIES

- A. All officers shall, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law, and enforce the laws of the United States, the laws of the State of Texas, and all local ordinances, according to the rules, regulations, and general orders of the department. Officers must know that when they act under color of law, they are enforcing the law according to statutes, written administrative guidance in the department, ordinances, common usage, and custom. Further, officers shall exhibit good moral character in the administration of their duties according to departmental orders.
- B. The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of law enforcement. Officers shall be trained in the rules and expectations of professional conduct prior to assuming law enforcement duties.
- C. Management reserves the prerogative to discipline personnel for violations of the rules listed in this order as well as violations of all other departmental orders and directives. The decision to discipline and the measure of discipline employed depend on the rule or law violated, the consequences of the employee's actions, and the employee's prior history and experience.
- D. Duty to Report
 - 1. All employees of this department have an affirmative duty to report serious acts of misconduct or failures to perform actions, defined in departmental policy, procedures, and rules. Failure to report shall result in corrective or disciplinary action.
 - 2. Acts of retaliation against employees who make good faith complaints or disclosures of misconduct against another employee are strictly forbidden. Such acts will form the basis for charges of misconduct resulting in serious disciplinary action.
 - 3. All employees have an affirmative duty under this policy to cooperate fully during the investigation of any allegation of employee misconduct whether conducted by this department or another authorized authority. Protection from retaliation is extended under this policy to all employees who cooperate in good faith.
 - 4. All complaints of retaliation shall be submitted to any supervisor. If the supervisor is the subject of or is involved in the complaint, an employee shall submit the complaint to the next higher-ranking employee in the chain of command.

5. In uncommon situations involving highly egregious offenses or illegality that may have departmental or governmental implications, a complaint may be made directly to the chief executive officer. Examples include but are not limited to broad-based corruption, conspiracy among employees, or offenses involving or including high-ranking officers or members of government.

VI. PERFORMANCE PROHIBITIONS

A. As appropriate, disciplinary action may be taken for any of the following reasons:

1. Incompetent or inefficient performance or dereliction of duty.
2. Insubordination, discourteous treatment of the public or a fellow employee, or any act of omission or commission of similar nature that discredits or injures the public. (Insubordination may also consist of direct, tacit, or constructive refusal to do assigned work.)
3. Mental or physical unfitness for the position that the employee holds.
4. Conviction of a felony or misdemeanor involving conduct amounting to moral turpitude (see III), or a pattern of misconduct as displayed by a series of misdemeanor convictions.
5. Failure to report to an appropriate superior authority incompetence, misconduct, inefficiency, neglect of duty, moral turpitude, or any other form of misconduct or negligence of which the employee has knowledge.
6. Failure of a supervisory employee to take corrective action regarding employees under his or her supervision who may be guilty of any form of neglect of duty or misconduct where the supervisor knows or should have known of the dereliction.

B. Nothing in these rules and regulations limits the charges against employees because the alleged act or omission does not specifically appear in this manual, other orders, or policies of the department, or in the laws or ordinances that the department has the responsibility to enforce.

C. No member of the department shall be a member of any organization that advocates the violent overthrow of the government of the United States, the State of Texas, or any unit of local government.

E. No department member shall participate in any organization that has as its purpose, aim, objective, or has any practices that are contrary to the obligations of a law-enforcement officer under these rules and regulations.

VI. Obedience to Rules of Conduct, laws, and orders

All employees, regardless of rank or assignment, shall be governed by the following general rules of conduct. Violation of any of these rules by any officer of the department shall be considered sufficient cause for dismissal, demotion, suspension, or other disciplinary action.

- A. **Obedience to Laws.** Employees shall know and abide by the laws of the United States and the State of Texas as well as the ordinances of any city they may be in at any given time.
- B. **Adherence to Departmental Rules.** Employees shall abide by guidelines and protocols of the LTISD, the LTISD Police Department Policy and Procedures Manual, LTISD Board Policies, and other properly issued internal directives of the Police Department.
- C. **Insubordination.** Employees shall promptly obey all lawful orders and directions given by supervisors and radio dispatchers. The failure or deliberate refusal of employees to obey such orders shall be deemed insubordination and is prohibited. Flouting the authority of a supervisor by displaying obvious disrespect or by disputing his or her orders shall likewise be deemed insubordination. (TBP: 1.08)
- D. **Issuance of Unlawful Orders.** No commanding or supervisory employee shall knowingly or willfully issue an order that violates a federal or state law, a city ordinance, or a departmental rule or policy.
- E. **Obedience to Unjust or Improper Orders.** An employee who receives an order he/she believes is unjust or contrary to a departmental General Order or rule must first obey the order and then may appeal the order to the Chief of Police via the proper chain-of-command.
- F. **Obedience to Unlawful Orders.** No employee is required to obey an order that is contrary to the laws of the United States or the State of Texas. An employee who receives an unlawful order shall report in writing the full facts of the incident and any action taken to the Chief of Police.
- G. **Conflicting Orders.** If an employee receives an order that conflicts with one previously given by a supervisor, the employee receiving the order shall respectfully point this out to the supervisor who gave the second order. If the supervisor giving the second order does not change the order in a way that eliminates the conflict, the second order shall stand and shall be the responsibility of the second supervisor. If the second supervisor so directs, the second order shall be obeyed first. Orders shall be countermanded only when necessary for the good of the department. (TBP: 1.08)

VIII. Attention to Duty

- A. **Performance of Duty.** Employees shall be attentive to their duties at all times, and shall perform all duties assigned to them, even if such duties are not specifically assigned to them in any departmental rules or procedures manual.
- B. **Duty of Supervisors.** Supervisors will enforce the rules, regulations, and policies of the LTISD police department. They will not permit, or fail to prevent, violations of the law, departmental rules, policies, or procedures. They will report violations of departmental

rules, policies, or procedures to their immediate superior without delay. Where possible, they will actively prevent such violations or interrupt them as necessary to ensure efficient, orderly operations.

- C. **Conduct and Behavior.** Employees whether on-duty or off-duty shall follow the ordinary and reasonable rules of good conduct and behavior and shall not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to their profession or the department. Employees shall follow established procedures in carrying out their duties as police officers and/or employees of the department, and shall at all times use sound judgment.
- D. **Responsibility to Serve the Public.** Employees shall promptly serve the public by providing direction, counsel, and other assistance that does not interfere with the discharge of their duties. They shall make every attempt to respond personally to the inquiry or request for assistance.
- E. **Responsibility to Respect the Rights of Others.** Employees shall respect the rights of individuals, and shall not engage in discrimination, oppression, or favoritism. Employees shall maintain a strictly impartial attitude toward all persons with whom they come into contact in an official capacity. (TBP: 2.17)
- F. **Truthfulness.** Members shall be truthful in all official verbal and written communications and reports. Employees will be truthful in any court related testimony or agency investigations. (TBP: 2.14) Officers who are undercover or conducting interviews or interrogations may find it necessary to provide inaccurate information in order to maintain their cover or determine the truthfulness or veracity of a subject.
- G. **Officers Always Subject to Duty.** Officers shall at all times respond to the lawful orders of supervisors, and to the call of individuals in need of police assistance. The fact that they may be off-duty shall not relieve them from the responsibility of taking prompt and proper police action or from being recalled to duty as needed.
 - i. The above shall not be construed to include enforcement of laws of a Class "C" misdemeanor nature or traffic offenses except for breach of the peace, theft, or assault.
 - ii. While off-duty, or in their personal vehicle, officers shall not enforce, or take any police action to enforce Class "C" traffic offenses.
- H. **Officers Required to Take Action.** Except where expressly prohibited, officers are required to take prompt and effective police action conforming to departmental policy with respect to violations of laws and ordinances coming to their attention or of which they have knowledge. Officers shall promptly and punctually perform all official duties. Officers shall render, or cause to be rendered, medical assistance to any injured person.

IX. Reporting for Duty.

Employees shall promptly report for duty properly prepared at the time and place required by assignments, training, subpoenas, or orders. Officers and employees shall promptly report for duty properly prepared at the time and place required by assignment and shall remain at their post, place of assignment, or otherwise engaged in their duty assignment until having completed their tour of duty as set by established procedures or dismissed by a supervisor. Employees are subject to emergency recall and shall report for duty during emergencies when so notified by a supervisor or the Chief of Police. (TBP: 2.16, 2.22)

- A. Exceptional leave. Employees shall, in situations requiring emergency leave or sick leave, notify their supervisors of the circumstances as soon as possible. If unable to report to work, employees shall notify the on-duty supervisor at least one hour before reporting time.
- B. Remaining Alert to Duty. While on duty or at training, employees shall remain alert and awake, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.
- C. Prohibition of Personal Business while on Duty. While on duty, officers shall not engage in any activity or personal business that would cause them to neglect their duty.
- D. Availability While On-duty. Employees while on-duty shall not conceal themselves except for some authorized police purpose. Employees shall keep themselves immediately and readily available at all times while on-duty.
- E. Assistance to Fellow Officers. An officer shall not display cowardice in the line of duty or in any situation where the public or another officer might be subjected to physical danger. Unless actually incapacitated themselves, officers shall aid, assist, and protect fellow officers in time of danger or under conditions where danger might be impending.
- F. Prompt Response to All Calls. Officers while on-duty shall respond without delay to all calls for police service. Calls shall be answered in compliance with normal safety precautions, traffic laws, and departmental policy.
- G. Duty to Report All Crimes and Incidents. Employees shall promptly report all crimes, violations, emergencies, incidents, dangers, hazardous situations, and police information that come to their attention. Employees shall not conceal, ignore, or distort the facts of such crimes, violations, emergencies, incidents, and information.
- H. Responsibility to Know Laws and Procedures. Employees shall know the laws and ordinances they are charged with enforcing, all departmental orders and rules, and the duties and procedures governing their specific assignments.
- I. Keeping Posted on Police Matters. Each day while on-duty and immediately upon returning from an absence, employees shall study and become familiar with the contents of recently issued communications and directives.
- J. Sleeping On-duty. Employees must be alert throughout their tours of duty. Sleeping while on-duty is forbidden.

- K. Assisting Criminal Activity. Employees shall not communicate in any manner, directly or indirectly, any information that may delay an arrest or enable persons guilty of criminal acts to escape arrest or punishment, dispose of property or goods obtained illegally, or destroy evidence of unlawful activity.
- L. Reading On-duty. Employees shall not read newspapers, books or magazines while on-duty and in the public view unless a supervisory officer has assigned such reading.
- M. Studying On-duty. Employees shall not, during their regularly assigned working hours, engage in any studying activity that is not directly related to their current job assignments.

X. Maintaining Communications. While officers are on-duty or officially on call, they shall be directly available by normal means of communication, or shall keep their office, headquarters, or supervisors informed of the means by which they may be reached when not immediately available.

- A. Reporting Accidents and Injuries. Employees shall immediately report the following accidents and injuries: all on-duty traffic accidents in which they are involved, all personal injuries received while on-duty, all personal injuries not received while on-duty but which are likely to interfere with performance of assigned duties, all property damage or injuries to other persons that resulted from the performance of assigned duties, and all accidents involving District equipment whether on or off-duty.
- B. Report Address and Telephone Number. Employees shall have a working telephone or other means of communication in case of emergency at their residence, and shall register their correct residence address and telephone number with the department on the prescribed form. Any change in address or telephone number must be reported immediately.
- C. Testifying in Departmental Investigations. When directed by a competent authority to make a statement or furnish materials relevant to a departmental administrative investigation, officers shall comply with the directive.
- D. Carrying Firearms. Except as approved by the Chief of Police or established procedures, all officers are required to carry sidearms while on-duty. While off-duty, officers may use their own discretion as to whether to carry sidearms.
- E. Registration of Firearms. All weapons carried and used by officers in the performance of their official duties must be registered with the department. Required registration information must be kept current.

XI. Cooperation with Fellow Employees and Agencies

- A. Respect for Fellow Employees. Employees shall treat other members of the department with respect. They shall be courteous, civil, and respectful of their superiors, subordinates, and associates, and shall not use threatening or insulting language whether spoken directly to a specific individual, a third party, a social media platform, or other electronic format.
- B. Interfering with Cases or Operations. Employees shall not interfere with cases assigned to others. Employees shall not interfere with the work or operations of any unit in the department or the work or operations of other governmental agencies. Employees against

whom a complaint has been made shall not directly or indirectly contact or attempt to contact for any reason, the complainant, witness or any other persons related to the case in an attempt to intimidate or to secure the abandonment or withdrawal of the complaint, charges, or allegations.

XII. Restrictions on Behavior

- A. Interfering with Private Business. Employees, during the course of their duties, shall not interfere with the lawful business of any person.
- B. Use of Intimidation. Employees shall not use their official positions to intimidate persons.
- C. Soliciting and Accepting Gifts and Gratuities. Unless approved by the Chief of Police, employees of the LTISD Police Department may not accept any reward, gratuity, gift, or other compensation for any service performed because of or in conjunction with their duties as employees of the department regardless of whether the service was performed while said persons were on or off-duty. Employees also shall not solicit any gift, gratuity, loan, present, fee, or reward. (TBP: 2.21)
- D. Soliciting and Accepting Gifts from Suspects and Prisoners. Employees are strictly prohibited from soliciting or accepting any gift, gratuity, loan, fee or other item of value, or from lending or borrowing, or from buying or selling anything of value from or to any suspect, prisoner, defendant or other person involved in any case, or other persons of ill repute, or professional bondsmen, or other persons whose vocations may profit from information obtained from the police department. (TBP: 2.21)
- E. Reporting Bribe Offers. An officer who receives a bribe offer shall promptly make a written report to the Chief of Police. (TBP: 2.21)
- F. Accepting Gifts from Subordinates. Without approval from the Chief of Police, employees shall not receive or accept any gift or gratuity from subordinates, other than customary celebratory times such as holidays or birthdays. (TBP: 2.21)
- G. Soliciting Special Privileges. Employees shall not use their official positions or identification to solicit special privileges for themselves or others, such as free admission to places of amusement, discounts on purchases, or free or discounted meals or refreshments. (TBP: 2.21)
- H. Personal Use of Police Power. Officers shall not use their police powers to resolve personal grievances (e.g., those involving the officer, family members, relatives, or friends) except under circumstances that would justify the use of self-defense, actions to prevent injury to another person, or when a serious offense has been committed that would justify an arrest. In all other cases, officers shall summon on-duty police personnel and a supervisor in cases where there is personal involvement that would reasonably require law enforcement intervention.
- I. Giving Testimonials and Seeking Publicity. Employees representing themselves as members of the LTISD Police Department shall not give testimonials or permit their names

or photographs to be used for commercial advertising purposes. Employees also shall not seek personal publicity either directly or indirectly in the course of their employment.

- J. **Soliciting Business.** Employees shall not, while on-duty, solicit subscriptions, sell books, papers, tickets, merchandise, or other items of value nor collect or receive money or items of value for any personal gain to themselves or others. Employees may solicit for projects related to charitable fundraising, but only when done in a manner not to disrupt the workplace and only with the approval of the Chief of Police.
- K. **Drinking On-Duty.** Employees shall not drink any intoxicating beverages while on-duty. (TBP: 2.19)
- L. **Intoxication.** Employees shall not be under the influence of any intoxicating beverage or substance during their tour of duty or within eight (8) hours prior to their tour of duty. Nor shall officers be intoxicated off-duty while in the public view. While off-duty, officers that have consumed an alcoholic beverage to the extent that their mental and physical faculties are impaired shall refrain from exercising any police authority. Officers assigned to special units, or assignments where they may consume alcoholic beverage during the performance of their duties, shall not do so to the extent that their mental and physical faculties are significantly impaired. (TBP: 2.19)
- M. **Drinking While in Uniform.** At no time shall any officer consume alcoholic beverages while wearing any part of the department's uniform. (TBP: 2.19)
- N. **Liquor on Official Premises.** Employees shall not alcoholic beverages into a district building or vehicle except as evidence. (TBP: 2.19)
- O. **Entering Bars, Taverns, and Liquor Stores.** Officers on-duty or in uniform shall not enter or visit any bar, lounge, parlor, club, store or other establishment whose primary purpose is the sale and on-premise consumption of liquor unless for the purpose of official duties, and shall not otherwise enter, remain in, or frequent such places. Officers on-duty or in uniform also shall not purchase alcoholic beverages. (TBP: 2.19)
- P. **Drug Usage.** While on or off duty, employees shall not use any illegal drug or any controlled drug not prescribed by a physician. Employees shall notify their supervisor if they are using any prescribed drug or any other medication or medical device that the employee believes (or has been informed by a physician or prescription label) might impair their driving or critical decision-making. (TBP: 2.20)
- Q. **Tobacco Use.** LTISD is a tobacco free district. All tobacco e-cigarette use is prohibited in all district buildings, district vehicles and on all district property
- R. **Public Tobacco Use Prohibited.** Officers shall not smoke or otherwise use tobacco products while engaged in traffic control, on an investigation, or while otherwise in contact with or in view of the public.
- S. **Playing Games On-Duty.** Officers on-duty or in uniform shall not engage in any games of cards, billiards, pool, dominoes, electronic arcade games, portable electronic games,

computer games including both internally programmed games such as solitaire or Internet based games, or other games.

- T. Political Activity. While in uniform or on-duty, officers are not allowed to actively participate in political campaigns (e.g., make political speeches, pass out campaign or other political literature, write letters, sign petitions, actively and openly solicit votes). Civilian employees are not allowed to actively participate (e.g., make political speeches, pass out campaign or other political literature, write letters, sign petitions, actively and openly solicit votes) in political campaigns while on-duty. (TBP: 2.15)
- U. Improper Release of Information. Employees shall not communicate to any person who is not an employee of this department any information concerning operations, activities, or matters of law-enforcement business, the release of which is prohibited by law or which may have an adverse impact on law enforcement operations or officer safety.
- V. Seeking Personal Preferment. Employees shall not solicit petitions or influence, or seek the intervention of any person outside the department for purposes of personal preferment, advantage, transfer, advancement, promotion, or change of duty for themselves or for any other person.
- W. Criticism of the Department or District. Employees shall neither publicly nor at internal official meetings criticize or ridicule the department or district or its policies or employees by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, bigoted, or unlawful, or if it undermines the effectiveness of the department or district, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- X. Disruptive Activities. Employees shall not perform any action that tends to disrupt the performance of official duties and obligations of employees of the department or which tend to interfere with or subvert the reasonable supervision or proper discipline of employees of the department.
- Y. Operation and Use of Police Radios. Operation and use of police radios is restricted to authorized and official police business. Personal conversations, or using vulgar, sarcastic, bigoted, or obscene language, or making unnecessary sounds are not permitted.
- Z. Use of Racial or Religious Jokes and Slurs. No employee shall engage in any form of speech likely to be construed as a racial, ethnic, or religious slur or joke, whether in the presence of the public or of other employees.
- AA. Use of Force. Officers shall use only that amount of force reasonably necessary to accomplish their police mission.
- AA. Indebtedness to Subordinates. Supervisors shall not become indebted to their immediate subordinates.
- BB. Personal Relationships Prohibited with Certain Persons. Employees shall not become personally involved or develop a personal or social relationship with a victim,

suspect, witness, or defendant while any case is being investigated or prosecuted as a result of such investigation. (TBP: 2.18)

CC. Duty to be Kind, Courteous, and Patient. Employees shall at all times be courteous, kind, patient, and respectful in dealing with the public. Employees shall strive to win the respect of all members of the community in the discharge of their official duties. When addressed, employees shall avoid answering questions in a short or abrupt manner, and shall not use harsh, coarse, violent, profane, indecent, suggestive, sarcastic, bigoted, or insulting language.

DD. Duty to Intervene. Any officer that observes another employee using force that is clearly beyond what is reasonable and necessary, has a duty to intervene by verbal and/or physical means, and to immediately report the use of force to a supervisor. This same standard applies even if the employee using force is a supervisor.

XIII. Identification and Recognition

- A. Giving Name and Badge Number. Officers shall give their name, badge number and other pertinent information to any person requesting such facts unless doing so would jeopardize the successful completion of a police assignment.
- B. Carrying Official Identification. Officers shall carry their official identification on their persons at all times.
- C. Personal Cards. Employees are not permitted to have or use personal cards showing their connection to the department if such cards bear any information not directly pertaining to their work as police department employees.
- D. Exchange, Alteration, or Transfer of Badge. An employee's issued badge shall not be altered or exchanged between employees or transferred to another person except by order of the Chief of Police. Employees retiring or resigning will not be permitted to retain their badge when doing so will hamper normal operations of the department. All badges must be purchased unless exempted by the Chief of Police.
- E. Plainclothes Officers – Identification. A uniformed officer shall neither acknowledge nor show recognition of another police officer in civilian clothes unless that officer first addresses the uniformed officer.

XIV. Maintenance of Property

- A. Use of District Property or Service. Officers shall not use or provide any district equipment or service other than for official district business.
- B. Responsibility for District Property. Employees shall be responsible for the proper care and use of department or district property and equipment assigned to or used by them and shall promptly report to their supervisors any loss, damage, destruction, or defect therein.

- C. **Departmental Vehicles.** Employees shall operate department vehicles and other equipment in such a manner as to avoid injury to persons or damage to property. Whenever a police vehicle is involved in an accident, the operator shall notify a supervisor immediately. Under no circumstances shall an officer investigate his or her own accident. The Travis County Sheriff's Department or local law enforcement agency with jurisdiction will be called to investigate all vehicle accidents.
- D. **Reporting Damage.** At the beginning of a tour of duty, employees shall examine any vehicle assigned to them and report any operational deficiencies, damage, or defects to their supervisors. Failure to report damage or defects creates the presumption that the employee inspected the vehicle and found no damage or defects. The employee, in this case, shall be held responsible for the damage.
- E. **Responsibility for Private Property.** Employees are responsible for protecting private property or equipment that has come into their possession by reason of their office against loss, damage, or destruction.
- i. **Care of Quarters.** Employees shall keep their vehicles, offices, lockers, and desks neat, clean, and orderly.
 - ii. **Property and Evidence.** Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence held in connection with an investigation or other official action except in accordance with established procedures. Any property or evidence coming into the possession of an employee shall be submitted to the property room prior to the end of shift.
 - iii. **Alteration or Modification of Police Equipment.** Officers shall not use any equipment that does not conform to departmental policy or specifications. All equipment shall be carried and utilized only as issued and authorized, and no changes, alterations, modifications, or substitutions shall be made to such equipment unless approved by the Chief of Police.

XV. Relationship with Courts and Attorneys

Attendance in Court. Employees shall arrive on time for all required court appearances and be prepared to testify. Each member shall be familiar with the laws of evidence and shall testify truthfully on any matter.

Recommending Attorneys or Bondsmen. Employees shall not suggest, recommend, advise or counsel the retention of a specific attorney or bondsmen to any person (except relatives) coming to their attention as a result of police business.

Testifying for a Defendant. Any employee subpoenaed or requested to testify for a criminal defendant, against the district or against the interests of the district in any hearing or trial shall immediately notify the Chief of Police through the chain of command.

Interviews with Attorneys. Interviews between an officer and a complainant's attorney about a case arising from the officer's employment by the department shall be done in the presence of or with the knowledge and consent of the officer's commanding officer, department legal counsel, or prosecutor.

Assisting and Testifying in Civil Cases. Officers shall not serve civil-process papers nor render assistance in civil cases except as required by law. No employee shall volunteer to testify in civil actions.

Notice of Lawsuits against Officers. Employees who have had a suit filed against them because of an act performed in the line of duty shall immediately notify the Chief of Police in writing and furnish a copy of the complaint as well as a full and accurate account of the circumstances in question.

Notice of Arrest or Citation. Employees who have become the subject of a citation (other than traffic citations) or arrest action in any other jurisdiction shall immediately notify the Chief of Police.

Arrest of Officer from Another Agency. An officer who arrests a sworn officer of another law enforcement agency shall immediately notify his or her own supervisor of the fact. Officers shall take whatever action is appropriate to the circumstances including issuance of summonses or making a physical arrest. That the person cited or arrested is a law-enforcement officer shall make no difference.


Arrest of LTISD PD Officer. If an officer has probable cause to arrest a sworn officer of our department, the officer shall first contact the Chief of Police to review and confirm probable cause. In most cases, the officer may obtain a warrant against the suspect officer. Some occasions may demand an immediate custodial arrest.

XVI. Expectation of Privacy

Employees shall have no expectation of personal privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of this law enforcement agency. While this agency recognizes the need for officers to occasionally store personal items in such areas, officers should be aware that these and similar places may be inspected or otherwise entered—to meet operational needs, internal investigatory requirements, or for other reasons—at the direction of the Chief of Police, the Superintendent, or his or her designee.

No member of this agency shall maintain files or duplicate copies of official agency files in either manual or electronic formats at his or her place of residence or in other locations outside the confines of this agency without express permission.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 2.2 Bias Based Policing	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 2.01	

I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, sexual orientation, national origin, ethnicity, age, or religion. Respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and by statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement consensual contacts between officers and the public.

II. PURPOSE

The purpose of this order is to inform officers that bias-based policing is prohibited by the department. Additionally, this order will assist officers in identifying key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

III. DEFINITIONS

Most of the following terms appear in this policy statement. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice or partiality based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased-based policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics that may include race but also cultural characteristics or traits that are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Specific facts and circumstances within an officer's knowledge that would lead a reasonable officer to believe that a specific offense has been or is being committed, and that the suspect has committed it. Probable cause will be determined by the courts reviewing the totality of the circumstances surrounding the arrest or search from an objective point of view.
- F. Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern, or Native American descent. As distinct from ethnicity, race refers only to physical characteristics sufficiently distinctive to group people under a classification.
- G. Racial profiling: A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- H. Reasonable suspicion: Specific facts and circumstances that would lead a reasonable officer to believe criminal activity is afoot and the person to be detained is somehow involved. Reasonable suspicion will be determined by the courts reviewing the totality of the circumstances surrounding the detention from an objective point of view
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: An investigative detention of a person for a brief period of time, based on reasonable suspicion.

IV. PROCEDURES

- A. General responsibilities

1. Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP: 2.01)
2. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, subject stops, arrests, nonconsensual searches, and property seizures. Except as provided in number 3 below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.
3. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion. Except as provided above, reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall be subjected to stops, seizures, or detentions only upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
4. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
 - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.
 - b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
2. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
 - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.

- b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department.
3. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on the individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety.
4. When concluding an encounter, personnel shall thank him or her for cooperating.
5. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
6. All personnel are accountable for their actions. Personnel shall justify their actions when required.

B. Supervisory responsibilities

1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties and those of their subordinates. Supervisors shall identify and correct instances of bias in the work of their subordinates.
2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are critical to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the law engenders not only mistrust of law enforcement, but increases safety risks to personnel as well as exposing the employee(s) and department to liability.
5. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates if the supervisor knew, or should have known, of the subordinate's actions.
6. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable. Any enforcement action that begins as a consensual encounter will also have the circumstances of the initial encounter documented.
7. Supervisors shall facilitate the filing of any complaints about law-enforcement service.
8. Supervisors will randomly review at least three video tapes per officer (either body camera and/or in-car camera video, if applicable) per quarter. For this policy a "quarter" is defined as a 3-month period of time.

Supervisors are not required to watch each incident or an entire 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.

9. Section 8 above applies only to first-line uniformed officers and their immediate supervisors. In the absence of a first-line supervisor this responsibility will move to the Chief of Police.

C. Disciplinary consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.


D. Training

Officers shall complete all training required by state law regarding bias-based profiling.

II. RECORD KEEPING

- A. The department will maintain all required records on traffic stops where a citation or warning is issued or where an arrest is made subsequent to a traffic stop.
- B. The information will also be reported to the Texas Commission on Law Enforcement in the required format.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 2.3 Sexual or Other Illegal Harassment	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 2.11	

I. POLICY

The department's policy is to provide a professional, businesslike work environment free from all forms of employee discrimination, including incidents of sexual or other forms of illegal harassment, which include color, race, religion, age, and national origin.

No employee shall be subjected to unsolicited or unwelcomed sexual overtures or conduct, either verbal or physical. The harassing behavior, to be subject to this order, need not occur only during work hours on agency premises, but may occur before or after work and at other locations. Sexual or other unlawful harassment, regardless of the type, is misconduct and the department shall apply appropriate disciplinary sanctions.

Two kinds of sexual harassment apply: quid pro quo harassment and hostile work environment harassment, defined below. The two forms of harassment may overlap.

II. PURPOSE

The purpose of this policy is to define and give examples of sexual and other unlawful harassment, outline prohibited behavior, and describe reporting procedures. (TBP: 2.11)

III. DEFINITIONS

A. Sexual harassment

The Civil Rights Act of 1964 prohibits discrimination based on color, race, religion, age, national origin, and sex. Sexual harassment is a form of sex discrimination. It is defined as follows:

1. Unwelcome sexual advances
2. Requests for favors
3. Verbal or physical conduct that enters into employment decisions

4. Conduct that unreasonably interferes with an employee's work performance
5. Conduct that creates an intimidating, hostile, or offensive working environment.

B. Quid pro quo harassment. (“Quid pro quo” means "something for something.")

This form of sexual harassment occurs when an employee is being pressured to engage in sexual conduct or else lose a tangible job benefit. This form of harassment usually occurs between a supervisor and a subordinate where the harasser has power to control the employee's work benefits, or working conditions, or promotion prospects. Note that this form of harassment is not limited to express demands for sexual favors, but may be implied by circumstances, e.g., offering an employee sexually explicit magazines.

Examples of this form of harassment include the following:

- A request for sexual favors, accompanied by implied or overt threats concerning a person's employment status.
- Promise of preferential treatment in terms of benefits or status.
- Granting job favors to those who participate in consensual sexual activity or penalizing those who refuse to participate.
- Unwanted, intentional touching (patting, massaging, rubbing, hugging, pinching).
- Telephoning or following an employee, during work hours or not, and harassing the employee by requesting sexual favors or in other ways.

C. Hostile work environment harassment

This form of harassment is unwelcome conduct that is so severe or pervasive as to change the conditions of the victim's employment, thus creating an intimidating, hostile, or offensive work environment. Examples of this kind of harassment include the following:

- The employee tolerates unwelcome, pervasive conduct including sexual comments of a provocative or suggestive nature.
- One employee makes jokes or suggestive remarks intended for and directed to another employee.
- An employee leaves sexually explicit books, magazines, photographs, or other items where employees will find them.
- An employee makes unwelcome, demeaning comments (such as talking about physical attributes) to another employee.

- Ridicule, offensive language, propositions, or other similar actions are directed toward an employee, or more than one employee.
- An employee makes unwanted, unwarranted, unsolicited off-duty telephone calls and/or contact.

- An employee leaves signed or anonymous notes or drawings on or in desks, on bulletin boards, in lockers or others places.
- An employee deliberately singles out women in front of men co-workers (or vice versa) and subjects them to demeaning or derogatory remarks.

IV. PROHIBITED CONDUCT

- A. Employees shall not commit or participate in any form of sexual or other illegal harassment.
- B. The department considers romantic relationships between supervisors and subordinates potentially non-consensual. Personal relationships between supervisors and subordinates should be brought to the attention of the Chief of Police at the earliest point so that a proper course of action can be determined. Failure to do so may result in discipline.
- C. Supervisors shall ensure that pornographic, demeaning, intimidating, or suggestive photographs, illustrations, cartoons or any other form of suggestive material are not posted or kept in any area of the department, including locker rooms, desks, offices or other locations. Materials of this kind used for investigative purposes shall be properly secured according to evidentiary standards. The material in question may be sexual in nature or insulting to a person based on race, religion, national origin, color, or age.
- D. Supervisors shall order employees on department premises who are making sexually hostile comments or degrading or demeaning remarks about other persons of the same or opposite sex to cease doing so or face discipline.
- E. Employees shall avoid inappropriate physical contact with one another unless required by a training situation or police procedure. Actions such as kissing, back rubbing, embracing, and any other unnecessary touching are prohibited on department premises or while on duty.
- F. Personnel shall not retaliate against any person for reporting sexual harassment, giving testimony, or participating in the investigation. Retaliation in any form shall result in discipline.

V. PROCEDURES

- A. Employee Responsibilities
 1. An employee who believes he or she has been sexually harassed should first tell the offender to cease the inappropriate behavior, although circumstances may not always allow the complainant to make this request. If the conduct does not stop, or if the complainant is unable to confront the offender, the complainant shall contact his or her own immediate supervisor. The

employee or supervisor shall immediately submit a memorandum to the Chief of Police through the chain of command detailing circumstances. Employees may also report incidents of harassment directly to the Chief of Police, Superintendent, or Assistant Superintendent for Human Resource Services. If a supervisor learns of an incident of harassment, he or she shall report the matter to the Chief of Police even if the victim did not submit a complaint.

2. If the complainant is not an employee of the department, the complaint itself is considered no less valid and shall be investigated according to the procedures set forth in this order and in Policy 2.4.
3. Employees must understand that sexual harassment can become a criminal matter. Allegations of stalking, assault, and sexual assault shall be handled immediately as criminal investigations.
4. Each employee of this agency is responsible for assisting in the prevention of harassment and discrimination by:
 - a. refraining from participation in or encouragement of action that could be perceived as harassment and/or discrimination;
 - b. reporting observed acts of harassment and discrimination to a supervisor, and
 - c. encouraging any employee who confides that he or she is being harassed or discriminated against to report these acts to a supervisor.
5. Failure of any employee to carry out these responsibilities as defined in this policy will be considered in any performance evaluation or promotional decision and may be grounds for discipline.

B. Supervisor Responsibilities:


1. Although all employees shall be responsible for preventing harassment and/or discrimination, supervisors shall be responsible for:
 - a. advising employees on the types of behavior prohibited and the agency procedures for reporting and resolving complaints of harassment and discrimination;
 - b. monitoring the work environment on a daily basis for signs that harassment and discrimination may be occurring;
 - c. stopping any observed acts that may be considered harassment and discrimination;
 - d. taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision;
 - e. utilizing all reasonable means to prevent a prohibited act from occurring when he or she knows or should know that an employee will or may perform such an activity;
 - f. taking immediate action to prevent retaliation towards the complaining party;
 - g. eliminating the hostile work environment where there has been a complaint of harassment and/or discrimination.

2. No supervisor shall make any employment decision that affects the terms, conditions, privileges, or responsibilities of an individual's employment based on that person's race, sex, religion, national origin, color, sexual orientation, age, or disability.
 3. If a situation requires separation of the parties, care should be taken to avoid action that punishes or appears to punish the complainant.
 4. Transfer or reassignment of any of the parties involved should be voluntary if possible and, if non-voluntary, should be temporary pending the outcome of the investigation.
 5. Any proscribed conduct covered by this policy that comes to the attention of a supervisor shall result in an investigation.
 6. Each supervisor has the responsibility to assist any employee of this agency who comes to that supervisor with a complaint of harassment and discrimination in documenting and filing a complaint.
- C. When an employee reports an allegation of sexual harassment, a confidential internal investigation shall begin immediately.
1. The Chief of Police shall immediately take action to limit the employee(s) involved from any further work contact with the alleged offender.
 2. The Chief of Police shall conduct an investigation pursuant to the provisions of Policy 2.4.
 3. If the sexual harassment allegation is not resolved to the satisfaction of the complainant, eligible employees may invoke the departmental grievance procedure.
- D. The Chief of Police shall report such allegations to the city manager without delay.

VI. TRAINING

The department will provide ongoing training on sexual and other unlawful harassment, reporting, and investigation procedures.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 2.4 Accident and Injury Prevention	
	Effective Date: 7/1/2021	Replaces:
	Approved:	<i>Andy Michael</i> Chief of Police
	Reference: 4.10	

I. POLICY

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

II. PURPOSE

The purpose of this policy is to provide the authority and operating procedures for review of agency motor vehicle crashes and personnel injuries.

III. DEFINITIONS

- A. **Motor Vehicle Crash:** For purposes of this policy, a motor vehicle crash is any collision of a vehicle owned by or assigned to this agency with another vehicle, stationary object, or person that results in property damage (regardless of amount) and/or personal injury.
- B. **Personal Injury:** For purposes of this policy, a personal injury is any injury to a member of this department that results in immediate or subsequent treatment by a physician, in lost work time, or one requiring reporting under workers' compensation rules.
- C. **Non-preventable Crash or Injury:** A crash or personal injury shall be classified as non-preventable when it is concluded that the member/operator exercised reasonable caution to prevent the crash or injury from occurring and observed applicable agency policy, procedures, and training.
- D. **Preventable Crash or Injury:** A crash or injury shall be deemed preventable when the member/operator failed to observe agency policy, procedures, or training.

and/or failed to exercise due caution or appropriate defensive driving or trained defensive tactics.

IV. PROCEDURES:

A. Training

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


B. Reporting and Investigating Motor Vehicle Crashes and Injuries.

1. Unless incapacitated, employees are responsible for immediately notifying communications or their supervisor of any motor vehicle crashes and any personal injury sustained while on duty. Communications shall notify the on-duty supervisor, if applicable, or the Chief of Police.
2. Supervisors shall be responsible for ensuring that persons with appropriate traffic investigation training conduct crash investigations. The supervisor will also conduct an investigation and complete any necessary worker's compensation forms needed for treatment or immediate reporting of an injury.
3. Where feasible, the supervisor, any accident investigators, and the involved officer(s) shall file reports on departmentally approved forms within 24 hours of a crash or injury occurrence.
4. The supervisor, if applicable, or responding officer shall prepare a memorandum to the Chief that shall include the following information:
 - a. Details of the accident or injury and contributory factors to the crash or injury.
 - b. Statements of witnesses.
 - c. Name and insurance information on involved drivers and others involved in a crash, and the nature/seriousness of injuries and/or property damage.
 - d. A statement as to whether the supervisor believed the member's injury or crash was "preventable" or "non-preventable"—as defined by this policy—with documentation supporting those conclusions.
 - e. Any recommendations that would help prevent similar crashes in the future.
5. The Chief will review the supervisory investigation and make a determination of whether the accident or injury was preventable or non-preventable.
6. Remedial Action

In addition to any other disciplinary measures taken by the department for a violation of policy, the department has the options listed below that can be applied to personnel involved in crashes:

- a. Members of the department that have a preventable vehicle crash may be required to undergo additional training, take a defensive driving course, or undergo other corrective measures.
 - b. A member of the department has two or more preventable vehicle crashes within a 12-month period may be placed on non-driving status for a period of six months, in addition to any necessary training.
 - c. A member who has three or more preventable vehicle crashes in a 24-month period may be placed in a non-driving status for up to one year.
 - d. More than four vehicle crashes in any five- year period may result in termination for failure to perform basic job functions in a safe manner.
 - e. Members of the department who have repeated preventable injuries may be terminated due to inability to perform basic job functions in a safe manner.
- C. Annually the Chief of Police shall conduct an analysis of all accidents and injuries and make any recommendations for training, equipment, or policy changes needed to reduce employee motor vehicle accidents resulting in property damage and/or personal injuries.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 2.5 Court Appearance	
	Effective Date: 7/1/2021	Replaces:
	Approved:	<i>Andy Michael</i> Chief of Police
	Reference:	

I. POLICY

The success of a criminal prosecution is determined not only by the quality and quantity of evidence but by the manner in which it is presented by law enforcement officers in a court of law. An officer's appearance, demeanor, attitude, and ability to testify in a fair and professional manner are essential. Therefore, it is the policy of this agency that officers provide competent and professional testimony by adherence to court scheduling, preparation, appearance, and testimony guidelines provided herein.

II. PURPOSE

The purpose of this policy is to provide officers with guidelines for scheduling, preparing for, and testifying in criminal court cases.

III. PROCEDURES

A. Subpoenas

1. All officers shall accept subpoenas and shall appear in the designated place at the time required. Avoidance of service is strictly prohibited, and offending officers are subject to disciplinary action. This agency shall establish a system of accountability for subpoenas from the point of receipt from the court to the point of officer testimony. This includes but is not limited to:
 - a. recording the receipt of subpoenas to include date received, court date and time, defendant's name, officer's name, and date executed and returned to the court;
 - b. recording the service of subpoenas to named officers by shift supervisors or other designated personnel noting dates received, dates served, and dates returned to the court authority;
 - c. ensuring that notification is made as soon as possible to the designated court authority when officers cannot be served in

accordance with established time frames or when they cannot appear on the designated court date.

2. Officers who have been served subpoenas or been given other official notice to appear before a criminal court by means other than the foregoing are responsible for complying with this directive and for providing agency notification as soon as possible of the need for appearance. Such subpoenas shall be recorded in a manner consistent with this policy.
3. Officers who are served with a subpoena shall immediately notify their supervisor and provide the supervisor with a copy.

B. Preparation for Trial


1. Officers shall fully cooperate with requests from the prosecutor in preparation of cases for trial and may seek pre-trial conferences whenever needed.
2. Officers shall be familiar with the basic rules of evidence and shall seek clarification of any legal issues that may arise during the trial prior to court appearance.
3. Prior to trial, officers designated for court appearance shall review case documentation to ensure that they are completely familiar with the facts involved. In addition, officers shall provide all reasonable assistance necessary to or requested by the prosecution to ensure that necessary evidence will be available at trial.
4. In pretrial conferences with the prosecutor, officers are responsible for providing all information relevant to the case even though it may appear beneficial to the defendant. No detail should be considered too inconsequential to reveal or discuss.
5. If an officer is subpoenaed by the defense in any case, the officer shall immediately notify the Chief of Police and the prosecutor assigned to the case.

C. Appearance in Court

1. Officers shall receive compensation for appearance in court during off-duty hours at the rate designated by this agency and in accordance with established means of calculation.
2. Compensation shall be paid only when officers comply with procedures established by this agency for court appearance, including but not limited to supervisory notification/approval and adherence to documentation procedures for overtime pay.
3. Officers who are late for or unable to appear on a court date shall notify the appropriate court authority as soon as possible, providing name, defendant's name, court designation, and reason for absence or tardiness. The reason for absence or tardiness shall be reviewed by the officer's commander and may be referred for disciplinary review.

4. Officers' physical appearance, personal conduct, and manner shall conform to the highest professional police standards.
5. When testifying, officers shall:
 - a. restrict remarks to that which is known or believed to be the truth
 - b. speak naturally and calmly in a clearly audible tone of voice
 - c. use plain, clearly understood language and avoid using police terminology, slang, or technical terms
 - d. display a courteous attitude and maintain self-control and composure.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 2.8 Use of Social Media	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference:	

I. POLICY

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

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

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

II. PURPOSE

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

III. DEFINITIONS

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

E. Social Media: A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, Instagram), microblogging sites (Twitter, Nixle), photo and video-sharing sites (Flicker, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

F. Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

G. Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

I. Wiki: Web page(s) that can be edited collaboratively.

IV. DEPARTMENT SPONSORED SOCIAL MEDIA

A. Requirements for Department Sponsored Public Social Media Sites

1. The District's Director of Communication, Media & Community Relations is responsible for the management, posting, and monitoring of the department's public social media network sites. Other members of the department may post and monitor specific social media sites as approved by the Chief of Police and Director of Communication, Media & Community Relations.
2. The Director of Communication, Media & Community Relations, with input from the Chief of Police, will determine the extent of the department's official use of social media platforms. No social media platform will be utilized by the department without the express approval of the Director of Communication, Media & Community Relations.
3. Each social media platform shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the channel.
4. Where possible, each platform should include a link to the department's official website.
5. Social media platforms shall clearly indicate that they are maintained by the department and shall have department contact information prominently displayed.
6. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
7. Content is subject to open government laws. Relevant records retention schedules apply to social media content. Content must be managed, stored, and retrieved to comply with open government laws, records retention laws, and e-discovery laws and policies.
8. Social media platforms should state that the opinions expressed by visitors to the site(s) do not reflect the opinions of the department.
9. Social media platforms shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove any posting.
10. Social media platforms shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

B. Operation of Department Sponsored Public Social Media Sites

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

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

C. Uses of Departmental Sponsored Social Media Sites

1. Social media can be used to make time-sensitive notifications related to:
 - a. road closures,
 - b. special events,
 - c. weather emergencies, and
 - d. missing or endangered persons.
2. Social media is a valuable investigative tool and may be used to seek evidence or information about the following:
 - a. missing persons,
 - b. wanted persons,
 - c. gang participation,
 - d. crimes perpetrated online,
 - e. photos or videos of a crime posted by a participant or observer.
3. Social media can be used for community outreach and engagement for the following purposes:
 - a. providing crime prevention tips,
 - b. offering online-reporting opportunities,
 - c. sharing crime maps and data
 - d. soliciting tips about unsolved crimes
4. Social media can be a valuable recruitment mechanism, since many people seeking employment and volunteer positions use the internet to search for opportunities.
5. Background investigations.

- a. This department has an obligation to include internet-based content when conducting background investigations of job candidates.
- b. Search methods shall not involve techniques that are a violation of existing law.
- c. Vetting techniques shall be applied uniformly to all candidates.
- d. Every effort must be made to validate internet-based information that is considered during the hiring process.

D. Use of Covert Social Media Sites for Investigative Operations

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

V. PERSONAL USE OF SOCIAL MEDIA

A. Precautions and Prohibitions

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

1. Members of the department may not access social networking or social media sites with department-provided information systems unless authorized to do so on behalf of the department or during the course of an investigation.
2. While on duty, employees may only use personal communications devices to access social networking sites strictly during **authorized** meal breaks, provided such usage does not in any way interfere with the performance of job duties. Employees are prohibited from authoring personal posts on a social networking site at any time while on-duty, even during meal breaks.
3. Due to concerns for officer safety and to preserve tactical advantage, the posting of information related to any police response by any officer or an assisting agency is absolutely prohibited without the approval of the Chief of Police.
4. All matters of, by, within, and about department details regarding calls for service and the customers we interact with are generally considered confidential information that may not be released, blogged about, posted, or otherwise shared outside the department without prior authorization that has been obtained through an official open records request, or without the information already being in the public realm [already otherwise officially released].
6. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of

this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.

7. As public employees, department personnel are cautioned that speech, whether on or off-duty, made pursuant to their official duties—that is, speech which owes its existence to the employee’s professional duties and responsibilities—may not be protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department.

8. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.

9. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police.

a. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without that member’s permission. In relation to this, department personnel are cautioned not to post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are working, or who may reasonably be expected to work in undercover operations shall not post any form of visual or personal identification.

b. Personnel are reminded that many individuals that we contact in our profession become angry and on occasion seek revenge for official actions taken. Employees are encouraged not to post any information that could be used to identify an employee’s residence, vehicle, or the identity of family members.

10. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Employees are required to be credible witnesses in criminal prosecutions and that credibility can be attacked using inappropriate posts on social media sites. Therefore, adherence to the department’s code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against race, religion, or protected class of individuals.

b. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.

c. Engaging in prohibited speech noted herein may provide grounds for undermining or impeaching an officer’s testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.

d. Department personnel may not divulge information gained because of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could

reasonably be considered to represent the views or positions of this department without express authorization.

e. Department personnel should be aware that they may be subject to civil litigation for the following:

- i. publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
- ii. publishing or posting private facts and personal information about someone without that person's permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
- iii. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose;
- iv. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

11. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.


12. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and never assume that personal information posed on such sites is protected.

13. Department personnel are reminded that the department policies and Code of Conduct applies to on-line activities.

14. There should be no expectation of privacy for items or activities conducted online.

B. Monitoring of Social Media

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

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 3.1 Basic Training Requirements	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 1.09, 3.05, 3.06, 3.07, 3.08, 3.09, 3.18, and 8.11.	

I. POLICY

Today’s society is both multi-faceted and complex. In order to provide effective law enforcement services it is imperative that officers as well as non-sworn employees have the training necessary to accomplish their mission. The LTISD Police Department is committed to providing the training necessary to meet and exceed Texas state requirements and contribute to every employee’s career goals.

II. PURPOSE

The purpose of this policy is to provide members of the department with details of the training required by the department and their responsibilities with regard to maintaining that training.

III. REQUIRED TRAINING

A. Basic Training

1. Sworn members of the department are required to have a peace officer license issued by the Texas Commission on Law Enforcement. This license currently requires officers to attend a basic peace officers course and pass a commission licensing examination. Officers must possess their peace officer license prior to performing any law enforcement duty or function. (TBP: 1.09)
2. Previously licensed officers who apply for employment must have their license in good standing, all in-service training completed, or the ability to complete in-service requirements prior to the end of the Commission training cycle, which ends August 31 of odd-numbered years.
3. In addition to the training required for licensing, all sworn officers will complete the National Incident Management System training, appropriate for their rank, prior to completion of field training, or prior to completion of promotional probation in the event of promotion to a higher rank. (TBP: 8.11)

B. In-service training (TBP: 3.06)

1. All sworn personnel of the department shall, within each Commission training period as required by law, obtain at least 40 hours of in-service training. In-service instruction may include the following:
 - a. A review of changes or revisions in Texas state law
 - b. Training required by the legislature during each two-year training cycle
 - c. Specialized training required at the direction of the Chief of Police or the Commission based on assignment
 - d. Supervisory training
 - e. Policies and procedures
 - f. Firearms training and qualifications.
2. In each two-year cycle, sworn officers must receive the following training:
 - a. Hands-on arrest and/or defensive tactics training
 - b. Initial or refresher self-aid /buddy aid training
 - c. Initial or refresher implicit bias training
 - d. Initial or refresher force avoidance training (de-escalation training)
 - e. Initial or refresher crisis intervention training
 - f. Initial or refresher mental health training
3. Sworn personnel are responsible for obtaining the training necessary to maintain their license and any special certifications they may hold. The department will provide officers with the training or provide the time and funding necessary to obtain the training. Much of the required training can be obtained on-line from the Commission website.

C. Supervisory training (TBP: 3.09)

All employees, sworn or non-sworn, when promoted to any supervisory rank will be provided supervisory training appropriate to their rank and position within 12 months of their promotion.

D. Civilian personnel (TBP: 3.08)

1. All newly appointed civilian personnel will receive the following training from the Chief or his/her designee:
 - a. Orientation to the department's role, purpose, goals, policies, and procedures
 - b. Working conditions, rules, and regulations
 - c. Responsibilities and rights of employees.
2. Non-sworn communicators and communications supervisors will complete Commission's basic tele-communicators and TCIC/NCIC full operators training within 90 days of hire date. (TBP: 3.18)
3. Records personnel or personnel assigned to records processing will complete a course in Texas state open records and records retention within 90 days of hire.
4. Any non-sworn personnel who have state-required or job-specific training will be provided that training either prior to job assignment or within 90 days of assignment.

IV. TRAINING EXPECTATIONS

A. Attendance

Personnel are expected to attend all assigned training programs. Attendance will be documented either by the instructor or, in cases where the training is at a location other than the department, documentation will be furnished by those responsible for the training. In some cases, attendance at a training program may be excused, such as for court appearance or sickness. The administrators of the program must properly excuse any absence. Any time lost must be made up before any certificate of completion is issued. Certificates will be issued to those students who complete any training program. Employees shall provide a copy of any certificates to the department for inclusion in the employee's training file.

B. Expenses

With the exception of paper and pencils or pens, all expenses incurred by department personnel as a result of required training will be reimbursed based on actual expenses (receipts must be provided). If personnel are required to use their personal vehicles, they will be reimbursed at the current district mileage rate.

V. DEPARTMENTAL TRAINING

A. Performance-based training

The Commission requires performance-based training. This method of training requires the development of performance objectives. The use of performance objectives acquaints the training participants with the information they are required to know, the skills that must be demonstrated, and the circumstances under which the skills will be used. This approach also enables the instructors to relate training directly to the job performance that will be expected by supervisors. An employee who develops an outline for instruction of a topic must develop objectives that have the following characteristics:

1. Focus on the elements of the job/task analysis for which training is needed.
2. Provide clear statements of what is to be learned.
3. Provide the basis for evaluating the participants.
4. Provide the basis for evaluating the effectiveness of the training program.

B. Lesson plans

1. Lesson plans are required for all training courses conducted or sponsored by the department. It is the responsibility of the individual instructor, whether a member of the department or not, to provide the Chief or his/her designee, with a copy of the lesson plan for approval. A copy of the lesson plan will be maintained along with rosters of personnel attending the training.

2. The lesson plan should include a statement of performance objectives, the content of the training, specification of the appropriate instructional techniques, references, relationship to the job tasks, responsibilities of the participants for the material taught, and plans for evaluation of the participants. The instructional techniques that might be used include the following:
 - a. Conferences (debate, discussion groups, panels and seminars)
 - b. Field experiences (field trips, interviews, operational experiences, and observations)
 - c. Presentations (lectures, lecture-discussion, lecture-demonstration)
 - d. Problem investigations (committee inquiry, critical incidents)
 - e. Simulations (case study, simulation, games, and role-playing).

C. Instructors

1. Instructors for all department training programs shall:
 - a. Have a minimum of two years law-enforcement experience, or
 - b. Have completed a TCOLE instructor's course and be certified as an instructor, or
 - c. Possess a demonstrated skill in an area of instruction, or
 - d. Have knowledge of teaching theories, methods, and practices along with some knowledge of law-enforcement practices.
2. The Chief or his /her designee shall approve instructors enlisted from outside the department. The instructor must have demonstrated skill in his/her area of instruction and comply with requirements for lesson plans as previously stated. The Chief of Police will determine any compensation.
3. Before being allowed to instruct any state-mandated courses at the department, instructors shall receive, at a minimum, training in:
 - a. Lesson plan development
 - b. Development of performance objectives
 - c. Instructional techniques
 - d. Learning theory
 - e. Testing and evaluation techniques
 - f. Resources.
4. Normally, officers selected and trained as instructors in a particular subject will be expected to teach it when needed for a minimum of two years.

VI. REMEDIAL TRAINING

- A. Remedial training is directed at solving a particular problem or improving performance in a particular area within a designated time and with clearly defined, expected results.
- B. Remedial training may be assigned as a result of discipline or counseling.

VII. TRAINING RECORDS (TBP: 3.05)

A. Training records


1. The Chief of Police, or his/her designee, shall maintain a training record for each employee that includes the following:
 - a. The date of training
 - b. The type and hours of training received
 - c. A copy of any certificate received.

The Commission's TCLEDDS will be used for sworn members of the department.

Training records for non-sworn members will be maintained separately from those of sworn personnel.

2. The Chief, or designee, shall maintain files on all in-house training courses or presentations, including the following:
 - a. Course content (lesson plans)
 - b. Personnel attending
 - c. Any performance measures as ascertained through tests or demonstrations.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 4.2 Appointment and Probation	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: 1.09 and 2.03	

I. POLICY

The Lake Travis ISD Police Department is committed to ensuring that the standards of the department are maintained and that a competent and professional police department serves the stakeholders of our district.

II. PURPOSE

The purpose of this policy is to provide a systematic process for the appointment of sworn and non-sworn personnel.

III. PROCEDURES FOR SWORN PERSONNEL

- A. Applicants who have been through the hiring process and have been approved for hire will complete the following steps prior to being retained as full-time police officers:
 1. The applicant will meet with the Chief of Police, or designee, and determine a starting date.
 2. On the day selected for employment, the applicant will report to the LTISD Human Resources (HR) office for completion of all initial paperwork and issuance of an identification card.
- B. Upon completion of the initial processing at HR, the new employee will report to the police department where he/she will be issued the appropriate equipment and be given further instruction on additional equipment. The employee shall sign for the issued equipment.
- C. The new employee shall be issued a complete and up-to-date copy of the department's general orders and field manuals.
- D. The Chief, or designee, shall set a time and place where the new officer shall swear the oath of office before a public gathering. The new officer must take and sign the oath of office before performing any law enforcement duties. (TBP: 2.03)


- E. The Chief, or designee, may also assign the new employee to a senior training officer for initial field training. The new employee will work the same hours and days off as the field-training officer.
- F. The new officer must possess a valid Texas peace officer license before performing any law enforcement functions. (TBP: 1.09)

IV. PROCEDURES FOR NON-SWORN PERSONNEL

- A. Applicants who have been through the hiring process and have been approved for hire will complete the following steps prior to being retained as full-time employees:
 - 1. The applicant will meet with the Chief of Police and determine a starting date.
 - 2. On the day selected for employment, the applicant will report to the LTISD Human Resources (HR) office for completion of all initial paperwork and issuance of an identification card.
- B. Upon completion of the initial processing at HR, the new employee will report to the police department where he/she will be issued any necessary equipment for a job assignment. The employee shall sign for any issued equipment.
- C. The new employee shall be issued a complete and up-to-date copy of the general orders and field manuals.
- D. The employee shall be assigned to another employee for training as required and shall receive training in department operations, personnel rules, and departmental philosophy.

V. PROBATION

- A. All new employees are on probation for a period of one year.
 - 1. Non-sworn personnel are on probation for one year from the date of their employment.
 - 2. All newly hired police officers shall be considered on probation for one year from the date of completion and release from field training.
 - 3. The same probationary period applies to all officers regardless of their previous years of service.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 4.4 Uniforms, Appearance, and Equipment	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: 1.11, 1.12, 2.13, 7.17, and 7.23.	

I. POLICY

Proper uniforms and equipment are essential to the performance of our law enforcement duties. Officers must present a professional image to the community we serve, one that promotes respect and confidence. All employees must strive to present a clean, well-groomed image when wearing the departmental uniform or representing the department in any capacity.

II. PURPOSE

The purposes of this policy are to provide officers with a list of uniform and equipment items and to provide a departmental dress code for all employees, sworn and unsworn.

III. UNIFORMS AND EQUIPMENT

- A. New employees shall be issued the uniforms and the equipment needed to perform their duties. Employees may purchase and carry additional items that are approved and authorized in writing by the Chief of Police. Employees will not wear, carry, or use any personally owned equipment without the written approval of the Chief of Police, a copy of which will be kept in the employee's personnel file. (TBP: 1.11)
- B. Each employee must sign an inventory sheet listing all uniform and equipment items issued to the employee. The inventory sheet will be maintained in the employee's personnel file.
- C. Employees are responsible for the uniforms and equipment issued.
- D. The employee's supervisor shall ensure that all departmental uniforms and equipment are returned to the department upon resignation, termination, or retirement. Failure to return all items of city property may result in legal action against the employee. (TBP:1.12)
- E. Employees shall have as a part of their issued equipment a copy of the rules and regulations and a copy of the general orders manual. Employees shall maintain these and make appropriate changes or inserts as directed.

- F. After completing their probationary period and with the approval of the Chief of Police, employees are allowed to purchase a flat wallet badge.

IV. UNIFORMS AND EQUIPMENT PROVIDED BY THE DISTRICT

- A. Uniforms and equipment provided to police officers by LTISD shall include:

1. Four (4) pairs of polyester pants
2. Two (2) short-sleeved polyester shirts
3. Two (2) long-sleeved polyester shirts
4. Three (3) pairs of BDU pants
5. Three (3) short-sleeved BDU shirts
6. One (1) tie
7. One (1) shirt badge
8. Two (2) name plates
9. One (1) 3-Season waterproof jacket.
10. One (1) rain coat
11. One (1) set of duty gear which includes
 - a. duty belt
 - b. two handcuff cases
 - c. magazine case
 - d. OC spray case and spray
 - e. radio case
 - f. four (4) keepers
 - g. glove pouch
 - h. compact light holder
 - i. one SL-20 flashlight with safety cone and belt ring
12. One (1) protective vest (body armor)
13. One (1) reflective traffic vest
14. Two (2) sets of handcuffs
15. Rank insignia as needed

- B. Uniforms and equipment that are excessively worn or damaged are replaced by the department. An employee requesting replacement should have the item inspected by his/her supervisor, who will provide written approval for the replacement.

- C. With the written approval of the Chief of Police officers are allowed to purchase additional uniforms and equipment as needed or desired. These items may be purchased from any vendor, but they must comply with current uniform or equipment standards.

- D. Replacement of personally owned uniforms, equipment, or jewelry -- including watches -- that are lost or damaged in the performance of duty shall be limited to a maximum of \$150.00. Replacement will not be allowed in those cases where the employee was negligent in the loss or damage. Officers requesting reimbursement shall forward a memorandum to the Chief of Police through their chain of command citing the item lost or damaged, the circumstances involved, and proof of value of the item or replacement cost.

- E. Uniform items and equipment meeting departmental specifications and provided by individual officers shall include the following:
 - 1. Black or navy blue undershirts
 - 2. Black or navy blue socks (unless completely concealed by footwear)
 - 3. Footwear, black leather
- F. Uniforms or civilian business attire (coat and tie for men or equivalent for women) shall be worn for all court appearances.

V. PROTECTIVE VESTS (TBP: 7.23)

- A. Body armor is purchased by the department for all sworn officers. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.
- B. Uniformed Officers, when working field assignments, may wear departmentally issued protective vests when on-duty or when off-duty if they are engaged in law enforcement activities. All officers will maintain their vests where they are readily accessible in the event they are needed. Any officer participating in any search warrant execution or other high-risk activity will wear a protective vest.
- C. Officers shall routinely inspect personal body armor for signs of damage and for general cleanliness. Because dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.

VI. REFLECTIVE VESTS

Agency personnel are issued and shall wear the high-visibility reflective vest as soon as practical when directing traffic or working at the scene of an accident. (TBP: 7.17)

VII. DEPARTMENTAL APPEARANCE REQUIREMENTS (TBP: 2.13)

- A. Uniform Employees
 - 1. When wearing the uniform, employees will be in full uniform, including all items that are integral parts of the uniform. All uniform and accessories must be clean and well pressed. No part of the uniform is worn with civilian clothing or vice-versa.
 - 2. Undershirts worn with an open-collar, short-sleeve shirt shall be blue or black in color. Shirrtails will be worn tucked in at all times. Employees wearing a long-sleeved shirt may wear a dark navy or black turtleneck or mock turtleneck during cold weather.
 - 3. Rank Insignia. The Chief will wear a double silver star on each point of the uniform shirt collar. Employees holding the rank of captain will wear ½-

inch silver captain's bars (two gold bars) on each collar point ½ inch from the front edge of the collar centered between the neck line and the bottom edge of the collar. Employees holding the rank of lieutenant will wear one ½-inch bar on each collar point ½ inch from the front edge of the collar centered between the neckline and the bottom edge of the collar. Employees holding the rank of sergeant will wear embroidered chevrons approximately ¼ inch below the department-issued shoulder patch with the single point up.

4. Nameplates. Each employee, regardless of rank, will wear a departmentally issued silver nameplate, centered ½ inch above the right shirt pocket seam. The nameplate will have the officer's last name.
5. Department Shirt Badges. All sworn personnel when in the standard duty uniform will wear their department badge prominently displayed above the left-shirt pocket.
6. Footwear. Footwear will be solid black and capable of being shined. Officers must wear solid navy blue or black socks if the socks are visible.
7. Officers are authorized to wear baseball style caps only during inclement weather, including excessive heat during outdoor assignments or in conjunction with a utility uniform during specialized assignments or outdoor training. Winter headgear may consist of a navy blue or black knit cap with no visible logos or emblems.

B. Award Ribbons or Medals

Commendation ribbons and medals approved for wear by the department will be worn, centered, above the nameplate on the uniform shirt, no more than three across and three up, and will be worn in order of importance. The wearing of commendation ribbons and medals is optional for those officers who are recipients of such awards while wearing the standard duty uniform and while assigned to standard duty assignments. The wearing of commendation ribbons and medals is mandatory for those officers who are recipients of such awards in all formal settings.

C. Plain Clothes Assignments (Sworn and Non-Sworn Employees)

With the exception of officers working in a covert capacity, clothing worn by employees in any departmental, non-uniform assignment will conform to accepted business practices. These include but are not limited to the following:

1. Slacks, dress shirts (long or short sleeved), ties (excluding bow ties), socks, shoes, and appropriate headwear.
2. Headwear must be appropriate for business dress attire, and the particular item must have prior approval from the Chief or his/her designee.
3. Business or sports coats are optional unless required for a court appearance or other specific event or task.
4. Socks should coordinate with the pants. White socks are prohibited unless worn with boots that conceal the socks.
5. Footwear should be clean and polished, with heels and toes in good repair. Normal business shoes, including slip-ons (loafers) or lace-ups, are

acceptable. Boots are acceptable, provided they are in good taste. Flip-flops are inappropriate.

6. Female business attire will include the previously mentioned clothing and non-revealing blouses, skirts, dresses, and appropriate footwear. Flip-flops are inappropriate.
7. If a sidearm is worn on the waist, the officer's department badge must be prominently displayed next to the sidearm.
8. Plain-clothes officers may wear a vest or jacket that readily identifies the wearer as a police officer during call-outs, specific assignments, or extra-duty assignments when appropriate.
9. Plain-clothes sworn personnel are required to maintain at least one complete standard uniform at all times in case they are called upon for uniformed duties.

D. Special Assignments

Employees placed in special assignments, including covert or undercover assignments, special events, or other special operations, will wear clothing approved by the Chief of Police or the supervisor of the operation.

E. Court Attire

Officers attending court will be in uniform or civilian clothes to include a shirt and a tie for male employees and appropriate business attire for female employees.

F. Physical Appearance

1. Employees shall maintain their physical appearance in accordance with good taste and professionalism. Hair shall not be dyed, colored, or styled in a manner that would draw undue attention to the employee. Female employees will apply their makeup tastefully. Male employees shall not appear for work needing a shave or haircut.
2. Hair length
 - a. Male employees shall wear their hair so as to present a groomed appearance. Hair will not extend past the collar at the back of the neck. Hair on the sides will not extend below the top of the ear and must be mildly tapered. Hair in the front will not extend below the middle of the forehead. Sideburns may extend no lower than the lowest tip of the employee's ear lobe. They shall be of a naturally even width and shall end with a clean-shaven horizontal line.
 - b. Female employees shall wear their hair so as to present a groomed appearance. They shall not be restricted as to the length of their hair; however, if the hair extends below the bottom of the collar it shall be secured in a bun or ponytail. It shall not hang into the employee's face, either in front or on the sides.
3. Mustaches

Mustaches will not extend beyond the corner of the mouth on a horizontal line, nor below the corner of the mouth on a vertical line,

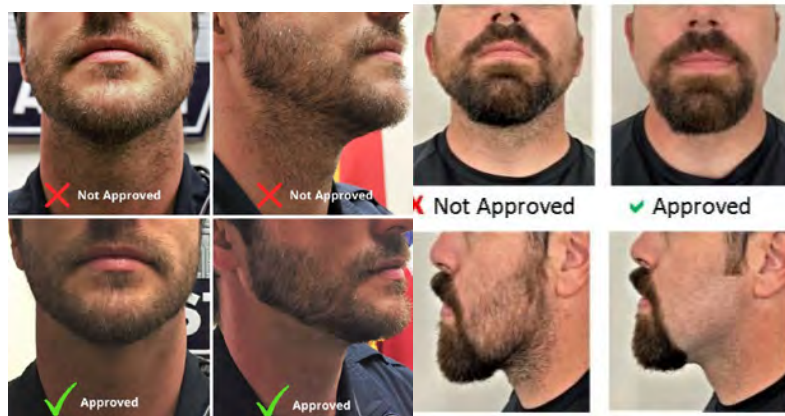
nor below the top line of the upper lip. They shall be neatly trimmed at all times.

4. Sideburns

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

5. Facial Hair

- a. Officers may maintain a neat and uniformly trimmed full beard or goatee no more than one half inch in length. Beards cut in a pattern are prohibited. In addition, shaving, waxing, plucking or otherwise, removal of superfluous hair from the beard for aesthetic grooming (shaping, pencil thin, trimming, designer beard, "chin strap" beard, etc.) or other cosmetic effects are prohibited. This section does not prohibit the trimming or grooming required for maintaining a trimmed/groomed beard.
- b. This policy is intended for those officers wishing to grow a full beard and does not allow for intermittent shaving.
- c. Examples are shown below



6. Jewelry

- a. Female employees may wear earrings, provided they are small and tasteful in appearance. Male employees are not permitted to wear any type of earring.
- b. Employees in uniform are discouraged from wearing chains and necklaces as they could be lost or cause an injury during the performance of police activities.
- c. A female employee in civilian attire may deviate from these regulations with the approval of her supervisor.
- d. To present a uniform and objectively neutral appearance to the public, non-departmental jewelry or pins shall not be worn on the uniform at any time or on plain clothes while on duty unless specifically authorized by the Chief of Police.

7. Personal Hygiene

Employees shall practice good personal hygiene at all times, including use of soap, water, and deodorant. Employees shall not report for work emitting an offensive body odor. A moderate amount of perfume or aftershave may be used.


8. Tattoos, Body Art, Piercing, or Branding

- a. At no time while on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those that depict racial, sexual, discriminatory, gang related or obscene language. No tattoo or body art, regardless of content, located on or above the neck, shall be visible at any time while on-duty or representing the Department in any official capacity.
- b. Any body piercing (other than female earring mentioned above) which is not concealed by the employee's clothing is prohibited for wear when the employee is representing the Department.
- c. Body alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and that is not medically required is prohibited. Such body alteration includes, but is not limited to:
 - i. Tongue splitting or piercing.
 - ii. The complete or transdermal implantation of any material other than hair replacement.
 - iii. Abnormal shaping of the ears, eyes, nose or teeth.
 - iv. Branding or scarification.

VII USE OF DEPARTMENTAL FACILITIES AND EQUIPMENT AND EXPECTATION OF PRIVACY.

All employees, reserves, and volunteers are advised that the use of departmental facilities, lockers, vehicles, and any equipment, including computers, telephones, or other electronic devices, is governed by departmental rules and regulations and that there is no expectation of privacy regardless of whether locks, passwords, or privacy settings are employed.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 4.5 Off-Duty Employment	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: 4.05	

I. POLICY

The Chief of Police must ensure the continued efficiency and effectiveness of the department while simultaneously reducing or eliminating conflicts of interest. To promote the welfare and good reputation of the department this order outlines procedures to ensure appropriate, accountable, and reasonable off-duty work.

II. PURPOSE

The purpose of this policy is to define regulations governing off-duty employment and conduct for an officer who is employed in an off-duty capacity.

III. DEFINITIONS

- A. Off-Duty Employment: Work not done as part of regular employment by this department but which is performed or which provides services for compensation (a fee or otherwise), including self-employment. Volunteer charity work is excluded unless it involves law-enforcement duties.
- B. Employment related to law enforcement: Off-duty employment that may entail the use of law-enforcement powers granted by the State of Texas.
- C. Secondary employment: Any off-duty work for pay that is not related to law enforcement. Secondary employment that does not require sworn enforcement powers as a condition of employment and the work does not provide implied law-enforcement service.

IV. PROCEDURES (TBP: 4.05)

A. General.

1. All employees are eligible to work off-duty employment subject to the requirements of this policy.
2. Employees on medical or sick leave, temporary disability, or light duty due to injury are ineligible for off-duty employment.

3. An employee engaged in any off-duty employment may be called to duty in an emergency.
4. All officers engaged in any off-duty employment shall wear a full uniform with all duty gear, including a police radio.
 - a. Employees shall notify dispatch of their duty assignment, location, and the time they are expected to be completed with their assignment.

B. Secondary employment restrictions: conflict of interest.

Employment shall not in and of itself constitute a conflict of interest. A conflict of interest, as determined by the Chief of Police, is any activity that is inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of police department employment.

C. Restriction on off-duty employment that is law-enforcement related.

1. Employment related to law enforcement shall not exceed 16 hours per day, including on-duty time. For example, an employee working a 10-hour tour may work six hours of off-duty employment on the same day, and an officer on a day off may work 16 hours. For the purpose of computing allowable work time, court appearances constitute on-duty time.
2. Officers will not work any off-duty employment on the same calendar day they call in sick to on-duty employment.
3. Serving as a recruiter and receiving compensation for procurement of law-enforcement related jobs for other department employees is prohibited.
4. No employee shall solicit any person or business for the purpose of gaining law-enforcement related off-duty employment, and, while on duty, shall not solicit any person or business for the purpose of gaining secondary employment.
5. Except for employment specifically authorized by the Chief of Police, district-owned vehicles shall not be used while traveling to and from or engaging in law-enforcement related off-duty employment.
6. Officers engaged in law-enforcement related employment shall be subject to the orders of the on-duty law-enforcement supervisor.

D. Administration.

1. Employees must submit a written request to the Chief of Police for any off-duty employment. Employees shall not begin any off-duty work until approval has been granted. The request shall be filed in the employee's personnel file.
 - a. The approved request is subject to periodic review by the Chief of Police. Officers shall communicate any changes in information contained on the form to the Chief of Police as soon as possible.
 - b. The Chief of Police may revoke permission to work off duty if the officer fails to perform adequately on duty or receives disciplinary action. To be eligible for permission to work off duty, officers must

- be in good standing with the department. Continued permission to work off duty is contingent upon remaining in good standing.
2. The Chief of Police shall disapprove any employment that demeans the status or dignity of the law-enforcement profession or otherwise represents a conflict of interest. Examples of such employment include the following:
 - a. Retailers that sell pornographic materials or provide services of a sexual nature.
 - b. Retailers who sell, manufacture, or transport alcoholic beverages as the principal business.
 - c. Businesses that make 51% or more of their revenue from alcohol sales.
 - d. Gambling establishments not exempted by law.
 - e. Any firm connected with the towing or storage of vehicles, bill collecting, bodyguards, repossessioners, private investigators, or process servers.
 - f. Performance in department uniform of any tasks other than those of law enforcement.
 - g. Performance of any work for a business or labor group that is on strike.
 - h. Performance of any work regulated or licensed through the department.
 - i. Performance of personnel investigations for private firms, or any employment requiring the officer to have access to police files, records, or information as a condition of employment.
 - j. Performance of any activity that supports case preparation for the defense in any criminal or civil action.
 3. Arrests made while engaged in off-duty law-enforcement related employment shall be limited to felonies or criminal misdemeanors committed in the officer's presence or a breach of the peace jeopardizing public safety.
 4. Employees shall understand that department liability protection does not extend to willful acts that cause injury or damage, or acts the officer knew or reasonably should have known conflicted with department policy or the law.
 5. Off-duty arrests shall not be made when the officer's actions only further the interests of the private employer.
 6. Officers will not enforce by arrest, request, or threat any house rules or private employer rules.
 7. Officers making off-duty arrests (in another jurisdiction) will comply with Article 14.03, section (d) of the Criminal Code of Procedure and notify as soon as practicable after making the arrest the law enforcement agency with jurisdiction where the arrest was made.

E. Liability, indemnification, insurance


1. All employees who wish permission to engage in law-enforcement related employment must submit to the Chief of Police a copy of the contract with the off-duty employer. The contract must specify the following:
 - a. The precise nature of the work to be performed

- b. Hours or schedule of the work to be performed
 - c. What equipment the employee must maintain
 - d. Insurance coverage of the business providing for medical treatment for job-related injuries and indemnification for litigation arising from off-duty employment.
2. The department shall not be responsible for medical expenses incurred from injuries sustained while working in any off-duty employment.
 3. The department recognizes that an officer in law-enforcement related employment may undertake an action connected with the employment that the courts may construe as a law-enforcement duty, and, therefore, an extension of the job. Officers are reminded that their off-duty performance must meet the same standards required for on-duty performance. Off-duty law-enforcement actions, whether for a private employer or not, must meet the requirements of this manual.

V. REPORTING (TBP: 4.05)

A. General.

1. All officers must report all secondary employment worked to the Chief Of Police no later than the 5th of each month for the hours worked the month prior.
 - a. Reporting shall be on the designated form located on a shared drive.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 4.6 Community Outreach and Customer Service	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
Reference: TBP 2.24		

I. POLICY

It is the policy of the LTISD PD to embrace the tenants of community policing and engage the community in a positive and trusting manner. Community involvement is essential to the successful operation of any police department. Without the assistance and acceptance of the community, a police agency's effectiveness will not reach its full potential. Whenever possible, all avenues should be utilized in promoting the respect and cooperation of the community, staff, and students we serve.

All employees will extend reasonable assistance to all members of the public and district. Employees must not neglect community services in the belief that the police function is restricted to crime control. It is the goal of the LTISD PD to promote good relationships with the public and this goal can be facilitated by professional conduct and effective community outreach.


II. PURPOSE

The purpose of this policy is to guide personnel and to affirm the department's commitment to seek out opportunities to interact with the public and district staff, students, and visitors, and to build trusting relationships with the community. Feedback from the community and effective community outreach are expected from all employees.

III. COMMUNITY OUTREACH

- A. Chief of Police Role – The Chief of Police, by his or her words and actions, are to set the example for their subordinates in establishing and maintaining professionalism when interacting with the public and other employees.
1. The Chief of Police shall ensure all employees maintain professionalism in their conduct, and support them in promoting the respect and cooperation of the community in our daily contacts.
 2. The Chief of Police is expected to keep subordinates apprised of specific community problems and concerns.

3. The Chief of Police is to ensure that community feedback is sought by all personnel. (TBP 2.24)
 4. The Chief of Police (or designee) will coordinate the community surveys and approve the content of the questions.
- B. The Employee's Role – No one can do more to foster positive police/community relations than the employee who is in contact with the public, staff, and students on a day-to-day basis. Employees must realize that their actions in every community contact have an impact on how the LTISD PD is perceived by those we serve. Whenever possible, employees are expected to cultivate the respect and cooperation of the everyone through these contacts.
1. Employees shall provide reasonable assistance to all in need of service.
 2. All personnel are expected to seek out opportunities to promote trust and positive dialog with the district we serve.
- C. Community Outreach –The LTISD PD is committed to seeking out constructive outreach programs that provide opportunities for members of the community and the police department to come together. Department employees are also expected to seek feedback from stakeholders in the district at all levels. If actions plans or a new approach is needed to help solve a community concern, police personnel are expected to follow established internal protocols to recommend viable solutions.
1. Examples of Community Outreach Programs that are endorsed by this agency include, but are not limited to (TBP 2.24):
 - a. Community forums
 - b. "Coffee with the Chief" meetings at local venues / restaurants
 - c. Social media outlets
 - d. Officers eating lunch with students
 - e. Community surveys
 - f. Mentorship programs with local at-risk youth
 - g. Regular attendance at civic and religious functions
 2. Social Media is an effective tool for community outreach; however, the LTISD PD will not rely solely on this mechanism for community outreach (TPB 2.24). It is important for all employees to seek out effective outreach programs that impact all segments of our community.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 5.1 Media and Public Information	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 5.03 and 5.04	

I. POLICY

This agency must have the support of the community to be successful. Establishing and maintaining an effective relationship with the news media is crucial to accomplishing this goal. A positive working relationship with the media is mutually beneficial. It shall be the policy of this agency to cooperate with the news media and to maintain an atmosphere of open communication. To this end, information shall be released to the news media in an impartial, accurate, and timely fashion. It shall be the responsibility of each department employee to abide by this philosophy of cooperation.

II. PURPOSE

The purpose of this policy is to establish guidelines regarding media relations and the release of information to the public through the news media.

III. RESPONSIBILITIES IN RELEASING INFORMATION

- A. The Director of Communication, Media & Community Relations or his designee is the Public Information Officer (PIO) for the department. The PIO is the primary contact for the news media.
- B. The Chief of Police may be the secondary contact for the news media with the approval of the PIO.

IV. PROCEDURES

- A. Media Requests: The agencies will respond to all media inquiries in a timely and professional manner.
 - 1. During normal business hours, media inquiries shall be directed to the Director of Communication, Media & Community Relations.

2. No department employee shall release any information that would jeopardize an active investigation, prejudice an accused person's right to a fair trial, or violate the law.
3. The PIO or designee shall be responsible for assisting the news media by conducting interviews or coordinating interviews with other qualified department personnel.
4. Department employees contacted directly by the media requesting an interview shall notify the Director of Communication, Media & Community Relations or Chief of Police.
5. All conversations with members of the news media should be considered "on the record" and subject to being quoted.

B. News Releases

1. News releases shall be written and disseminated to the media and to department employees on major incidents and events of community interest or concern.
2. The Director of Communication, Media & Community Relations or appropriate designee will write the news release.
3. The Director of Communication, Media & Community Relations, or designee, will approve all news releases.
4. News conferences shall be held only in connection with major events of concern to the community.

C. Access to Crime Scenes and Critical Incidents

1. Department personnel shall be courteous to news media representatives at crime and critical-incident scenes.
2. At such scenes, department personnel shall ensure that the media respect the established perimeter.
3. In general, members of the media shall receive no more and no less access to an incident scene than members of the general public. However, the PIO designee may allow news personnel and their equipment closer access to a crime or critical-incident scene so long as the degree of closeness does not interfere with law enforcement operations.
4. No member of this department shall prohibit the media from news-gathering practices, including photography and interviews, outside the established perimeter of a crime scene or critical-incident scene.
5. Only the Director of Communication, Media & Community Relations or Chief of Police shall release information to the news media at crime and critical incident scenes. Department personnel who are authorized to make statements and answer questions from media sources may also assist with this flow of information.
6. At critical incident scenes, the Chief of Police shall establish a media briefing area as close to the scene as safety and operational requirements allow.

7. At critical incident scenes, members of the department shall work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public.

D. Access to Suspects

No member of this department shall pose any suspect or accused person in custody or make him or her available for media interviews.

E. Joint Investigations or Operations Involving Another Agency

In a multijurisdictional investigation, the lead investigative agency is responsible for providing or coordinating the release of public information. The PIO or designee for the lead agency shall share that information with all involved agencies in advance of public dissemination.

V. INFORMATION RELEASE GUIDELINES

- A. The release of information is subject to restrictions placed by applicable state and federal laws.

- B. No member of this department shall release any information that would hamper the successful conclusion of an investigation or jeopardize the safety of affected persons.

- C. Department personnel, with the approval of the Director of Communication, Media & Community Relations can release the following information:

1. Basic information about a crime or incident
2. Basic information about victims, except as excluded by law
3. Description of suspects
4. Basic description of weapons and vehicles used
5. Basic description of stolen items
6. Basic description of injuries and condition of victims
7. The name, age, address, and other basic information about arrestees and the charges against them
8. Information contained in arrest affidavits and other applicable crime or incident reports that are not protected by the public information act
9. Booking photographs


- D. Department members shall not release the following information:

1. Names, addresses, or any other information that would identify the victim of a sex offense, child abuse, or any other crime where the privacy of the victim is protected by law

2. Names, addresses, and basic information about juvenile arrestees, as governed by state law
3. Active criminal investigative information, active criminal intelligence information, and surveillance techniques
4. Names of informants and information provided by them
5. Supplemental or investigative reports until such time as the case is closed or the lead investigator deems it permissible
6. Grand jury testimony and proceedings
7. Active internal affairs investigations, as governed by state law
8. Names of witnesses, unless required by state law
9. The identity of critically injured or deceased persons prior to notification of next-of-kin
10. Home address, telephone numbers, and familial information of law enforcement personnel
11. Names of undercover personnel
12. Any other information prohibited by state law from public disclosure.

VI. SOCIAL MEDIA SITES

- A. The Director of Communication, Media & Community Relations or designee shall be responsible for operating, managing, and monitoring all department-sponsored social media sites.
- B. Operation of the social media sites shall be in accordance with Policy 2.8 Use of Social Media.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 6.1 Use of Force	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
Reference: 3.01, 3.02, 3.04, 6.01, 6.02, 6.03, 6.06, 6.07, 6.08, 6.09, and 6.10.		

I. POLICY

This department values the sanctity of human life. It is, therefore, the policy of this department that officers use only the force that is reasonably necessary to effectively bring an incident under control while protecting the lives of the officer and others.

The use of force must be objectively reasonable. The officer must use only the force that a reasonably prudent officer would use under the same or similar circumstances.

The officer’s actions will be reviewed based upon the information known to the officer at the time the force was used. Information discovered after the fact will not be considered when assessing the reasonableness of the use of force.

Officers are prohibited from using any force as a means of punishment or in the process of an interrogation.

II. PURPOSE

The purpose of this policy is to provide law enforcement officers of this agency with guidelines for the use of deadly and non-deadly force. Nothing in this policy is intended to create any benefit for third parties, nor does this policy set forth a higher standard of care with respect to third party claims.

III. DEFINITIONS

- A. Deadly force: Any use of force that creates a substantial risk of causing death or serious bodily injury.
- B. Non-deadly force: Any use of force other than that which is considered deadly force. Non-deadly force includes but is not limited to handcuffing and any physical force, effort or technique used against another.
- C. Serious Bodily Injury: “Serious bodily injury” means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- D. Objectively reasonable:
 - 1. “Objectively reasonable” means officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to themselves and the community when determining the necessity for force and the appropriate level of force.
 - 2. In evaluating the reasonable application of force, officers may consider their own age, size, strength, and skill level with department weapons, state of health, and the number of officers opposing the number of suspects.

IV. PROCEDURES

A. Use of non-deadly force

1. Where deadly force is not authorized, officers may use only that level of force that is objectively reasonable and necessary to bring an incident under control. (TBP: 6.01)
2. Officers are authorized to use department-approved, non-deadly force techniques and issued equipment when one or more of the following apply:
 - a. To protect the officer or others from physical harm.
 - b. To restrain or arrest an individual who is resisting a lawful arrest or detention.
 - c. To bring an unlawful situation safely and effectively under control.

B. Use of deadly force

Law enforcement officers are authorized to use deadly force when one or both of the following apply:

1. To protect the officer or others from what is reasonably believed to be an immediate threat of death or serious bodily harm. (TBP: 6.02)
2. To prevent the escape of a fleeing violent felon whom the officer has probable cause to believe will pose a significant threat of death or serious physical injury to the officer or others.
3. Where practicable, prior to discharge of the firearm, officers shall identify themselves as law enforcement officers and state their intent to shoot.

C. Deadly Force Restrictions

1. Warning shots shall not be fired. (TBP: 6.09)
2. Firearms shall not be discharged at a moving vehicle in an attempt to disable the vehicle.
3. Officers threatened by an oncoming vehicle shall make a reasonable effort to attempt to move out of its path, if possible, instead of discharging a firearm at it or any of its occupants. However, if an officer reasonably believes that a person is immediately threatening the officer or another person with deadly force by means of a vehicle, an officer may use deadly force against the driver of the vehicle.
4. Officers may use deadly force to destroy an animal that represents a threat to public safety or as a humanitarian measure if the animal is seriously injured and the officer reasonably believes that deadly force can be used without harm to the officer or others. In these circumstances, a supervisor shall be contacted prior to the use of deadly force if time permits.

V. LIMITATIONS ON FORCE

The following acts associated with the use of force are prohibited:

- A. Application of a choke-hold or carotid-control holds, except when the officer reasonably believes such holds are the only means of protecting himself or herself or another person from an imminent threat of serious physical injury or death and the use of deadly force would be authorized.
- B. Use of flashlights as batons. An officer may use a flashlight or other object designed for a use other than as a weapon only to defend himself or herself or another from imminent serious bodily injury or death and then only if

departmentally sanctioned methods are not available or are impractical. The use of a flashlight or other alternative weapon under such circumstances, depending on the manner of use, may be deemed an application of deadly force.

VI. TRAINING

- A. All officers shall receive training in the use of their firearms and all non-lethal weapons authorized by the department, hands-on arrest and defensive tactics, as well as the “Use of Force” policy prior to performing any law enforcement duties.
- B. All officers shall be trained and qualified with their firearms at least annually. (TBP: 3.01, 3.02)
- C. All officers shall receive training in the department’s “Use of Force” policy at least annually. (TBP: 3.02)
- D. All officers shall receive hands-on arrest and defensive-tactics training at least every two years. (TBP: 3.06)
- E. Officers shall receive training in all non-lethal weapons issued or used by the department and demonstrate proficiency with those weapons at least every two years. (TBP: 3.04)
- F. All use-of-force training shall, at a minimum, comply with the standards established by TCOLE.

VII. REPORTING USE OF FORCE (TBP: 6.03, 6.06)

- A. Officers shall document any application of force except for those arising in training, departmental demonstrations, or off-duty recreational activities.
- B. If officers have employed any use of physical force (other than the routine use of handcuffs or use of a firm grip to direct the movements of a subject) or used any impact, electrical, or chemical weapons, or pointed or discharged any firearm, they shall first provide for appropriate medical aid for the subject (TBP: 6.07) and then they will do the following:
 - 1. Immediately notify the Chief of any use of force or discharge of a weapon. The supervisor or Chief of Police shall determine if an immediate investigation is required.
 - 2. Photographs of the subject will be taken as soon as possible after the use of force to document any injury or lack of injury.
 - 3. Submit a use-of-force form to the Chief of Police prior to the end of shift describing the incident, the force used, and any medical aid rendered. The use of force form shall be in addition to any other required reports.

VIII. Unauthorized Use of Force

- A. The LTISD Police Department does not allow any of its employees and officers to use choke holds or carotid artery neck restraints. The only exception to the use of a choke hold or a carotid artery neck restraint could be when the officer involved is justified in the use of deadly force. Any officer using such force will cease immediately upon control of the subject (normally when the person has been handcuffed or no longer actively resisting) and begin the application of an appropriate medical response if

needed. Officers are required to report these incidents through the process outlined in this agency's use of force reporting policy.

IX. DEPARTMENTAL REVIEW

A. Review


1. The Chief of Police shall review all reported uses of force to determine the following:
 - a. If there was a violation of law or departmental orders were violated.
 - b. If the relevant departmental policy was clearly understandable and effective enough to cover the situation.
 - c. If departmental training was adequate.
 - d. If departmental equipment operated properly.
2. At least annually, the Chief of Police shall conduct an analysis of use-of force incidents to determine if additional training, equipment, or policy modifications may be necessary. (TBP: 6.10.)
3. The department shall comply with all state mandated reporting requirements.

B. Internal Investigations

1. An internal investigation will be conducted on any firearms discharge (other than training), and any other use of deadly force by any member of the department. An internal investigation may be conducted on other use-of-force incidents if a violation of law or department policy is suspected. In addition to the internal investigation, a criminal investigation shall also be conducted of any incident involving the discharge of firearms or any other use of force incident where an officer or other person is injured or killed and in any other circumstances where a violation of law is suspected. The criminal investigation may be conducted by another law-enforcement agency with concurrent jurisdiction, and the results may be presented to the grand jury for review. The results of the investigation shall be submitted to the office of the District Attorney.
2. Procedures for officer-involved-shooting investigations are covered in Policy 6.6.

C. Assignment

Pending administrative review, any officer whose actions have resulted in the death or serious bodily injury of another person, either through the intentional use of force or by accident involving a use-of-force weapon or action or a vehicle accident, shall be removed from line-duty assignment. This action protects both the interests of both the officer and the community until the situation is resolved. This re-assignment is not considered punitive in nature. (TBP: 6.08)

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 6.2 Firearms and Qualification	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
Reference: 3.01, 3.02, 3.03, and 6.04.		

I. POLICY

The department's policy is to ensure that members are properly trained in not only the use of appropriate firearms and the circumstances of their use, but also in their safety and maintenance, regarding both on and off-duty weapons. Supervisors and the department armorer shall rigorously enforce departmental firearms standards. All personnel shall qualify at least annually with his or her sidearm and with any other firearm used or carried either on-duty or off-duty.

II. PURPOSE

The purpose of this policy is to establish policy and procedures governing the care and maintenance of issued weapons and ammunition, the selection and use of holsters, off-duty weapons, firearms training, and qualification.

III. PROCEDURES

A. Authority

1. Sworn police officers who have the authority to make arrests and maintain the peace, are authorized to carry and use firearms as necessary in the performance of their duty, subject to the restrictions and guidelines of this order, the department's use-of-force policy, and state and federal law.
2. Off-duty, sworn officers of this department are encouraged to carry firearms, subject to the guidelines of this order, to protect themselves or others from imminent death or serious bodily injury in the event they must intervene in an incident off-duty before the arrival of on-duty officers.

B. On-Duty Weapons, Issuance and Use (TBP: 6.04)

1. Only weapons issued by the department or approved by the Chief of Police will be carried or used while on-duty.
2. The Chief of Police or departmental firearms instructor shall issue departmental weapons to authorized personnel.
3. The Chief of Police based on the needs of the agency determines department firearms and ammunition.

C. Patrol Rifles

Patrol rifles, e.g., the AR-15, may be issued or used by officers and supervisors who have received appropriate training and have maintained their required qualifications.

D. Off-duty and/or secondary weapons

1. Off-duty and/or secondary weapons, either revolvers or semi-automatic pistols, and their ammunition, are purchased at the officer's expense. The armorer shall inspect and certify the off-duty or secondary weapon before it may be carried. Only weapons manufactured by Colt, Smith and Wesson, Glock, Sig Sauer, Beretta, Ruger, or American Standard are permitted.
 - a. Officers using off-duty or secondary weapons shall qualify with the off-duty or secondary weapons at the annual qualification.
 - i. The departmental armorer or Chief of Police shall inspect and certify the off-duty or secondary weapon before it may be carried.
2. While off duty, officers may carry either an issued weapon or one purchased at officer expense, subject to the terms of this policy.
3. Officers will not carry weapons when consuming alcoholic beverages.
4. Off-duty weapons shall be carried safely and concealed from public view.
5. Officers shall carry the departmental badge and identification any time that they are carrying an off-duty weapon.

E. Departmental Ammunition (TBP: 6.04)

1. Only factory ammunition manufactured by Winchester, Federal, or Speer will be used in departmental personal weapons for on-duty or off-duty use. No reloaded ammunition will be used except for practice. The department will select and purchase on-duty ammunition for each qualification and old ammunition will be fired during qualification to ensure fresh ammunition is carried in on-duty firearms.
2. Officers are responsible for the purchase of ammunition for their off-duty weapon.
3. Only Remington .223, 55-gram soft-point ammunition will be used in departmental patrol rifles unless otherwise authorized by the Chief of Police.

F. Security of weapons

1. Officers are responsible for the care, cleaning, and security of departmental weapons issued to them, whether on-duty or off-duty.
2. Officers shall report any weapon malfunction to the Chief of Police.
3. Officers are responsible for the safe and secure storage of issued weapons when off-duty in a manner that prevents theft or unauthorized access or use.

G. Department Firearms Proficiency Officer and Armorer

1. The Chief of Police shall appoint at least one sworn member of the department to be the departmental firearms proficiency officer and armorer. The armorer shall be an instructor certified by the Texas Commission on Law Enforcement.
2. The duties are as follows:
 - a. Schedule, supervise, and maintain records on all firearms qualifications required by the department.
 - b. Maintain non-issued departmental weapons and associated equipment.
 - c. Repair or submit to a qualified gunsmith for repair all departmentally owned malfunctioning weapons.
 - d. Maintain records of issuance, care, and maintenance of departmental and personally owned weapons and associated items used on-duty.
 - e. Issue departmental ammunition.
 - f. Annually inspect and certify as serviceable both departmental and personally owned firearms that are authorized for on-duty and off-duty use.
 - g. Inspect and authorize the use of holsters for off-duty use and for on-duty use if the officer prefers to use a holster other than one issued by the department.
3. The armorer shall maintain a record that includes identification of all firearms that have been certified as safe, and identification of those officers who have qualified with each of the firearms. This record shall include the following:
 - a. Officer's name and identification number.
 - b. Make and model of weapon.
 - c. Serial number of weapon.

H. Modification of weapons: Departmental weapons shall not be modified or altered without the written approval of the Chief of Police except as outlined below.

1. Substitution of grips
 - a. Grips shall be of high-quality wood, rubber, polyurethane or other approved material.
 - b. Grips shall be the color of the natural wood, or plain black or brown.
 - c. Target-style grips, or any grips that interfere with the operation of the weapon, are not authorized.
2. Modification of privately owned weapons designated by officers as duty weapons.
 - a. Substitution of grips as outlined in 2.b above is authorized.
 - b. Trigger shoes are prohibited.

I. Firearms inspections

1. Annually, either the firearms instructor or the armorer shall thoroughly inspect each weapon during qualification on the range. Documentation of this inspection will be maintained by the department firearms instructor.(TBP: 3.03)

2. The Chief of Police may inspect officers' issued firearms to ensure that they are maintained in a clean and serviceable condition.
 - a. Firearms inspections shall include side arms, authorized rifles, ammunition pouches, and holsters.
 - b. Ammunition shall be inspected to ensure that it is of departmental issue, of correct quantity, and in serviceable condition.

IV. PROCEDURES FOR QUALIFICATION

A. Qualification rules

1. Officers must qualify at least annually with any weapon they carry or use on-duty or when they change weapons. (TBP: 3.01)
2. The firearms instructor or armorer shall be in charge at all times when officers are on the firing range for qualification.
3. Officers using departmentally issued weapons must qualify with ammunition issued by the department.
4. Every officer shall fire the regular firearms course approved by the Texas Commission on Law Enforcement.
5. Officers who fail to qualify on their first attempt shall immediately attempt qualification a second time. Officers who fail to qualify on the second attempt shall be placed in remedial training as soon as practicable and shall be removed from patrol or investigative duties until the standards expressed herein are met. Officers who cannot qualify within fifteen days of the original qualification shall be subject to termination. Officers who are unable to qualify are also not authorized to carry their sidearms while off duty. (TBP: 3.01)
6. The armorer will maintain records of each officer's firearms qualifications including:
 - a. The officer's name and identification number
 - b. The date of qualification
 - c. The weapons(s) used during qualification
 - d. A description of the course of fire and score.
7. The armorer or firearms instructor shall inspect all weapons before firing to (1) ascertain that the weapons are safe and (2) to ensure that the weapons have been properly maintained.

B. Patrol Rifle


Officers who are trained and authorized to use the patrol rifles must qualify at least annually with the rifle on a TCOLE approved course of fire.

C. Firearms and Use of Force Instruction

1. All department personnel whose duties require the carrying of firearms shall receive familiarization instruction on their firearms before range qualification.

2. At least annually, personnel whose duties require the carrying of firearms shall receive training in the mechanics of the weapon (stripping, lubricating, nomenclature, troubleshooting, and misfires), and sound safety practices.
3. At least annually and in connection with firearms training, personnel whose duties require the carrying of firearms will receive training in the department's use-of-force policy. (TBP: 3.01)
4. Use-of-force and use-of-deadly force training will be conducted at least annually in conjunction with firearms use and firearms qualification. (TBP: 3.02)

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	6.3 Approved Weapons and Ammunition List	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference:	

This document supersedes all previously dated weapons and ammunition lists. It remains effective until approved updates and revisions are circulated.

1. This document is effective **July 1, 2021**, and applies to all district issued (if applicable) and personally owned weapons.
2. Only weapons on the approved weapons list (listed by brand name and model number) are authorized. Variations of the approved models are allowed only if the variation to the existing approved model does not adversely affect the safety or function of the weapon. (Examples: light rails, DAK/LEM triggers, finish or grip material) Approval by the Chief of Police is required.
3. While dressed in any approved police uniform approved subcompact models may be carried as back up weapons **ONLY**. Officers may choose to carry a compact or subcompact handgun as their primary duty weapon while dressed in plain clothes.
4. Barrel porting is not approved for duty or off-duty use. Weapons with factory or after market compensators are not approved for duty/backup use.
5. Approved firearms modifications. (Refer to addendum A)

I. Department Approved Weapons

Weapons from the following list of approved manufacturers and models may be carried both on-duty and off-duty.

The only calibers allowed for on-duty carry are 9MM, .40 S&W, and .45 ACP calibers. Compact and Sub-Compact models are highlighted in yellow.

Glock

Models 17, 19, 21, 22, 23, 26, 27, 30, 34, 35, 36

(See 4 above)

Heckler & Koch

USP-9, USP-40, USP-45, USP TAC 45, HK45, P30, P2000 series ,
P2000SK Variants allowing “single action only” carry are strictly forbidden. NO
OFFICER will carry ANY H&K variant in “single action” or “locked and cocked”
mode.

Compact versions of the H&K USP are not authorized. (See 4

above)

Sig Sauer

Models P220, P225, P226, **P228**, **P229**, **P239**, SP2340, P245, **P290**.

(See 4 above)

Springfield

All compact, subcompact and full-size Model XD and XDm series pistols
chambered in 9MM, .40 S&W and .45 ACP. (See 4 above)

Smith & Wesson

Any 3rd Generation S&W including Models 410, 457, 908, 910, **3913**,
3953, 4013, 4053, 4513, **4553**, 4043, 4043, 4006, 4046, 4563, 4566,
4583, 4586, 5906, 5946, 5903, 5943

S&W Model 99 is approved in 9mm, .40 S&W, and .45 ACP calibers.

S&W M&P Full size and Compact is approved in .40, 9mm and .45 ACP caliber
and must **NOT** have the magazine disconnect.

S&W M&P Shield in 9mm, .40 S&W, and .45 ACP calibers. ****Extended thumb
paddle safety NOT approved. Safety must be factory spec.**

Smith and Wesson Revolvers

**M686, 2.5” Barrel; M649 Bodyguard; M60 Chief’s Special; 340 and
340PD; 342 and 342PD; 442; 642; and 649.**

Revolvers are authorized in .38 caliber and .357 Magnum only and may be
equipped with fixed or floating firing pins.

Kahr Arms

**P Series, PM Series, CW Series, K Series and MK Series in 9mm, .40 S&W
and .45 ACP calibers.**

II. Semi-Automatic Rifles

WEAPONS

1. AR-15 style – The following list of manufacturers are approved:

ArmaLite
Bravo Company
Bushmaster
CMMG
Colt
Daniel Defense
DPMS
LaRue Tactical
LMT
LWRC
Noveske
Olympic Arms
POF
Remington
Rock River
Ruger
Smith & Wesson
Sig Sauer
Spike Tactical
Springfield
Stag Arms
Superior Arms
Yankee Hill

All rifles must have a factory built upper and lower receiver. They are not required to be matching as long as they are both factory built from a manufacturer on the approved list.

All semi-automatic rifles must comply with below listed rifle requirements.

Absolutely no BATFE Class II or Class III weapons will be allowed to be carried by any officer on-duty.

SEMI-AUTOMATIC RIFLE REQUIREMENTS

TYPE: Magazine fed, gas operated or gas piston operated, semi-automatic, black or parkerized finish.

CALIBER: .223/5.56

BARREL LENGTH: 16” or longer unless otherwise approved by the Chief of Police

RECEIVER GROUP: Must be metal or metal alloy.

WEAPON CONTROLS: (i.e.) magazine release, safety, bolt release, charging handle, dust cover. (Right and Left hand controls allowed).

SIGHTS: Weapons must be equipped with mechanical front and rear sights and a device or combination of devices that allow aiming the weapon in low-light conditions, such as:

1. Standard sights with weapon light
2. Tritium front sight post
3. Illuminated Optic (dot or reticle)
4. Others as approved

MAGAZINES: Maximum capacity 30 rounds

SLINGS: One, two and three point slings are approved. Single point slings require the use of a muzzle control device.

APPROVED DUTY

Pistol

Federal Hydra-Shok or HST	9mm	124 gr.
Federal Hydra-Shok or HST	40 cal.	165 gr.
Federal Hydra-Shok or HST	45 cal.	230 gr.

Rifle

Winchester Soft Point	.223 cal.	55 gr.
Federal Tactical Bonded	.223 cal	62 gr.

Shotgun-12 GA.

Remington Reduced Recoil 00 Buckshot	12 ga
Federal Tactical 00 Buckshot	12 ga
Remington Reduced Recoil Rifled 1 oz. Slug	12 ga.
Federal Reduced Recoil Rifled 1 oz. Slug	12 ga.

Issued ammunition will be replaced:

1. On a regular schedule as determined by the Chief of Police; and
2. On authority of the Chief of Police when the ammunition has been damaged or exposed to inclement weather.

Based on ammunition allocation, safety recall or any other unforeseen issue, the Chief of Police has authorization to approve ammunition from any manufacturer.

APPROVE

The Department authorizes the following level 3 duty holsters to be worn as the primary duty holster while wearing an approved police uniform.

1. Safariland Level III / STX Tac Finish / With or without light option
2. Other Level III or IV holsters as approved by the Chief of Police

APPROVE

Officers may choose to carry a collapsible straight stick. Examples of batons designated as approved include but are not limited to:

1. ASP (collapsible)
2. Winchester (collapsible)
3. Monadnock (collapsible)

Addendum

Department Approved Firearms Modifications

Personally owned firearms

1. Officers shall not alter or modify any part of an approved weapon with the exception of ambidextrous controls or the addition of grips, refinishing, fiber optic sights, or night-sights.
 - a. Grips must be black or brown in color
 - b. Made of wood, rubber or synthetic material
 - c. Have standard machine checkering or Stippling

Weapon Lights


Officers may purchase and add a weapon mounted light that meets the following requirements:

1. Pistol mounted lights must be equipped with a rocker style switch and must be activated with the officers non-shooting hand.
2. Pressure pad style switches are strictly prohibited for use with weapon mounted handgun lights.
3. Officers may only utilize weapon mounted lights when the use or potential use of a firearm would be reasonable under the circumstances.

The following weapon mounted lights are approved for use on pistols:

1. Surefire X200 or X300
2. Streamlight TLR-1
3. Insight M3

Laser sighting systems are not approved for use on any personally owned firearm carried on-duty or off-duty.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 6.4 Less-than-Lethal Weapons	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: 3.04	

I. POLICY

In the interest of public safety, the department provides officers with a range of less lethal options. The department's policy intends to ensure that officers are properly trained in the use of less lethal weapons, and that they will adhere to the department's policy for the circumstances of their use. Supervisors shall rigorously enforce departmental weapons standards.

All sworn personnel shall qualify at least annually with departmental less lethal weapons. Officers shall not carry or use any less lethal weapon if they have not received training and been qualified. Officers will carry only those less lethal weapons that have been approved by the department. (TBP: 3.04)

II. PURPOSE

The purpose of this policy is to establish procedures governing the issuance, training, care and maintenance, and proper use of less-lethal weapons as well as the standards that officers must meet to qualify for carrying and using such weapons.

III. GENERAL PROCEDURES

A. Approved Weapons

1. Less Lethal weapons currently approved by the department include:
 - a. ASP collapsable baton
 - b. Pepper spray
2. Based on the needs of the agency, the Chief of Police determines which less lethal weapons will be used by the department.
3. Officers will not carry or use any weapon that has not been approved by the Chief of Police.

4. Officers will not carry or use any weapon that they have not been qualified for by the department.

B. Security of weapons

1. Officers are responsible for the care and security of departmental weapons issued to them.
2. Officers shall make a written report of any weapon loss or malfunction to the Chief of Police.
3. Officers shall not use a weapon after it has malfunctioned until it has been repaired and approved for use by the armorer or supervisor.

C. Modification and maintenance of weapons

1. Departmental weapons shall not be modified or altered without written approval of the Chief of Police.
2. Any modification or alteration shall be in accordance with the manufacturer's recommendation.
3. Officers are responsible for cleaning and maintenance of the non-lethal or less-than-lethal weapons issued to them.
4. All less lethal weapons shall be plainly distinguishable from lethal weapons.

D. Weapon inspections

1. Officers shall inspect issued weapons at the beginning of each duty assignment to ensure that they are in proper working order.
2. Supervisors shall inspect issued weapons at least monthly and shall document the inspections in a memorandum to the Chief of Police indicating which officers' weapons were inspected and the results of the inspection.
3. Weapons that fail inspection shall be returned to the armorer and not reissued to the officer until repairs are made.

IV. QUALIFICATION REQUIREMENTS

A. Required instruction and qualification

1. All department personnel shall receive training with any less lethal weapons that they will carry.
2. Training shall cover the mechanics of the weapon, sound safety practices, and departmental policy governing the use of the weapon and the use-of-force.
3. Tactical considerations shall be a part of this training.
4. Officers will receive training and demonstrate proficiency (qualify) at least annually on all less lethal weapons systems. Failure to qualify will be cause

for remedial training. The officer will not carry or utilize the weapon until properly trained and qualified. Instructors for any less lethal weapon where the manufacturer recommends the instructors be certified before providing initial or refresher training shall be certified before providing the said training. (TBP: 3.04)

B. Qualification rules

1. The firearms instructor or armorer shall be in charge at all times when officers are qualifying with non-lethal or less-than-lethal weapons.
2. The armorer will maintain records of each officer's qualifications with non-lethal and less-than-lethal weapons including:
 - a. The officer's name and identification number
 - b. The date of qualification and the name of the weapon system.

V. ASP BATON

- A. The department authorizes the carrying and use of the ASP baton as the only striking weapon for officers. All other forms of striking or punching weapons are prohibited, including but not limited to saps, blackjacks, brass knuckles, slapjacks, nunchaku, and similar sticks.
- B. Flashlights carried by officers are not to be used as striking instruments, unless and to the degree that, the officer reasonably believes its use is immediately necessary to protect the officer from injury.
- C. Officers who carry the ASP shall be trained and demonstrate proficiency in its use. The weapon may be used in quelling confrontations involving physical violence where higher levels of force are unnecessary or inappropriate and lesser levels are inappropriate or ineffective.
 1. The ASP should not be used to strike handcuffed individuals or to threaten or intimidate people.
 2. Officers shall not raise the ASP above the head to strike a blow to a person's head.
- D. All uses of the ASP baton will be immediately reported to a supervisor and documented in an incident report as well as a use-of-force report.

VI. OC PEPPER SPRAY

A. Authorization

1. Only officers who have completed the prescribed course of instruction on the use of OC are authorized to carry the device.

2. Officers whose normal duties/assignments may require them to make arrests or supervise arrestees shall be required to qualify for and to carry departmentally authorized OC while on duty.
- B. Uniformed officers shall carry only departmentally authorized OC canisters in the prescribed manner on the duty belt.
- C. Usage Criteria
1. OC spray is considered a “use of force” and shall be employed in a manner consistent with this agency’s use-of-force policy.
 2. OC may be used in the following circumstances:
 - a. When the subject is actively resisting or has signaled his/her intention to actively resist the officer’s efforts to make the arrest.
 3. Whenever practical and reasonable, officers should issue a verbal warning prior to using OC against a suspect.
 4. Once a suspect is incapacitated or restrained, use of OC is no longer justified.
- D. Usage Procedures
1. Whenever possible, officers should be upwind from the suspect before using OC and should avoid entering the spray area.
 2. An officer should maintain a safe distance from the suspect, which is between 2 and 10 feet, depending on the circumstances.
 3. A single spray burst of between one and three seconds should be directed at the suspect’s eyes, nose, and mouth. Additional burst(s) may be used if the initial or subsequent burst proves ineffective.
 4. Use of OC should be avoided, if possible, under conditions where it may affect innocent bystanders or contaminate a public facility, including a school.
- E. Effects of OC and Officer Response
1. Within several seconds of being sprayed by OC, a suspect will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain, and/or impaired thought processes.
 2. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed.
 3. Officers should also be prepared to employ other means to control the suspect—to include, if necessary, other force options consistent with agency policy—if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
 4. Immediately after spraying a suspect, officers shall be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating, and

loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.

5. Suspects who have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody.
6. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
7. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. However, once the suspect has been restrained, officers shall assist him by rinsing and drying the exposed area.
8. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent.


F. Reporting Procedures

1. Accidental discharges as well as intentional uses of OC spray against an individual in an enforcement capacity shall be reported to the officer's immediate supervisor as soon as possible.
2. A use-of-force report shall be completed following all discharges of OC spray except during testing, training, malfunction, or accidental discharge.

G. Replacement

1. All OC spray devices shall be maintained in an operational and charged state by assigned personnel.
2. Replacements for damaged, inoperable, or empty devices are the responsibility of officers to whom they are issued.
3. Replacements of OC spray canisters shall occur when the canister is less than half full, which can be determined by weighing the canister.
4. OC canisters shall be inspected and weighed at the firing range during firearms qualification, or at least annually.
5. Unexplained depletion of OC from any canister issued to an officer shall require an investigation and written memo by the officer to the Chief of Police

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.1 Constitutional Safeguards	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.04	

I. POLICY

The federal and state constitutions guarantee every person certain safeguards from unreasonable government intrusion into their lives. These safeguards have become the cornerstone for the application of criminal justice in America. The department expects officers to observe constitutional safeguards. The department further expects that officers understand the limits and prerogatives of their authority to act. Respect for the civil liberties of all persons shall be the paramount concern in all enforcement matters.

II. PURPOSE

The purpose of this policy is to define the legally mandated authority for the enforcement of laws; to establish procedures for ensuring compliance with constitutional requirements during criminal investigations; to set forth guidelines concerning the use of discretion by officers; and to define the authority, guidelines, and the circumstances under which officers should exercise alternatives to arrests and pretrial confinement.

III. THREE LEVELS OF ENCOUNTERS

There are only three levels of encounters between civilians and police officers: consensual encounters, temporary detentions, and arrests. Detentions and arrests are considered seizures of the person for purposes of constitutional analysis.

In order to be lawful a consensual encounter must be voluntary as seen through the eyes of a reasonable person. In other words, if a reasonable person would not believe he or she could simply walk away from the encounter, then the encounter shall be considered a seizure by the courts.

In order to be lawful a temporary detention must be based upon reasonable suspicion, i.e. specific, articulable facts and circumstances that would lead a reasonable officer to conclude criminal activity is afoot.

In order to be lawful and arrest must be based upon probable cause, i.e. specific articulable facts and circumstances that would lead a reasonable officer to conclude a specific person had committed a specific crime.

Reasonable suspicion and probable cause are evaluated by analyzing the totality of the information known to the officer at the moment the person is seized. Information discovered incident to a detention or an arrest cannot retroactively support the seizure.

IV. PROBABLE CAUSE AND REASONABLE SUSPICION

A. Probable Cause: in all circumstances an officer must have probable cause to make an arrest. Probable cause is also required in most circumstances to search, but there are some exceptions to that requirement.

1. According to the U.S. Supreme Court, "Probable cause exists where the facts and circumstances within their [the arresting officers'] knowledge and of which they had reasonable trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed." See 7.3 for additional information.
2. When an officer has sufficient probable cause, he or she may arrest or, in certain circumstances, search a person. The purpose of an arrest is to make a formal charge. While formal charges may not be filed for any number of reasons, officers should make a custodial arrest only if a formal charge is anticipated.
3. The test for evaluating the existence of probable cause is based on the totality of the circumstances known to the officer at the moment of the arrest.

B. Reasonable Suspicion: An officer must have reasonable suspicion to temporarily detain a person. The purpose of a detention is to further the investigation into potential criminal activity

1. Reasonable suspicion involves a somewhat lower standard than probable cause, generally defined by the courts as a circumstance or collection of circumstances that would lead a trained, experienced officer to believe that criminal activity may be afoot. The same types of facts and circumstances, which can be used to build probable cause, can also be used to build reasonable suspicion. The test for evaluating the existence of reasonable suspicion is the same test used to evaluate probable cause: the totality of the circumstances known to the officer at the moment of the detention.
2. When an officer has reasonable suspicion, he or she may detain a person for a temporary period of time during which time the officer must work efficiently towards confirming the need for the continued detention of the person, or the release of the person detained. Officers have greater authority to detain a suspect in a crime as opposed to a witness to an offense. "Temporary period of time" shall mean only that relatively brief amount of time that an officer may detain a person so the officer may initiate or continue the investigation, having reasonable suspicion to believe the person is involved in the criminal activity. Once the officer has determined that he or she has insufficient facts and circumstances to establish probable cause, or is not likely to obtain sufficient facts or circumstances to establish probable cause, the officer shall release the person.

3. Frisk authority: officers do not have the authority to automatically frisk a person who has been detained. The frisk has one lawful purpose – to insure the safety of the officer. In order to support a claim that the officer was at risk the frisking officer must articulate what the detainee was doing at that moment in time that caused the officer to be concerned for his or her safety.

V. AUTHORITY AND DISCRETION

A. Law-enforcement authority: State law gives peace officers the authority to prevent crime, apprehend criminals, safeguard life and property, and preserve the peace. These goals are accomplished by enforcing state and local laws and ordinances. Texas restricts a peace officers' authority with regards to making warrantless arrests. In order to effect a warrantless arrest under Texas law an officer must have probable cause to believe the person to be arrested committed the offense and there must be a specific statute which authorizes the warrantless arrest in that situation. Warrantless arrest authority is found primarily in Chapter 14 of the Code of Criminal Procedure but is also found in other statutes. It is the officer's responsibility to confirm that such statutory authority exists.

B. The use of discretion by officers


1. While officers have the authority to arrest an offender under many circumstances, they seldom are able to make an arrest for every offense they observe. Officers must prioritize their activities to provide the highest level of service to the District and community. As a result, they must often use discretion in deciding the level of enforcement action based on the circumstances.
2. Departmental policy gives officers procedures to follow for common or critical enforcement tasks. Departmental policies and procedure are to be followed unless unusual or extreme circumstances dictate another course of action. In these cases, officers shall make reasoned decisions in their discretion based on good judgment, experience, and training. It is up to the individual officer to consider the relevant facts, the situation, and then, using knowledge, training, and good judgment, make appropriate decisions. Supervisors must closely observe the use of discretion by their subordinates and point out factual errors or alternatives that may be more appropriate.
3. Officers should understand that their decisions regarding arrests and searches are in all cases subject to review by their supervisors. Additionally, these decisions are subject to review by prosecuting attorneys, defense attorneys, and judges.
4. Supervisors shall observe and review the activities of officers and counsel them as needed regarding the use of discretion. In addition to counseling, officer's decisions are subject to review and discipline through the chain of command.

VI. PROTECTION OF INDIVIDUAL RIGHTS

1. Officers will at all times act to preserve and protect the rights of all persons. Officers shall at all times honor a suspect's decision to remain silent and a suspect's unambiguous request for an attorney. Any resumption of questioning shall be in accordance with applicable state and federal law.
2. Miranda warnings are required prior to any custodial interrogation. A custodial interrogation occurs when a person is not free to leave and is asked questions that are intended to elicit an incriminating response. Officers are expected to understand the requirements of the Code of Criminal Procedure, articles 38.22 and 2.32 before taking any statements from suspects. All custodial interrogations shall be videotaped and audiotaped. If the custodial interrogations are not recorded, the officer conducting the interrogation shall explain why in the officer's report.
3. Listed below are representative examples of situations that may not require a Miranda warning;
 - a. Questioning during a routine traffic stop or for a minor violation, which includes driving while intoxicated (DWI) stops until a custodial interrogation begins. Such questions may include, but are not limited to, inquiries about vehicle ownership, the driver's destination, the purpose of the trip, and insurance documents. Any questions focusing on the person's participation in criminal activity may require warnings.
 - b. During routine questioning at the scene of an incident or crime when the questions are not intended to elicit incriminating responses.
 - c. During voluntary appearances at the police facility when a suspect is not in custody but is responding to questions designed to elicit incriminating responses.
 - d. When information or statements are made spontaneously, voluntarily and without prompting by police. (Note: Follow-up questions that exceed simple requests for clarification of initial statements may require Miranda warnings.)
4. Administering Miranda
 - a. Miranda warnings shall be read by officers from the card containing this information to all persons subjected to custodial interrogation. Officers shall confirm that the warning text on the card matches the warning language found in article 38.22 of the Code of Criminal Procedure.
 - b. Freelancing, recitation from memory or paraphrasing the warnings is prohibited because it precludes officers from testifying in court as to the precise wording used.

- c. Officers shall ensure that suspects understand their right to remain silent and their right to an attorney. Suspects may be questioned only when they have knowingly and intelligently acknowledged they understand their rights and have affirmatively waived those rights. Threats, false promises, or coercion to induce suspect statements is prohibited.
- d. Waivers of the Miranda rights must be performed affirmatively and shall be audio or video recorded as required by state law. If a recorded statement is not an option the statement shall be in writing as required by state law.
- e. Officers arresting deaf suspects or those suspects that appear to have limited proficiency in English shall notify their immediate supervisor and arrange to procure the assistance of an interpreter in accordance with this agency's policy and state and federal law.
- f. The administration of the Miranda warning shall be recorded. State law prescribes those circumstances under which a non-recorded statement might be admissible. Officers shall comply with state law in these matters.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.2 Field Interview, Consensual Encounters and Detentions	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.07	

I. POLICY

Per the US Supreme Court, there are only three types of encounters between police and civilians: (1) a consensual encounter in which the civilians voluntarily elect to stay and interact with the officer, (2) a detention based upon reasonable suspicion, which may include a frisk for weapons if the officer can state the facts and circumstances that justify the officer’s fear for their safety, and, (3) an arrest based upon probable cause. The agency expects and encourages officers to conduct field interviews. Field interviews are important contacts with individuals that aid in preventing and investigating crime. The agency expects officers to gather information with proper observance of constitutional safeguards. Strict constitutional guidelines exist that protect both the civil rights of all persons and the need of officers to obtain information crucial to the reduction and prevention of crime.

II. PURPOSE

The purpose of this policy is to clearly establish the difference between a consensual encounter and an investigative detention or stop, and to assist officers in determining what compliance is required during field interviews and when frisks for weapons are lawful, necessary, and useful, and to establish procedures for conducting both safely. (TBP: 7.07)

III. DEFINITIONS

- A. Field interview: A brief interview of a person to determine the person's identity and to gather information or to resolve the officer's suspicions about possible criminal activity or to determine if the person has information about a criminal offense. A field interview may take place during a consensual encounter or during a temporary detention. The difference is in the information known to the officer at the outset of the encounter which establishes the encounter as either consensual in nature or a temporary detention based upon reasonable suspicion. Field interviews require voluntary cooperation of the subject for purposes of answering questions.

- B. Frisk: A "pat-down" search of outer garments for weapons.
- C. Reasonable suspicion: Articulate facts that, within the totality of the circumstances, lead an officer to reasonably suspect that criminal activity has been, is being, or is about to be committed. The reasonableness of an officer's actions will be determined by reviewing the totality of circumstances known to the officer at the time he or she takes the action.
- D. Detention also known as an investigative detention, stop, Terry stop, or stop-and-frisk: Requiring an individual to remain with the officer for a brief period of time for the purpose of investigating the actions of the individual. In order to make the stop, the officer must have reasonable suspicion to believe that criminal activity is afoot and that the person to be detained or stopped is involved. The combination of facts and circumstances must lead a reasonable officer to believe that the person to be detained is involved in criminal activity. It is not permissible to detain a person based upon mere suspicion or the officer's inarticulate hunch that the person is up to no good.

The following list of factors and circumstances may be used to build reasonable suspicion. This list is not all-inclusive nor is the presence of any one of these circumstances alone always sufficient for reasonable suspicion.

1. Officer has knowledge that the person has a criminal record;
2. A person fits the description of a wanted person;
3. A person has exhibited furtive conduct, such as attempting to conceal an object from the officer's view;
4. The appearance, behavior, or actions of the suspect indicate the person is involved in criminal activity;
5. The time of day or night;
6. The officer observes a vehicle that matches that of a broadcast description of a suspect vehicle;
7. A person exhibits unusual behavior, such as staggering or conduct indicating a need for medical assistance;
8. The suspect is in geographical and temporal proximity to the crime scene;
9. The suspect is carrying an unusual object, or his/her clothing bulges in a manner consistent with concealing a weapon;
10. Flight from the officer may be considered as a fact or circumstance, but mere flight alone, without additional facts or circumstances, will be insufficient to establish reasonable suspicion.
11. Firsthand observations by the officer;
12. Information from informants or members of the community;
13. Collective knowledge or information shared by other officers;
14. Reasonable inferences made by the officer from information known to the officer.

- E. Consensual encounter: an encounter between a police officer and a civilian in which a reasonable person would believe, based upon the circumstances of the encounter, that compliance is not mandatory and he or she is free to decline to talk with the officer and is free to leave.

IV. CONSENSUAL ENCOUNTERS

A. Making the consensual encounter

1. An officer may conduct a field interview at any time if an individual is willing to speak with the officer. A field interview requires voluntary cooperation from the individual. The individual may decline to answer any and all questions during either a stop or consensual encounter. The individual may leave at any time during a consensual encounter. The individual may refuse to produce identification or otherwise identify himself/herself during either a stop or a consensual encounter.
2. The officer shall articulate all the reasons for contacting the individual in the first place. The officer shall explain all the steps taken in contacting the individual. Officers should note that if the initial encounter is deemed a seizure by the court, the officer will be required to justify his/her initial detention by describing specific and articulable facts which, taken together with rational inferences from those facts, established reasonable suspicion for that detention. See III. D. above.

B. Place of the interview

1. As a general rule, field interviews may be conducted anywhere the officer has a right to be, including the following:
 - a. Property normally open to members of the public.
 - b. Areas intended for public use or normally exposed to public view.
 - c. Places to which an officer has been admitted with the consent of the person empowered to give such consent.
 - d. Places where circumstances require a lawful immediate law enforcement presence to protect life, well-being, or property.
 - e. Areas where an officer may be admitted pursuant to a lawful arrest or search warrant.
2. Consensual encounters or stops shall not be done to coerce a person to leave an area or place where he or she has a legitimate right to be and where no violation of law has occurred.

C. Conduct of Interviews during a Consensual Encounter

1. Officers shall clearly identify themselves and, if not in uniform, display identification.
2. As noted above, a person participating in a consensual encounter with an officer may discontinue the interview at any time. To repeat, during a consensual encounter, persons shall not be detained in any manner

against their will nor shall they be required to answer questions or respond in any manner if they choose not to do so. Since the distinction between a consensual encounter and a detention depends to a great extent on whether, under the circumstances, the subject perceives that he/she is free to leave, officers shall comply with the following guidelines:

- a. All requests during the interview should be phrased with neutral or optional words, such as "may," "would you mind," etc.
 - b. The duration of an interview should be as brief as possible unless it is prolonged by the subject.
 - c. During the interview, officers should confine their questions to those concerning the suspect's identity, place of residence, and other matters necessary to resolve the officer's suspicions.
 - d. Miranda warnings are not required during consensual encounters. The warnings are not required until custodial questioning takes place.
3. The success or failure in obtaining information beneficial to crime analysis and criminal investigation will depend upon an officer's ability to put individuals at ease and establish rapport. However, during a field interview, if the person should ask whether he/she must respond, or indicate that he/she feels compelled to respond, the officer shall immediately inform him/her of the right to refuse and the right to leave.
- a. When a person refuses or ceases to cooperate during an interview, the refusal itself cannot be used as the basis for escalating the encounter into a detention.
 - b. Individuals cannot be compelled to answer any questions during field interviews conducted during consensual encounters..

V. INVESTIGATIVE DETENTION OR STOP (and frisk when warranted)

- A. The legal authority to conduct an investigative detention or stop (and frisk when warranted) is based in federal and state constitutions as interpreted by court decisions. A frisk is defined as a limited search for weapons.
- B. Investigative detentions may involve two distinct acts. The first is the actual detention or stop and it is based on reasonable suspicion. A second component may be a frisk of the detainee for weapons. The frisk must be justified by the officer's reasonable fear for his/her safety during the detention. The safety concern must arise from the conduct of the detained person, not from safety concerns in general. For example, a frisk could not be justified solely on the claim that "all drug dealers are dangerous." Not every detention will result in a frisk. Examples of safety factors justifying a frisk may include but are not limited to the following:
 1. The type of crime being investigated, particularly those involving weapons;
 2. When the officer must confront multiple suspects;
 3. The time of day and location of the stop;
 4. Prior knowledge of the suspect's propensity for violence;
 5. Any indication that the suspect is armed;

6. Age and sex of the suspect. Officers shall exercise caution with very young or very old people or persons of the opposite sex;
7. Demeanor of the suspect;
8. Failure or refusal to follow simple commands;
9. Statements made by the suspect;
10. Aggressive actions or statement made by the suspect.

C. Manner of conducting a frisk

1. Ideally, two or more officers will conduct the frisk, one to search and the other to provide protective cover.
2. The minimally intrusive nature of a frisk permits the suspect to be searched while standing, or with hands placed against a stationary object, feet spread apart, which is the preferred method.
3. When frisking, officers shall pat-down only the external clothing for objects that reasonably could be weapons and remove them. Retrieval of the weapon may give probable cause to arrest. If so, officers may then conduct a complete custodial search of the suspect incident to arrest.
4. If, during a lawful detention based on reasonable suspicion, the officer conducts a frisk and feels an object whose contour or mass makes its identity as contraband immediately apparent, pursuant to the plain-touch doctrine, it may be withdrawn and examined.
5. If the suspect is carrying a bag, purse, suitcase, briefcase, sack, or other container that may conceal a weapon, officers may squeeze the container to determine if it contains a weapon. Officers shall not open the container but shall place it beyond the subject's reach for the duration of the stop.

D. Protective search

1. Under some conditions, the protective frisk may be extended beyond the person detained. This frisk occurs most often involving vehicles. A lawful, protective search for weapons, which extends to an area beyond the person in the absence of probable cause to arrest, must have all of the following elements present:
 - a. A lawful detention as defined herein or a lawful vehicle stop.
 - b. A reasonable belief that the suspect poses a danger.
 - c. A frisk of the subject must occur first.
 - d. The search must be limited to those areas in which a weapon may be placed or hidden.
 - e. The search must be limited to an area that would ensure that there are no weapons within the subject's immediate grasp.
 - f. If the suspect has been arrested and removed from immediate access to the vehicle, a search of the vehicle cannot be made for protective reasons. The protective frisk of the vehicle may only occur if the suspect is to be returned to the vehicle. A search may be made of the vehicle if other exceptions to a search warrant exist.


E. Period of detention:

1. Investigative detention must be conducted as quickly as possible. Once the detaining officer determines that the basis for reasonable suspicion no longer exists, or that additional facts and circumstances are not being developed, the person detained shall be released. Should the initial reasonable suspicion be reinforced with additional information that develops probable cause, the period of detention could be lengthened. The courts have not established a exact time limit for detentions, but case law suggests detentions are measured in increments of less than an hour.

VI. DOCUMENTING THE INTERVIEW OR STOP

For purposes of successful prosecution and of defending departmental actions to the public, all field interviews and investigative detentions must be recorded. The following methods will be utilized:

- A. Officers will record all field interviews in their entirety on their body-worn camera.
- B. If an interview or investigative detention results in an arrest, the arresting officer will clearly detail the reasonable suspicion that led to the interview or detention in the narrative of the arrest report as well as maintaining the audio/video recording as evidence.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.3 Arrests With and Without A Warrant	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.02, 7.03, and 7.04	

I. POLICY

Short of the application of force, an arrest is the most serious action an officer can undertake. Being arrested can cause repercussions throughout a person's life, even if eventually found not guilty or never brought to trial. It is of paramount importance that officers not undertake an arrest without the utmost care.

There are two important legal questions facing officers making an arrest in Texas. The first deals with the existence of probable cause. Without probable cause, the arrest violates the Fourth Amendment and any evidence that flows from the arrest is inadmissible. Secondly, the state of Texas mandates that any warrantless arrest by an officer must be authorized by statute. See generally Ch. 14, Code of Criminal Procedure. Officers shall accordingly exercise critical judgment in making arrests. Critical judgment includes consideration for bystanders, the time, place, and location of offenses, the presence of probable cause and statutory authority and the use of force that may be required to make the arrest.

Officers shall consider alternatives to arrest consistent with their law-enforcement mission.

II. PURPOSE

The purpose of this policy is to define the authority of officers to make arrests and to outline the mechanism for making an arrest with and without a warrant.

III. DEFINITIONS

- A. Arrest: An arrest is the physical seizure of a person, and it must be supported by probable cause.
- B. Probable cause: According to the U.S. Supreme Court, "Probable cause exists where the facts and circumstances within [the arresting officers'] knowledge and of which they had reasonable trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed" and that the person to be arrested committed it. An officer must have probable cause to obtain a warrant or to make a warrantless arrest. Generally, probable cause has been interpreted to mean – specific and articulable facts and

circumstances known to the officer that would cause a reasonable officer to conclude that a specific person has committed a specific offense.

IV. DISCRETION

- A. Officers shall demonstrate discretionary judgment. Discretion shall be applied reasonably and shall be guided by the oath of office, the limits of authority as established by law, the decisions and interpretations of the courts, the policies of our department, and any instruction provided by district administrators or the Chief of Police.
- B. Officers shall not make arrests or take any enforcement action based in whole or in part on a person's sex, race, creed, color, age, general or assumed attitude, ethnic or natural origin, economic status, disabilities, or sexual orientation. The exception to this policy is that race and/or other identifying characteristics listed above may be used to build probable cause if they are relevant factors identifying a suspect.

V. ARRESTS WITH A WARRANT (TBP: 7.02)

- A. General Procedures for Obtaining an Arrest Warrant and Arresting with a Warrant.
 - 1. Obtaining an arrest warrant will be made pursuant to Chapter 15 of the Texas Code of Criminal Procedure (TCCP). All officers shall become familiar with the specific language/laws concerning obtaining arrest warrants found in Chapter 15 of the TCCP. The following are shortened versions of Articles 15.01, 02, 03, and 05. If departmental approval is received, an officer may obtain an arrest warrant by following these requisites:
 - a. (15.01) An arrest warrant is a written order from a magistrate, directed to a peace officer commanding the officer to arrest a person accused of an offence who is to be dealt with according to law.
 - b. (15.02) A warrant must be issued by a magistrate, in the name of the State of Texas, and must specify the name of the person to be arrested or a reasonable, definite description of the person. The warrant must state that the person is accused of a crime and name the crime. The warrant must be signed by a magistrate and it must indicate the identity of the magistrate's office.
 - c. (15.03) A magistrate in the State of Texas may issue an arrest warrant when a person (the officer) makes an oath (affidavit or complaint) that another has committed an offense against the laws of the State of Texas.
 - d. (15.05) An officer's complaint or affidavit must state the name of the accused or some reasonably definite description of the individual. It must show directly that the person has committed a crime or that there is good reason to believe that the person has committed a crime. The complaint/affidavit must state the time and place of the offense, as definitely as can be done by the affiant, and it must be signed by the affiant.

2. Unless assigned as an investigator or detective, officers will obtain Chief of Police approval before applying for an arrest warrant for any individual.
3. All members of the department will utilize approved affidavit and arrest warrant forms provided by the department. Upon completion of the affidavit and warrant, all officers shall have the documents reviewed and approved by a supervisor prior to requesting judicial approval.
4. Warrants will be carried only to the judge of the JP court or to a county or district court judge for judicial review. If any judge refuses a warrant approval, the affidavit and warrant shall not be taken to any other judge until substantial additional information proving probable cause has been added to the affidavit. The same magistrate will do subsequent reviews unless he/she is unavailable. If the same magistrate is unavailable, the officer shall inform the new magistrate that the original affidavit was refused and provide the reason(s) why it was refused.
5. Except as authorized by the Texas Code of Criminal Procedure, Chapter 14, or Section 18.16, an officer shall not arrest anyone without an arrest warrant.
6. An officer shall not alter any information on an arrest warrant in any manner after a magistrate has issued it.
7. An officer shall presume that any arrest warrant, which appears in proper form, is valid. To be in proper form and valid on its face, an arrest warrant shall have the following features:
 - a. Be issued in the name of "The State of Texas"
 - b. Specify the name of the person whose arrest is ordered, or provide a reasonable description if the name is not known
 - c. State that the person is accused of a named offense
 - d. Be signed by a magistrate whose office must be named.
8. An officer shall execute a valid arrest warrant as provided by law and departmental policies.
9. If the arrest warrant lacks proper form, the officer shall not execute the warrant, but shall return the warrant to the magistrate who issued it.
10. An officer who has any question about the details or validity of an arrest warrant shall attempt to verify the information before making an arrest under authority of that warrant.
11. Whenever practical, an officer shall automatically verify the currency of any arrest warrant issued thirty days or more before the date of execution.
12. An officer need not have actual physical possession of an arrest warrant in order to execute it. However, before executing a warrant not in his possession, the officer shall personally determine the location of the warrant and shall ensure that the arrestee sees a copy of the warrant as soon as possible after his/her arrest.
13. In executing an arrest warrant, whether or not he/she has the warrant in his/her possession, an officer shall announce to the person being arrested that the arrest is made pursuant to an arrest warrant. An officer has the warrant in his possession shall show it to the arrestee. If the officer does not possess the warrant, he/she shall advise the arrestee of the charge, the bond, and the originating agency that issued the warrant.
14. Officers may enter a third party's residence in the following situations:
 - a. with consent to search from the resident or person having control of the property, or

- b. with a search warrant for that residence in order to enter and make the arrest, or
- c. while in fresh pursuit of the wanted person in dangerous felony cases only.

B. Warrants from Other Jurisdictions

1. If an officer has knowledge that another Texas law-enforcement agency holds a valid arrest warrant for a particular person, the officer may arrest that person. If an officer makes an arrest on a warrant from another Texas law-enforcement agency, the officer shall do the following:
 - a. Arrest the defendant.
 - b. Notify the agency holding the warrant that this department executed the warrant and give the location of the arrestee.
 - c. Make certain that a supervisor is notified if the defendant is booked into this department so that the defendant can appear before a magistrate within 24 hours of the arrest.
 - d. An officer shall also execute an arrest warrant telegraphed under the authority of a Texas magistrate.
2. The department shall hold the arrestee as the magistrate prescribes until releasing the arrestee to the custody of the department holding the warrant, or until transferring the person to the custody of the county sheriff's department.
3. If the department holding the warrant cannot take custody of the arrestee within 24 hours after the execution of the warrant, or if that department at any time indicates that it will not take custody of the arrestee, the arrestee may be released from our custody.

C. Warrants from Other States: When any officer has probable cause to believe that a person stands charged of a felony in another state, the officer shall do the following:

1. Arrest the person only after the warrant has been confirmed using accepted methods of warrant confirmation. (Such an arrest is made under the authority granted to Peace Officers in the Texas Code of Criminal Procedure, Chapter 51, and Fugitives from Justice.
2. Book the arrested person directly into the custody of the county sheriff's department.
3. The existence of a warrant from another state does not provide officers the authority to enter a third person's residence to make the arrest. Officers may only enter a third person's residence in the following circumstances:
 - a. With consent to search from the resident or person having control of the property
 - b. With a search warrant for that residence in order to enter and make the arrest, or
 - c. While in fresh pursuit of the wanted person.

D. Chance Encounters

1. An officer who lawfully stops or otherwise detains and identifies a person may concurrently initiate a records check to determine whether any arrest warrant is outstanding against that person.
2. An officer may detain a person whom he/she has lawfully stopped for a reasonable period of time in order to conduct a routine record check by radio, telephone, teletype, or computer terminal. However, detention may be extended, but no longer than necessary, if the officer has a reasonable suspicion that a warrant is outstanding.
3. The detained person may be required to wait in the officer's vehicle, in his/her own vehicle, or in some other convenient place.
4. The person may be frisked if the officer can articulate a reasonable fear for his/her safety.
5. Persons who have been detained are not legally required to identify themselves to the police. Drivers of vehicles who have been detained for a violation of a traffic law are required to produce a driver's license.

E. Planned Executions of Arrest Warrants

1. Prior to executing an arrest warrant, the officer in charge shall notify the Chief of Police.
2. The time of day for executing the arrest warrant shall be based on the following rules:
 - a. Execute during daylight, unless circumstances make this dangerous or impractical.
 - b. Execute when the person named in the warrant is most likely to be present.
 - c. Execute when resistance is least expected and best controlled.
 - d. Execute to minimize the danger or inconvenience to other persons who may be on the premises, unless other circumstances make this impractical.
 - e. Whenever possible, arrests shall be made in a location where the arrest will not pose a threat to the safety of the public, as it might in, e.g., crowded places where bystanders may be injured should the arrestee offer resistance, particularly resistance involving the use of firearms.
3. An officer may serve the warrant at any place, public or private, where the individual named is reasonably believed to be located (subject to the third-party, private-location rule.)
4. Officers need not execute the warrant at the first possible opportunity but may choose the time and place in accordance with these rules.
5. An officer shall not select the time and place of arrest solely to embarrass, oppress, or inconvenience the arrestee.
6. An officer shall not use force to enter private premises to execute a misdemeanor arrest warrant.
7. In general, when seeking to enter a private premise, an officer shall ring the doorbell or knock on the door, announce his/her intentions and purpose, and demand admittance. He/she then may then wait for a reasonable time under the circumstances to be admitted.

8. Officers may only enter a third person's residence in the following circumstances:
 - a. With consent to search from the resident or person having control of the property, or
 - b. With a search warrant for that residence in order to enter and make the arrest, or
 - c. While in fresh pursuit of the wanted person in cases of dangerous felony.
9. If the execution of an arrest warrant may involve significant risk to officers, a statement of the circumstances of this risk should be included in the affidavit with a request that the magistrate include a "No Knock" authorization to the warrant. If a "No Knock" provision has not been authorized by the magistrate, and articulable circumstances occur at the time of execution of the warrant (such as efforts to destroy evidence, evade arrest, or endanger officers) an immediate entry may be made without the required notice and waiting period.
10. An officer who must make a forcible entry shall enter the premises by the least forceful means possible under the circumstances. Although entry may necessarily include breaking a door or window, an officer must strive to inflict as little damage as possible to the premises.
11. When it is necessary to forcibly enter private premises to execute a felony arrest warrant, the officer in charge of the operation shall have enough officers present, and take other appropriate measures, to protect the safety and security of all persons present. To identify the group as officers, at least one fully uniformed officer should lead the entry into the premises.
12. After forcibly entering private premises to execute a felony arrest warrant, officers shall immediately secure the premises by locating and controlling the movement of all persons who reasonably appear to present a threat to the safety of the officers. Officers shall also control any object that may be used as a weapon. An officer may frisk any person whom the officer reasonably suspects may have a weapon concealed upon his/her person.
13. Officer shall leave the premises at least as secure as when they entered by leaving it in the hands of a responsible person or by locking all doors and windows. If the premises are left unsecured, a guard will remain until the site can be turned over to a responsible party or otherwise secured from illegal entry.

F. Execution of Local Warrants Issued by Other Jurisdictions

1. When another law-enforcement agency within Texas holds a prisoner on a warrant from this department, this department shall either pick up the prisoner within twenty-four (24) hours or notify the holding agency to release him/her.
2. When an out-of-state department notifies this department that the out-of-state department has executed a felony arrest warrant held by this department and is holding the person arrested, this department shall immediately pursue extradition proceedings.

VI. ARREST WITHOUT A WARRANT (TBP: 7.03)

A. Federal and state constitutions protect individuals from unreasonable searches. Further, officers must have probable cause to believe that a crime has been committed, and that the person to be arrested has committed the crime.

B. When warrantless arrests may be made

1. The Texas Code of Criminal Procedure, in Chapter 14, gives officers the authority to make warrantless arrests, supported by “probable cause,” as follows:

- a. Officers may arrest persons found in suspicious places and under circumstances that establish probable cause that such persons have been guilty of a felony or breach of the peace, violation of Ch. 42 of the Penal Code or threaten or are about to commit an offense against the laws.
- b. An officer who has probable cause to believe that a person has committed an assault resulting in bodily injury to another, and there is probable cause to believe there is danger of further bodily injury to the victim, may arrest that person.
- c. An officer who has probable cause to believe that the person has committed an offense involving family violence may arrest the violator.
- d. If a person prevents or interferes with an individual’s ability to place an emergency telephone call as defined in the Penal Code, an officer may arrest the violator.
- e. Officers shall arrest a person who violates a valid protective order when the violation is committed in the officer’s presence.
- f. Officers may arrest a person who violates a valid protective order, if the offense is not committed in the officer’s presence or view.
- g. Officers may arrest an offender for any offense committed within the officer's presence or view, including traffic violations.
- h. Officers may arrest at the direction of a magistrate when a felony or breach of the peace has been committed.
- i. Where it is shown by satisfactory proof to a peace officer, upon the representation of a *credible* person, that a felony has been committed, and that the offender is about to escape, so that there is not time to procure a warrant, said officer may, without warrant, pursue and arrest the accused.
- j. Officers may arrest a person who confesses to a felony crime, provided the confession complies with state law regarding the admissibility of confessions.

2. Warrantless Arrests Outside Officer’s Jurisdiction:

- a. Although officers are discouraged from making arrests outside their jurisdiction, officers may make warrantless arrests in compliance with state law. Non-municipal Officers who are outside their jurisdiction may arrest, without warrant, a person who commits an

offense within the officer's presence or view, if the offense is a felony, breach of the peace, or violation of Chapter 42 or 49 of the Texas Penal Code.

- b. Any officer making a warrantless arrest outside his/her jurisdiction shall notify the law-enforcement agency of proper jurisdiction. The law-enforcement agency shall take custody of the prisoner and arraign the prisoner before a magistrate in compliance with state law.

VII. POST-ARREST PROCEDURES

A. Injury before or during arrest

If a person receives an injury before or during an arrest and either requests medical attention or, in the officer's judgment, medical attention is needed, officers shall transport the suspect or arrange for his/ her transportation to a hospital for an examination before booking.

B. Processing of paperwork

1. Outline here the procedure for documenting arrests. Include a provision for supervisory review and approval of reports. Processing and routing procedures should be outlined concerning:
 - a. Offense reports.
 - b. Booking forms.
 - c. Fingerprint cards.
 - d. Photographs.
 - e. CCRE reports.
 - f. Copies of summonses.
 - g. Copies of warrant.
 - h. Bond papers.
 - i. Jail committal forms.
 - j. In the case of juvenile offenders:
 - k. Petitions.
 - l. Detention orders.

C. Mirandizing Arrestees

1. Arrestees shall be advised of their Miranda rights before any questioning.
2. A waiver of the Miranda rights must be obtained before any questioning of an arrestee.
3. If the arrestee has not waived his or her Miranda rights, no questioning shall be conducted beyond that necessary to accomplish the booking procedure (name, address, etc.).
4. If the arrestee declines to waive his or her Miranda right to counsel or right to remain silent, or if the arrestee, after waiving that right, elects to reassert it, questioning must cease immediately, and no further questioning may be conducted unless
 - a. An attorney representing the arrestee is present, or

- b. The arrestee voluntarily initiates a further interview.
 - c. Any legally mandated waiting period has expired.
5. If the arrestee has not waived his/ her Miranda rights, officers shall refrain from engaging in conversation among themselves in the presence of the arrestee that is calculated to elicit incriminating statements or admissions from the arrestee, even if the conversation does not contain questions.
6. All custodial interrogations of arrested persons shall comply with the requirements found in state and federal law.

VIII. RELEASE FROM ARREST

A. Officers may encounter a circumstance where probable cause develops to arrest a person for an offense only to find out shortly thereafter that the person under arrest did not commit a crime or that the event was not a crime. It is imperative, then, that the officer end the arrest process and release the person as soon as possible. Releasing a person who has been arrested incorrectly is not to be confused with releasing a person who was correctly arrested, but is to be released for convenience or medical purposes.

B. Procedure

1. If the arresting officer determines that probable cause no longer exists to arrest a suspect, and the officer is satisfied that the person under arrest either did not commit the crime or that a crime did not occur, the officer shall release the suspect and immediately notify the officer's supervisor.
2. An officer who releases a subject from arrest shall return the person to the place of the arrest, if the location is safe. The officer shall not release the person along the roadside. If a vehicle has been towed, the vehicle shall be returned to the operator/registered owner unless it is required as evidence, or some other legal authority assumes custody of the vehicle.
3. Upon releasing a person in this manner, the officer shall immediately contact the Chief of Police and advise him/her of the incident.
4. The officer shall document the following in an incident report:
 - a. The date and time of arrest.
 - b. The person arrested (name, address, date of birth, race).
 - c. The location of arrest.
 - d. Probable cause for the arrest and the specific charge(s).
 - e. The location and time of release from arrest and whether the person was transported.
 - f. The reasons or discovery of information that led the officer to release from arrest.
 - g. Any witnesses to the alleged crime, or to the fact the person arrested was allegedly involved.
 - h. Whether force was used in making the arrest, and if so, the nature of the force used and the consequences, including medical aid.


IX. IMMUNITY FROM ARREST

A. Legislative immunity

1. Members of the United States Congress are exempt from arrest when Congress is in session, or when they are en route to or from congressional business, except for traffic summonses.
2. Members of the Texas Legislature are exempt from arrest during a legislative session (or allowing for one day for every 20 miles such member may reside from the place where the legislature meets before the beginning or after the ending of any session) except in cases of treason, a felony, or a breach of the peace.

B. Diplomatic immunity

1. While a person claiming diplomatic immunity may present any number of identification papers, the only one that is indicative of the level of privilege and immunity is a card issued by the U.S. State Department. The holder's level of immunity will be indicated on the card. If a person claiming immunity does not possess this card and the incident involves a criminal offense, officers may either detain the person at the scene or at the department long enough to verify official status.
2. Upon exhibiting proof of diplomatic immunity, persons shall be released upon being stopped for a misdemeanor traffic violation. If questions arise about this procedure, or if an arrest for a felony is necessary, call and advise the U.S. State Department Office of Security (202-647-4415, days, or 202-647-1512, nights and weekends).
3. When encountering a criminal suspect who claims diplomatic immunity, officers shall first take reasonable measures--including pat-downs or other legal searches--to ensure safety to the public and other officers. Verification of the diplomatic claim shall take place after any danger has been neutralized. A criminal investigation shall proceed as if no valid diplomatic immunity claim has been made. Interviews, interrogations, seizures of evidence, or issuance of warrants shall proceed per departmental procedure. In a criminal investigation, the Chief shall remain in contact with the U.S. State Department.
4. Regardless of the claim of immunity, in any case where officers arrest or detain foreign nationals the suspects shall be advised of their right to have their consular officials notified. In some cases, this notification is mandatory. Note: The list of countries that require mandatory notification of consular officials in the event that one of its citizens has been arrested is extensive. The State Department shall be contacted for guidance. (TBP 10.22)

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.4 Search Incident to Arrest and Other Warrantless Searches	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
Reference: TBP: 7.07, 10.14, and 10.15		

I. POLICY

In order to ensure that constitutional rights are protected, officers will obtain search warrants upon probable cause in all appropriate criminal cases except for the following circumstances.

Searches without a judicial warrant are strictly limited to those circumstances where the courts have granted officers limited exceptions. One of those exceptions was described in Policy 7.2, where, if during an investigative stop (detention), an officer has reasonable suspicion that an individual may be armed, and is able to articulate that suspicion, the officer may conduct a limited pat-down of the individual's outside clothing to protect the officer. Other exceptions to the search warrant requirement are provided in this policy.

II. PURPOSE

The purpose of this policy is to establish guidelines for searches incident to arrest and other searches without a warrant.

III. SEARCH INCIDENT TO LAWFUL ARREST

- A. The general rule is that a reasonable search may follow a valid arrest. The officer has the authority to make a search that may extend to articles carried by the suspect and to the suspect's immediate surroundings. The purpose of this search is to remove any weapons from the arrested person that could be used against the officer while in custody, to remove any items that might facilitate an escape, and to prevent the destruction of any evidence by the arrested person.
- B. A search incident to an arrest must occur in such a way that it and the arrest are part of a continuous, uninterrupted transaction. Two conditions are necessary for this to occur:
 1. The search must be made as soon as practical after the arrest.
 2. The search must be made at or near the place of the arrest.

- C. An officer making a search incident to an arrest may search only the following places:
1. The entirety of the person being arrested.
 2. The area within the wingspan or physical arm's reach of the person being arrested where the suspect might reach for a weapon or for evidence.
- D. Accessories, such as a purse or a backpack, carried by the suspect may be searched incident to a full custodial arrest for they are within the area in which the defendant might reach to grab a weapon or an item of evidence.
- E. Vehicles may be searched contemporaneous with the arrest of the occupant or driver only in the following circumstances:
1. The arrested vehicle occupant is unsecured and within arm's reach of the passenger compartment at the time of the search and the officer can articulate a safety concern, or
 2. The officer has a reasonable belief that evidence related to the crime for which the arrest was made is located within the passenger compartment.
 3. Once an occupant has been arrested and secured and is unable to effectively reach the passenger compartment, the authority to search the vehicle for safety reasons is removed.
- F. Strip searches
1. Strip searches shall not be conducted of persons arrested for traffic violations, or for Class C or B misdemeanors unless the officer has an articulable, reasonable suspicion that the person is concealing a weapon or contraband. Reasonable suspicion may be based on, but is not limited to, the following criteria.
 - a. Nature of the offense.
 - b. Arrestee's demeanor and appearance.
 - c. Circumstances of the arrest or evidence of a major offense in plain view or during the course of the arrest.
 - d. Arrestee's criminal record, particularly a history of violence or of narcotics offenses.
 - e. Detection of suspicious objects beneath the suspect's clothing during a search incident to an arrest.
 2. Strip searches shall be performed by persons of the same sex as the person arrested and at the jail or lock-up where the search cannot be observed by persons not physically conducting the search.
 3. No strip searches will be conducted in the field.
 4. No juvenile arrestees will be strip searched.
 5. In every case, the Chief of Police must review the need and expressly authorize the strip search.

6. When authorized by the supervising authority, strip searches may be conducted only under the following conditions:
 - a. In conformance with approved hygienic procedures and professional practices.
 - b. In a room specifically authorized for this purpose.
 - c. By the fewest number of personnel necessary and only by those of the same sex.
 - d. Where conditions provide privacy from all but those authorized to conduct the search.
7. Following a strip search, the officer performing the search shall submit a written report to the supervisory authority that details, at a minimum, the following:
 - a. Date and place of the search.
 - b. Identity of the officer conducting the search.
 - c. Identity of the individual searched.
 - d. Those present during the search.
 - e. The identity of the approving supervisor.
 - f. A detailed description of the nature and extent of the search.
 - g. The results of the search.

G. Body-cavity searches

1. Department personnel do not conduct body cavity searches other than an individual's mouth. If an officer has reasonable cause to believe a body-cavity search is needed to detect weapons, drugs, or other contraband, the following procedures apply:
 - a. The Chief of Police is notified.
 - b. A search warrant is secured.
 - c. The detainee is transported to an appropriate medical facility.
 - d. The search is conducted by the on-duty emergency room physician, while officers stand by to take control of any evidence and provide security to the physician conducting the search.
 - e. Body cavity searches are documented in the officer's arrest report, which will detail the officer's justification for such search, the approving supervisor's name, the location and persons present during the search, and the results of the search. A copy of the report and the warrant are forwarded to the Chief of Police for review and filing.
2. Prior to transporting the prisoner to the medical facility, the officer shall inform the prisoner of his or her intention to conduct a body-cavity search, thus giving the prisoner the opportunity to voluntarily surrender the suspected contraband.
3. Juveniles will not be subject to body-cavity searches at the request of this department.

IV. CONSENT SEARCH

A. Consent Searches

A search warrant is not necessary where a person who has authority or control over the thing or place to be searched consents to the search. Note that the officer is not required to have reasonable suspicion or probable cause to request a consent search. He or she may merely ask for permission from someone with control over the item or premises. If that person grants permission, the search may take place. The sole justification for a consent search is the existence of knowing, intelligent, and voluntary consent.

1. Consent searches must observe the following rules:
 - a. Generally, the person granting consent must use, access, or control the property. A person having use, access, or control of only a part of a jointly owned property can give consent for a search only of that part.
 - b. If two people have joint ownership of property, either may give consent where only one of the owners is present. If possible, officers should have all the consenting parties present sign a written permission-to-search form.
 - c. If both or multiple parties with joint ownership are present and any party refuses to consent to the search, the search cannot be performed.
 - d. A landlord, including a hotel or motel manager, cannot consent to a search of a tenant's premises unless the tenant has been evicted or has abandoned the property.
 - e. A husband or wife, or one member of a cohabiting unmarried couple, may consent to a search of areas in common ownership or use where only one is present. If both or multiple parties with joint ownership are present and any party refuses to consent to the search, the search cannot be performed.
 - f. A parent may consent to a search of premises occupied by a child under the age of majority if the parent also has access to the premises. If a dependent child is present and is over the age of majority, he or she may legally object to the search of an area that is jointly owned or possessed.
 - g. An employee cannot give valid consent to a search of his/her employer's premises unless he/she has been left in custody of the premises.
 - h. An employer may generally consent to a search of premises used by employees, except premises used solely by another employee (e.g., a locker).

- i. Consent must be given voluntarily. If an officer requests consent from a person under circumstances which a reasonable person would consider coercive, the search would not be consensual and the officers should seek a warrant. The officer has the burden of demonstrating that the consent was given voluntarily.
- j. A person who initially gives consent may withdraw it at any time. Officers shall then secure the premises and seek a warrant if probable cause exists.
- k. Refusal to give consent, in itself, cannot justify further law-enforcement action.
- l. The scope of a consent search is limited to the area for which consent has been given, and within this area officers may search only into areas where the objects sought could reasonably be hidden.

2. Documentation of Consent Searches

- a. Although verbal consent is valid, police officers will carry and use the Voluntary Consent to Search form. The form should be completed and signed by the consenting parties. All Consent to Search Forms shall be forwarded to the records unit for filing.
- b. If a person gives verbal consent but refuses to give written consent, police officers should consider the severity of the case along with viable options (e.g., obtaining a search warrant or some other exception to the search warrant requirement) before proceeding with the search.
- c. A police officer who is equipped with a body camera or dash camera shall record the request for consent and the person's response. The recording shall be preserved as evidence should evidence or contraband be discovered, or other enforcement action result from the search.
- d. A police officer who proceeds to search on verbal consent should remember that the burden of proof is always on the government.
- e. Police officers will not only have to prove the consent was voluntary, but that it was actually given (officer's word against defendant). Officers should attempt to take additional steps to eliminate this argument. For example, they could have an impartial third party witness the consent by signing the form.
- f. Police officers should make every effort to minimize conditions that could be offered as "threat or intimidation," such as the following:
 - i. Number of police officers present (especially in uniform)
 - ii. Amount of force used to detain or arrest, e.g., displaying firearms, use of handcuffs, etc.
 - iii. Language and tone of voice used in requesting consent
 - iv. Other non-verbal communications.

V. EMERGENCY SEARCH

An emergency search is a search in which an officer makes a warrantless nonconsensual entry into a residence or building in order to protect someone's life or render emergency life-saving assistance to an occupant. This search is not based in criminal law enforcement principles; rather it is to save life. Examples of emergency searches include, but are not limited to:

1. Fire
2. Shouts for help
3. Unconscious person
4. Welfare checks, if the information known to the officer gives rise to a reasonable concern for the well-being of an occupant
5. Sounds of a fight coming from inside the residence

Officers should understand that once entry is made and the emergency has been rendered safe his or her authority to be in the residence has expired. Additionally, entry pursuant to an emergency does not then give the officer authority to search the residence for evidence of a crime.

The test for the validity of an emergency search will be whether a reasonable officer, under the same circumstances, would have believed there was a threat to life or limb of an occupant.

VI. MOTOR VEHICLE SEARCH BASED ON PROBABLE CAUSE

A. In recent years, the U.S. Supreme Court has modified and expanded the conditions under which officers may search vehicles. Preferably, officers shall search vehicles under the authority of a warrant, although it often happens that there is not sufficient time to obtain one. However, warrantless searches of vehicles may take place under a number of conditions and circumstances. It is imperative that officers understand the different types of vehicle searches and their limitations. The U.S. Supreme Court has ruled that this exception will not authorize the intrusion into a residence's curtilage to search a vehicle parked within the curtilage.

NOTE: With a warrant, a search may extend anywhere within the vehicle unless the warrant itself imposes limits.

B. Definitions

1. For the purposes of this section, a motor vehicle is any vehicle operating or capable of being operated on public streets or highways, from trucks to automobiles to mobile homes. A vehicle that has been immobilized in one location for use as a storage facility or home is not a motor vehicle for fourth amendment purposes.
2. For the purposes of this section, a search is an examination of a motor vehicle with an investigative motive, that is, to discover evidence or to examine the vehicle identification number (VIN) to ascertain ownership.

A motor vehicle may be searched without a warrant if the following conditions are present:

1. The officer has probable cause to believe the motor vehicle is being used to transport contraband
2. The motor vehicle is mobile or readily mobile

The scope of a motor vehicle search is the entire motor vehicle, including containers in the motor vehicle in which the suspected contraband could fit.

If contraband is located by way of a lawful frisk or search of an occupant of the motor vehicle, the officer may rely upon this as probable cause to search the motor vehicle for additional contraband. The reverse is not the case. The discovery of contraband in a motor vehicle will not automatically authorize a search of the occupants of the motor vehicle. Officers must be able to articulate individualized probable cause to search the occupants.

An entry into the vehicle to examine the VIN or otherwise determine ownership must be limited to these purposes. An emergency search of the vehicle may be conducted but the extent of the search must not exceed whatever is necessary to respond to the emergency.

Note: If the initial search under the above conditions gives rise to probable cause that evidence, contraband, fruits of a crime, or instrumentalities of the crime might be found elsewhere in the vehicle, officers may search those areas that might reasonably contain such items.

A. Containers within the vehicle

1. As a rule, no container within a vehicle shall be searched unless it might contain the item(s) sought.
2. Procedures for unlocked containers
 - a. In a probable cause search, containers may be opened wherever found in the vehicle.
 - b. When the passenger area is searched incident to an arrest, containers within the passenger area may be opened.
 - c. During a consent search, containers may be opened provided that the terms of the consent either permit the search or reasonably imply permission.
 - d. Containers found in or discarded from a vehicle under circumstances not amounting to probable cause or in connection with a search incident to an arrest shall not be searched but shall be secured until a warrant is obtained.
 - e. The abandonment doctrine does apply to containers thrown from a vehicle by a suspect.
3. Procedures for locked containers

- a. Under most conditions, locked containers shall be opened under a warrant unless one of the following circumstances has been met:
 - i. Consent has been given.
 - ii. Probable cause exists to search the vehicle and the object of the search might be found in the container. (Even in this circumstance, a warrant is preferred.)
 - iii. Inventory, only if a key is present.

B. Conduct of the vehicle search

1. When possible, searches of vehicles shall be conducted contemporaneously with the stopping or discovery of the vehicle. As a general rule, vehicle searches shall be conducted as soon as reasonably possible.
2. When possible, officers shall avoid damaging a vehicle or its contents, and shall minimize the intrusiveness of the search and any inconvenience suffered by the passengers or owner.

As vehicles may contain sharp or pointed objects, and perhaps even syringes or other materials with body fluids on them, officers shall take precautions to minimize exposure to communicable diseases.

VII. INVENTORY OF A MOTOR VEHICLE

When an officer has made a decision to lawfully impound a motor vehicle the officer shall inventory the contents of the motor vehicle pursuant to [fill in the correct citation here]. An inventory is not considered a search – it is an administrative caretaking procedure to protect to department from false claims.

Prior to impounding a motor vehicle an officer shall consider reasonable alternatives to impounding the vehicle. Those alternatives include:

1. Leaving the vehicle at the scene, or
2. Releasing the vehicle to a licensed driver at the scene

Officers shall follow [policy or GO here] when impounding motor vehicles.

VIII. FRISK

A. PERSONS:

A frisk is a limited search for weapons. A frisk, by definition, occurs during a lawful detention. Officers shall not frisk a person during a consensual encounter unless the circumstances escalate to the point where the officer has reasonable suspicion to detain and can articulate a fear for his or her safety. A frisk of a person during a consensual encounter will most likely turn the consensual encounter into a seizure. Officers should conduct a full search of a person who has been arrested.

Officers do not have the authority to automatically frisk a person who has been detained. Officers shall articulate and document specific facts and circumstances that caused the officer to fear for her or his safety.

A frisk is conducted by patting down the outer clothing for weapons. If an officer detects contraband during a frisk the officer may proceed under the plain touch doctrine.

B. MOTOR VEHICLES

A motor vehicle may also be frisked. The following requirements must be met:

1. It must be a lawful detention
2. Facts and circumstances must be present to cause a reasonable officer to fear for her or his safety from an occupant of the vehicle
3. The occupant causing the concern must be frisked first
4. The officer must intend to release the detainee and allow the person back into the car, e.g. a traffic citation as opposed to an arrest
5. The officer may frisk the area in the passenger compartment that is immediately accessible to the detained person once returned to the vehicle.

IX. PLAIN TOUCH

The plain touch doctrine authorizes an officer to go into a detainee's pocket to retrieve contraband if the officer detects the contraband through the sense of touch during a lawful frisk.

Extensive manipulation of the item to ascertain its nature is not permitted.

If the officer detects a solid container of some sort the plain touch doctrine does not authorize the officer to open the container to ascertain its contents. The officer will have to have another search warrant exception to open the opaque container.

X. IMMINENT DESTRUCTION OF EVIDENCE

An officer is authorized to make a warrantless, nonconsensual entry into a residence or building to prevent the imminent destruction of evidence:

1. It must be the type of evidence that can be easily lost or destroyed
2. The destruction of the evidence must be imminent
3. The attempted destruction cannot be prompted by police misconduct

Once the evidence that was the subject of the attempted destruction is secured officers shall secure the residence and obtain a search warrant to search the residence for additional evidence or contraband.

XI. ENTRY INTO A RESIDENCE TO EFFECT ARREST

Both state statutes and federal case law regulate entry to make an arrest. The primary focus of any entry to make an arrest is the safety of the officers executing the warrant and the occupants of the residence. Knocking on the door affords the occupants time to answer the door and comply with the officer's orders.

A. WITH ARREST WARRANT

Officers may force entry to execute an arrest warrant subject to the following rules:

1. Felony warrant
2. Officer is entering the residence where the person named in the warrant resides
3. Denied admittance after knocking and announcing
4. Knocking and announcing may be waived under the following circumstances: knocking and announcing will prompt an escape attempt, place the officer(s) in danger, or the suspect is already aware of the officer's presence.

B. WITHOUT ARREST WARRANT – SUSPECT OBSERVED OUTSIDE RESIDENCE

When officers observe a dangerous felon in a public place and are authorized to arrest without a warrant, officers may pursue and force entry into a residence to arrest the dangerous felon without an arrest warrant. The following requirements must be met:

1. The offense must be a dangerous felony. A dangerous felony can best be characterized as one that involves a component of violence or threatened violence
2. The officer must already have probable cause to effect the arrest
3. There must be a true exigency to justify the entry e.g. escape, danger to occupants

C. WITHOUT ARREST WARRANT – OFFENSE OCCURS INSIDE RESIDENCE WITHIN OFFICER'S VIEW

1. Police officers who observe criminal activity occurring inside a private place from outside the private place may not always be able to secure a proper warrant in a timely manner and will adhere to the following guidelines:
 - a. If the offense is a misdemeanor, police officers will not enter except under the following circumstances:
 - i. Valid consent is given by a person with authority to grant such permission and who lives at the residence.
 - ii. There is reason to believe someone inside the residence is in immediate danger of life or limb
 - iii. The officer reasonably believes the destruction of contraband or other evidence is imminent if it is not immediately recovered.

- b. If the offense is a felony, police officers will not enter except under the following circumstances:
 - i. Valid consent is given by a person with authority to grant such permission and who resides at the location.
 - ii. The officer reasonably believes the destruction of contraband or other evidence is imminent if it is not immediately recovered.
 - iii. There is reason to believe someone inside the residence is in immediate danger of death or serious bodily injury.

XII. PLAIN VIEW

Plain view. A plain-view seizure is, technically, not a search. To make a plain-view seizure of property, such as contraband, fruits of a crime, or instrumentalities of a crime, the following two requirements must be met:

1. From a lawful vantage point, the officer must observe contraband left in open view.
2. It must be immediately apparent to the officer that the items he or she observes may be evidence of a crime, contraband, or otherwise subject to seizure.


XIII. OPEN FIELDS, CURTILAGE, ABANDONMENT

A search warrant is not required for property that has been abandoned.

1. For property to be considered abandoned the following three conditions must apply:
 - a. The property was voluntarily abandoned.
 - b. The abandonment was not a result of police misconduct.
2. Open fields are not protected by the Fourth Amendment, but officers must distinguish them from curtilage, searches of which require a warrant. Curtilage is the area of a dwelling that is necessary, convenient, and habitually used by the family for domestic purposes. The extent of curtilage of a private residence is determined by the following:
 - a. Whether the area is enclosed, but an enclosure is not required to establish curtilage.
 - b. The nature and use of the area.
 - c. The proximity of the area to the home.

Note that under some circumstances surveillance (e.g., aerial surveillance) of activities within curtilage may take place without a warrant.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.5 Search Warrants	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 7.06	

I. POLICY

Both federal and state constitutions guarantee every person the right to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. U. S. Supreme Court decisions regarding search and seizure place the responsibility on the police to ensure that every person’s fourth amendment rights are protected.

Officers shall scrupulously observe constitutional guidelines when conducting searches, and they will always remain mindful of their lawful purpose. Unlawful searches can result in harm to members of the community, put officers at risk, and possibly damage the department’s image in the community.

Search warrants are one of the most valuable and powerful tools available to law-enforcement officers. Officers of this department shall have a thorough knowledge of the legal requirements involved in obtaining and executing search warrants.

II. PURPOSE

The purpose of this policy is to establish guidelines and procedures that officers must follow when conducting searches and seizures.

III. DEFINITIONS

- A. **BNSearch Warrant:** A written order, issued by a magistrate and directed to a peace officer commanding him/her to search for a particular item or person and to seize the same and bring it before such magistrate, or commanding him/her to search for and photograph a child and deliver to the magistrate any of the film exposed pursuant to the order. Search warrants are also issued for biological specimens.
- B. **Search Site:** The premises to be searched, as explicitly stated in the search warrant.

- C. Lead Investigator: The officer primarily responsible for the investigation who will prepare, plan, and implement the search warrant.
- D. Protective Sweep: A quick and limited search of premises incident to an arrest or service of an arrest warrant performed in order to locate other persons inside who might pose a risk to the officers. Officers must be able to articulate a reasonable basis their safety concerns.
- E. Curtilage: Curtilage usually refers to the yard, garden, or any piece of ground that is immediately adjacent to a premises and is used as part of the activity of the premises. While the term has no absolute definition that applies under all circumstances, the curtilage of a private residence, for instance, may be defined by the size of the lot on which the dwelling stands, whether the area around the dwelling is enclosed, the nature and use of the area, the proximity of the area to the home, and any measures taken by the owner to protect the area from observation.

IV. PROCEDURES - General

A. State Law

1. Chapter 18 of the Texas Code of Criminal Procedure controls the use of search warrants in Texas. It states that a judge or magistrate may issue a search warrant if the following circumstances exist:
 - a. There is probable cause to do so, and
 - b. There is a complaint on oath supported by an affidavit.
2. Search warrants may be issued for the search of specified places, things or persons, and seizure therefrom of the following things as specified in the warrant:
 - a. Weapons or other objects used in the commission of a crime.
 - b. Articles or things the sale or possession of which is unlawful.
 - c. Stolen property or the fruits of any crime.
 - d. Any object, thing, or person, including documents, books, records, paper, or body fluids constituting evidence of a crime.Please see the applicable statutes for a more comprehensive listing.

B. Supreme Court Decisions

1. The Supreme Court of the United States issues decisions that must be used as guidelines in conducting searches. Because the fourth amendment to the Constitution prohibits unreasonable searches and seizures, officers bear the burden of proving that the search is reasonable. The court will examine reasonableness based on the answers to these questions:
 - a. Was there probable cause to issue the search warrant?
 - b. Was the scope of the search appropriate?

C. Exceptions to search warrant requirements are discussed in Policy 7.4.

V. PROCEDURES: Obtaining a Search Warrant

- A. Prior to obtaining a search warrant, officers should consult the Chief of Police for review of the probable cause and for approval to seek a search warrant. This review may be conducted by telephone if necessary.
- B. The Chief of Police will be in charge of the warrant execution. While the lead investigator may develop the case information, construct the affidavit, obtain the warrant, and seek assistance from surrounding agencies if needed, the Chief of Police is responsible for the proper and safe execution of the warrant, including compliance with this policy.

C. Essential legal requirements

- 1. To obtain a search warrant, an officer must show probable cause to believe that specific evidence, contraband, or fruits of a crime may be found at a particular place.
- 2. The officer shall prepare an affidavit that carefully documents specific facts that constitute probable cause. Two kinds of facts must be considered:
 - a. The facts from which the officer concluded that the person or thing is probably located at the place to be searched;
 - b. The facts that address the reliability of the source of the officer's information;
 - c. The information upon which the officer relies is not stale, within the context of the offense being investigated.
- 3. The court considers only those facts presented in the affidavit.
- 4. Conclusions and suspicions are not facts.
- 5. Apart from the officer's personal knowledge or observations, facts may derive from a reliable informant.
- 6. Reliability of facts is established by the following:
 - a. Personal observation or knowledge possessed by an officer;
 - b. Witnesses who have knowledge of information pertinent to the case;
 - c. Informants if they have proven to be reliable or if their information is corroborated by personal observation of an officer.

D. Affidavits

- 1. The accuracy of the affidavit is vital to the validity of the search warrant. CCP 18.01 requires officers to swear to the facts of the affidavit before a judge or magistrate.
- 2. The affidavit shall include the following elements:
 - a. A detailed description of the place, thing, or person to be searched.

- b. A description of the things or persons to be seized pursuant to the warrant
- c. A substantial allegation of the offense in relation to which the search is to be made.
- d. An allegation that the object, thing, or person to be searched or searched for constitutes evidence of the commission of the offense.
- e. Material facts that would show that there is probable cause for issuing the search warrant.
- f. Facts that establish probable cause and that the item or person to be seized is at the location to be searched.

E. Language of the warrant

- 1. Only the things specified in the search warrant can be seized. (For a discussion of exceptions to this, such as plain-view seizures and searches incident to arrest, see Policy 7.4).
- 2. The warrant shall state precisely the areas to be searched.
- 3. If officers wish to search a home and its surroundings, the affidavit must specify a "premises" search and its curtilage, and must identify all outbuildings, such as garages or tool sheds, as appropriate.
- 4. If motor vehicles to be searched are on the premises, the warrant shall so specify.
- 5. If searches of specific persons (other than frisks) are to be included during the search, the warrant shall so specify. If the warrant states that all persons present shall be searched, probable cause to do so must be stated in the affidavit.
- 6. The items to be searched for shall be precisely described. If an item to be searched for may be dismantled (e.g., firearms), the warrant must specify the search for parts, pieces, or components of the item.
- 7. If officers anticipate searching for and seizing computers or similar complex technological items, experts must be consulted to determine the appropriate language to list in the affidavit and for outlining appropriate guidelines in the warrant for seizure of hardware and software.
- 8. If time and opportunity permit, the affidavit and warrant should be reviewed by the district attorney or legal counsel prior to presenting it to a magistrate.
- 9. If officers believe it is in the best interest of officer safety or that evidence may be destroyed if advanced warning is given and wish to utilize a "no-knock" warrant execution, the reasons for that belief should be clearly explained in the affidavit. The magistrate should be requested to review and authorize the no-knock entry.

VI. PROCEDURES: Executing a Search Warrant

A. When a search warrant must be executed

1. An officer is required to execute a warrant within the limitations imposed by statute. If it has not been executed during that time, the officer shall void the warrant and return it to the magistrate who issued it.
2. An officer may execute a search warrant either during the day or at night. The time of day selected to execute the warrant should take into consideration the likelihood that a specific category of individuals will or will not be present, e.g., children or elderly. Officer safety will also be considered in determining when to execute a warrant.

B. Preparing to execute the warrant

1. Before executing the warrant, the Chief of Police shall review the warrant and the affidavit, and brief the search team officers on the procedures to be followed. The chief shall ensure that the entire warrant process is documented. Written reports shall be supplemented with photographs or videotape, if available and appropriate.
2. All members of the search team shall be in uniform or wear a clearly marked jacket with "POLICE" in large letters on the front and back.
3. All members of the search team shall wear protective body armor during the execution of all warrants.

C. Gaining entrance to premises

1. Prior to execution of the warrant, the lead investigator shall attempt to determine if any circumstances have changed that make executing the search warrant undesirable at that time. Where possible, pre-search surveillance shall be conducted up to the point at which the warrant is executed.
2. The lead investigator shall make a final assessment of the accuracy of the warrant in relationship to the location to be searched.
3. The search team shall first deploy around the premises to be searched, ensuring that all exits are covered.
4. Uniformed officers shall be the most visible members of the search team and shall conduct the initial entry.
5. In most cases the officer shall do all of the following before entering the premises to be searched:
 - a. He/she must announce his/her presence as a law-enforcement officer.
 - b. The officer must announce that his/her purpose is to execute a search warrant.
 - c. The officer must wait a reasonable time either to be admitted or refused admission to the premises.
6. When entrance is refused:

An officer who is refused entrance after a reasonable time may force his/her way into the premises using only that force which is applicable to the circumstances. "Reasonable time," in this context, depends on the circumstances. A refusal may be expressed or implied.

- a. No one has admitted the officer within a time that a reasonable person would expect someone to let the officer in if he or she is going to be admitted at all.
 - b. The officer waiting to be admitted sees or hears suspicious circumstances, such as flushing toilets or footsteps running away from the door, which indicate that someone might be concealing or destroying evidence or trying to escape.
7. No-knock or exigent entry:

In some circumstances a police officer may enter the premises to be searched without announcing his or her presence and purpose before entering. The judicial authority issuing the warrant may add a no-knock entry provision to the warrant. If not, the decision to make a no-knock entry may be made by the on-scene supervisor based on facts that would lead him or her to believe that an announcement would result in one of the following:

- a. Bodily harm either to the officer or to someone within the premises to be searched.
 - b. The escape of the person to be searched or arrested.
 - c. The destruction of evidence.
8. If circumstances require a no-knock or exigent entry, the first officer to cross the threshold into the premises shall announce that law-enforcement officers are executing a warrant. To ensure their own safety officers shall command the occupants to take appropriate action, such as "police, search warrant, get down."

D. Conduct of the search

1. Upon entry, the occupant shall be given a copy of the search warrant.
2. The supervisory officer shall ensure that a protective sweep of the site is performed immediately.
3. After the site has been secured, a photographic and/or videotape record of the premises shall be made prior to conducting the search.
4. The search must cease when all the evidence being searched for is located.
5. Officers should exercise reasonable care in executing the warrant to minimize damage to property. If damage occurs during an entry to premises that will be left vacant, and the damage may leave the premises vulnerable to security problems, arrangements shall be made to guard the premises until it can be secured.
6. If damage occurs, justification for actions that caused the damage and a detailed description of the nature and extent of the damage shall be documented. Photographs of the damage should be taken where possible.
7. Officers shall not use a search warrant to conduct a fishing expedition, i.e., if the search warrant is for a large item, such as a television set, small places, such as jewelry boxes, may not be searched.

8. An officer may seize only the property listed in the warrant with two exceptions:
 - a. The other evidence is reasonably related to the offense for which the search warrant was issued.
 - b. It is property that the officer knows or has probable cause to believe is evidence of another crime.
9. Currency taken as evidence shall be verified by a supervisor and transported to a safe as designated by department policy.
10. If items are taken from the search site, an itemized receipt shall be provided to the resident/occupant, or in the absence of the same, left in a conspicuous location at the site.

E. Searches of persons found on premises

1. A person's presence on the premises to be searched with a warrant does not, without more evidence than the person's mere presence, give rise to probable cause to search that person beyond a frisk for officer safety.
2. A warrant to search the premises for contraband does carry with it the authority to detain the occupants of the premises while a search is being conducted. If the search of the premises gives rise to probable cause to arrest the detainee, he or she may be arrested and his or her person searched incident to arrest.
3. A person on the premises may be searched if the officer has probable cause to believe that items listed in the warrant are concealed on the person.
4. If an officer determines a frisk is necessary, the officer must articulate the facts present that justify the frisk of the person.

VII. PROCEDURES: High-risk warrant execution

- A. A high-risk warrant is requested for any situation where it is likely that any special obstacle to the safe, effective execution of the warrant is present, the location has been fortified, or officers may meet armed resistance or other deadly force. This suspicion should be corroborated by intelligence information, for example, information from CCH, C.I. statements, history of location, or the investigator's personal knowledge.
- B. High-risk search warrants will utilize SWAT from a neighboring jurisdiction (APD or TCSO) for entry and the securing of the premises.
- C. The Chief of Police will notify the SWAT commander through the proper channels and will provide a copy of the warrant and the affidavit.
- D. A warrant execution briefing will be held. The warrant execution briefing will be conducted by both the lead investigator and the SWAT commander. It will include the Chief of Police, the communications supervisor, and all other officers participating in its execution or who will be at the scene. If this is a joint agency task force operation, officers from the participating agency will be present and identified as members of the warrant service team.

1. The lead investigator and the SWAT commander will lay out in detail the procedures for executing the warrant to all team members. The plan will include but not necessarily be limited to the following:
 - a. The specific items subject to the search as defined in the warrant, and any available information on their location.
 - b. Information concerning the structure to be searched and surroundings, to include floor plans where available, mockups, photos, and diagrams of the location identifying entrances, exits, obstructions, fortifications, garages, outlying buildings, suspect vehicles, and all other points of concern.
 - c. Identification of suspects and other occupants who may be present at the location—incorporating photos or sketches whenever possible—with emphasis on suspect threat potential, as well as the presence of children, the elderly, or others who may not be involved with suspects.
 - d. A complete review of the tactical plan to include the staging area, route of approach, individual assignments for entry, search, management of evidence, custody and handling of seized vehicles, custody of prisoners, and post-execution duties, such as securing the location and conducting surveillance on the site for additional suspects.
 - e. Listing personnel resources and the armament necessary for gaining entry, for the safety and security of officers, or for conducting the search.
 - f. Contingency plans for encountering hazardous materials, canines, booby traps, fortifications or related hazards.
 - g. Measures to take in case of injury or accident, to include the nearest location of trauma or emergency care facilities.
 - h. Procedures for exiting the location under emergency conditions.
2. The entry team shall at all times include uniformed officers who shall be conspicuously present at the place and time the warrant is served. All non-uniformed officers shall be clearly identified as law-enforcement officers by a distinctive jacket or some other conspicuous indicator of office.
3. All members of the search team shall wear body armor or ballistic vests as designated by the lead investigator.
4. Prior to execution of the warrant, the lead investigator shall attempt to determine if any circumstances have changed that make executing the search warrant undesirable at that time.
5. Where possible, pre-search surveillance shall be conducted up to the point at which the warrant is executed.
6. The lead investigator shall make a final assessment of the warrant's accuracy in relationship to the location to be searched.
7. The lead investigator shall ensure that the entire search warrant execution process is documented from the beginning until the search team leaves the premises. This written record shall be supported by photographs and, if practical, videotaping of the entire search process.

E. Entry Procedures

1. If an advance surveillance team is at the target site, radio contact shall be made to ensure that the warrant can be served according to plan.
2. The search personnel shall position themselves in accordance with the execution plan.
3. An easily identifiable police officer shall knock and notify persons inside the search site, in a voice loud enough to be heard inside the premises, that he or she is a police officer and has a warrant to search the premises, and that he or she demands entry to the premises at once. Following the knock-and-announce, officers shall delay entry for an appropriate period of time based on the size and nature of the target site and time of day to provide a reasonable opportunity for an occupant to respond (normally between 15 and 20 seconds). If there is reasonable suspicion that the delay would create a high risk to the officers or others, inhibit the effectiveness of the investigation, or permit the destruction of evidence, entry may be made as soon as practicable.
4. Once the entry has been made and the scene secured, the lead investigator will perform the search as required in Section VI. D above.

VIII. PROCEDURES: Return of the search warrant


A. An officer who has finished a search shall perform the following:

1. Note the date and time of execution on the search warrant.
2. Make an inventory of all the property seized and leave a copy with the person in charge of the premises.
3. Make return of the warrant within three days following the execution of the search (excluding Saturdays, Sundays, and legal holidays) or as otherwise required by statute. The return includes the following:
 - a. The search warrant.
 - b. The affidavit.
 - c. Either the inventory of articles seized or a notation that nothing was seized during the search.

B. Responsibility for property seized

1. Officers must provide a rigorous chain-of-custody procedure for all property seized. Documentation must appear in all narrative reports pertaining to the chain of custody of any items seized. The department evidence tag shall be used to identify all seizures.

2. Officers shall place evidence in the property room or locker reserved for the purpose prior to the end of shift.
3. Officers shall observe the property and evidence procedures as detailed in Policy 12.1.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.6 Citizen or Media Recording of Police Activity	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference:	

I. POLICY

It is the policy of this department that the seizure and searching of portable video, audio, and photo recording devices shall be governed by federal constitutional and statutory laws as well as departmental investigatory policies.

II. PURPOSE

The purpose of this policy is to establish guidelines and procedures for investigation, seizure, and searching of portable video, audio, and photo recording devices that contain data of an evidentiary value pertaining to a criminal act.

III. PROCEDURES

A. General

1. The department recognizes that the taking of photographs and/or videos by private citizens and media personnel is permitted within areas open to general public access and occupancy and is protected by the First Amendment.
2. Any civilian or media personnel may video record or photograph a police employee's activities as long as he/she abides by the following guidelines:
 - a. Remains at a distance that does not physically interfere with the officers' duties;
 - b. Does not physically interfere with the duties and responsibilities of law-enforcement personnel;
 - c. Does not violate any existing statute while taping, e.g. stand in the roadway while filming.
3. Employees are prohibited from seizing a person's portable video, audio, and/or photo-recording devices.

B. Initial Contact of an Individual Non-Media Photographer or Videographer: Officers are reminded that there are only three types of encounters between civilians and officers: consensual encounters, temporary detentions based upon reasonable suspicion of criminal activity and an arrest based upon probable cause. It is not a crime to videotape or photograph the police. A sworn employee may only contact a person recording images pursuant to these established rules of contact. Sworn employees shall follow the guidelines below:

1. Determine if the encounter is to be consensual in nature, or a lawful seizure;
2. Announce his/her authority and identity;
3. Plain clothes sworn employees shall identify themselves by prominently displaying departmental credentials;
4. Advise the individual of the purpose of the contact;
5. Ask the individual whether he/she recorded/captured data relevant to the incident;
6. Request that the individual provide his or her personal identification and contact information;
7. The encounter can last no longer than necessary to effect its purpose.
8. Persons who have been detained, as witnesses or suspects, or those who are participating in a consensual encounter, do not have to give their names, produce identification, or answer questions.

C. Consent to Search and/or Seize Portable Video, Audio, and/or Photo Recording Devices belonging to an Individual (Non-Media Photographer/Videographer)

1. Sworn employees may ask an individual for consent to a search and/or seize a portable photo and/or video recording device to determine if data of evidentiary value pertaining to a criminal act is present.
2. The employee's supervisor shall be notified immediately after any seizure and prior to any search of the device. The supervisor shall determine whether an immediate search is warranted or a CIU detective should respond.
3. If a consensual seizure occurs, the property shall be inventoried and documented.
4. Authorization to search the device shall be documented by the seizing sworn employee on a consent-to-search form.
5. The seizing sworn employee shall accurately and completely document the basis for the seizure and findings of the search in a case report/offense incident report.

D. Non-consensual Seizure of Portable Video, Audio, and Photo Recording Devices of an Individual (Non-Media Photographer/Videographer)

1. Department personnel will not make a Non-consensual Seizure of Portable Video, Audio, and Photo Recording Devices without a search warrant.

E. Initial Stop of Media Personnel

1. A sworn employee who stops a media photographer/videographer believed to have recorded/captured data of evidentiary value pertaining to a criminal act shall do the following:
 - a. Announce his/her authority and identity
 - b. Non-uniform sworn employees shall identify themselves by prominently displaying departmental credentials
 - c. Advise the media person of the purpose of the stop
 - d. Ask the media person whether he/she recorded/captured data relevant to the incident
 - e. If the media person acknowledges recording/capturing relevant data and agrees to allow review and/or supply a copy to the department, the sworn employee shall do the following:
 - i. Immediately notify the Chief of Police who will notify the Director of Communications.
 - ii. Collect and document receipt of the data.
 - iii. Document the request and response on a case report/offense incident report.
 - f. If the media person acknowledges recording/capturing relevant data and refuses to allow review and/or provide a copy of the recorded/captured relevant data, or refuses to state whether he/she recorded/captured relevant data, the sworn employee shall do the following:
 - i. Immediately notify the Chief of Police who will notify the director of Communications.
 - ii. Instruct the media person not to destroy, alter, or delete the recorded/captured relevant data
 - iii. Document the request and refusal on a case report/offense incident report
 - iv. Prepare appropriate subpoena and/or warrant documents for production of the requested data
 - v. Request that the media person provide their personal identification, media credentials, and contact information.
 - g. The stop shall last no longer than necessary to effect its purpose. NOTE: Brevity is important in determining whether or not a stop is reasonable. A prolonged stop may be warranted if the employee reasonably and diligently pursues investigative means to determine whether the media person possesses data that may have evidentiary value, and to confirm the person's identity.
2. Sworn employees shall not seize portable video, audio, and/or photo recording devices from media personnel unless they are under arrest or otherwise directly involved in the criminal act.
3. A warrantless search of portable video and/or photo recording devices seized incident to the direct involvement or arrest of media personnel is

prohibited unless there is reason to believe that the immediate search of such materials is necessary to prevent the death of, or serious bodily injury to, a human being.

F. Supervisory Notification

1. The Chief of Police shall be notified immediately after the seizure of a portable video, audio and/or recording device and advised of the following:
 - a. The totality of the circumstances surrounding the stop and seizure
 - b. The type of device seized
 - c. The status of the person from whom the device was seized (e.g. detained, arrested, etc.).

G. Impounding of Property

A sworn employee who impounds any portable video, audio, or photo recording device shall follow department policy regarding property/evidence.

H. Prohibited Actions


1. Employees shall not order or participate in the destruction of any portable video, audio, or photo recording devices.
2. Employees shall not order or participate in the erasure, deletion, or destruction of digital, analog, or film evidence.
3. Employees shall not impede a person's right to photograph or video record an event unless that person's actions will have any of the following effects:
 - a. Endangering the safety of the public, employees, or property
 - b. Interfering with an active crime scene
 - c. Violate an existing statute

I. Statutory Limitations and Liability

1. Pursuant to federal statute, 42 USC Section 2000aa-6, it is unlawful for a sworn officer or employee, in connection with an investigation or prosecution of a criminal offense, to search for or seize the work product of a media photographer or videographer except in the following circumstances:
 - a. There is reason to believe that the immediate seizure of such materials is necessary to prevent the death of, or serious bodily injury to, a human being;
 - b. There is probable cause to believe that the person possessing such materials has committed or is committing the criminal offense to which the materials relate.
2. A search or seizure of the work product is prohibited when the offense is merely the withholding of such material.

3. Sworn officers and employees may be held personally liable in an action for civil damages for violation of federal statute, 42 USC Section 2000aa-6.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.10 Prisoner Restraints	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 10.01e	

I. POLICY

The officer's responsibility for the safe custody of prisoners permits some discretion in the use of handcuffs and other restraining devices. The department requires officers to observe their own safety and that of the people they transport by carefully utilizing restraints on prisoners (except children) who must be taken to a jail or some other location. See also Policy 7.11, Transporting Prisoners.

II. PURPOSE

The purpose of this policy is to establish guidelines for the use of handcuffs and other restraining devices.

III. PROCEDURES - Arrested Persons

A. General

1. Officers shall handcuff all arrested adults unless the application of handcuffs will aggravate or cause injury due to age, infirmity, physical condition or prior injury.
2. Officers must be able to justify any exception they make to the policy that all arrested adults must be handcuffed, with particular attention to safety issues.
3. A prisoner who is not handcuffed shall be transported in a vehicle with a prisoner cage, and two officers shall conduct the transport.
4. Juveniles should not be handcuffed unless they have been taken into custody for a violent offense, pose an escape risk, or where the officer reasonably believes handcuffing is necessary for the safety of the juvenile or the officer.

B. Handcuffs

1. In most circumstances safety concerns mandate that arrested subjects should be handcuffed. Officers must be able to justify exceptions with particular attention to the risks involved when no handcuffs are used. Listed below are some possible exceptions:
 - a. Children under 10 years of age

- b. Pregnant females
 - c. Handicapped or disabled suspects
 - d. Elderly suspects
2. Normally, officers shall handcuff a subject with the hands in back, but they may choose to handcuff hands in front if the suspect is handicapped or disabled. If the suspect is handcuffed in front, officers should secure the handcuffs to the body by use of a belt if possible.
 3. Officers shall double lock the handcuffs. This will help ensure prisoner and officer safety. Double locking reduces the chance of having the lock picked or that the handcuff will accidentally tighten, which could restrict circulation.
 4. Officers shall apply the handcuffs without utilizing hard strikes to the wrist and no over tightening of the handcuffs.
 5. Individuals will not be handcuffed to any portion of a police vehicle during transport.
- B. Plastic Handcuffs: Plastic handcuffs shall be used when officers take several prisoners into custody, or when a prisoner requires multiple restraints. Officers must understand that, once applied, plastic handcuffs can be removed only with a knife, scissors, or other cutting instrument.

C. Hobble Technique

1. The hobble technique refers to the use of a hobble device to secure a prisoner's feet while in transport in a police car. It involves looping a rope around the prisoner's ankles and then extending the other end of the device onto the door jam and then shutting the door, thus holding the prisoner's feet in place.
2. The hobble device should be applied only to a prisoner's legs when the officer feels that the prisoner poses an imminent threat of physical harm to himself/herself or another with the use of his/her feet or legs, or when the prisoner attempts to damage the inside of the patrol car during transport.
3. Two officers are required to transport a prisoner restrained by the hobble device. One officer monitors the status of the prisoner while in transport to prevent the prisoner from harming himself/herself, for example, by head strikes against window.

IV. PROCEDURES -- Persons not arrested

A. If officers have a reasonable suspicion that an individual has been involved in a violent offense; handcuffs may be applied to such individuals while officers investigate the incident. This restraint is only lawful for safety reasons, and the officers shall articulate the reasons for their safety concern.

B. Persons not arrested but who are subject to detention may be restrained under the following circumstances:


1. Suspects shall be handcuffed only as long as necessary.
2. Handcuffing of suspects shall be accomplished with minimal discomfort to the suspect.

3. Officers shall limit the number and type of restraints used on the suspect to what is reasonably necessary.
4. If an individual is handcuffed or otherwise restrained for officer safety reasons during an investigation and later released, officers shall document their actions in an offense or incident report and include the reasons officers handcuffed the individual, the approximate length of time of the restraint, and the results of the investigation.

V. SPECIAL CIRCUMSTANCES -- Restraint prohibitions

- A. Officers shall not place subjects in a prone position with the hands and ankles bound behind with handcuffs, belts, or other devices.
- B. As soon as any suspect who is lying on his or her stomach has been handcuffed, officers shall roll the suspect onto his or her side, or place the suspect in a sitting position.
- C. Suspects shall never be transported in a prone, facedown position.
- D. All suspects will be monitored during custody and transport for indications of medical problems, and medical treatment will be obtained if the officer believes it is needed.
- E. Officers should be aware that intoxication, recent use of drugs or alcohol, the presence of a head injury, obesity, physical disability, and recent exertion are all circumstances that can increase difficulty breathing when a person is restrained.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.11 Prisoner Transportation	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 10.01, 10.10, and 10.12	

I. POLICY

Transportation of persons in custody is an occasional requirement. Transportation usually occurs immediately after arrest when the arrestee is taken by the arresting officer for booking and holding or transfer to another facility. Transporting prisoners is a potentially dangerous function. Therefore, it is the policy of this law-enforcement agency to take the precautions necessary while transporting prisoners to protect the lives and safety of officers, the public, and the person in custody.

II. PURPOSE

The purpose of this policy is to establish procedures to ensure that prisoners are transported safely.

III. PROCEDURES (TBP: 10.01)

A. General

1. All prisoners shall be transported in secure, caged vehicles, unless such a vehicle is not available.
2. In no case shall a juvenile known or believed to be under the age of 17 years be transported with adults suspected of or charged with criminal acts.

B. Searching the prisoner

1. The transporting officer shall always search a prisoner before placing him or her into the vehicle.
2. Officers must never assume that a prisoner does not possess a weapon or contraband or that someone else has already searched the prisoner.
3. The transporting officer shall conduct a search of the prisoner each time the prisoner enters custody of the officer.
4. When handling and searching prisoners, officers shall remain mindful of the department's plan for the control of infectious diseases and shall use personal protective equipment when necessary.
5. Any items removed from the prisoner prior to transport will be securely maintained and returned to the prisoner or turned in to the booking officer upon arrival at the location of detention for placement in the prisoner's property. (TBP: 10.10)

C. Searching the police vehicle

The transporting officer shall search the vehicle immediately before each prisoner transport to ensure that no contraband or weapons are available to the prisoner. Further, after delivering the prisoner to his/her destination, officers shall again search the police vehicle to ensure that the prisoner did not hide anything in the vehicle. (TBP 10.01)

D. Transport equipment

1. Most marked vehicles are equipped with a metal or plastic screen to separate the front and rear compartments. Normally, these vehicles will be used in all prisoner transports in order to prevent prisoner access to the driver's compartment.
2. At the beginning of each shift and before transporting prisoners, officers shall check their vehicles for proper security measures and any contraband.

E. Positioning of prisoners in the transport vehicle

1. When an officer transports a prisoner in a caged vehicle, the prisoner shall be positioned in the rear seat and secured with a seat belt. Further, the prisoners shall be handcuffed with their hands behind their backs, palms outward, except for the exceptions detailed in Policy 7.10.
2. When a single officer transports a prisoner in a non-caged vehicle, the prisoner shall be placed in the right front seat and secured with a seat belt. The prisoner shall be handcuffed with his or her hands behind the back, palms outward.
3. If more than one officer transports prisoners in a non-caged vehicle, the following procedures shall be observed:
 - a. One officer shall sit in the rear of the transporting vehicle behind the driver with the prisoner on the rear passenger side with the seat belt fastened.
 - b. When more than one prisoner is transported by two officers in the same vehicle, the prisoners shall be positioned on the front and rear passenger sides (seat belted) and the assisting officer shall sit behind the driver in order to protect the driver and to be able to see the prisoners at all times.
4. Officers shall not transport prisoners who are restrained in a prone position. Doing so increases the risks of medical complications.

F. Control of prisoners while transporting: Observation and Medical Assistance (TBP:10.12)

- a. During custody and transportation, officers shall continually observe the prisoner, even when it becomes necessary to allow the prisoner the use of a toilet.

- b. If a prisoner appears lethargic, particularly after an active confrontation with officers, or is unresponsive, immediate medical help may be necessary. The officer should observe the suspect carefully and if the officer is in any doubt about the prisoner's health medical assistance shall be summoned immediately.
- c. Officers should ask an apparently ill prisoner if he or she wishes medical assistance.
- d. The transporting officer shall advise the receiving officer or deputy of any medical conditions of the prisoner, or any suspicions or concerns about the prisoner's physical or mental health.
- e. Prisoners shall not be left unattended at any time during transport with the exception of situations in section G. below.

G. Stopping to provide law-enforcement services while transporting

- 1. When transporting a prisoner, the transporting officer shall provide law-enforcement services only under the circumstances listed below:
 - a. A need exists for the transporting officer to act immediately in order to stop or prevent a violent act and prevent further harm to a victim.
 - b. A person has been injured and assistance is required immediately.
- 2. In the above situations, the transporting officer shall ensure at all times that the prisoner is secured and protected.
- 3. Under no circumstances shall an officer transporting a prisoner engage in a pursuit.

H. Escape: If a prisoner escapes while being transported, the transporting officer shall observe the following procedures:

- 1. Request assistance immediately from the jurisdiction the officer is in at the time of the escape.
- 2. Provide dispatch with the following information:
 - a. Location.
 - b. Direction and method of travel, and means of escape.
 - c. Name and physical description of escapee.
 - d. Possible weapons possessed by the escapee.
 - e. Pending charges.
- 3. Try to recapture the escapee as soon as possible.
- 4. Submit a written report to the Chief of Police as soon as practicable explaining the circumstances of the escape.

I. Prisoner Communication: The transporting officer shall not allow prisoners to communicate with other people while in transit unless, in the judgment of the officer, the situation requires it.

J. Arrival at Destination: Upon arriving at the destination, the transporting officer shall observe the following procedures:

1. Firearms shall be secured in the designated place at the facility being entered. If there is no designated place, the firearms shall be locked inside the trunk of the police vehicle.
2. Restraining devices shall be removed only when the officer is directed to do so by the receiving facility or when the officer is sure that the prisoner is properly controlled and secure.
3. The proper paperwork (booking sheet, arrest report, property form, etc.) shall be submitted to the receiving facility and, in situations that require it, the officer shall ensure that proper signatures are obtained on paperwork to be returned to the department.

K. Sick/injured prisoners and medical facilities

1. Any time -- before, during, or after an arrest -- that the prisoner is injured or becomes sick, the officer shall seek medical attention immediately. Medical attention shall be obtained before transporting the prisoner to the jail if the injury/sickness happens before they arrive at the jail.
2. The transporting officer shall use discretion in the use of restraining devices on sick or injured prisoners.
3. As a rule, do not remove a prisoner's handcuffs at the hospital unless ordered to do so by the attending physician.
4. If the prisoner refuses treatment, the prisoner shall be asked to sign a medical-refusal form or notation of such on a hospital release form. The attending physician or a nurse should sign the form as witnesses. If the prisoner refuses to sign the form, the officer should obtain two witnesses to the refusal, for example, a hospital staff member, another officer, or fire/rescue personnel). The form must be given to the jail during booking.
5. The prisoner shall be kept under observation at all times and, normally, restraining devices shall be used. Officers shall consult with medical personnel concerning the use of restraining devices.
6. The supervisor shall observe the following procedures to ensure control of the prisoner:
 - a. If the prisoner is admitted and the prisoner was arrested for a felony, arrange for guards.
 - b. Request the presence of a magistrate and arrange for the magistrate's transportation to the hospital so that bail can be set.
 - c. Assist the magistrate in arraigning the prisoner, if necessary, or stand by while the magistrate issues a warrant.
 - d. Serve the warrant, if one has been issued.
 - e. Arrange for a guard to be maintained until the prisoner makes bond or the case is filed if the magistrate will not release the arrestee on personal recognizance.
 - f. When the case is filed, responsibility will transfer to the sheriff's office.
 - g. Brief every officer on the duties of guards and ensure that guards have radios.
 - h. Ensure that guards are checked periodically and relieved as necessary until sheriff's deputies relieve them.


L. Special transport problems:

1. Transport of prisoner by officer of different sex than prisoner.
 - a. When transporting a prisoner of one sex by an officer of another sex, an additional officer may be requested to accompany the transport.
 - b. At a minimum the transporting officer shall do the following:
 - i. Contact the dispatcher by radio and request that the time and odometer mileage be logged.
 - ii. Go directly to the destination by using the shortest practical route.
 - iii. Upon arrival at the destination, contact the dispatcher by radio and request that the time and the odometer reading be logged.
2. Prisoner with disabilities
 - a. When transporting a prisoner with disabilities, the transporting officer shall request help when needed to complete the transport safely for both the prisoner and the officer.
 - b. The officer may request the dispatcher to contact the fire department or ambulance for assistance in transporting.
 - c. The transporting officer shall take whatever special equipment or medicine is necessary for the prisoner.
 - d. With a disabled person in custody, the transporting officer must use common sense. When the disability is such that no danger of escape or injury to the prisoner or officer exists restraining devices may be inappropriate.
 - e. Any wheelchairs, crutches, and medication shall be transported with, but not in the possession of, the prisoner.
 - f. Department personnel have an obligation to provide a “reasonable accommodation” for disabled prisoners. This obligation requires officers to ensure disabled prisoners are not subjected to the possibility of injury or handling of a disrespectful nature during arrest and transportation procedures.
3. Dangerous/security-risk prisoners. When a prisoner is considered dangerous or a security hazard, the receiving agency or the sheriff’s courtroom security personnel shall be notified before the transport takes place in order to plan how best to minimize any chance of escape or of injury to the prisoner or anyone else.

M. Documentation:

1. Officers shall document all prisoner transports and shall note any unusual circumstances or events in the arrest report.
2. Officers shall document the circumstances of any apparently ill or injured prisoners and their medical treatment.
3. Officers will give names (and badge numbers, as appropriate) of personnel from and to whom the prisoner was released or transferred.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.12 Juvenile Procedures	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 10.02 and 10.03	

I. POLICY

This department is committed to the development and perpetuation of programs for prevention and control of juvenile delinquency. In dealing with juveniles, officers will use the least coercive methods among available alternatives, consistent with preserving public and officer safety, order, and individual liberty. Among factors to consider in making juvenile dispositions is the nature of the offense; the offender's age, circumstances, and record; availability of rehabilitation programs; and juvenile probation or court recommendation for diversion.

II. PURPOSE

The purpose of this policy is to establish guidelines and procedures for handling juveniles who are in need of protection, in violation of status offenses, and those charged with criminal offenses.

III. DEFINITIONS

- A. Child (Juvenile): A person who is ten years of age or older and less than seventeen years of age.
- B. Conduct in Need of Supervision: Conduct: Any offense -- other than a traffic offense -- that violates the penal laws of the state and which are punishable by fine only, violations of municipal ordinances, failure to attend school, and running away.
- C. Delinquent Conduct: Conduct, other than a traffic offense (except DWI), that violates the penal laws of this state or the United States punishable by imprisonment or confinement in jail.
- D. Delinquent child: A child who has committed a delinquent act or an adult who committed a delinquent act prior to his or her 17th birthday.

- E. Intake officer: A juvenile probation officer who is designated by law as having the quasi-judicial authority to decide probable cause, divert the juvenile from the criminal process, or petition the court. An intake officer is normally a juvenile probation officer.
- F. Juvenile court: The court designated under Family Code 51.04 to exercise jurisdiction over juvenile proceedings within the county. As a result, the judge of this court decides the propriety and legality of police handling of juveniles.

NOTE: All juvenile offenses occurring in the jurisdiction of LTISD are heard at Gardner Betts Juvenile Center located at 2515 South Congress Ave, Austin, TX 78704.

- G. Juvenile processing office: The office or location within the police department or school facility, approved by the juvenile court, for the temporary detention of juveniles while officers complete required activities prior to releasing the juvenile to a parent or transferring the juvenile to the juvenile detention center.

NOTE: The approved Juvenile Processing Office for the LTISD police department is the SRO office located on the first floor of the Main Lake Travis High School building.

- H. Referral to juvenile court: The referral of a child's case to the official, including the intake officer, designated by the juvenile board to process children within the juvenile justice system.
- I. Responsible or Suitable Adult: In the absence of a juvenile's parents or legal guardian, a responsible adult who is responsible for the physical custody of a juvenile or who is an adult acquaintance of the juvenile's parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the juvenile until parents, legal guardian, or next of kin can assume that responsibility.
- J. Status Offender: A juvenile who is charged with an offense that would not be a crime if committed by an adult, such as violating a curfew or running away.

IV. PROCEDURES – General (TBP: 10.02)

A. Overview

1. All members of the department shall cooperate with juvenile justice authorities and their support activities.
2. Juveniles have all the same constitutional rights as do adults and all requirements for protection of those rights apply to juveniles as well as adults. The Texas Family Code prescribes additional rules. All

department personnel are responsible for following the Family Code and this order. (TBP 10.02a)

3. Officers who detain juveniles should first determine if the juvenile is alleged to have been harmed or to be in danger of harm. Those in need of immediate medical treatment will be transported to an appropriate medical facility under the same guidelines as adult prisoners. The Department of Protective and Regulatory Services is to be contacted immediately if there is an indication that the juvenile cannot safely be released to a suitable adult and the juvenile does not meet criteria for transport to the detention facility.
4. Children under 10 cannot be held responsible through criminal law or the juvenile justice system. If a child under 10 is found in violation, the following applies:
 - a. enforcement action cannot be taken;
 - b. children under 10 cannot be detained at a police facility for criminal violations; however, children may be kept in a non-secure area of a police facility pending arrival of a suitable adult;
 - c. the officer must document the conduct of children under 10 that would ordinarily be a criminal or juvenile code violation if they were classified as a juvenile on the appropriate report form to include any applicable identifiers.

B. Handling of Juvenile Offenders - General

1. A juvenile offender shall be handled with firmness and respect.
2. The juvenile justice system and laws are designed to give the child a chance to mature without bearing the stigma of a criminal record.
3. The juvenile justice system emphasizes confidentiality of records and the privacy of an adjudicatory hearing.
4. Where appropriate, officers shall reasonably try to keep juveniles out of the criminal justice system.
5. The taking of a juvenile into custody is not an arrest except for the purpose of determining the validity of taking the juvenile into custody or the validity of a lawful search.
6. All investigative detentions and enforcement actions involving juveniles will be documented, either by use of a written warning, citation, or incident report. If a written warning or citation is issued and the circumstances of the contact are recorded on the form, no incident report is required. If no written warning or citation is issued, an incident report will be generated to document the contact and actions taken.
7. In all cases where a juvenile is detained, arrested, or questioned for a law enforcement purpose, all measures should be taken in a confidential manner. If action is taken inside of a school, then officers should first notify a campus administrator of the intended action, when practical, and shall make every reasonable effort to do so outside of the view of any

other students or staff members that are not directly involved. (e.g. the student shall not be “paraded” through the campus).

C. Authority for Taking a Child into Custody

1. A juvenile may be taken into custody in the circumstances listed in 52.01 of the Family Code, by a Directive to Apprehend as outlined by 52.015 of the Family Code, or with probable cause. Section 52.01 of the Family Code specifies that a child may be taken into custody by a law enforcement officer when a child engages in any of the following:
 - a. Conduct that violates a penal law of this state or a penal ordinance of any political subdivision of this state,
 - b. Delinquent conduct or conduct indicating a need for supervision, or
 - c. Conduct that violates a condition of probation imposed by the Juvenile Court
2. Section 52.01 also authorizes officers to release a juvenile with a warning in lieu of custody. If the child is released with a warning it is necessary to forward a copy of the warning to the parent. In making the decision to handle the juvenile either informally with a warning or formally by referral to the juvenile court, the officer shall consider the following:
 - a. Seriousness of offenses
 - b. Prior record of child
 - c. Child's age
 - d. Cooperation and attitude of all parties (child, parent, victim) and
 - e. The possibility of the offense being repeated
 - f. Degree of wrongful intent, violence, premeditation, knowledge of violation

D. Enforcement Alternatives

1. Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion as outlined in this policy in deciding on appropriate actions. Alternatives that may be considered include the following, listed in order of severity:
 - a. Release without further action, release with verbal warning, referral to parents, campus administrators, a responsible adult, or informal counseling with contact of parents or responsible adult;
 - b. Field release with written warning or citation, limited custody and station-house warning, arrest under non-secure custody, and release to parents with or without referral to juvenile court or first-offender program; and
 - c. Arrest and secure custody, with transfer to detention and referral to juvenile court.
2. Enforcement criteria for the use of these alternatives are provided below.

3. Even when a juvenile is being handled informally, the juvenile has all the constitutional rights that an adult would have in the same situation.
4. In all cases where a juvenile is believed to have committed a violation, regardless of the disposition, officers shall make every reasonable attempt to notify parents or guardians and inform them of the circumstances of the contact. The campus administrators may handle this notification.

V. ENFORCEMENT CRITERIA

- A. The following general guidelines may be used in determining appropriate enforcement and related actions that may be taken when dealing with juvenile incidents.
 1. Release without further action, release with verbal warning, and referral to parents, campus administrators, a responsible adult, or informal counseling with contact of parents or responsible adult.
 - a. Appropriate incidents where no violation was determined or where the violation was minor and officers explained the law and consequences.
 - i. No property damage or personal injury was involved.
 - ii. No prior record exists.
 - iii. May include contact with parent if appropriate.
 - iv. Examples of these incidents include, but are not limited to, curfew violations, minor liquor law violations, and disorderly conduct.
 - b. If a non-traffic citation is issued, the juvenile's parents may be contacted by telephone from the scene and advised of the offense and disposition. If the parents cannot be contacted, officers will make a copy of the citation and forward the copy to the appropriate campus administrator for mailing to the parents. On it, the officer shall give a complete description of the circumstances of the contact.
 2. Field release with written warning or citation, or limited custody and warning, arrest under non-secure custody, and release to parents with or without referral to juvenile court or first-offender program.
 - a. For an off-campus incident, officers may elect to transport the youth home, make personal or telephone contact with the youth's parents or guardians to provide them with information and counseling on their child's actions, or take the youth into custody

and transport the youth to the juvenile processing office until he/she is released to a parent or guardian.

- i. Appropriate when the nature of the incident is of a more serious or potentially serious nature than in section 1 above;
 - ii. There was property damage or minor injury not amounting to a felony;
 - iii. The youth involved is fully aware of the seriousness or potential seriousness of his/her actions and/or is acting in alliance or collusion with others to commit such acts;
 - iv. The youth fails to cooperate or to positively respond to police intervention and direction;
 - v. The youth's parents or responsible adult have apparently failed to provide appropriate control and supervision.
 - b. Officers may elect to file a referral to the juvenile court depending on the nature of the offense and prior history of the offender.
3. Arrest and secure custody, with transfer to detention and referral to juvenile court. Officers may file delinquency charges against a juvenile when the circumstances surrounding the incident meet or exceed the seriousness of those cited as examples in section 2 above.
 - a. Officers are more likely to file delinquency charges against juveniles when they commit any of the following:
 - i. Acts that if committed by an adult would be felonies;
 - ii. Delinquent acts involving deadly weapons;
 - iii. Serious gang-related offenses;
 - iv. Delinquent acts involving serious assault;
 - v. Delinquent acts while on probation or parole or when they have charges pending against them;
 - vi. Delinquent acts as repeat offenders or when the juveniles have refused to participate in diversion or intervention programs; or
 - vii. When it has been determined that parental or other adult supervision is ineffective.
 - i. Charges will not be filed without the approval of the Chief of Police.
4. Status Offenses. Based on the seriousness of and circumstances surrounding the offense, the background and demeanor of the juvenile, and other relevant factors, an officer may release a juvenile to his parents, guardian, or other responsible adult.
 - a. Juveniles taken into custody for status offenses should normally be frisked for weapons prior to being transported and may be handcuffed or otherwise restrained at any time if, in the judgment of the officer, the juvenile poses a physical risk to the officer, or others.

- b. Officers shall pay particular attention to juveniles under the influence of alcohol or drugs to determine whether emergency medical services are warranted.
- c. Juveniles taken into custody for status offenses shall be held in non-secure custody as provided by state law and for the briefest time necessary to conduct identification, investigation, and related processing requirements to facilitate their release to a parent or responsible adult or transfer to a juvenile facility.
- d. Transportation of a juvenile in a caged vehicle is not considered secure custody.
- e. Status offenders and other juveniles taken into temporary non-secure custody for status offenses should not be fingerprinted or photographed for purposes of record.
- f. Status offenders in temporary custody shall not be placed in a holding area with adult suspects and shall also be under constant visual supervision.
Status offenders will be afforded reasonable access to toilets and washing facilities; provided food if they are in need of nourishment to include any special diets necessary for health or medical purposes; provided with reasonable access to water or other beverages; and allowed reasonable access to a telephone.

VI. JUVENILE PROCESSING

- A. Searching and Transportation of Juveniles (TBP 10.02 b, c, d)
 - 1. No juvenile under 17 shall be transported in the same vehicle with adults suspected of or charged with criminal acts.
 - 2. Juveniles are searched and transported in the same manner as adults in compliance with Policy 7.11 Prisoner Transportation.
 - 3. Juveniles are typically not handcuffed unless they have been taken into custody for a violent offense, pose an escape risk, or where the officer reasonably believes handcuffing is necessary for the safety of the juvenile or officer. The utilization of handcuffs is at the discretion of the officer taking the juvenile into custody. Officers will double lock and check the handcuffs for tightness. Officers will check the handcuffs if there is a complaint that they are too tight.
 - 4. An officer transporting a juvenile should notify the dispatcher that the officer will be transporting a juvenile along with the juvenile's gender. The officer should also notify the dispatcher of the officer's location and mileage on the vehicle upon initiating the transport and the officer's ending mileage and location upon arrival at the officer's destination. The officer should monitor the prisoner during the transport for any medical issues.
 - 5. Recording and video equipment should be activated during transport.

B. Actions when taking a juvenile into custody

1. A person taking a child into custody shall advise the juvenile of his/her constitutional rights when appropriate.
2. Without unnecessary delay and without first taking the child elsewhere, the officer does one of the following:
 - a. Releases the juvenile to a parent, guardian, custodian, or other responsible adult;
 - b. Brings the juvenile before an official of the juvenile court;
 - c. Takes the juvenile to a detention facility designated by the juvenile court;
 - d. Takes the juvenile to a medical facility if the juvenile is believed to be suffering from a serious physical condition or illness that requires immediate treatment;
 - e. In cases of truancy, immediately takes the juvenile to the proper school official within the appropriate public or private school;
 - f. Takes the juvenile into protective custody if the officer believes the juvenile is in danger of harm; or
 - g. Releases the child with no further action pending.

C. Notifications:

1. The arresting officer or district personnel shall promptly notify the juvenile's parents or guardians of the fact that the child has been taken into custody. In the case of protective custody, the notice must be written as prescribed by the Texas family code.
2. Notification of the parents or attempts at notification shall be documented in the arrest report.

D. Designated Juvenile Processing Area: (TBP 10.02 e, and 10.03)

A juvenile may be detained in a holding area certified by the juvenile court. The approved Juvenile Processing Office for the LTISD police department is the SRO office located on the first floor of the Main Lake Travis High School building.

1. Juveniles are detained under the following conditions:
 - a. At no time is a juvenile placed in a jail cell designated for the holding or incarceration of an adult.
 - b. At no time will a juvenile who is in custody be left unsupervised in the juvenile holding area.
 - c. All juveniles held in the juvenile processing office will be out of sight and sound of adult prisoners.

- d. No juvenile is held in custody longer than is reasonably necessary to conduct an investigation, prepare a case, or to await the arrival of a parent or guardian.
- e. At no time will a juvenile be held in the juvenile processing office longer than six hours. If not otherwise released, the juvenile will be taken to the juvenile detention facility within six hours of the arrest.

E. Taking a Runaway into Custody

An officer who has probable cause to believe that a juvenile has run away from home shall perform the following:

- 1. Verify the juvenile's status as a runaway.
- 2. Take the child into custody.
- 3. Release the juvenile to a parent, guardian, legal custodian, or other person acting for a parent.
- 4. If a parent or some other responsible party cannot be located, take the juvenile to the juvenile processing office and make contact with the juvenile detention center intake officer for instructions. NOTE: The juvenile processing office may not be locked when holding status offenders, and an officer will remain with the juvenile until disposition is made.
- 5. Notify Communications to remove the runaway report from the computer system.
- 6. Complete incident reports for any runways taken into custody.
- 7. If the child is an out-of-town runaway, take the child into custody and verify runaway status with the other jurisdiction.
- 8. If a detention order is on file, follow the instructions for serving a detention order.
 - a. Notify the intake officer of the juvenile court of the action taken. The intake officer will then determine what the next step will be. The officer shall:
 - i. Follow the intake officer's instructions for detention or child placement.
 - ii. Notify parents that the child is in custody.
 - iii. If the child is to be released and the parents cannot respond within a reasonable period, then [either contact a runaway house, if appropriate in your jurisdiction, or arrange to detain the juvenile].

F. Taking a Truant into Custody

- 1. An officer who takes a juvenile into custody because school officials have reported that the juvenile is a truant shall deliver the juvenile to the school and release him/her to appropriate school personnel.

2. The officer shall complete an incident report that includes the name of the person notifying the parent of the truancy and the name of the person to whom the juvenile was released.

VII. PROTECTIVE CUSTODY

A. A law-enforcement officer may take protective custody of a child without a court order for the following reasons and no others:

1. Upon discovery of a child in a situation of danger to the child's physical health or safety when the sole purpose is to deliver the child without unnecessary delay to the parent, managing conservator, possessory conservator, guardian, caretaker, or custodian who is presently entitled to possession of the child.
2. Upon the voluntary delivery of the child to the law-enforcement officer by the parent, managing conservator, guardian, caretaker, or custodian who is entitled to possession of the child.
3. Upon personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child and that there is no time to obtain a temporary restraining order or writ.
4. Upon information furnished by another which has been corroborated by personal knowledge of facts, all of which taken together would lead a person of ordinary prudence and caution to believe that there is an immediate danger to the physical health or safety of the child and that there is no time to obtain a temporary restraining order or writ.
5. Upon personal knowledge of facts that would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse and that there is no time to obtain a temporary restraining order or writ.
6. Upon information furnished by another that has been corroborated by personal knowledge of facts and all of which taken together would lead a person of ordinary prudence and caution to believe that the child has been the victim of sexual abuse and that there is no time to obtain a temporary restraining order or writ.
7. Emergency Treatment for Juveniles: In the absence of the responsible parent or guardian, police officers are expected to take immediate custody of any juvenile found to be in need of emergency medical care and to see that the juvenile is taken to an emergency hospital for treatment.

B. Procedures for Taking Custody of Juvenile in Need of Emergency Treatment

1. When it is found that a juvenile has been injured or is ill to the extent that immediate emergency care is necessary to protect the physical well-being of the juvenile and no responsible parent or guardian can be found, the below listed procedures are followed to obtain the necessary medical care in an expeditious manner:

- a. The officer either takes custody of the juvenile and delivers him/her to the nearest competent emergency hospital, or the officer requests an ambulance and orders the juvenile taken to the nearest competent emergency hospital.
 - b. The officer utilizes all available resources to immediately contact a parent or guardian (school officials, etc.).
 - c. The officer then causes the immediate notification of the Child Protective Services office of the circumstances at hand and furnishes the Child Protective Services office the following information:
 - i. Name, race, and date of birth of the juvenile;
 - ii. Name and address of parents if available;
 - iii. What hospital the juvenile has been taken to;
 - iv. What efforts have been made to contact the child's parents or guardian.
2. Follow-Up Investigation:
- a. The officer conducts a follow-up investigation at the receiving hospital, being sure to explain the circumstances at hand to the proper hospital representative.

C. Persons Who May Consent To Medical Treatment:

The Texas Family Code allows any of the following persons to consent to medical, dental, psychological, and/or surgical treatment of a child when the person having the right to consent as otherwise provided by law cannot be contacted and that person has not given actual notice to the contrary:

1. A grandparent, adult brother or sister, adult aunt or uncle of the child; an educational institution in which the child is enrolled that has received written authorization to consent from the person; an adult who has actual care, control, and possession of the child and who has written authorization to consent from the person having the right to consent.
2. A peace officer who has lawfully taken custody of a minor if the peace officer has reasonable grounds to believe the minor is in need of immediate medical treatment.
3. Any court having jurisdiction over the child.

VIII. INVESTIGATIVE PROCEDURES

A. Custodial Interrogation of Juveniles

1. Custodial interrogation of juveniles by department employees shall adhere strictly to procedural requirements established by the Texas Family Code and relevant court rulings.
2. The custodial officer or a detective interviews the juvenile. The officer explains to the juvenile the procedures that will relate to their case. The

officer or detective may, at their discretion, allow other persons to be present during the interview. An attorney representing the child is allowed if requested.

3. The interrogation of a juvenile is completed within a reasonable time or terminated if the juvenile requests the interrogation be terminated.

B. Written Confessions/Statements:

Written confessions from juveniles must be taken in compliance with the Texas Family Code, outlined below.

1. A magistrate, outside the presence of law-enforcement officers, first warns the juvenile.
2. An officer then takes the typed or handwritten confession, but leaves the statement unsigned.
3. The officer then returns the juvenile and the statement to the magistrate.
4. The magistrate will review the statement with the juvenile outside the presence of law-enforcement officers.
5. The juvenile is then allowed to sign the statement in the magistrate's presence.

C. Fingerprinting And Photographing Juveniles:

1. Fingerprints and photographs of juveniles are maintained separately from those of adults.
2. Fingerprints and photographs of juveniles are destroyed as directed by the Texas Family Code.
3. Fingerprints are taken to comply with state reporting requirements.
4. All juveniles placed in custody for cases classified as class "B" misdemeanor or higher are fingerprinted and photographed.
5. These records are maintained at the County Juvenile Detention Center and also in the State files.
6. If latent fingerprints are found during the investigation of a case and the law enforcement officer has probable cause to believe that they are those of a particular child, unless otherwise prohibited by law, the officer may fingerprint the child regardless of the age or case for the purpose of immediate comparison with the latent fingerprints.
7. If fingerprints of a child are taken for purposes of comparison and the comparison is negative, the fingerprint card and other copies of the fingerprints taken are destroyed immediately. If the comparison is positive and the child is referred to the juvenile court, the fingerprint card and other copies of the fingerprints are filed locally and with the State. If the child is not referred to the court the fingerprints are destroyed immediately.

D. Required Notification of Schools


1. An officer who arrests or takes into custody an individual whom the officer believes because of the age of the child may be enrolled in a primary or secondary school as provided by Chapter 52 of the Texas Family Code shall do the following:
 - a. Attempt to determine if the individual is a student.
 - i. If the individual is known to or believed to be enrolled in a school, and
 - ii. The child's alleged offense is an offense under section: 19.02, 19.03, 19.04, 19.05, 20.02, 20.03, 20.04, 21.08, 21.11, 22.01, 22.011, 22.02, 22.021, 22.04, 22.05, 22.07, 28.02, 29.02, 29.03, 30.02, or 71.02, Penal Code, or
 - iii. The Unlawful Use, Sale or Possession of a Controlled Substance, Drug Paraphernalia, or Marijuana, as defined by Chapter 481, Health and Safety Code; or
 - iv. The Unlawful Possession of any of the Weapons or Devices listed in Section 46.01(1)-(14) or (16), Penal Code; or a Weapon listed as a Prohibited Weapon under Section 46.05, Penal Code; or
 - v. Any felony offense.
 - b. If the individual meets these requirements, the officer or detective assigned shall give oral notification to the superintendent or the designee of the public school district within 24 hours after the arrest or detention of a child, or on the next school day.
 - c. Written notification shall be mailed within seven (7) days after the date of oral notification to the appropriate afore-mentioned school official, marked "Personal and Confidential" on the mailing envelope.
2. The complete text of this responsibility is found in Article 15.27 Code of Criminal Procedures.

E. Juvenile Records (TBP 10.02f)

1. The computerized Juvenile Justice Information System (JJIS) is designed to track juvenile cases from intake through detention, prosecution, and case disposition, including probation or commitment. The Texas Family Code restricts entries into the JJIS to delinquent conduct offenses that, if committed by an adult, would be punishable by jail or imprisonment.
 - a. JJIS entries are made on LTISD Police Department detentions when a juvenile is referred to the juvenile court.
 - b. JJIS records may be accessed and disseminated according to the same rules that apply to computerized criminal histories.

- c. JJIS entries cannot be made for juveniles who are not referred to the juvenile court within 10 days of the detention.
 - d. Records that do not qualify for JJIS entry are to be destroyed.
2. Texas Family Code requires that local law-enforcement records and files concerning a juvenile must be kept separate from adult files and records, and prohibits them from being sent to a central state or federal depository except as specified in the Texas Family Code. Juvenile detention reports will be separated from adult arrest reports as required by the statute.
 - a. Records or files that are required or authorized to be maintained under laws regulating operation of motor vehicles and records that list a juvenile as the victim of a criminal offense are specifically exempt from the file-separation requirement.
 - b. Reports of missing juveniles are specifically authorized to be entered into TCIC and NCIC.
3. The Code of Criminal Procedure authorizes information on juveniles to be included in a local system for the purpose of investigating or prosecuting the criminal activities of criminal combinations. This information may be released to another criminal justice agency, a court, or a defendant in a criminal proceeding pursuant to the discovery. The record must be destroyed no later than two years after its collection if the juvenile has not been charged with criminal activity.
4. The preservation and destruction of juvenile records is the responsibility of the juvenile investigation division. Juvenile records will be kept under lock and key and access will be limited to juvenile investigators.
5. The Texas Family Code prohibits taking photographs or fingerprints of a juvenile without the consent of the juvenile court or the juvenile probation officer unless the juvenile is taken into custody for a felony or a misdemeanor punishable by confinement in jail. Only the procedures specified in these General Orders will be utilized.
6. Release of Information on juvenile offenders may only be made pursuant to the following:
 - a. A written request under the Texas Public Information Act, Government Code Chapter 552 to the police department as approved by the city attorney or to the Justice of the Peace #3 Court for fine-only offenses handled there.
 - b. The Sex Offender Registration Act, Code of Criminal Procedures Chapter 62. The request must be made in writing and will be responded to by the police department.

- c. Code of Criminal Procedures Article 15.27. Notice to schools of specified offenses committed by students. Assigned investigators will make these notices.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.13 Domestic Violence and Protective Orders	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.08	

I. POLICY

The department assigns domestic or family violence (domestic disturbance) calls a high priority. The nature and seriousness of crimes committed between family or household members are not mitigated because of the relationships or living arrangements of those involved. Law enforcement agencies must exercise leadership in the community in responding to domestic violence. An immediate criminal justice response can make a major difference in the disputants' lives. With all due consideration for their own safety, department personnel responding to a domestic disturbance call shall (1) restore order, (2) arrest persons when probable cause exists that a crime has been committed, (3) provide safety and security for the crime victim(s), and (4) help participants contact appropriate agencies that might help prevent future occurrences.

II. PURPOSE

To define domestic violence and related offenses, outline a safe procedure for handling violent incidents and calls, and describe measures that can be taken to end violence and protect victims.

III. DEFINITIONS

- A. Assault: An act by an assailant who intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse. A threat to cause imminent bodily injury to another, including the person's spouse, is also an assault. This definition is not all-inclusive as family violence may also entail aggravated circumstances, sexual assault, and other offenses. The assault definition also extends to intimate partner violence (IPV) that includes unmarried couples. See Chapter 22 and 25 of the Texas Penal Code.
- B. Domestic violence shelters/programs: Services that are provided (usually 24 hours a day) for women and their children who have been physically or emotionally abused, or who have been threatened with abuse by their spouses

or partners. Services include crisis intervention, counseling, shelter, escort to court, food, clothing, and transportation. Some shelters also provide information pertaining to jobs, social security services, restraining orders, and various other items of information that is needed if the victim does not wish to return to the previous situation.

- C. Family violence: An act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.
- D. Abuse: as defined by Sections 261.001(1) (C), (E), and (G) by a member of a family or household toward a member of the family or household.
- E. Dating Violence: as defined by Section 71.0021.
- F. Family or household member:
 - 1. Spouses, whether or not residing in the same home.
 - 2. Former spouses, whether or not residing in the same home.
 - 3. Persons who have a child in common, whether or not they have ever been married or resided together.
 - 4. Parents, children, stepparents, stepchildren, grandparents, grandchildren, brothers and sisters, half-brothers and half-sisters regardless of whether they reside in the same home with the suspect.
 - 5. Parents-in-law, children-in-law, brothers- and sisters-in-law regardless of whether they reside in the same home with the suspect.
 - 6. Persons, whether or not related, who cohabit or who previously cohabited with the suspect, and any children of either who then resided in the same home as the suspect.
 - 7. See Sections 71.003, 71.004, and 71.005 of the Family Code.
- G. Protective order, sometimes referred to as a “restraining order:” A court order of protection on behalf of an abused family/household member that restrains the abuser from further acts of violence, may order the abuser to refrain from further contact, vacate the residence, relinquish custody of a vehicle, provide temporary child support, plus other measures. A protective order may be valid up to two years.

Types of protective orders:

- 1. Emergency protective order: A protective order issued by a magistrate to a defendant following his or her arrest for an act of family violence. The EPO may be applied for by the victim, a police

officer, or may be issued on the magistrate's own motion. The victim may request the EPO at the scene of a domestic violence incident.

2. Protective order: A protective order that is requested by a victim of family violence at any time other than at the scene of a domestic violence incident.
3. Temporary Ex Parte Orders: an order that is issued without the person who committed family violence present. A person subject to an order (the actor) who violates an ex parte order may not be arrested unless it is established that the actor had been served with the order prior to the commission of the act(s) violating the order. In the event that an officer arrives, and the actor is not aware of the order, the officer may assist the protected person in informing the actor of the existence of the order. The protected person should provide the actor with a copy of the order if at all possible. The officer shall then remain at the scene until the actor has complied with any wording that requires him or her to leave the residence. If the order does not require the actor to leave, the officer shall remain at the scene while the protected person gathers necessary items to leave. See Texas Family Code Chapter 83 for additional information.

IV. PROCEDURES: General responsibilities

- A. Department personnel shall refer victims of domestic violence or serious bodily injury crimes to appropriate community resources (mental health agencies, medical doctors, legal assistance agencies, victim/witness assistance programs, and domestic violence shelters/programs), and shall provide victims with the name, address, and telephone numbers of the district attorney and the investigating law enforcement agency. Where possible, officers shall help victims directly access referral agencies.
- B. Department personnel shall be trained about domestic violence and its impact. Officers are encouraged to consult community resources, such as the local domestic violence shelter and the local victim/witness advocacy program.
- C. Personnel must be well trained in how to confront unexpected violence. Disturbance calls can be dangerous to responding officers.

V. PROCEDURES - Dispatcher (communications center) responsibilities. Because the dispatcher is likely to be the first person to receive the call, he or she is instrumental in determining the type of response.

- A. The dispatcher is responsible for deciding whether an officer is needed at the scene. To make that decision, the dispatcher shall ask the following questions if at all possible:

1. Who is complaining? Phone number? Whereabouts and identity of the suspect/aggressor?
 2. Name of caller and location of incident? Location of caller and complainant, if different? Phone numbers?
 3. Is the crime (incident) in progress? If not, when did it occur?
 4. Is a weapon involved?
 5. Have people at the scene been injured? Is an ambulance needed?
 6. Are there children present?
 7. Are there witnesses present?
- B. Depending on the circumstances at this point the dispatcher does the following one or all of the following:
1. If evidence of an injury or a weapon exists, someone has threatened violence, or the complainant requests an officer, dispatch immediately (two officers preferred) and an ambulance, if needed.
 2. Perform a TCIC and protective order inquiry and give the results to the responding officer(s) before their arrival at the scene.
 3. Keep the caller on the telephone, if possible, and ask the following questions to obtain additional information, if possible:
 - a. Where is the suspect? If not known, obtain vehicle description, direction of travel, elapsed time, and access to weapons.
 - b. Was alcohol or drugs involved?
 - c. Is there a history of calls to this address?
 - d. Are there outstanding warrants on disputants?
 - e. What is the probation/parole status of suspect/aggressor?
 - f. Have there been previous arrests?
 - g. Is a protective order in effect?
 4. If time permits, the dispatcher shall maintain telephone contact until the officers arrive in order to monitor the incident and provide support to the victim. The dispatcher shall advise the victim of the intended department response.
 5. The dispatcher shall provide the responding officer with as much information as possible to identify risks at the scene.
 6. Dispatchers shall not cancel police response to a domestic violence complaint based solely on a follow-up call from the residence requesting such cancellation. However, the dispatcher shall advise the officers of the complainant's request.

VI. PROCEDURES - Patrol responsibilities

- A. Before arrival at the scene officers should do the following:
1. Obtain all available information from the dispatcher before arrival.
 2. When possible, officers should wait for back-up help, discuss a strategy, and approach the dispute scene in pairs.

- B. In the vicinity of the scene officers should avoid the use of sirens and other alarms. The suspect might be dangerous and could turn a weapon on arriving officers.
- C. At the scene the officer should observe the location of the dispute before contacting the complainant. Consider the surroundings. Park the marked car a short distance away. Each officer should follow a separate approach to the scene of the dispute, maintaining maximum cover and an escape route. From this point on, officers should remain within sight of one another, if possible.
- D. Before knocking on the door, officers should listen, and they should look in windows to obtain additional information about the situation (e.g., layout of the house, number of people, weapons, evidence of violence or damage).
- E. Officers must be concerned for their own safety as well as that of the disputants. To minimize the possibility of injury, stand to the side of the door and not in front of windows when knocking. The unexpected may occur when the door opens.
 - 1. Initial contact with occupant(s).
 - a. Identify themselves as law enforcement officers by name, give an explanation of your presence, and request entry into the home (when conditions permit). Ascertain identity of complainant, and ask to see him or her and any other person at the home.
 - b. Officers shall not accept statements from any disputant or witness that the call was a mistake without investigating further.
 - c. Officers shall make every reasonable effort to interview the complainant and remain on scene to assess welfare and safety as required by training and experience.
 - d. If entry is refused, officers must explain that they must make sure there are no injured persons inside. If no one responds to knocking, officers shall try to establish voice contact by shouting for an answer.
 - e. Refusal of entry or no response to a knock at the door will require a forced entrance only if officers have a reasonable belief that person(s) inside are at risk of imminent death or serious bodily injury.
 - f. Officers may conduct a search of the premises if consent has been given to do so. Although a consent search eliminates the need for a warrant and for probable cause, such consent must be freely and voluntarily given. If two people have joint ownership or possession of a place or thing, either one may give a valid consent. However, the other, if present, may

legally object. Once a party refuses consent, officers must obtain a warrant to search or articulate another exception to the warrant requirement.

- g. A spouse or cohabitant can consent to the search of premises used jointly by both husband and wife or by unmarried cohabitants. However, if both are present, either one may legally object. Once either party refuses consent, officers must obtain a warrant to search or articulate an exception to the warrant requirement.

F. Officers may also make a warrantless entry to conduct a search if an emergency exists. Officers must have a reasonable belief that such an emergency does exist. For example, if officers believe that someone, perhaps a child or spouse, is in need of emergency assistance they may search the premises without a warrant.

1. Officers shall evaluate the following elements when considering a warrantless entry:
 - a. The degree of urgency involved and the time required to get a warrant.
 - b. The possibility of danger to occupants of the house or others, including officers guarding the site.
 - c. Whether the suspected offense is serious and involves violence.
 - d. Whether officers reasonably believe that persons may be armed.
2. Once inside, establish control by:
 - a. Inquiring about the nature of the dispute.
 - b. Identifying disputants.
 - c. Being aware of potential weapons in surroundings.
 - d. Determining if persons are in other rooms, whether children or adults, and the extent of any injuries. (These persons should be separated from the parties involved and kept out of hearing range so their status as possible witnesses won't be compromised.)
 - e. Protect the victim from further abuse. Separate the victim from the suspect and arrange for medical attention if the victim is hurt. If the victim appears injured and yet refuses medical assistance, carefully document any observed injuries, as well as the refusal of medical treatment. Photograph the victim's injuries if possible.
 - f. Ascertain whether a protective order has been violated.
 - g. If weapons -- firearms, knives, or any other object that could be used as a weapon-- are present, secure them away from the disputants, if practicable, while the disputants are being interviewed. If appropriate, seize weapons for evidence.

- h. Transporting family/household members to a hospital, a safe shelter, or a magistrate.
3. Officers shall transport victims to a safe location as they wish or as the circumstances require.
4. If a complainant seeks officers' help in entering his or her residence to obtain personal property, the officers must determine that the complainant has lawful authority to do so; must advise all parties that they are accompanying the complainant to obtain items for immediate personal (or children's) use; that the officers' function is to maintain order; that any dispute over property is a matter for the courts to decide.

G. Interviewing all disputants

1. Ensure safety and privacy by interviewing the victim in a place separate from the suspect, assuming the suspect has been identified.
2. Critical to the success of the interview is the officer's manner. Officers must listen, show interest in the disputants and their problem, and remain aware of nonverbal communications signals.
3. Officers shall attempt a low-key approach in domestic violence cases. Maintain good eye contact through natural, spontaneous glances. (Fixed gazes or staring increase fear and hostility.) A relaxed stance and appropriate facial and head movements demonstrate interest and encourage the victim to continue speaking.
4. If possible, separate the parties so that they can individually describe the incident without interruption. (This may help the parties relieve emotional tension.) Although the disputants are to be separated, officers shall remain within sight and hearing of each other.
5. After the parties have given their statements, the officers should ask about details for clarification, and summarize the stated accounts, giving the parties an opportunity to point out anything that might be misrepresented.
6. Officers should be aware that verbal statements made by parties have evidentiary value. All verbal statements should be recorded, when practicable, and should be noted in reports of the incident.
7. Interviewing the victim. Get answers to the following questions from the victim:
 - a. What happened?
 - b. Were there any injuries and who caused them?
 - c. What weapons or objects were used?
 - d. What is the relationship to suspect?
 - e. Were threats made against the victim or others?
 - f. Was there forced sexual contact.
 - g. Are there any court cases pending against suspect.
 - h. Are any protective orders in effect.
 - i. Is suspect on probation or parole?

- j. Did the suspect threaten or hurt others, particularly children or pets.
- k. Was property damaged and if so, what was the damage?

H. Interviewing witnesses

1. Interview any witnesses to the incident--children, other family members, neighbors--as soon as possible.
2. Remember that witnesses may be experiencing significant emotional crises that might influence the accuracy of their accounts.
3. If witnesses provide information about prior assaults, document them to help establish a pattern.
4. Children of disputants should be interviewed with care and kindness. Sit, kneel, or otherwise be at their level when speaking to them. Signs of trauma or abuse should be noted.

I. Collection of Evidence

Officers should treat a family violence offense with the same seriousness as other criminal offenses, and conduct a preliminary investigation in the same manner to include:

1. Collecting any physical evidence or calling crime scene personnel to do so.
2. Photographing any damages or injuries received by any party involved in the incident.

VII. PROCEDURES - Arrests

- A. Officers shall make an arrest without a warrant if they have probable cause to believe that the individual has committed an assault resulting in bodily injury to a member of the person's family or household. Officers may arrest persons who the peace officer has probable cause to believe have committed an offense involving family violence which did not result in at least bodily injury.
- B. If officers cannot identify a predominant physical aggressor and do not make an arrest, they shall nevertheless thoroughly document the incident.
- C. Officers shall not threaten to arrest all parties involved for the purpose of discouraging future requests for law enforcement intervention.
- D. If the victim claims that a protective order has been violated, officers shall review the victim's copy of the order, checking it for validity. If a protective order exists and its terms ("no contact," "no trespass," or "no further abuse")

have been violated the officer shall arrest the violator, assuming probable cause exists.

- E. Officers making arrests for family violence may petition for an emergency protective order if so requested by the victim or if the officer believes there is a significant danger of future assaults.
- F. Officers shall contact the on-call Child Protective Services worker if a child is abused or if neither parent can reasonably look after the child's safety and well-being. (Child neglect is a separate, reportable offense.)
- G. In determining probable cause, the officer shall NOT consider:
 - 1. Race, sex, ethnicity, social class, or sexual orientation.
 - 2. Whether the complainant has not sought or obtained a protective order.
 - 3. The officer's own preference to reconcile the parties despite the complainant's insistence that an arrest be made.
 - 4. That the complainant has called for law enforcement protection previously and has not pursued or has withdrawn the criminal complaint against the abuser.
 - 5. That the complainant has not begun divorce proceedings.
 - 6. Assurances of either or both disputants that violence will stop.
 - 7. The lack of visible bruises or injuries.
- H. Factors favoring the decision to arrest based upon probable cause that an offense has been committed
 - 1. Arrest is the most appropriate response when these factors are present:
 - a. Serious, intense conflict.
 - b. Use of a weapon.
 - c. Previous injury or damage.
 - d. Previous court appearance against the offending party.
 - e. Previous attempt to sever the relationship.
 - f. Previous calls for law enforcement help.
 - g. When a felony has occurred.
 - h. Evidence of drugs or alcohol use at the assault.
 - i. Offenses committed with the officer present.
 - j. Valid warrants on file for other crimes.
 - k. Officers shall arrest for a violation of a protective order committed in the officer's presence or view.
 - l. Aggressive behavior toward any person or pets, or any other threatening behavior.

- I. If the abusive person is to be arrested, the officer should use the following procedure:
 1. If the suspect is present, arrest him/her, apply handcuffs, inform him/her that the decision to arrest is a law-enforcement one, and transport securely to the jail/magistrate.
 2. If the suspect is absent or has been arrested, transport (or arrange transportation for) the victim to a safe shelter or other appropriate place. Circulate a "be-on-the-lookout" message describing the suspect, if necessary, and arrange for an arrest warrant.
 3. If an arrest must be made because a protective order has been violated, verify its validity by:
 - a. Examining the victim's copy, if available.
 - b. Having communications search TCIC or contact the jurisdiction that issued the order to confirm its currency.

- J. If the abusive person is not arrested, the officer should use the following procedure:
 1. Complete an incident report and give a copy or arrange to have a copy given to the victim.
 2. Inform the victim that the department will begin action to procure a warrant for the offender if an offense occurred.
 3. Advise the victim of the importance of preserving evidence.
 4. Explain to the victim about protective orders and how to obtain them, and offer to help the victim obtain them later.
 5. If the victim wants to leave the premises to ensure safety, remain at the scene while the victim packs essentials. Advise the victim to take only personal items plus important papers, such as a marriage license or divorce decree, health insurance cards, and if children are involved their school records, proof of vaccination, and health information.
 6. Regardless of whether an arrest is made, the officer shall provide the "Notice to Adult Victims of Family Violence" to the victim, which explains legal and community resources available, including the name, address, and telephone number of the district attorney and the investigating law enforcement agency
 7. Assure the victim that [your agency] shall assist in future emergencies and explain measures for enhancing his/ her own safety.

- K. Gathering evidence. Physical evidence takes three forms in domestic violence cases: the injuries sustained by the victim, evidentiary articles that substantiate an attack, and the crime scene itself. The on-the-scene officer should take the following actions:
 1. If possible, have a physician corroborate the victim's account of injuries sustained. Since choking is one of the most serious forms of

violence but is sometimes hardest to detect, the officer and/or the physician should take particular note of that.

2. When feasible, take photographs of injuries.
3. Photograph the crime scene to show that a struggle occurred; if photography is not possible, write a description of it.
4. Collect evidence according to the same principles applied to any other crime scene.
5. Seize any weapons that the predominant physical aggressor used or threatened to use in the commission of any crime
6. Obtain statements from all witnesses, particularly noting any verbal statements that bear on the incident. Officers shall note the emotional state of the person making the verbal statement.

L. Documenting the incident. All incident reports on domestic violence shall follow general reporting procedures. Officers should include the following in their reports:

1. Facts and circumstances of domestic violence including a description of why one disputant was deemed the predominant physical aggressor.
2. Victim's statements as to the frequency and severity of prior incidents of abuse by the same family or household member.
3. The victim's statements as to the number of prior calls for law enforcement assistance.

M. The disposition of the investigation. Officers involved in an incident should do the following:

1. Thoroughly document probable cause to arrest.
2. If an arrest is not made for domestic violence, the incident must still be documented, stating that either no probable cause for arrest existed, or circumstances dictated another course of action. In such cases, in addition to the above considerations, officers shall note:
 - a. What referral information was given.
 - b. The name of any counselor contacted.
 - c. Why no arrest was made, nor any warrant issued.
3. If children were present, make a report of abuse or neglect, if appropriate, and forward it to Child Protective Services.
4. Regardless of whether an arrest is made, the officer shall provide the "Notice to Adult Victims of Family Violence" to the victim, which explains legal and community resources available, including the name, address and telephone number of the district attorney and the investigating law enforcement agency.

N. Arrests of agency personnel

1. If the predominant physical aggressor or abuser is an employee of this agency, the responding officer shall summon the field supervisor, who shall in turn notify his/ her chain of command.
2. The scene shall be secured and medical attention summoned, if required. The employee shall be disarmed or removed from access to weapons. The possibility exists that the employee's departmental weapon may be evidence of an offense.
3. The on-call investigator shall be summoned who shall begin an internal criminal investigation
 - a. If probable cause to arrest exists, the investigator shall arrest and gather evidence (including taking photographs) consistent with this general order.
 - b. The assigned investigator shall work with the responding patrol officer to ensure that the victim receives medical attention, if necessary, is transported to a hospital or safe shelter, and that all reports are completed, evidence gathered, and photographs taken. The responding patrol officer shall assist in obtaining an emergency protective order.
 - c. The investigator shall speedily present the case to the district attorney.
4. Upon termination of the criminal investigation, the Chief of Police may assign an officer to undertake an internal administrative investigation into the incident. The chief may suspend the employee pending the outcome of the investigation.
 - a. Suspended employees shall immediately turn in all agency-issued weapons, vehicles, badges, and identification to the property officer.
 - b. If the internal administrative investigation supports a violation of agency policy, the Chief of Police shall take appropriate action. Further, if the investigation confirms that domestic violence occurred, the sheriff may require that the officer receive counseling, psychological evaluation, demotion, or termination of employment.
 - c. Federal law states that any person (including a law-enforcement officer) convicted under any state or federal law for a misdemeanor involving the use of, attempted use of physical force, or the threatened use of a deadly weapon when committed by a current or former spouse, parent or guardian of the victim, a person sharing a child in common, or a cohabitant of the victim (past or present), is prohibited from shipping, transporting, possessing, or receiving firearms or ammunition. The offense may have occurred at any time. Law enforcement officers convicted of offenses involving weapons or threats of force may, therefore, be unable to maintain their certification.

- d. Note that officers who are the subject of a protective order shall not carry firearms. Officers who are the subject of a protective order shall turn in all agency-issued weapons.

VIII. PROCEDURES - Issuing an emergency protective order


A. Emergency protective orders (EPO) (domestic violence)

1. The EPO aims to protect the health or safety of a victim of domestic violence. It is issued only if the offender is arrested. The judge or magistrate who arraigns the offender after the arrest may issue the EPO on the magistrate's own initiative, upon request of the victim, the guardian of the victim, a peace officer, or an attorney representing the state. If an officer has at least a reasonable belief that an assault has occurred and there exists probable danger of further abuse, the officer shall request the judge or magistrate to issue an EPO.
 - a. If circumstances make it impossible or inappropriate for an officer to obtain the EPO, the officer shall advise the victim that he/ she can request an EPO directly from a magistrate or the district attorney.
 - b. The victim does not need to press charges or swear a warrant. The presence of the victim or suspect is immaterial to obtaining an EPO.
 - c. An EPO may order a stop to abusive behavior, prohibit contact between parties, order the abuser out of a shared home, or deny the abuser the right to possess a firearm, and provide other relief.
2. An officer can petition for an EPO by telephone or in person.
3. The EPO remains in effect for up to 61 days but not less than 31 days. The victim can petition for a permanent protective order before the expiration of an EPO.
4. The offender is served with a copy of the order at the time of arraignment. The victim will be contacted and informed that an EPO has been issued and will be provided with a copy and informed of its requirements.
5. A copy is also delivered to the Chief of Police and the communications center for the jurisdiction where the victim resides.

B. Protective Orders from Other States

Officers shall enforce protective orders from other states or possessions of the United States as if they were issued in Texas. This applies to all orders in which the respondent has received notice and opportunity to attend a protective order hearing. Enforcement of out-of-state protective orders does not require that they be registered in

Texas. If officers are unable to verify an outstanding protective order, they must nevertheless honor it. Officers cannot arrest for violation of the order, however, if the violator has not been served with it.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.14 Vehicle Operation	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.15, 7.20, and 7.24	

I. POLICY

All personnel operating department vehicles shall exercise due regard for the safety of all persons. Protection of life is the paramount goal of the department. No task, call, or incident justifies disregard of public safety. Further, the public expects its law-enforcement officers to demonstrate exemplary driving skills. All department personnel who operate department vehicles will comply with the safe-driving procedures outlined in this policy with particular attention to responding to calls for service or engaging in pursuits. Emergency warning devices shall be used consistent with both legal requirements and the safety of the public and department personnel.

II. PURPOSE

The purpose of this policy is to establish procedures governing the operation of police vehicles.

III. DEFINITIONS

- A. **Emergency driving.** Driving in response to a life-threatening or other serious incident (based on available information) that requires emergency equipment. Emergency driving -- with emergency lights and siren activated -- allows an officer to disregard certain traffic regulations, but officers must still drive with due regard for the safety of the officer and others.
- B. **Emergency equipment.** Emergency lights and a siren, whistle, or air horn designed to give intermittent signals automatically. All marked vehicles have distinctive, reflectorized decals for additional visibility. In this order, an authorized emergency vehicle is one that has this emergency equipment installed.
- C. **Normal or routine driving.** Driving that dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, and adherence to commonly understood "rules of the road."

III. GENERAL PROCEDURES FOR ALL RESPONSES (TBP: 7.15)

- A. General

1. All departmental vehicles shall be driven safely and properly in full compliance with all traffic laws and regulations. Department vehicles are conspicuous symbols of authority on the streets and many people observe an officer's actions. Each officer must set an example of good driving behavior and habits.
2. Under certain emergencies as defined below, the Transportation Code authorizes officers to disregard traffic regulations. Both the operator and the department, however, are not released from civil liability for failure to use reasonable care in such operations.

B. Routine operation

1. In case of accident or damage to any department vehicle, the driver shall immediately request the on-duty supervisor to conduct an investigation.
2. Accidents involving members of this department will be investigated by the sheriff's department, DPS, or some other neighboring police agency.
3. A drivers involved in an accident shall write a memorandum detailing the circumstances.
4. Drivers shall report any found damage or other non-accident damage to their supervisor immediately and document the damage in an incident report.
5. Vehicles used in routine or general patrol service shall be conspicuously marked except those being used for covert patrol operations.
6. Unmarked cars shall not be used in any pursuit but may be used for patrol.
7. Unmarked cars that are provided with emergency lights and a siren may be used to stop vehicles.
8. Standard lighting equipment on marked vehicles includes hazardous warning lights, spotlights, and alley (side) lights on the rooftop light bar.
 - a. Hazardous warning lights may be used at any time the department vehicle is parked where other moving vehicles may be endangered.
 - b. Alley lights and spotlights may be used when the vehicle is stationary or moving at speeds not to exceed 15 miles per hour and shall not be used in a manner that will blind or interfere with the vision of operators of approaching vehicles.
9. Seat belts and shoulder straps shall be worn by the driver and all passengers during vehicle operation. Prisoners shall be strapped in with seat belts whenever possible. (TBP: 7.20)
 - a. Exception: When approaching an incident scene or a call where the officer believes that a rapid exit from the vehicle may be required, the officer may release his/her seat belt.
10. Any young children transported in a police vehicle will be transported in the manner prescribed by the Transportation Code using infant/child car seats when necessary.

C. Inspection (TBP: 7.24)

1. Before each duty assignment, officers shall check their vehicles for cleanliness, operability, and all required equipment.
2. Officers shall also ensure that vehicles have adequate levels of oil, brake fluid, power steering fluid, and gas. Any deficiencies should be reported to the supervisor.
3. Officers shall check the safety features of the vehicle before assuming duty. The check shall include, but is not limited to, all lights, brakes, siren, horn, and steering.
4. Officers shall also check tires for tread wear and proper inflation.
5. Officers shall examine their vehicles at the beginning and the end of their shifts for damage. Officers shall report any damage immediately to the on-duty supervisor.
6. Officers shall examine their vehicles at the beginning and end of their shifts to search for evidence, contraband, or property discarded by prisoners or others. Rear seats shall be thoroughly checked.
7. Officers who discover a department vehicle in need of repairs shall immediately inform the on-duty supervisor.
8. If, in the opinion of the Chief of Police, vehicle damage resulted from abuse or neglect caused by an officer, disciplinary action may result.
9. No driver shall modify, remove, de-activate, or otherwise tamper with the vehicle safety belts, emission control device, or any part of the vehicle that affects its operation.
10. Officers are responsible for maintaining the cleanliness of the interior and exterior of their assigned vehicle. During periods of inclement weather when department vehicles cannot be washed regularly, the driver must ensure that headlight and taillight lenses are kept clean, insofar as circumstances permit.
11. No officer or employee shall operate any department vehicle that he or she believes is unsafe.

D. Driving rules

1. The driver shall carefully observe the surrounding conditions before turning or backing any vehicle.
2. A department vehicle shall not be left unattended with the engine running nor shall the vehicle be left unlocked when the officer has left it to handle other business.
3. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of the vehicle accordingly.
4. Emergency driving to the scene of a motor vehicle accident is permissible only when an emergency exists, when specific information indicates that conditions at the scene require an emergency response, or when directed to do so by a supervisor.
5. Upon approaching a controlled intersection or other location where there is possibility of collision because of traffic congestion, the emergency driver shall reduce the speed of the vehicle, stopping completely if necessary, before entering and traversing the intersection. When faced with a red

traffic signal or stop sign, the officer shall stop his or her vehicle and ensure by careful observation that the way is clear before proceeding through the intersection.

6. Regardless of the seriousness of the situation to which the officer is responding, and excepting circumstances that are clearly beyond the officer's control, he or she shall be held accountable for the manner in which he or she operates the vehicle.
7. At the scene of a crime, a motor vehicle crash, or other incident, a department vehicle shall be parked in such a manner so as not to create an obstacle or hazard to other traffic, unless necessary for the protection of an incident scene or injured persons. If a traffic hazard exists, the emergency lights and four-way flashing lights shall be used to warn other drivers approaching the location.
8. Operators of department vehicles must bear in mind that the traffic regulation requiring other vehicles to yield the right of way to any emergency vehicle does not relieve emergency vehicle operators from the duty to drive with due regard for the safety of all persons using the highways. Nor does this traffic regulation protect the driver from the consequences of arbitrary use of this right-of-way regulation.

IV. PROCEDURES FOR EMERGENCY DRIVING

A. General

1. No fixed rule can apply to every circumstance that may arise governing emergency driving. Although an officer may receive information that leads him/her to respond to a call with emergency lights and siren activated, in the majority of such cases an officer discovers, upon arrival, that an emergency response was not justified.
2. Section 546.005 of the Transportation Code states that the exemptions to driving laws granted to emergency vehicle operators "does not relieve the operator from the duty to drive with appropriate regard for the safety of all persons or the consequences of reckless disregard for the safety of others." Recognizing that protection of human life is paramount, responding officers must remember that their objective is to get to the location of the occurrence as soon as possible--safely--without danger to themselves or to others.

B. Response codes: Calls for service are classified as Code 1 or Code 3, depending on circumstances. The codes are defined as follows:

1. Code 1 responses are utilized for any situation regardless of apparent urgency where the preservation of life is not a consideration. Units responding to Code 1 calls shall respond to the location without delay, complying with all traffic regulations, and shall not use emergency warning devices.
2. Code 3 responses are authorized for any emergency where the preservation of life is a consideration. Primary and support units responding to Code 3 calls shall proceed rapidly to the location of the emergency by the most

direct means, using all emergency warning devices with a paramount consideration for the safety of the public and the assigned officers. Code 3 calls are authorized by the dispatcher, the Chief of Police, or the patrol officer, subject to the considerations discussed below. Field supervisors shall closely monitor all Code 3 calls and shall respond if necessary.

3. Examples of Code 3 calls (not all inclusive) include:
 - a. An officer who needs urgent help.
 - b. A burglary in progress.
 - c. A robbery in progress.
 - d. A serious-injury or fatal- accident or hit/run.
 - e. A riot or large disturbance with fighting or injuries or damages occurring.
 - f. An apparent homicide.
 - g. A fight or an assault-in-progress.
 - h. A sex offense in progress.
 - i. Domestic dispute with an assault in progress, or where the assault has just occurred with a suspect still present.
 - j. An in-progress suicide attempt.


C. Officer's response to call

1. Upon arrival at the scene of a call, the responding officer shall rapidly evaluate the situation and determine whether additional units are still needed or whether other units responding Code 3 can be slowed or cancelled.
2. All units responding to robbery-in-progress and burglary-in-progress calls, before coming within hearing distance, shall discontinue the use of the siren and at that time fully comply with all traffic laws. Before coming within sight of the location, officers shall discontinue the use of the emergency warning lights. Officers are reminded that upon deactivation of a siren and flashing lights, their response ceases to be an emergency and they must comply with all posted speeds and traffic control devices.
3. In situations requiring a silent response, e.g., alarms and prowler calls, officers shall respond as rapidly as possible, obeying all traffic laws and signs.
4. Officer-initiated response.
 - a. When, in the opinion of the officer, an emergency is imminent or exists, or that activation of emergency warning devices is necessary to protect life or render the necessary enforcement, the department authorizes an emergency response.
 - b. Examples include the following:
 - i. Any incident where the use of emergency lights constitutes a necessary warning for the safety of life (such as scenes of fires, accidents, or disasters).
 - ii. As a visual signal to attract the attention of motorists being stopped for traffic violations, or to warn motorists of imminent dangers.

- iii. Responding to Code 1 calls, where the officer has previous or additional information which, had the dispatcher known it, would have resulted in the call being dispatched as Code 3.
- iv. Where because of location, distance to be traveled, or traffic conditions, the officer determines that emergency operating conditions are essential in order to provide an appropriate response.
- v. In response to an officer's emergency request for assistance.
- vi. For pursuit. (See Policy 7.15)

D. Use of emergency warning devices in non-emergencies

- 1. Officers shall activate emergency equipment to notify drivers that they must stop, and to provide a safe environment for the driver, officer, and the public.
- 2. Officers may activate emergency equipment in non-emergencies when expediency is required to eliminate a potential hazard to the public or other officers, such as using emergency lights to protect disabled motorists or when department vehicles are used as protective barriers.

	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.16 Vehicle Pursuits	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.13, 7.14, 7.18, and 7.19.	

I. POLICY

Pursuits represent a dangerous and difficult task that receives much public and legal scrutiny when accidents, injuries, or death results. Pursuing officers and supervisors must justify their actions and, once they have decided to pursue they must continuously evaluate the safety of their actions. Further, forcible measures to stop a fleeing driver, as detailed below, are prohibited except where deadly force is appropriate.

Officers shall comply with all applicable portions of Policy 7.15 when they are involved in vehicle pursuits.

II. PURPOSE

The purpose of this policy is to establish procedures governing the operation of police vehicles, with special attention to emergencies and pursuits.

III. DEFINITIONS

- A. **Boxing in:** A deliberate tactic by two or more pursuit vehicles to force a pursued vehicle in a specific direction or to force it to reduce speed or stop by maneuvering the pursuit vehicles in front of, behind, or beside the pursued vehicle.
- B. **Caravanning:** Direct participation in a pursuit by department vehicles other than the primary and authorized support vehicles.
- C. **Emergency driving:** Driving in response to a life-threatening or other serious incident (based on available information) that requires emergency equipment in operation.
- D. **Emergency equipment:** Emergency lights and a siren, whistle, air horn or any other equipment designed to give intermittent signals automatically. All marked vehicles have distinctive, reflectorized decals for additional visibility. In this order, an authorized emergency vehicle is one that is equipped with emergency equipment.

- E. Normal or routine driving: Driving that dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood "rules of the road."
- F. Primary pursuit vehicle: Normally the department vehicle that begins the pursuit or the vehicle closest to the fleeing suspect. The primary pursuit vehicle may be re-designated by order of the on-duty supervisor.
- G. Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a suspect who is fleeing or evading apprehension, provided the officer reasonably believes that the suspect is refusing to stop and is willfully fleeing capture by high-speed driving or other evasive maneuvers. Pursuits shall be conducted only with activated emergency equipment and under circumstances outlined in this order.
- H. Not a pursuit: An attempt to stop a vehicle that is not fleeing, or an attempt to stop a vehicle that is refusing to stop while still obeying traffic-control devices and not exceeding the speed limit by more than ten miles per hour is not a pursuit.
- I. Risk: The degree of danger or hazard to the public or officers.
- J. Roadblock: Any method, restriction, or obstruction used to prevent free passage of vehicles on a roadway in order to stop a suspect.
- K. Support vehicles: The second or additional department vehicles participating in the pursuit that follow the primary pursuit vehicle at a safe distance. Once the vehicles have stopped, officers in the support vehicles can provide help for the officer in the primary vehicle or they can assume the primary role if circumstances dictate.

IV. PROCEDURES FOR PURSUITS (TBP: 7.13)

- A. Justification for pursuit:
 - 1. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intentions to avoid apprehension for a violent felony by refusing to stop when properly directed to do so. Pursuit may also be justified if the officer reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury.
 - 2. Pursuits will not be initiated for traffic offenses, misdemeanors, or non-violent felonies.
 - 3. The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
 - 4. In deciding whether to initiate pursuit, the officer shall take into consideration:

- a. road, weather and environmental conditions;
- b. risk of harm to the public as assessed by population density and vehicular and pedestrian traffic;
- c. the relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
- d. the seriousness of the offense;
- e. the presence of other persons in the police vehicle.

B. Primary officer responsibilities

1. The officer's primary responsibility in a pursuit is the safe operation of the vehicle. Only marked vehicles with emergency equipment shall pursue with the following exception:
 - a. Unmarked vehicles may pursue under the guidelines of this policy if they are equipped with appropriate emergency equipment.
 - i. Unmarked vehicles must terminate their involvement in the pursuit when relieved by a marked vehicle from this or another law enforcement agency.
2. Upon engaging in a pursuit, the pursuing vehicle shall activate the emergency lights and siren.
3. The officer shall notify the dispatcher of the following:
 - a. The location of the officer and the suspect's vehicle.
 - b. The direction of travel.
 - c. The license number (and state) of the suspect's vehicle.
 - d. The description of the suspect's vehicle.
 - e. The reason for the pursuit.
4. The officers will, to the best of their ability, keep the dispatcher informed of the location and direction of travel.
5. Whenever the risk to the public or to the officer outweighs the immediate need to apprehend the suspect, the officer will terminate the pursuit.

C. Supervisor's responsibilities

1. The on-duty supervisor shall monitor the pursuit, and has the responsibility to ensure that it is conducted in compliance with department policy, and includes directing officers to join or abandon pursuit, re-designating primary and support pursuing vehicles if necessary, approving or directing pursuit tactics, and terminating the pursuit.
2. The on-duty patrol supervisor shall monitor the pursuit and may respond to the location of the stopped suspect. The supervisor may end the pursuit at any time that he or she feels circumstances warrant.
3. No more than two department vehicles may pursue a fleeing suspect without the specific authorization of the on-duty supervisor. In authorizing additional department vehicles to pursue, the supervisor shall consider:
 - a. The nature of the offense.
 - b. The number of suspects.
 - c. The number of officers currently participating as primary or support vehicles.

- d. Any injuries or property damage already sustained as a result of the pursuit.
 - e. Any other clear, articulated facts that would justify the assignment of additional department vehicles.
4. After the incident, the supervisor shall critique the pursuit with all of the officers involved and direct participants to submit reports.
 5. The on-duty supervisor at the time the pursuit was begun will retain authority over the pursuing officers of the department for the duration of the pursuit.
 6. The on-duty supervisor may direct the use of tire-deflation devices, as appropriate. See paragraph J.12 below.

D. Supporting officers' responsibilities.

1. Normally the first back-up unit to respond shall help the primary officer in pursuing the suspect and making the arrest.
2. The secondary pursuing officer is responsible for broadcasting the progress of the pursuit and controlling the pursuit tactics. Without being tasked with these communications responsibilities, the primary officer can focus attention on the pursuit driving.

E. Dispatcher's responsibilities

1. Notify any available supervisor of the pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other officers and jurisdictions.
2. Record all pertinent information about the pursued vehicle.
3. Advise all other officers of the pursuit and the information given by the pursuing officer.
4. Assist in directing back-up units to strategic locations.
5. Alert all other nearby law-enforcement agencies of the pursuit and information given by pursuing officer when continuing beyond the city.
6. Query MVD, TCIC, and NCIC for license data and any warrants.

F. Rules of pursuits

1. Officers shall not intentionally ram, bump, or collide with a fleeing vehicle nor shall officers pull alongside such vehicles in an attempt to force them off the road or into an obstacle.
2. Boxing-in shall be performed only at low speeds and under the direct authorization of the on-duty supervisor and then only if the participating officers have been trained in the technique.
3. Caravanning is prohibited. Only two department vehicles (excluding the supervisor) shall participate in a pursuit at any time unless specifically authorized by a supervisor.
4. Officers shall not fire their weapons from a moving department vehicle.
5. If the on-duty supervisor orders the pursuit to end, the primary and supporting pursuing officers shall cease immediately. In addition, the pursuing officer(s) shall end the pursuit if at any time during the course of

the pursuit he or she loses sight of the fleeing vehicle for more than a few seconds.

6. The use of a stationary or rolling roadblock is prohibited. (TBP: 7.18)
7. When accompanied by civilian passengers, officers shall not pursue.
8. When two vehicles are involved in pursuit, each unit shall maintain a safe distance especially when passing through intersections. Each unit involved in the pursuit shall use a different siren-sound selection, if circumstances and safety permit. The use of different siren-sound combinations can help the primary and secondary vehicles hear one another and alert motorists and bystanders that two vehicles are operating under emergency conditions.
9. Should the suspect drive in a direction opposite to the flow of traffic, the pursuing officer shall not follow the suspect in the wrong direction but instead transmit via radio detailed observations about the suspect vehicle's location, speed, and direction of travel. The pursuing officer may be able to follow the suspect on a parallel road.
10. Officers involved in a pursuit shall not try to overtake or pass the suspect's vehicle.
11. Intersections are a particular source of danger. When approaching an intersection where signal lights or stop signs control the flow of traffic, officers shall:
 - a. Slow and enter the intersection at a reduced speed and only when safe, when all other vehicles are aware of the officer's presence.
 - b. Resume pursuit speed only when safe. When using emergency lights, siren, and headlamps, the officer is requesting the right of way and does not absolutely have the right to run a red traffic light or stop sign.
12. Tire Deflation Devices (TBP: 7.19)
 - a. Officers who have been trained in the use of tire deflation devices are authorized to deploy the devices when approved by a supervisor.
 - b. Deployment must be made in safety and in an area that is free of obstructions for at least 100 yards in each direction.
 - c. Deployment is made per manufacturer's instructions, always keeping the deploying officer safe from possible vehicular danger.
 - d. The devices must be retracted prior to departmental vehicles running over them.
 - e. Officers deploying the device will notify on-coming departmental vehicles of the deployment location so that they may slow down and avoid running over the devices.

G. Out-of-jurisdiction pursuits

1. Pursuits beyond the local jurisdiction require the direct approval of the on-duty supervisor and, if approved, shall be conducted according to this order. The dispatcher shall notify the appropriate jurisdiction of the pursuit and request help.
2. Once the pursuit has entered another jurisdiction, if officers from that jurisdiction enter the pursuit, department officers shall cease their emergency driving (unless circumstances require their continued pursuit),

turn off emergency equipment, and follow the pursuit while observing all posted speed limits and traffic control devices.

3. If officers from another jurisdiction pursue a suspect into our jurisdiction, department officers shall enter the pursuit only if the other agency specifically requests help and the on-duty supervisor approves the participation. Any non-pursuit assistance (including apprehension of a stopped suspect) may be provided as the circumstances dictate.
4. A fleeing suspect when arrested shall be taken before a judicial officer of the jurisdiction in which he/she was arrested regardless of where the pursuit began. The pursuing officers from the original jurisdiction shall then go before their local magistrate to obtain a warrant and ensure that a teletype is sent to the apprehending jurisdiction as soon as possible, acting as a detainer.
5. When a fleeing suspect from another jurisdiction is apprehended within the county, the apprehending officer shall take the arrested person before the city judge. The on-duty supervisor shall confer with the other jurisdiction to determine which shall maintain custody of the suspect based upon the seriousness of the charges and the likelihood of release by respective magistrate.


H. TERMINATING PURSUITS

1. This order has noted the necessity for a pursuing officer to continuously evaluate the risks and goal of a pursuit. Under some conditions, abandoning a pursuit may prove the most intelligent decision the officer can make.
2. Officers shall discontinue a pursuit under the following circumstances:
 - a. The on-duty supervisor orders it.
 - b. The pursuing vehicle experiences an equipment or mechanical failure that renders the vehicle unsafe for emergency driving.
 - c. The pursued vehicle has outdistanced the pursuing officer such that its location is not known.
 - d. A person has been injured during the pursuit and no medical or department personnel are able to provide help.
 - e. The pursuing officer perceives a clear, unreasonable danger to officers, the fleeing suspect, or the public, and the danger created by continuing the pursuit outweighs the value of apprehending the suspect at the time.
3. Should the person(s) attempting to avoid apprehension stop the fleeing vehicle and precede on foot, the officer shall stop, give his or her location, and continue efforts to apprehend on foot. Circumstances may dictate, however, a continued pursuit in a vehicle. Support vehicles shall be dispatched in close proximity to offer assistance. The pursuing officer should be cautious, however, that the pursued vehicle may carry other persons who might assault the pursuing officers. Should the individual stop and remain in the vehicle, officers will not rush the vehicle. Appropriate felony stop procedures should be used.

V. FOLLOW-UP REQUIREMENTS (TBP: 7.14)

- A. The on-duty supervisor shall ensure that all participating officers document their involvement in the pursuit whether or not the suspect was stopped. The initiating officer will complete a departmental Pursuit Report. Other officers involved will prepare a supplemental report documenting their participation. Reports shall be completed before the end of the officer's tour of duty.
- B. The supervisor shall collect and secure all video of the pursuit and shall review the pursuit for compliance with policy and forward all documentation to the Chief of Police for review.
- C. The pursuit report with supervisory review will be forwarded to the Chief of Police. The Chief will also review the report and determine compliance with policy. The Chief of Police will inform the supervisor of his findings. Should a policy violation be identified, the Chief will direct that an investigation be conducted as necessary.
- D. Annually, the Chief of Police will cause an analysis of all vehicle pursuits occurring during the previous year to be conducted. The analysis will be designed to determine if the current policy is being followed, whether any changes are needed in the current policy, and any training needs of the department.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.17 Body-Worn Cameras	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference:	

I. POLICY

Body-worn cameras are an effective law enforcement tool that can reduce violent confrontations and complaints against officers. Body-worn cameras provide additional documentation of police-public encounters and may be an important tool for collecting evidence and maintaining public trust.

II. PURPOSE

- A. This policy is intended to provide officers with instructions on when and how to use body-worn cameras.
- B. The Department has adopted the use of body-worn cameras to accomplish several objectives, including:
 - 1. Body-worn cameras allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony.
 - 2. Audio and video recordings enhance the Department’s ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
 - 3. Body-worn cameras may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
- C. The Department recognizes that video images cannot always show the full story nor do video images capture an entire scene. The use of body-worn cameras does not reduce the requirement to provide thorough written documentation of an incident. Persons reviewing recordings must also be cautious before conclusions are reached about what the recordings show.

II. OVERVIEW

- A. The body-worn cameras should be utilized to (1) collect evidence that can be used in the prosecution of criminal offenses, (2) record contacts with the public in order to secure unbiased evidence in connection with investigations, (3) allow for supervisory review to ensure that department policies and procedures are followed, and (4) capture footage that would be helpful for training.

III. DEFINITIONS

- A. Body-worn cameras are camera systems designed to be worn by police officers to capture digital multimedia evidence.
- B. Digital Multimedia Evidence or DME consists of all digital recordings, to include but not limited to audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.

IV. LEGAL ISSUES

- A. Body-worn camera equipment and all data, images, video and metadata captured, recorded, or otherwise produced by the equipment is the property of the Department. The personal use of all information recording by body-worn cameras shall only be pursuant to the prior written approval of the chief.
- B. Use of body-worn cameras for any purpose other than in accordance with this policy is prohibited.
- C. All data, images, video and metadata captured by body-worn cameras are subject to state statutes and City policies regarding retention of records.

V. PROCEDURES

- A. Prior to using a body-worn camera, officers shall receive Department-approved training on its proper operation and care and the Department's policy with respect to the use of the body-worn camera. Additional training shall be provided at periodic intervals to ensure the continued effective use of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policies or equipment.
- B. Body-worn cameras and equipment should be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be assigned. Officers shall inspect and test body worn cameras prior to each shift to verify proper functioning, and shall notify their supervisor of any problems.
- C. In the event that a body-worn camera is lost, upon discovery the officer shall immediately notify his/her supervisor.

- D. Officers shall wear body-worn cameras above the midline of their torso and in position designed to produce an effective recording.
- E. Officers shall not use personally owned body-worn cameras while on duty.
- F. Officers assigned a body-worn camera may use the camera at approved off-duty employment, but only in connection with their Department duties. If used for this purpose, the officer shall download all DME during their next regularly assigned on-duty shift.

VI. OPERATION OF BODY-WORN CAMERAS

- A. Except as otherwise provided in this policy, officers shall activate body-worn cameras to record contacts with citizens in the performance of official duties. LTISD Police Department personnel are not expected to record every minute of their entire shift; however, LTISD PD personnel are expected to make every reasonable effort to activate their body camera during a police enforcement contact (stop, detain, frisk, or search). Casual encounters, walking the halls, public relations events, and authorized breaks while on-duty are examples of activities that **do not** require camera activation. See Letter “I” below for additional information.
- B. Unless the interaction with a citizen is in an undercover assignment, wherever possible officers should inform individuals that they are being recorded. Officers have no obligation to stop recording in response to a citizen’s request if the recording is pursuant to an investigation, arrest, lawful search, or the circumstances clearly dictate that continued recording is necessary. However, officers should but may evaluate the situation and when appropriate, honor the citizen’s request. The request to turn the camera off should be recorded, as well as the officer’s response.
- C. Deactivation of the body-worn camera shall occur when:
 - a. The event has concluded;
 - b. Victim and/or witness contact has concluded;
 - c. All persons stopped have been released;
 - d. Once an arrestee has been placed into a vehicle to be transported to a detention facility. However, the officer transporting the arrestee to the detention facility shall keep the officer’s body-worn camera activated until custody of the individual is transferred to the detention facility.
- D. If an officer fails to activate a body-worn camera, or fails to record the entire contact, the officer shall document the reasons for doing so.
- E. Non-Department personnel shall not be allowed to review the recordings unless pursuant to written consent of the chief.
- F. Officers shall not be required to activate body-worn cameras when engaged in conversations with individuals with whom the officer is in a privileged relationship (e.g., spouse, attorney, police peer counselor, labor representative, minister, etc.).

- G. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body-worn camera images and information without the prior written approval of the chief or the chief's designee.
- H. Officers shall be allowed to review the recordings from their officer-worn body cameras at any time. To help ensure accuracy and consistency, officers are encouraged to review recording prior to preparing reports. If the officer is giving a formal statement about the use of force or if the officer is the subject of a disciplinary investigation, the officer shall (1) have the option of reviewing the recordings in the presence of the officer's attorney or labor representative; and (2) have the right to review recordings from other body-worn cameras capturing the officer's image or voice during the underlying incident.
- I. Body-worn cameras shall not be used to record:
 - a. Communications with other police personnel.
 - b. Communications with district employees that are related to official police activity.
 - c. Encounters with undercover officers or informants.
 - d. When an officer is on break or is otherwise engaged in personal activities.
 - e. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room, or break room.
 - f. When an officer would be recording a patient during a medical or psychological evaluation by a clinician or similar professional, or during treatment. When recording in hospitals or other medical facilities, officers shall be careful to avoid recording persons other than the suspect.
 - g. Communications made in a psychiatric facility, unless responding to a call involving a suspect who is thought to be present in the facility.

VII. HANDLING OF DIGITAL MULTIMEDIA EVIDENCE


- A. All files from body-worn cameras shall be securely downloaded no later than the end of the officer's shift. Each file shall contain information related to the date, body-worn camera identifier, and assigned officer.
- B. All files from body-worn cameras shall be securely stored in accordance with state records retention laws and for no longer than useful for purposes of training, or for use in an investigation or prosecution (including appeals), or for use in resolving a claim, pending litigation, or disciplinary investigation. In capital punishment prosecutions, files shall be kept until the alleged offender is no longer under control of a criminal justice agency.
- C. It is not the intent of the Department to review DME for the purpose of general performance review, for routine preparation of performance reports or evaluation, or to discover policy violations. Supervisors and internal affairs personnel may access DME for administrative investigations. Other than periodic supervisory reviews to ensure that equipment is functioning properly, the scope of the review of DME should be limited to the specific complaint against the officer. Inadvertent discovery of other allegations during this review shall require the supervisor to articulate the purpose of expanding the scope.
- D. Requests for deletion of portions of a recording from a body-worn camera (e.g., in the event of a privileged or personal recording) must be submitted in writing to the chief in accordance with state records retention laws.
- E. Recordings from body-worn cameras may be shown for training purposes upon completion of a criminal case. All such use shall be pursuant to the written authority of the chief.

Officers shall be provided with at least thirty days' notice if recordings intended for use for training purposes were either made by them or captured their image or voice.

VIII. RETENTION AND DESTRUCTION OF DIGITAL MULTIMEDIA EVIDENCE

- A. The retention and destruction of DME shall be pursuant to state public records retention laws.
- B. All stored DME is subject to release in accordance with the state public records retention laws. Officers shall be provided with at least one week's notice of any public requests made to review DME from their body-worn cameras.
- C. All body-worn camera video shall be maintained for a minimum of 90 days.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.30 Accident Investigations	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 7.16	

I. POLICY

An objective of the department is the reduction of motor vehicle accidents. To accomplish this, the department performs a variety of functions such as providing emergency service to the injured, protecting the accident scene, conducting accident investigations and follow-ups, preparing reports, and taking proper enforcement action.

The purposes of accident investigation are to determine the cause of an automobile crash and to use the information to develop enforcement that will reduce accidents. Accident reports are used by the Department of Public Safety and the Department of Transportation at the state level, and by the city locally to study the frequency of crashes at a given location and time, the causes of accidents, and the road conditions that existed when the accident occurred. The reports are also used to develop selective enforcement programs, to provide engineering studies, and to promote street and highway safety.

II. PURPOSE

The purpose of this policy is to establish guidelines for the proper handling of traffic accidents and for the collection and use of data that will reduce automobile accidents resulting in property damage, injury, and death.

III. PROCEDURES – General (TBP: 7.16)

A. Accident report and investigation, general

1. Texas Transportation Code requirements concerning the reporting of traffic accidents include the following:
 - a. TTC 550.026. The driver of any vehicle involved in an accident resulting in death or injury shall immediately notify law-enforcement officials.
 - b. TTC 550.062. A law-enforcement officer investigating an accident resulting in injury or death or total property damage to an apparent amount of \$1,000 or more shall make a written report of it to DPS.

- c. TTC 550.062. Officers who investigate an accident for which a report must be made, either at the time of and at the scene of the accident, or thereafter and elsewhere, by interviewing participants or witnesses, shall within 10 days after completing the investigation forward a written report of the accident.
2. An officer shall respond to and prepare a report of an accident involving any of the following:
 - a. Death or injury.
 - b. Property damage in excess of \$1,000.
 - c. Hit and run.
 - d. Impairment due to alcohol and/or drugs.
 - e. Hazardous materials.
 - f. Involvement of any city/county property, vehicles, equipment, facilities, or personnel.
 - g. Failure of either driver to produce a driver's license and proof of liability insurance.
3. Officers shall also be assigned to respond to the following:
 - a. Any accident involving disturbances between drivers or passengers.
 - b. Ones that create major traffic congestion.
 - c. Those in which vehicles are damaged to the extent that towing is required.
 - d. Patrol vehicles may be assigned to any other accident, not listed above, to assist persons involved with information exchange.
 - e. Time permitting, officers may investigate and report on accidents as supervisors direct.

B. Responding to the accident scene

1. Officers shall respond to the scene of a minor accident code one unless the dispatcher or supervisor directs otherwise.
2. If off campus and requested by another agency, officers shall respond code three to major accidents where there exist injuries or major road or highway blockages, or where information provided indicates the immediate need for an officer on scene.
3. The officers responding shall park their vehicles in a manner that will protect victims and the accident scene while still leaving room for emergency service vehicles.

C. Accident scene responsibilities

1. The first officer to arrive at an accident scene shall perform the following:
 - a. Administer any needed emergency medical care (basic life support measures) pending arrival of rescue personnel.
 - b. Summon additional help as required (officers, EMS, fire department, wreckers).

- c. Protect the accident scene.
 - d. Preserve short-lived evidence (broken parts, skid marks).
 - e. Establish a safe traffic pattern around the scene.
 - f. Locate witnesses.
 - g. Record key accident information.
 - h. Expedite removal of vehicles, persons, and debris from the roadway except for fatal accidents, in which case the scene is not to be disturbed.
2. The officer assigned to an accident shall have the responsibility and authority to request assistance from any other officers as needed. He or she becomes the primary investigating officer in charge at the scene unless the supervisor determines that it is appropriate to assign these responsibilities to another officer.
 3. Accident reports need not be filled out if the accident occurred on private property and the damage does not exceed \$1,000 unless the Chief of Police specifically asks for a report.
 4. In case of extremely inclement weather where an accident involves only property damage, the dispatcher or officer may, with the supervisor's approval, perform the following:
 - a. Obtain information over the phone to complete the accident report and request that the involved drivers come to the department and file a report in person within 48 hours of the incident.
 - b. Complete a report showing the name, address, operator license number, and telephone number of each driver.

IV. PROCEDURES - Accident scene

A. Collecting information

1. At the scene of the accident, the investigating officer shall gather appropriate information for a report. Information to be collected at the scene may include, but is not limited to, the following:
 - a. Interview principals and witnesses and secure necessary identity/address/contact information.
 - b. Examine and record vehicle damage.
 - c. Examine and record the effects of the accident on the roadway or off the roadway on private or public property.
 - d. Take measurements as appropriate.
 - e. Take photographs as appropriate.
 - f. Collect and process evidence.
 - g. Make sure that the principals exchange information, such as insurance carriers, names, and phone numbers.

B. Follow-up activities

1. Follow-up activities that may be necessary include the following:
 - a. Obtain and record formal statements from witnesses.
 - b. Reconstruct the accident.

- c. Submit evidentiary materials for laboratory examination.
 - d. Prepare accident or offense reports to support charges arising from the accident.
2. In a particularly serious accident involving severe injuries, fatalities, or multiple vehicles, it may be necessary to summon expert or technical assistance from photographers, surveyors, mechanics, physicians, accident-crash team specialists, or other specialists. Expert assistance shall be requested through a supervisor.
3. If the investigating officer concludes that the accident was caused by a person driving under the influence of intoxicants (DWI) and the defendant is still at the scene, the DWI arrest shall be made before transport.
4. If the driver is transported to the hospital before the officer arrives and if the officer later concludes that the driver was intoxicated, an arrest warrant shall be obtained. If the driver is hospitalized, the warrant will be served when the driver is released.
5. In other traffic-related investigations, when the officer leaves the scene of the offense and later identifies an offender or offense, arrest warrants may be obtained.

C. Accident scene procedures

1. Upon notification of an accident, the officer assigned shall proceed promptly to the scene. If injuries have been reported, every effort should be made to avoid delay.
2. The patrol vehicle shall not be parked at the scene in a manner that will endanger pedestrians or motorists. The officer shall consider using the vehicle as a shield to protect the scene, those involved in the accident, and others working the scene, including the officer.
3. The officer shall leave the vehicle emergency lights on unless safely on private property.
4. At all times when investigating an accident on the streets or highways, the officer shall wear a reflector safety vest.
5. Any property belonging to accident victims shall be protected from theft or pilferage and, if owners are not present, it shall be taken into custody, tagged, and held for safekeeping until it is claimed by the owner.
6. If either driver is not present at the accident scene, do not assume that it is a hit/run unless further inquiry indicates the possibility. Perform the following actions if the incident appears to be a hit/run.
 - a. As soon as practicable, transmit the description of the vehicle and driver to dispatch, along with the direction of travel and time elapsed since the incident.
 - b. Process the accident scene as a crime scene.

D. Accident report


1. A report shall be filed on all accidents that occur on public property.

2. In the event of an accident that occurs on private property, an accident report may be filed if it meets any of the normal reporting criteria (death, personal injury, property damage in excess of \$1000, or involvement of government-operated vehicles).
3. Accidents that do not meet reporting requirements may still be reported by the vehicle operators using the "Texas Blue Form."

E. Disabled vehicles

1. Officers shall not push or tow any vehicle with a patrol vehicle unless the patrol vehicle is equipped with a department-approved push bar and the officer has been trained in its use.
2. Owing to the risk to radio and emergency equipment, officers shall not connect jumper cables to a patrol vehicle to start a person's vehicle. Officers should summon a wrecker if a jump-start is required.
3. Officers shall direct motorists who are low on gas to the nearest station. If a vehicle is completely out of gas and no station in town is open, summon a wrecker on behalf of the motorist.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.41 Evidence Collection	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 12.02	

I. POLICY

Proper documentation, collection, preservation, and submission of physical evidence to forensic laboratories often provide the key to a successful investigation and prosecution. Through evidence located at the scene, a list of suspects might be developed or suspects may be eliminated. Investigative leads can be established, and theories concerning the crime are substantiated or disproved. It is imperative, therefore, that each officer carefully process a crime scene, being sure not to overlook or contaminate or destroy evidence. Physical evidence appears in many shapes, sizes, and forms, thereby necessitating various recovery, preservation, and submission techniques. The investigating officer shall be prepared to collect, identify, and package the evidence so that it will not be changed in form and value when it reaches the laboratory. The officer collecting the evidence shall maintain a chain of custody of that evidence in order to ensure that it is presented to the court professionally and in compliance with the law.

II. PURPOSE

The purpose of this policy is to establish responsibilities for officers who are investigating crime scenes and to establish guidelines for the proper documentation, collection, packaging, and submission of physical evidence to the forensic laboratory.

III. DEFINITIONS

- A. Chain of custody: The chain of custody is the series of documented links between the time the evidence was obtained and the time it is presented in court. The links are documented by officers who handle the evidence, showing where and when they did so.
- B. Exclusionary rule: A rule of law that states that evidence seized or discovered in violation of the suspect's fourth, fifth, and sixth amendment rights cannot be admitted in court.

- C. Evidence: Any substance or material found or recovered in connection with a criminal investigation.
- D. Evidence custodian: The employee designated by the Chief of Police to have administrative oversight of all found or confiscated property that comes into departmental possession.

IV. PROCEDURES. General crime scene processing

- A. Depending on the nature of the crime and the type of evidence present, patrol officers will normally collect and submit physical evidence to the extent they have been trained and have the equipment to do so. Normally patrol officers will collect and submit evidence on misdemeanor offenses and some felony offenses where document or video evidence is the only physical evidence present.
- B. The department does not have personnel specifically trained and equipped to collect physical evidence. Patrol officers will contact dispatch and request a assistance from another agency when the offense is a violent felony, any sex crime, child abuse, or where photographs are needed, or where the evidence present is beyond the capabilities of the officer's training or equipment.
- C. The property and evidence form shall be used to document all property and evidence coming into custody of the department.
- D. Officers and investigators shall use the following general order of processing a crime scene at the direction of any assisting agencies unless reason dictates otherwise.
 - 1. Before moving objects or collecting evidence at major crime scenes (except when it is necessary to help a victim, apply first aid, or handle a suspect), officers will photograph the scene. Photographs should start at the edge of the property and progress into the scene as needed to show the scene and its relationship to the evidence present. Close-up photographs of each piece of evidence will be taken with and without a measuring device in the picture.
 - 2. At major crime scenes, officers will also prepare a sketch of the scene. Sketches of any crime scene will be done if it will show relationships or locations of where evidence is collected.
 - 3. Before collecting any item of evidence, measurements using triangulation or the coordinate method should be taken and recorded.
 - 4. Perishable evidence should be collected first. Perishable evidence -- such as fresh blood, blood-stained objects, physiological stains and tissue or biological material -- shall be collected only by a trained evidence technician who shall arrange to submit the material to a lab.
 - 5. If the immediate destruction of evidence is not a concern, the investigating officer should work through the scene systematically, collecting in a logical sequence and trying to avoid disrupting other items of evidence.

6. The officer should collect comparison samples, since the forensic laboratory can only compare known items with those showing similar characteristics. Sufficient specimens or controls must be submitted for comparisons of such items as hairs, fibers, paint, glass, soil, and tool marks.
7. Once perishable and other evidence has been collected, fingerprints shall be identified and lifted where possible. If transporting evidence may damage or destroy the latent prints on an object, the evidence shall be processed for prints at the scene.
8. Taking overall measurements -- that is wall, room, and building measurements -- is one of the last operations to be performed in processing the crime scene. The overall measurements are vital for the production of the final crime-scene sketch but must be obtained last so as not to damage or destroy items of evidence.
9. One or more officers should conduct a final organized search in case evidence has been overlooked. If possible the final search should be conducted by officers who have not participated in processing the scene.
10. The officer processing the crime scene shall enter each item collected on the evidence recovery log. The following information that should be recorded for each item:
 - a. A complete description of the item (including make, model, and serial numbers, if any);
 - b. The source (from whom and/or the location from which the item was obtained);
 - c. The name of the person collecting the item.
11. The officer/investigator processing a crime/incident scene shall prepare a report giving an accurate account of events. This information shall be placed in a supplement to the offense/incident report.
12. All evidence shall be properly and prominently tagged or otherwise identified.
13. The recovering officer shall complete a chain-of-custody form for the property custodian.
14. Officers shall observe legal principles regarding the use of physical evidence. Officers shall rigorously maintain the chain of custody of all evidence and shall always remain mindful of constitutional safeguards. If officers are not scrupulous in observing these safeguards, the exclusionary rule may prohibit key evidence from being introduced at trial and the case may be lost or dismissed.

V. PROCEDURES. Evidence and property control

A. Collection of evidence

1. When collecting evidence, the officer shall use tongs or tweezers where possible. The officer shall avoid touching the evidence with his hands or anything that might contaminate the item.

2. Officers shall wear latex gloves while processing any crime scene. When collecting tissue or bodily fluid evidence, officers shall put on a new set of gloves after collecting each separate evidentiary item, and discard the used gloves.
3. In collecting evidence, officers shall remain mindful about the possibility of contagion if the crime scene contains body fluids. Further, some evidence may consist of hazardous chemicals, waste products, explosives, or highly combustible materials. The evidence custodian in consultation with an evidence technician shall decide the best disposition of such items.
4. The investigating officer should not unload a firearm at the crime scene. The evidence technician shall unload the weapon after he/she has examined the weapon in the exact condition it was found in.

B. Tagging evidence

1. Officers will tag evidence in a manner consistent with their training and by following the guidance and recommendations of local prosecutorial staff.
2. Officers will document the items recovered at a crime scene both in the property section and the narrative section of the offense report.
3. Officers tagging evidence will use the current system established by the police department for the chain of custody and the actual evidence description.
4. Officers and other police personnel collecting and tagging evidence are expected to be able to readily testify in court regarding their exact involvement in the collection, tagging, and submission of all evidence seized.

C. Packaging items of evidence

1. The officer who collects the evidence shall choose a container suitable for the type of evidence being packaged, and each piece of evidence should have its own container.
2. The exterior of the package should be labeled before the evidence is placed inside.
3. The officer should select a container that is appropriate for the size and weight of the item. He/she should give special consideration to moist or wet items, which could rot, rust, or otherwise deteriorate if packaged in plastic or an airtight container for an extended time.
4. The item should be packed in such a way as to minimize movement inside the container.

D. Special circumstances


1. Weapons

- a. No officer shall, under any circumstances, personally retain custody of any found or confiscated weapon.
 - b. Officers bringing weapons into custody shall inspect them to ensure their safe storage. All firearms shall be unloaded before storage. (If the firearm is evidence, only the evidence technician is allowed to unload it. See V, A, IV above.)
 - c. The recovering officer or investigator shall check all confiscated or found weapons against NCIC/TCIC files.
2. Drugs and narcotics. See Policy 12.1.
 3. Alcohol. NOTE: The only alcoholic beverages that are considered contraband are those seized from underage persons whose possession is, in itself, illegal.
 - a. All containers of alcoholic beverages shall be sealed or contained to avoid any chance of leakage.
 - b. If not destroyed at the scene on video, the contraband alcoholic beverages shall be destroyed upon conclusion of legal proceedings.
 - c. Alcoholic beverages seized or recovered that are not contraband or evidence shall be returned to the owner.

E. Preservation of perishable or deteriorating items

1. When a rapidly deteriorating item of evidence has been collected (for example, a liquid sample of semen, a blood-soaked shirt), it shall be transported to the forensic laboratory the same day, if at all possible.
2. Any time an officer transports a perishable item to the laboratory for immediate analysis, the laboratory shall be called first so someone with authority to receive it will be available.
3. In cases where immediate transport to the forensic lab is not possible, it should be air dried for no more than one week and transported to the lab as soon as possible.
4. Where appropriate, submit known specimens of evidence so that comparisons can be made. The investigating officer shall be responsible for obtaining any required known specimens and submitting them, along with the items of evidence, to the forensic lab for analysis and comparison.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.42 Eyewitness Identification	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: 7.32	

I. POLICY

This policy is designed to maximize the reliability of identifications and to minimize unjust accusations of innocent persons.

II. PURPOSE

The purpose of this policy is to establish department guidelines for a live line-up, a photographic line-up, and field identification procedures. The procedures in this policy are applicable when a person is known to an investigator and is suspected of criminal involvement in an incident under investigation.

III. DEFINITIONS

- A. Administrator: The person charged with presenting a photographic line-up or a live line-up to a witness.
- B. Assigned Investigator: The officer primarily responsible for investigating an incident.
- C. Blind Administrator: An administrator who does not know the identity of the suspect or the suspect's position in a photographic line-up or a live line-up.
- D. Blinded Administrator: An administrator who may know the identity of the suspect, but does not know the suspect's position in the photographic line-up or the live line-up.
- E. Blind Manner: The presentation of a photographic line-up by either a blind administrator or a blinded administrator.
- F. Field Identification: The presentation of a suspect to a witness following the commission of a crime for the purpose of identifying and/or eliminating a possible suspect.

- G. Fillers: The photographs of persons used in a photographic line-up whose race, sex, age, height, weight, hair style, and general appearance resemble the suspect.
- H. Folder Method: A photographic line-up that places the photographs in separate folders or envelopes that are randomly shuffled prior to presentation so that the assigned investigator does not know which photograph the witness is viewing.
- I. Illiterate Person: An individual who speaks and understands English but cannot read and write English.
- J. Interpreters: Individuals with the skills necessary to enable them to communicate with an illiterate person or a person with limited English proficiency to the degree that ensures the person clearly understands all instructions given them that pertain to viewing a suspect in any identification procedure. These instructions are given prior to the line-up.
- K. Live Line-up: The presentation of individuals, including a suspect, in person to a witness, usually in a manner preventing the individuals from seeing or identifying the witness, for the purpose of identifying or eliminating suspects.
- L. Person with Limited English Proficiency: An individual who is unable to communicate effectively in English with a level of fluency expected of a native English speaker. Such a person may have difficulty speaking, reading, or writing in English. The definition includes persons who can comprehend English but are physically unable to write.
- M. Photographic Line-up: A collection of photographs that includes one of the suspect and filler photographs. The photographs are placed in random order and shown to a witness for the purpose of identifying and eliminating suspects.
- N. Sequential Viewing: An identification procedure in which photographs are shown one at a time to a witness.
- O. Simultaneous Viewing: An identification procedure in which all photographs are shown at the same time to a witness.
- P. Suspect: An individual who has been specifically identified by the investigation as possibly being the person who committed the crime.
- Q. Witness: An individual who has witnessed an incident or some part of an incident who might be a complainant, a victim, an eyewitness, or any other form of witness to an incident.

IV. GENERAL PROCEDURES FOR LINE-UPS

- A. Live line-ups will not normally be used due to the difficulty of administering them and the difficulty of obtaining a sufficient number of individuals with similar physical characteristics. An investigator who determines that a live line-up is needed should contact larger agencies in the area that have the facilities for

conducting, and do regularly conduct, live line-ups. If such an agency is available, this department will follow the procedures in place at the assisting agency.

- B. Photographic line-ups are approved for use by this department if the procedures listed below are followed. Photographic identification of suspects by witnesses should supplement other investigative actions and/or evidence.

V. PREPARING PHOTOGRAPHIC LINE-UPS

A. The assigned investigator is responsible for the following:

1. Preparing the photographic line-up, including the selection of fillers, and ensuring each of the photographs is numbered or lettered for later reference.
2. Determining before any presentation if the witness is deaf, illiterate, or has limited English proficiency. If the witness is deaf, illiterate, or non-English speaking, or has limited English proficiency, the investigator will arrange for assistance to translate the photographic line-up form in the language of the witness or otherwise assist the witness in understanding the instructions before proceeding. The identification of the assisting individual will be documented as well as the assistance provided.
3. Obtaining a sworn law-enforcement officer who is familiar with the contents of this policy and understands the line-up presentation process to act as a blind administrator of the line-up.
4. Preserving the photo line-up for future reference, whether an identification is made or not. For future reference, the photos in their original condition, full information about the identification process, the photographic line-up form are placed into evidence after the procedure.
5. The assigned investigator should prepare the photographic line-up according to the following guidelines:
 - a. Include only one suspect in each identification procedure.
 - b. Select fillers that generally fit the witness's description of the perpetrator. Fillers should be selected where no person stands out from the others.
 - c. Use photographs of individuals who are reasonably similar in age, height, weight, and general appearance and of the same sex and race. Avoid use of fillers that so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
 - d. If multiple photos of the suspect are available to the investigator, select a photo that resembles the suspect's description or appearance at the time of the incident.
 - e. Include a minimum of five fillers per identification procedure.
 - f. Avoid reusing fillers in line-ups shown to the same witness if showing a new suspect.
 - g. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness.
 - h. Do not mix color and black and white photos.
 - i. Use photos of the same size and basic composition.
 - j. Mug shots should not be mixed with other photos.

- k. If mug shots are to be used, cover any portions that provide identifying information about the subject.
 - l. All individuals in the photographic line-up and/or the origin of the photos should be known to the investigator, if possible.
 - m. Photos should be reasonably contemporary.
 - n. Do not use more than one photo of the same suspect.
 - o. View the array, once completed, to ensure that the suspect does not unduly stand out.
- B. The administrator [who may be the assigned investigator] is responsible for the following:
- 1. Ensuring that everyone connected with the line-up is familiar with the contents of this policy and the line-up presentation process.
 - 2. Ensuring the photographic line-up is presented in a manner consistent with this policy.
 - 3. Documenting the conduct and results of the line-up presentation in the manner approved within this policy.
 - 4. Returning all line-up materials and documentation to the assigned investigator if a blind administrator is used.

VI. PRESENTING PHOTOGRAPHIC LINE-UPS

- A. It is the intent of this department to present all photographic line-ups to witnesses in a blind manner and using a sequential presentation of the photographs.
- B. If a sworn member of the department is not available to conduct the line-up, a blind administrator or a sworn member of another local agency may be used. The assigned investigator preparing the line-up should ensure the assisting officer is aware of the procedures prior to presenting a line-up to a witness.
- C. If another sworn officer is not available within a reasonable period of time the assigned investigator may present the line-up to a witness using the folder method. The witness is shown only one folder at a time. The photographic line-up form is changed to indicate the procedure used and the same presentation procedures are used (see below) and the process used thoroughly documented. The investigator should also document the reasons for not being able to use a blind administrator.
- D. Police personnel attending the line-up presentation should not make any suggestive statements or take any other action that may influence the judgment or perception of the witness.
- E. Prior to beginning the presentation, the person conducting the line-up must determine if the witness has seen the suspect at any time since the crime occurred, whether in person or in newspaper or television reports, etc. If so, he/she must contact the assigned investigator to determine if the identification process should continue, and document this action in the supplement report.

- F. The administrator arranging the line-up must provide the witness with a photographic line-up form and explain the instructions for the line-up. Instructions given the witness prior to viewing a photographic line-up can facilitate an identification or non-identification based on the witness's memory. The officer conducting the line-up should (1) read the instructions and admonitions verbatim from the form, (2) ensure that the witness understands the instructions before proceeding, (3) obtain the witness's signature indicating he/she understands the procedure, and (4) sign the form as "administrator." Any instruction given to the witness prior to the procedure shall include a statement that the person who committed the offense may or may not be present in the procedure.
- G. The administrator must show the witness the photographs in a random order, one at a time, and document the order shown. Remove each photograph from the witness prior to providing a new one. Allow the witness to see only one photograph at a time.
- H. If the witness identifies a suspect, the administrator must record the number or other identification of the photograph. A witness who makes an identification based on a photograph or live lineup identification procedure shall be asked immediately after the procedure to state, in the witness's own words, how confident the witness is in making the identification. No person shall suggest wording of any kind to the witness. If the witness seeks clarification an officer shall only reply that the statute requires the statement of confidence to be in the witness's own words.
- I. All photographs must be shown.
- J. The administrator must complete the statement-of-witness portion of the form, including documenting the witness's confidence statement in his/her own words, regarding the relative certainty of any identification. The witness must complete and sign the appropriate portion of the form. The administrator must return all files, photographs, and forms to the assigned investigator and complete an offense supplement on the identification procedure.
- K. The administrator shall not provide any feedback of any kind to the witness during the procedure, including whether or not the suspect was picked.

VII. DOCUMENTATION OF PHOTOGRAPHIC LINE-UPS

- A. All photographic line-ups will be documented in the method reasonably available to the administrator at the time of presentation. Acceptable methods of documentation include the following:
 - 1. video and audio recording
 - 2. audio recording
 - 3. written documentation of the line-up presentation process.

In all cases, the administrator will, at a minimum, document in an offense-supplement report the details of the line-up presentation process and result, and

return the supplement, the photographic line-up form, any video/audio recordings, and all original photographs and documents to the assigned investigator.

VIII. FIELD IDENTIFICATION PROCEDURES

The use of field identification should be avoided whenever possible in preference for the use of a photographic or live line-up. If there is some question regarding whether an individual stopped in the field may be the right suspect, an attempt at field identification may prevent the arrest of an innocent person. Therefore, when circumstances require the use of field identification the guidelines listed below should be followed.

A. Procedures for Using Field Identifications

1. Supervisory approval should be obtained prior to any field identification. The officer is responsible for ensuring the witness is able to understand the instructions given by officers. If the witness is deaf, illiterate, or has limited English proficiency, the officer will either provide for an interpreter or other assistance or not continue with the field identification.
2. Single-suspect field identification shall not be used if there is adequate probable cause to arrest the suspect.
3. A complete description of the suspect should be obtained from the witness prior to conducting a field identification.
4. No field identification will be done if the witness is unsure of his/her ability to identify the suspected individual.
5. Whenever possible, the witness should be transported to the location of the suspect rather than bringing the suspect to the witness.
6. Field identifications should not be attempted more than two hours after the commission of a crime.
7. Field identification should not be conducted when the suspect is in a patrol car, handcuffed, or physically restrained by police officers unless such protective measures are necessary to ensure safety.
8. Field identification should be conducted with only one witness present at a time. If there is more than one witness a separate field identification should be conducted for each one. If one witness positively identifies the individual, the field administrator should consider making an arrest and using the above photographic line-up procedures for other witnesses.
9. The same suspect should not be presented to the same witness more than once in either field or photographic line-ups.
10. Field identification suspects should not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator, or to perform other actions of the perpetrator.
11. Words or conduct of any type by officers that may suggest to the witness that the individual is or may be the perpetrator will be avoided.
12. These restrictions apply not only to civilian field identifications, but to field identifications in which an officer is the witness.

B. Documentation of Field Identifications

1. The officer conducting a field identification, [after supervisory approval](#), should use the field identification form to inform the witness of the procedure and obtain evidence that he/she understands the procedure.
2. The officer will document on the field-identification form the witness's comments regarding the suspect. The form will be given to the assigned investigating officer who will include the form in the original case report.

IX.

LAKE TRAVIS I.S.D. POLICE DEPARTMENT
Photographic Line-up Form

Case Number: _____

Admonition. Read the following to the witness:

1. You will be shown a number of photographs.
2. I have been asked to show these photographs to you, but I do not know the identity of the perpetrator.
3. These photographs are numbered, and I will show them one at a time, in a random order. Please take as much time as you need before moving to the next photograph.
4. All of the photographs will be shown even if you make an identification.
5. The person who committed the crime may or may not be in this line-up and you should not feel compelled to choose anyone.
6. Regardless of whether you make an identification, we will continue to investigate this incident.
7. If you recognize anyone, please tell me which photograph you recognize and how or why you recognize the individual.
8. You should not discuss the identification procedure or its results with other eyewitnesses involved in the case and should not speak with the media regarding any identification you may make.
9. If you make an identification, I am required to ask you to state in your own words how certain you are of the identification.

I, _____, understand the above information.

Line-up administrator: _____

Order of photographs shown: _____

Statement of Victim/Witness:

On the ____ day of _____, 20____, at __ o'clock __m), I viewed a photo line-up. This line-up contained photographs of _____persons.

I did identify the person with the number ____.

Identification comments / Level of certainty: _____

_____.

Viewer's signature: _____

I was unable to positively identify any of the persons in the line-up.

Viewer's signature: _____

Other persons in attendance during line-up, including any translator if used:

Name and address: _____

Name and address: _____

**LAKE TRAVIS I.S.D. POLICE DEPARTMENT
Field Identification Form**

Case Number: _____

Read the following to the witness:

1. You will be advised of the procedures for viewing in a field identification.
2. The fact that an individual is being shown to you should not cause you to believe or guess that the guilty person(s) has been identified or arrested.
3. This *may or may not* be the person who committed the crime.
4. You are in no way obligated to identify anyone. It is as important to clear the innocent as it is to identify the guilty.
5. Regardless of whether you make an identification, the police will continue to investigate this incident.
6. If you recognize anyone, please tell me how you recognize the individual.
7. We are required to ask you to state in your own words how certain you are of any identification.

I, _____, understand the above information.

I understand the need to describe my level of certainty regarding identification and after viewing the person(s) shown have identified him/her/them as _____

Viewer's Signature: _____

Officer's printed name: _____


Officer's signature: _____

Other persons in attendance during field identification.

Name and Address: _____

Name and Address: _____

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 7.43 Missing Persons	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP 7.06	

I. Purpose:

Protecting life is of paramount importance to the department and is the primary reason it exists as an organization. Perhaps nothing disrupts the social order of a community more than the threat to life against its children and the elderly. As maintainers of the social order, the department must strive to protect the well-being of the community. This departmental regulation establishes procedures that ensure the efficient and effective investigation into incidents involving missing persons.

II. Definitions:

Adult. A person 18 years of age or older.

Child Comfort Zones. Any place a child may frequent or feel comfortable going. Comfort zones include places within the child’s residence [i.e. bedroom, attic hideout, etc.], the residence of a friend, and / or businesses or establishments that are frequented by the child. A comfort zone may also include a person with whom the child is comfortable.

Child Safety Zone. The distance a child could travel from the spot last seen before he or she would most likely be at risk of being injured or exploited. The child’s age, reasoning ability and physical condition should be factored into determining the perimeter of the child’s safety zone.

Elderly. A person 65 years of age or older.

Family Abduction. When a child is removed without authorization from his or her parent, custodial parent, guardian or other responsible party by force or other means to include coercion and the person(s) removing the child is the child’s non-custodial parent or other family member by blood or marriage.

First Responder. The uniformed officer ultimately responsible for creating the original offense report.

Missing Child. A person under the age of 18 years whose current location is unknown to the

person's parent(s), guardian or responsible party and the circumstances are unusual and / or would create reasonable concern for the child's safety.

Non-Family Abduction. When a child is removed without authorization from his or her family, guardian or responsible party by force or by other means to include coercion and the person(s) removing the child is not a family member by blood or marriage.

Runaway / Lost Child. A person under the age of 18 years who has run away or has gotten lost and could be in danger given his or her age, level of maturity, mental competency and / or physical condition.

III. Initial Response:

The department's initial response to a missing child call is a crucial component of the investigation and can greatly increase the likelihood that the child is found quickly and returned home safely. The following serve as guidelines to be followed by the first responder. The guidelines are not presented as step-by-step procedures and not all guidelines are appropriate in every investigation. The category in which a missing child investigation falls determines the appropriate initial response.

Initial Interviews. The first responder will interview parents and / or the reportee and attempt to obtain the following information. Interviews should be conducted individually and in private.

- a. A complete description of the child to include photographs and / or video footage if available.
- b. Determine when, where and by whom was the child last seen. Reconstruct the circumstances surrounding the disappearance as accurately and in as much detail as possible. Interview any potential witness to the incident.
- c. Determine if there has been a marital separation and who has custodial rights. Obtain court documents if possible.
- d. Determine whether problems exist that may have caused the child to run away.
- e. Determine whether the child has Internet access and uses social media or has used social media in the past. If so, secure the computer as forensic evidence.
- f. Identify and if possible interview the child's friends and / or the friends of older siblings.
- g. Obtain names, addresses and phone numbers of other relatives and / or adult family friends.

The purpose of the initial interview is to determine in which category the missing child incident falls. Specific questions should be asked of those interviewed that lead to that determination. A supervisor and the assigned investigator should be called to the scene if the first responder determines the missing child is other than a run away.

Securing the Scene. Crime scene integrity is paramount to a proper investigation. The scene of a missing child incident should be considered a crime scene and protected as such. The scene may require cordoning off with crime scene tape and the first responder should consider a child's comfort zones that are close to the scene as part of the scene. Some crime scenes [i.e. park, strip center, roadway or public building] may require the cooperation of other police agencies and / or the cooperation of an establishment's employees to protect. Unnecessary police personnel, witnesses and the general public must be restricted from entrance into the crime scene without the approval of the assigned investigator or supervisor. Evidence should remain undisturbed pending

collection by the appropriate agency.

Initial Search. The first responder should organize the initial search. Officers from neighboring agencies may be requested to assist in the search. The first phase of the initial search is to determine that the child is actually missing. The first responder should search the last known location [i.e. house and grounds looking in closets, vehicles, garages, storage sheds, attics, etc.] where a small child could either hide or fall asleep. The reportee or someone familiar with the area should assist in the search.

Permission should always be obtained from a proprietor prior to searching a missing child scene at a business, establishment or public place. A representative of the business or establishment should assist in the search. Restrooms, offices, storage areas, parking lots, vehicles, etc. should be included in the search.

A search of the child's residence should be conducted when the child is reported missing from a place other than his or her residence and no tangible evidence exists to substantiate the report. Permission should be obtained from the appropriate person prior to searching the child's residence and the appropriate law enforcement agency must be requested to assist if the child's residence is not in the District limits.

A search of the immediate area must be conducted if the child is not found in conjunction with the crime scene search and there is reason to believe the child may be in the immediate area. The perimeter of the child's zone of safety may be used to define the immediate area search. A supervisor should organize the search of the immediate area. The managing supervisor should establish a field command post [a patrol vehicle will suffice] away from the scene from which to direct the search effort. He or she must coordinate search efforts with neighboring jurisdictions if the search of the immediate area extends beyond the districts limits.

The scene supervisor should contact the Cypress-Fairbanks ISD Police Department K-9 unit or any available law enforcement agency with a K-9 unit to assist in the immediate area search if there is reason to believe the child may be on the ground. A police helicopter should be requested from the Houston Police Department if appropriate. Any volunteer search group [i.e. Equusearch] that shows up at the scene or contacts the department should be referred to the assigned investigator.

Reports. The first responder is responsible for completing the original offense report. All officers acting in a support capacity will complete and submit a supplement report documenting their actions to the first responder's original offense report. The first responder will ensure that the telecommunications division enters the missing child into TCIC / NCIC within two hours. The NCIC number shall be documented in the incident report. The assigned investigator is responsible for securing reports from any outside agency that renders assistance.

IV. AMBER Alert:

An AMBER alert will be initiated when the preliminary investigation leads the follow up investigator or a member of the command staff to believe the child may have been abducted. Either a. through e. or b. through e. of the below criteria must be met to activate an AMBER alert.

- a. The child in question is 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and (i) if abducted by a parent or legal guardian, was the abduction in the course of an attempted murder, or
- b. The child is 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
 - i. Someone unrelated and more than three years older, or
 - ii. Another parent or legal guardian who attempted or committed murder at the time of the abduction.
- c. There is reason to believe that the child is in immediate danger of serious bodily injury, sexual assault, or death.
- d. A preliminary investigation has eliminated alternative explanations for the missing child's disappearance.
- e. There is sufficient information to disseminate to the public that could assist in locating the child, suspect or vehicle used in the incident.

An AMBER alert may only be activated by the assigned investigator or by a member of the command staff. Pictures of the child, suspect or suspect vehicle should be saved as a "JPEG" computer file. The investigator or a member of the command staff must amend an AMBER alert immediately upon locating the child in question. The message should provide details explaining how the child was located and recovered and whether an arrest was made. The dispatcher is responsible for notifying other law enforcement agencies through TLETS that the missing child has been located. The assigned investigator or a command staff member will notify the media that the child has been found.

V. Endangered Missing Persons Alert Criteria

A requesting law enforcement agency must meet **ALL** the below criteria in order to activate the State Endangered Missing Persons Alert Network:

- a. The missing person has been diagnosed with an Intellectual Disability and / or a Pervasive Developmental Disorder, including Asperger's Disorder, Autistic Disorder, Autism Spectrum Disorder, Childhood Disintegrative Disorder, Rett's Disorder or a Pervasive Developmental Disorder (Not Otherwise Specified)
- b. The missing person has been diagnosed with an Intellectual Disability, law enforcement shall require a written diagnosis from a physician or psychologist licensed to practice within Texas, or certified by the Texas Department of Aging and Disability Services and / or Texas Department of State Health Services.
- c. An investigation has taken place, verifying that a reasonable explanation for the missing person's disappearance has been ruled out and that the disappearance poses a credible threat to the health and safety of the missing person.
- d. The Endangered Missing Persons Alert request being made within 72 hours of the missing person's disappearance.
- e. There is sufficient information available to disseminate to the public that could assist in

locating the missing person (highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the missing person was in the vehicle at the time of the disappearance)

VI. Silver Alert Criteria

A requesting law enforcement agency must meet all the below criteria in order to activate the State Silver Alert Network:

- a. The missing person is 65 years of age or older.
- b. The senior citizen lives in Texas.
- c. The senior citizen has a diagnosed impaired mental condition, and the senior citizen's disappearance poses a credible threat to the senior citizen's health and safety. Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition.
- d. An investigation has taken place that confirms the senior citizen's disappearance is due to his / her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out
- e. The Silver Alert request was within 72 hours of the senior citizen's disappearance.
- f. There is sufficient information available to disseminate to the public that could assist in locating the senior citizen (highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the missing person was in the vehicle at the time of the disappearance)

VII. Blue Alert Criteria

A requesting law enforcement agency must meet all the below criteria in order to activate the State Blue Alert Network:

- a. A law enforcement officer must have been killed or seriously injured by an offender.
- b. The investigating law enforcement agency must determine that the offender poses a serious risk or threat to the public and other law enforcement personnel.
- c. A detailed description of the offender's vehicle, vehicle tag, or partial tag must be available for broadcast to the public.
- d. The investigating law enforcement agency of jurisdiction must recommend activation of the Blue Alert to the State Operations Center (Texas Division of Emergency Management).

VIII. Follow Up Investigation:


The investigator is the primary person responsible for follow up investigations involving a missing person. The detective sergeant will act as the investigator in the absence of an assigned investigator. Follow up investigations are guided by the following principles and / or activities.

- a. Debrief the first responder and any other officer who had a part in the preliminary

investigation. Verify the accuracy of the information received and account for discrepancies. Conduct door-to-door canvassing, if appropriate, in an attempt to develop further leads. Information collected during the canvass will be recorded on the departmentally-approved form.

- b. Ensure all physical evidence is properly collected and tagged. Evidence may be collected by the detective, a departmental crime scene unit or a crime scene unit from another local, state or federal agency.
- c. Ensure that the details of the case are reported to the National Center for Missing and Exploited Children and the Department of Public Safety Missing Child Clearinghouse.
- d. Assimilate all original offense reports and supplements and develop a follow up investigative plan. The plan should identify the need for follow up interviews with parents, family members, friends, witnesses and potential suspects. This may also include timetables for administering polygraph examinations to key subjects.
- e. Develop a family dynamics profile to include information regarding previous calls for police service to the missing person's residence [i.e. domestic violence, etc.], reported child abuse to social service agencies and / or schools and the existence of insurance policies on the missing child.
- f. Establish a leads management system to prioritize leads and ensure that each lead undergoes review and follow up.
- g. Obtain the missing person's latest medical and dental records and any physical evidence from the residence that may be utilized for future DNA comparisons [i.e. hair from the missing person's hairbrush, saliva from toothbrush]. Obtain the missing person's fingerprints from a personal item if no pre-prepared fingerprint card is available.
- h. Prepare update bulletins and / or fliers for local police agencies, state and federal missing children's clearinghouses, FBI, etc. and distribute within the appropriate geographical locations. Utilize radio and television to solicit citizen tips and information.
- i. Establish a master file for all documents generated by the incident and include copies of all reports in file. Create a case activity log that chronologically lists the various investigative tasks completed in conjunction with the incident.
- j. Maintain communication with the command staff and ensure it is consulted and informed of each development in the case.
- k. Liaison with and seek assistance from other local law enforcement units.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 9.1 Communications Procedures	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 3.18, 9.01, 9.02, 9.03, 9.04, 9.05, 9.06, 9.07, 9.08 and 9.09.	

I. POLICY

Accurate communication is essential to the operation of any department. The Lakeway Police Department communications center, which functions 24 hours a day, is designed to provide safety and security for police personnel and to respond to the needs of the public. It is essential that every step in our communication process be conducted concisely, effectively, accurately, and properly.

II. PURPOSE.

The purpose of this policy is to establish guidelines for responses to calls received through the 911 system.

III. DEFINITIONS.

- A. 911: The telephone number 911 is used for emergency telephone communications to the department.
- B. E 911. The Enhanced 911 means that when a 911 call is received the address of the caller is displayed. (TBP: 9.05)
- C. Call-Taker: Any employee who answers a 911 or an E911 telephone call.
- D. Unknown 911: A call received on the E911 system but the caller will not or cannot communicate verbally with the call-taker. The address and telephone number of the caller will generally be available.
- E. Call-Taker Training Manual: The manual produced by the County 911 Emergency District for the purpose of uniform training of Call-Takers within the district's jurisdiction, which includes this department.
- F. ANI: Automatic number identification. ANI indicates that the call-taker's screen shows the caller's telephone number when the E911 line is answered.
- G. ALI: Automatic location identification. ALI refers to the display on the call-taker's screen of the caller's address when the E911 line is answered.

IV. GENERAL

- A. The Communications Center operates 24 hours a day and has 24- hour two-way radio communication with all members of the department operating in the field. (TBP: 9.01, 9.06)
- B. The Communications Center is a secure facility. No unauthorized personnel are allowed inside the facility without the express approval of a communications supervisor. (TBP: 9.02)
- C. All tours or other visits to the facility will be coordinated and approved in advance by the communications supervisor.
- D. Police personnel will limit their access to the Communications Center to business-related tasks and shall not take breaks, do reports, or otherwise visit personnel inside the Center.
- E. The Communications Center has an emergency back-up generator for power, and keeps portable radios and cell phones for communications in the event of a power failure. In the event of an extended power failure that puts in-coming 911 calls at risk, the 911 calls should be transferred to another PSAP and police and fire-call responses initiated by cell phone or portable radio systems.
- F. The dispatch consoles have a recording system that records all telephone and radio transmissions and allows for immediate playback if necessary. (TBP: 9.03)

V. COMPLIANCE WITH FCC RULES AND REGULATIONS

- A. Employees will comply with FCC regulations relating to the use of radio communications systems.
- B. Employees will follow established guidelines and procedures as outlined below:
 - 1. Communications involving the protection of life and property shall be afforded priority.
 - 2. False calls, false or fraudulent distress signals, unnecessary and unidentified communications, and the transmission of unassigned call signals are specifically prohibited.
 - 3. Employees shall monitor the radio frequency on which they intend to transmit for a sufficient period to ensure that their transmissions will not cause interference to others.
 - 4. The duration of radio transmissions must be restricted to the minimum practical transmission time.

VI. RADIO COMMUNICATIONS

- A. Only English will be spoken. Clear, concise, and controlled language will be used. Obscene, indecent, profane, or slang language, horseplay, and joking are not permitted.
- B. Units calling the station shall identify themselves by their assigned unit number. They should not continue the transmission until acknowledged by the dispatcher.
- C. Units will give their unit number when responding to the dispatcher.
- D. Officers will not call for another employee by name unless their radio or unit number is unknown.
- E. Officers will advise the dispatcher of their arrival on the scene of a dispatched call using proper radio etiquette or by MDT/MDC.
- F. Officers at a scene will notify the dispatcher if they determine that no other units are needed.
- G. If an incident is found to have occurred somewhere other than at the dispatched location, the officer will update their location by radio or via message to dispatcher.
- H. Upon completion of a call, officers will clear the call in the proper manner via radio or MDT/MDC and immediately go back into service.
- I. Lengthy transmissions should not be made on the radio system's primary channels. Long transmissions should be done over a secondary channel when available, as a CAD message, or via a cell phone if available. Transmissions should always be held to a minimum.
- J. Employees will not become engaged in an argument on the radio. Conflict between an officer and a dispatcher should be referred to the employees' immediate supervisors for resolution.
- K. Officers shall refrain from seeking advice from a dispatcher regarding a point of law, enforcement action, or department policy. Officers should consult their immediate supervisor on these matters or obtain the information from their laptop computers.
- L. Communication with interacting agencies will be by telephone. Communication with Air Ambulances Air One will be by radio or cell phone as required.

VII. EMERGENCY SITUATIONS

- A. Transmissions regarding emergencies (e.g., pursuits, serious crimes in progress, etc.) will be given priority over all other transmissions. Units not involved in the emergency will stay off the air until the situation has been resolved.

- B. When an "officer needs assistance" call is received, Communications will make a general broadcast to all units and assign two units and a supervisor.

VIII. MONITORING RADIO CHANNELS

- A. Field units will continuously monitor their primary channel.
- B. Investigative, support, and special unit personnel will monitor the patrol channel when they are in the field.
- C. Supervisors may monitor additional frequencies; however, they will remain available on their primary channel.

IX. RESPONSIBILITY OF SUPERVISORS

- A. Supervisors will carefully monitor and supervise the use of the radio to assist their officers as needed.
- B. Supervisors are responsible for the radio conduct of their subordinates and should immediately correct improper radio procedures.
- C. Supervisors may be assigned calls when other units are not available.
- D. Supervisors will respond to any call from subordinates and proceed to a scene when requested.

X. MDT/MDC COMPUTER USAGE

- A. The Mobil Data Terminal/Computer (MDT/MDC) is a part of the radio system using frequencies licensed by the FCC. Rules concerning proper radio procedures also apply to use of the MDT. Rules for MDT messages include the following:
 - 1. They will not be personal in nature.
 - 2. They will not contain derogatory references to other persons or agencies.
 - 3. They will not contain any text that a reasonable person would find offensive.
- B. Because messages sent with the CAD/MDT system slow the system response time, only concise, work-related messages may be transmitted. Personnel are urged to use abbreviations to help keep the messages brief.
- C. There is NO EXPECTATION OF PRIVACY concerning sending or receiving messages via the CAD/MDT system.
- D. Except in emergency situations or in single-key response to dispatched calls or enquiries, the driver of the vehicle will not utilize the MDT/MDC keyboard while the vehicle is in motion. Drivers will stop at a safe location before utilizing the keyboard.

XI. CALL HISTORY

A. A report containing the following information will be created and maintained regarding each request for police services (call for service) and for officer-initiated activity:

1. Case or service number;
2. Date and time of request;
3. Name and address of complainant, if possible;
4. Type of incident reported;
5. Location of incident reported;
6. Identification of officer(s) assigned as primary and backup;
7. Time of dispatch;
8. Time of officer arrival;
9. Time of officer return to service;
10. Disposition or status of reported incident.

XII. ASSIGNMENTS OF CALLS FOR SERVICE


A. Call Priority

1. The Communications center maintains a listing of the types of calls by priority. Priority 1 calls are those that require an immediate response to prevent injury or loss of life. Some Priority 1 calls are dispatched as emergency calls with a Code 3 response. Other calls are classified as Priority 2, 3, and 4 depending on the nature of the call and which ones should be handled first.
2. The Lakeway Chief of Police shall establish the call-priority list.

B. Assignment of Priority Calls

1. Units Available/Units Not Available
 - a. Calls for service shall be assigned to the in-service officer responsible for the area in which the call is located. When area officers are not available, the nearest area officer will be selected. Officer safety and call priority will be the primary considerations when selecting alternate area officers.
 - b. Supervisors will monitor dispatching of Priority 1 calls and ensure that officers are immediately available or will quickly become available to respond.
2. Backup Units
 - a. Backups are assigned to ensure officer safety, to help secure crime scenes, and to check the area for suspects. Most calls categorized as Priority 1 will require a backup. The decision to send a backup on a Priority 2 call is decided on a call-by-call basis. However, supervisors or on-scene officers may authorize the response of additional units if they feel backup is needed.
3. General broadcasts can be used for DWI's, auto theft information, warrant information, missing persons, serious weather, and to alert officers of a pending call.

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	LAKE TRAVIS ISD POLICE DEPARTMENT	
	Policy 10.1 Prisoner Processing	
	Effective Date: 7/1/2021	Replaces:
	Approved: <i>Andy Michael</i> Chief of Police	
	Reference: TBP: 10.10, 10.12, 10.14, 10.15, and 10.22.	

I. POLICY

This department does not maintain or operate a holding facility. All adults taken into custody are taken directly to the Travis County jail. The policy of this department is to process prisoners immediately and safely transport them to the county jail as soon as possible.

II. PURPOSE

The purpose of this policy is to provide operational procedures for transport of adult prisoners to and from the county jail.

III. GENERAL ISSUES

A. Supervision

1. The sheriff is responsible for the operational policies and supervision of the county jail.
2. Members of this agency will conform to the county's requirements when processing prisoners for holding in the county's facility.
3. Any difficulties encountered by members of this department should be brought to the attention of the Chief of Police as soon as possible.

B. Access to Facility

1. Access to the county jail is limited to authorized sworn personnel.
2. Juveniles are prohibited from entering the facility at any time.
(Juveniles taken into custody are transported immediately to the juvenile's home, to the juvenile processing room at the police facility, or to Gardner Betts.)

IV. FACILITY SECURITY

A. Firearms and Weapons

1. No firearms or other weapons are allowed in the jail area.

(Officers shall secure weapons in an appropriate lock box or in the officer's vehicle trunk prior to entering the facility.)

2. Weapons that are not part of an investigation but are the prisoner's property will be placed in the property room for safekeeping.

V. PRISONER PROCESSING

A. Prisoner Control and Security

1. All arrested persons are thoroughly searched for weapons and contraband at the scene of the arrest prior to being placed in a police vehicle.
2. Any contraband located on the arrested person is considered evidence, seized, and properly secured as evidence.
3. Any property removed from a suspect shall be secured by the arresting officer and released to the custody of the county when the individual is booked into the jail. (TBP 10.10)
4. Persons arrested by this agency may be transported to the department facility for paperwork processing prior to transport to the county jail.
5. At no time will any person arrested or detained be left alone while in custody, including the police vehicle or the department facility.
6. Persons to be detained in the county jail are escorted into the facility through the sallyport.
7. Upon arrival at the facility, arrested persons are placed immediately into a temporary holding area.
8. No person is kept in the temporary holding cell without observation.
9. Officers will take extra precautions to ensure that all items taken from a prisoner in the field are turned over to the county for safekeeping. (The property is returned to its owner at the appropriate time.)
10. Officers who develop information during an arrest -- through observation or self-profession by the arrestee -- that the individual may be suicidal, transgender, intersexual, or gender nonconforming will make sure that holding facility staff is informed of the situation in a manner that does not embarrass or endanger the arrestee.

B. Strip Searches (TBP: 10.14)

1. Strip searches may be requested when officers have reasonable cause to believe the prisoner(s) may be concealing a weapon, drug, or other contraband.
2. Strip searches are never performed in the field.
3. A strip search may not be performed until it has been approved by a the Chief of Police and a Travis County Jail supervisor.
4. A strip search must be performed jail personnel.
5. Strip searches are conducted in the manner prescribed by county procedures.
6. Strip searches are documented in the officer's arrest report, which will detail the officer's justification for such a search, the location where the each took place, the names of all persons present during the search, and the results of

the search. A copy of the report is forwarded to the Chief of Police for review and filing.

C. Body Cavity Searches (TBP: 10.15)

1. Body cavity searches are never performed in the field and, if requested and approved, are conducted only by competent medical personnel in compliance with county procedures.
2. If an officer has reasonable cause to believe a body cavity search is needed to detect weapons, drugs, or other contraband, the following procedures apply:
 - a. The Chief of Police is notified.
 - b. A search warrant is secured.
 - c. The detainee is transported to an appropriate medical facility.
 - d. The on-duty emergency room physician conducts the search while officers stand by to take control of any evidence and provide security to the physician conducting the search.
 - e. Body cavity searches are documented in the officer's arrest report and will detail the officer's justification for such search, the approving supervisor's name, the identity and the location of the facility where the search took place, the names of all persons present during the search, and the results of the search.
 - f. A copy of the report and of the warrant are forwarded to the Chief of Police for review and filing.

D. Medical Attention (TBP: 10.12)

1. Should an arrested person have obvious injuries or complain of injury or illness, the arresting officer will ensure either EMS personnel or medical personnel examine the individual before transport to the county jail.
2. If the severity of medical conditions is unclear or if a prisoner requests medical attention, he/she shall be transported as soon as possible to a medical facility for evaluation.
3. If available, the arresting officer shall be responsible for transporting the prisoner to the designated medical facility and for the security of the prisoner while at a designated medical care facility.

E. Fingerprints and Photographs

1. Individuals being charged with a class B misdemeanor or above require the state issued CJIS card and any supplemental cards as required.
2. Those individuals being charged with a felony also require both a CJIS card and an FBI card.
3. Fingerprinting is not required for those being charged with a class C misdemeanor; however, fingerprints may be taken if, in the opinion of the booking officer, they would be useful in fully identifying the arrested person.
4. All adult individuals detained will have a booking photo made.

F. Arrest Reports

1. Using the computerized records management system, the arresting officer will complete an arrest report for every individual arrested.
2. Arrest reports must contain information about the offense and the probable cause to believe the person committed the offense or a reference to an offense report where such information is provided.
3. All arrest reports and related offense reports will be completed by the arresting officer prior to end of shift.
4. Arrest affidavits will be presented to the on-duty judge at the Travis County Jail.
 - a. If the judge declines to sign the probable cause affidavit, the arresting officer shall return to the jail and have the prisoner released.